

CONTROLLING LEGAL PRINCIPLES

Free Exercise Clause Decision – The “Contemplation of Justice” United Larson v. Valente, 456 U.S. 228 (1982)



The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another.

"Security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests and in the other in the multiplicity of sects. [Footnote 22]"

As Justice Jackson noted in another context,

"there is no more effective practical guaranty against arbitrary and unreasonable government than to require that the principles of law which officials would impose upon a minority

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must be imposed generally."

Railway Express Agency, Inc. v. New York, 336 U. S. 106, 336 U. S. 112 (1949) (concurring opinion).

As **THE CHIEF JUSTICE** stated in **Lemon**, 403 U.S. at 403 U. S. 620:

"This kind of state inspection and evaluation of the religious content of a religious organization is fraught with the sort of entanglement that the Constitution forbids. It is a relationship pregnant with dangers of excessive government direction . . . of churches."