

FindLaw

Laws - Cases, Codes & Regs

Lawyer Search

FindLaw Newsletters

Top Legal News
Headlines

Legal Grounds

Labor &
Employment Law

[More Newsletters](#)

MY FindLaw

Email:

Password:

Keep me logged in
until I sign out.

Forgot Your Password ?
[click here!](#)

[New User ?](#)
[Click Here!](#)

[Main Index](#) : [Cases and Codes](#) : [U.S. Constitution](#) : [First Amendment](#)

U.S. Constitution: First Amendment

First Amendment - Religion and Expression

Amendment Text | [Annotations](#)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Annotations

- [Religion](#)
- [An Overview](#)
 - [Scholarly Commentary](#)
 - [Court Tests Applied to Legislation Affecting Religion](#)
 - [Government Neutrality in Religious Disputes](#)
- [Establishment of Religion](#)
 - [Financial Assistance to Church-Related Institutions](#)
 - [Governmental Encouragement of Religion in Public Schools: Released Time](#)
 - [Governmental Encouragement of Religion in Public Schools: Prayers and Bible Reading](#)
 - [Governmental Encouragement of Religion in Public Schools: Curriculum Restriction](#)
 - [Access of Religious Groups to Public Property](#)
 - [Tax Exemptions of Religious Property](#)
 - [Exemption of Religious Organizations from Generally Applicable Laws](#)
 - [Sunday Closing Laws](#)
 - [Conscientious Objection](#)
 - [Regulation of Religious Solicitation](#)
 - [Religion in Governmental Observances](#)
 - [Religious Displays on Government Property](#)
 - [Miscellaneous](#)

- **Free Exercise of Religion**
 - The Belief-Conduct Distinction
 - The Mormon Cases
 - The Jehovah's Witnesses Cases
 - Free Exercise Exemption from General Governmental Requirements
 - Religious Test Oaths
 - Religious Disqualification
- **Freedom of Expression--Speech and Press**
- **Adoption and Common Law Background**
- **Freedom of Expression: The Philosophical Basis**
- **Freedom of Expression: Is There a Difference Between Speech and Press**
- **The Doctrine of Prior Restraint**
 - Injunctions and the Press in Fair Trial Cases
 - Obscenity and Prior Restraint
- **Subsequent Punishment: Clear and Present Danger and Other Tests**
 - Clear and Present Danger
 - The Adoption of Clear and Present Danger
 - Contempt of Court and Clear and Present Danger
 - Clear and Present Danger Revised: Dennis
 - Balancing
 - The "Absolutist" View of the First Amendment, with a Note on "Preferred Position"
 - Of Other Tests and Standards: Vagueness, Overbreadth, Least Restrictive Means, and Others
 - Is There a Present Test?
- **Freedom of Belief**
 - Flag Salute Cases
 - Imposition of Consequences for Holding Certain Beliefs
- **Right of Association**
 - Political Association
 - Conflict Between Organization and Members
- **Maintenance of National Security and the First Amendment**
 - Punishment of Advocacy
 - Compelled Registration of Communist Party
 - Punishment for Membership in an Organization Which Engages in Proscribed Advocacy
 - Disabilities Attaching to Membership in Proscribed Organizations
 - Employment Restrictions and Loyalty Oaths
 - Legislative Investigations and the First Amendment
 - Interference With War Effort
 - Suppression of Communist Propaganda in the Mails
 - Exclusion of Certain Aliens as a First Amendment Problem
- **Particular Government Regulations Which Restrict Expression**
 - Government as Employer: Political and Other Outside Activities
 - Government as Employer: Free Expression Generally
 - Government as Educator
 - Government as Regulator of the Electoral Process: Elections
 - Government as Regulator of the Electoral Process: Lobbying
 - Government as Regulator of Labor Relations
 - Government as Investigator: Journalist's Privilege
 - Government and the Conduct of Trials
 - Government as Administrator of Prisons

- [Government and Power of the Purse](#)
- **[Governmental Regulation of Communications Industries](#)**
 - [Commercial Speech](#)
 - [Taxation](#)
 - [Labor Relations](#)
 - [Antitrust Laws](#)
 - [Radio and Television](#)
 - [Governmentally Compelled Right of Reply to Newspapers](#)
 - [Regulation of Cable Television](#)
- **[Government Restraint of Content of Expression](#)**
 - [Seditious Speech and Seditious Libel](#)
 - [Fighting Words and Other Threats to the Peace](#)
 - [Group Libel, Hate Speech](#)
 - [Defamation](#)
 - [Invasion of Privacy](#)
 - [Emotional Distress Tort Actions](#)
 - ["Right of Publicity" Tort Actions](#)
 - [Publication of Legally Confidential Information](#)
 - [Obscenity](#)
 - [Child Pornography](#)
 - [Nonobscene But Sexually Explicit and Indecent Expression](#)
- **[Speech Plus--The Constitutional Law of Leafleting, Picketing, and Demonstrating](#)**
 - [The Public Forum](#)
 - [Quasi-Public Places](#)
 - [Picketing and Boycotts by Labor Unions](#)
 - [Public Issue Picketing and Parading](#)
 - [Leafleting, Handbilling, and the Like](#)
 - [Sound Trucks, Noise](#)
 - [Door-to-Door Solicitation](#)
 - [The Problem of "Symbolic Speech "](#)
- **[Rights of Assembly and Petition](#)**
- **[Background and Development](#)**
 - [The Cruikshank Case](#)
 - [The Hague Case](#)

LEGAL NEWS: [Top Headlines](#) · [Supreme Court](#) · [Commentary](#) · [Crime](#) · [Cyberspace](#) · [International](#)
US FEDERAL LAW: [Constitution](#) · [Codes](#) · [Supreme Court Opinions](#) · [Circuit Opinions](#)
US STATE LAW: [State Constitutions](#) · [State Codes](#) · [Case Law](#)
RESEARCH: [Dictionary](#) · [Forms](#) · [LawCrawler](#) · [Library](#) · [Summaries of Law](#)
LEGAL SUBJECTS: [Constitutional](#) · [Intellectual Property](#) · [Criminal](#) · [Labor](#) · [more...](#)
GOVERNMENT RESOURCES: [US Federal](#) · [US State](#) · [Directories](#) · [more...](#)
INTERNATIONAL RESOURCES: [Country Guides](#) · [Trade](#) · [World Constitutions](#) · [more...](#)
COMMUNITY: [Message Boards](#) · [Newsletters](#) · [Greedy Associates Boards](#)
TOOLS: [Office](#) · [Calendar](#) · [CLE](#) · [Email](#) · [FAX](#) · [West WorkSpace](#) · [FirmSite](#)

