As also saith the law

"So speak ye, and so do, as they that shall be judged by the law of liberty." - James 2:12

Some of the opinions written concerning the first amendment right for the exercise of free speech by the Judicial Courts within the USA.

- "A function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech…is…protected against censorship or punishment…There is no room under our Constitution for a more restrictive view." **(Terminiello v. City of Chicago, 337US 1 (1949(at 3-5).**
- "The fact that society may find speech offensive is not a sufficient reason for suppressing it. Indeed, if it is the speaker's opinion that gives offense, that consequence is a reason for according it Constitutional protection." **Simon & Shuster, Inc. v. Members of New York State Crime Victims Bd., 502 U.S. 105, 118 (1991).** See also Forsyth County v. Nationalist Movement, 505 U.S. 123, 134-35 (1992)/ Erznoznik, 422 U.S. at 210/ Cohen v. California, 403 U.S. 15,21 (1971).
- "Leafleting, sign display, and oral communications are protected by the First Amendment." **Hill v. Colorado, 530 U.S. 703, 715 (2000).**
- "It is well settled that a municipality cannot place content-based restrictions on the protected exercise of speech." **Deborah Kay Anderson et al v. Charter Township of Plymouth, Michigan, et al, USDC CN.02-73056** in order granting Preliminary Injunction.
- "The fact that the messages conveyed by [leafleting, sign displays and oral communications] may be offensive to their recipients does not deprive them of constitutional protection." **Glasson v. City of Louisville, 518 F.2d 899, 904 (6th Cir 1975).**

- "We have repeatedly referred to public streets as the archetype of a traditional public forum." **Frisby v. Schultz, 487 U.S. 474, 479 (1988).**
- "Offended viewers can 'effectively avoid further bombardment of their sensibilities simply by averting their eyes." **Hill v. Colorado, 530 U.S. 703, 715 (2000).**
- "Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purpose of assembly, communicating thoughts between citizens, and discussing public questions." **Hague v. C.I.O., 307 U.S. 496 at 515 (1939).**
- "Our decisions establish that mere public intolerance or animosity cannot be the basis for abridgement of these constitutional freedoms…The First and Fourteenth Amendments do not permit a state to make criminal the exercise of the right to assembly simply because its exercise may be "annoying" to some people." **Coates v. City of Cincinnati, 402 U.S. 611, 91 S.Ct. 1686, 1689 (1921).**
- "Reasonable time, place and manner restrictions on free expression and their enforcement cannot be based on speech thereby restricted." **Davenport v. City of Alexandria, Virginia 683 F.2d 853, on rehearing 710 F.2d. 148.**
- "Indeed, there was once a time in this country when a minister, whose voice would not have carried for a greater distance than two city blocks, would certainly have been accepted with greatly restrained enthusiasm, and most likely would have been regarded even by his most faithful parishioners, as a downright failure in the ministry." **City of Louisiana v. Bottoms, 300 S.W. 316 (Mo.1927) at 318.**
- "The right to speak carries the right to be heard…Freedom to be heard is as vital to freedom of speech, as is freedom to circulate is to freedom of press…[When] the right to be heard is placed in the uncontrolled discretion of the Chief of Police…He stands athwart the channels of communication as an obstruction which can be removed only after criminal trial and conviction and lengthy appeal. A more effective previous restraint is difficult to imagine." **Saia v. New York, 334 U.S. 559.**
- · "Freedom of speech is protected against censorship or punishment unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public

inconvenience, annoyance, or unrest...There is not room under our Constitution for a more restrictive view." **Edwards v. South Carolina, 372 U.S. 229 (1963) at 703.**

- "Noise can be regulated by regulating decibels." **Saia v. New York, 334 U.S. 1943.**
- [For Pennsylvania Use] "Civil law may, at times, give way to religious beliefs." **Commonwealth v. Barnhart, 345 Pa. Supp. Ct. 9.**
- "The prohibition of noise per se is unconstitutional." **Edwards v. South Carolina, 372 U.S. 229, 83 S. Ct. 680/ Gardner v. Ceci, 312 F. 2d. 516.**
- "City ordinance which, inter alia, prohibited 'loud' and 'boisterous' language is unconstitutional." **Edwards v. South Carolina, 372 U.S. 229/Landry v. Daley, 280 F. Supp. 968.**
- "The right to speak carries the right to be heard." Saia v. New York, 334 U.S. 559.
- "Freedom to be heard is as vital to freedom of speech, as is freedom to circulate is to freedom of press." **Saia v. New York, 334 U.S. 1943/ Lovell v. Griffin, 303 U.S. 444.**
- "Thus [an] ordinance is vague, not in the sense that it requires a person to conform his conduct to an imprecise but comprehensible normative standard, but rather in the sense that no standard of conduct is specified at all." **Coates v. Cincinnati, 402 U.S. 611, 91 S. Ct. 1686.**
- "The ordinance also proscribes conduct that tends to disturb or annoy. The language of the ordinance is both vague and overbroad. The constitutionally protected exercise of free speech frequently causes a disturbance, for the very purpose of the First Amendment is to stimulate the creation and communication of new, and therefore often controversial ideas. The prohibition against conduct that tends to disturb another would literally make it a crime to deliver an unpopular speech that resulted in a disturbance. Such a restriction is a clearly invalid restriction of constitutionally protected free expression." **Gardner v. Ceci, 312 F2d. 516/ Landry v. Daley, 280 F. Supp. 968.**
- "Annoyance at ideas can be cloaked in annoyance at sound." **Saia v. New York, 334 U.S. 562.**
- "The phrases leave determination of what is legal behavior to the unfettered and arbitrary discretion of the individual "person in authority", and is unconstitutionally broad." **Shuttleworth v.**

city of Birmingham, 394 U.S. 147/ 89 S. Ct. 935/ Gardner v. Ceci, 312 F2d. 516.

- "A clear and precise enactment may nevertheless be "overbroad" if in its reach it prohibits constitutionally protected conduct." **Grayned v. city of Rockford, 408 U.S. 104, 92 S. Ct. 294.**
- "The native power of human speech can interfere little with the self-protection of those who do not wish to listen." **Saia v. New York, 334 U.S. 558, 568.**
- "The fact that society may find speech offensive is not a sufficient reason for suppressing it. Indeed, if it is the speaker's opinion that gives offense, that consequence is a reason for according it Constitutional protection." **Simon & Shuster, Inc. v. Members of New York State Crime Victims Bd., 502 U.S. 105, 118 (1991).** See also Forsyth County v. Nationalist Movement, 505 U.S. 123, 134-35 (1992)/ Erznoznik, 422 U.S. at 210/ Cohen v. California, 403 U.S. 15,21 (1971).
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