

# Landmark Supreme Court Cases and the Constitution: *Cantwell v. Connecticut* (1940)



## Discussion Questions:

1. What events led up to Jesse Cantwell's arrest?  
*Cantwell, a Jehovah's Witness, played an anti-Catholic message to two men, who reacted angrily.*
2. How did the Supreme Court rule in *Cantwell v. Connecticut* (1940)?  
*The Court overturned Cantwell's convictions, ruling that 1) Connecticut could not require permits specifically for religious solicitation, and that 2) Cantwell had a First Amendment right to peacefully express his views.*
3. What two religious concepts did the Court find were protected by the First Amendment?  
*Freedom to believe and freedom to act.*
4. How did the *Cantwell v. Connecticut* ruling impact state governments?  
*States were now bound by the First Amendment's limitation on government to interfere with free religious exercise. After the ruling, neither federal nor state governments could unduly infringe on the right to freely exercise religion without a compelling state interest.*
5. Why do you think this case is considered one of the most important freedom of religion cases in US history?  
*Accept reasoned answers. Students should note that the case put questions of religious truth outside the legal system. The ruling helped ensure that individuals have an absolute freedom of belief and government may not identify which causes are "religious" versus causes that are not. Further, the ruling affirmed that the peaceful expression of view—including religious ones—is a fundamental freedom that federal or state law may not restrict. Students may also note that the case is a landmark because it incorporated the Free Exercise Clause of the First Amendment, expanding protection from infringement on free exercise from the federal government to state governments as well.*