

UNITED STATES *v.* ROBEL.

*United States v. Brown*, 381 U. S. 437, 461. The Constitution and the basic position of First Amendment rights in our democratic fabric demand nothing less.

*Affirmed.*

MR. JUSTICE MARSHALL took no part in the consideration or decision of this case.

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a course of adjudication was enunciated by Chief Justice Marshall when he declared: "Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, *which are not prohibited, but which consist with the letter and spirit of the constitution*, are constitutional." *M'Culloch v. Maryland*, 4 Wheat. 316, 421 (emphasis added). In this case, the means chosen by Congress are contrary to the "letter and spirit" of the First Amendment.