



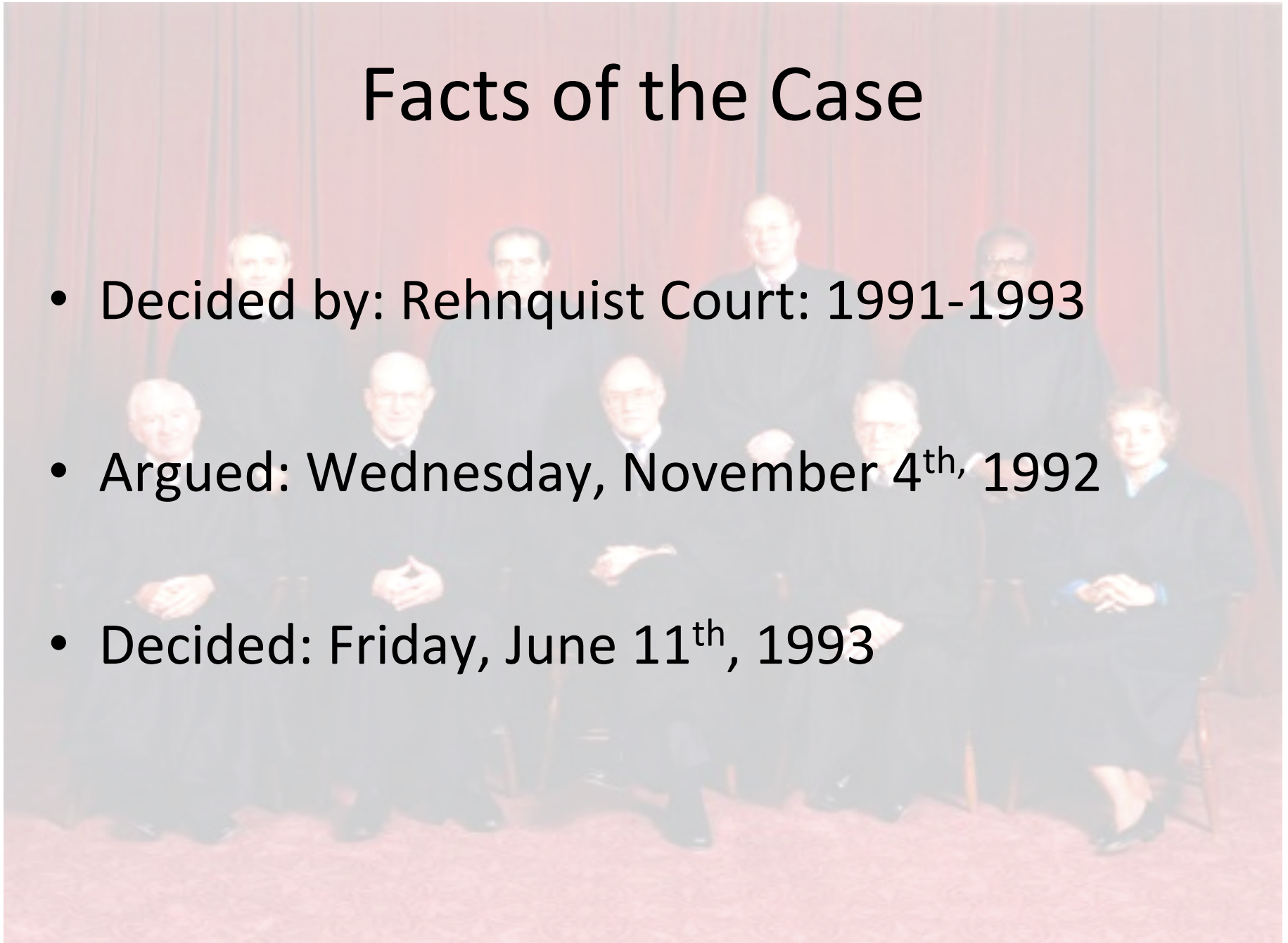
Supreme Court Project Example

Church of the Lukumi Babalu Aye v.
Hialeah, Florida

1991-1993

Facts of the Case

- Decided by: Rehnquist Court: 1991-1993
- Argued: Wednesday, November 4th, 1992
- Decided: Friday, June 11th, 1993



Facts of the Case

- Church of Lukumi Babalu Aye (Petitioner)
 - The Church of Lukumi Babalu Aye practiced the Afro-Caribbean-based religion of Santeria.
 - Santeria used animal sacrifice as a form of worship.
 - Central to Santeria is the ritual sacrifice of animals-at birth, marriage, and death rites, as well as at ceremonies to cure the sick and initiate new members.

Facts of the Case

- City Council of Hialeah (Respondent)
 - Shortly after the announcement of the establishment of a Santeria church in Hialeah, Florida, the city council adopted several ordinances addressing religious sacrifice.
 - The ordinances prohibited possession of animals for sacrifice or slaughter, with specific exemptions for state-licensed activities.
(many other forms of killing animals were legal, including fishing, using animals in medical research, etc)

Question of Constitutionality

The church challenged the constitutionality of these laws, claiming they violated the free exercise clause of the First Amendment because the ordinances essentially barred the practice of Santeria.

Did the city of Hialeah's ordinance, prohibiting ritual animal sacrifices, violate the First Amendment's Free Exercise Clause?

Decision by Supreme Court Justices

Unanimous yes...9-0 (Vote)

(Opinion)

Rehnquist (CJ)...voted with majority, joined
Scalia's concurrence

White...voted with the majority

Blackmun...wrote a special concurrence

Stevens...voted with the majority

O'Connor...voted with the majority, joined Blackmun's
concurrence

Scalia...wrote a regular concurrence

Kennedy...wrote majority opinion

Souter...wrote a special concurrence

Thomas...voted with majority

Decision of the Court

- Unanimous in favor of the Church of the Lukumi Babalu Aye.
 - The Court held that the **ordinances** were neither neutral nor generally applicable. The **ordinances** had to be justified by a compelling governmental interest and they had to be narrowly tailored to that interest.
 - The core failure of the **ordinances** were that they applied exclusively to the church. The **ordinances** singled out the activities of the Santeria faith and suppressed more religious conduct than was necessary to achieve their stated ends.
 - Only conduct tied to religious belief was burdened. The **ordinances** targeted religious behavior, therefore they failed to survive the rigors of strict scrutiny.

Amendment in Question

Amendment I

- *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.*

(RAPPS) Religion, Assembly, Petition, Press, Speech

Effects of Case

- At a minimum, the protections of the Free Exercise Clause pertain if the law at issue discriminates against some or all religious beliefs or regulates or prohibits conduct because it is undertaken for religious reasons.
- Religious rights are protected by Constitution
- Preventative Measures for animal sacrifices?
 - States Role?
- Animal Rights?
 - States Role?

Sources

CHURCH OF THE LUKUMI BABALU AYE v. HIALEAH.
The Oyez Project at IIT Chicago-Kent College of
Law. 09 December 2011. <[http://www.oyez.org/](http://www.oyez.org/cases/1990-1999/1992/1992_91_948)
cases/1990-1999/1992/1992_91_948>.