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Table of United States Supreme Court Decisions Relating to Religious Liberty 1789-1994

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**TABLE OF UNITED STATES
SUPREME COURT DECISIONS
RELATING TO RELIGIOUS LIBERTY 1789-1994**

*Carl H. Esbeck**

<u>TYPE OF CASE</u>	<u>DECISION OF THE COURT</u>	<u>CASE</u>
Church Property	State may not expropriate property of the formerly established Episcopal Church	<i>Terrett v. Taylor</i> 13 US (9 Cranch) 43 (1815)
Charitable Bequest	Testamentary bequest for establishment of school for orphans is valid notwithstanding provisions derogatory of Christianity	<i>Vidal v. Girard's Executors</i> 43 US (2 How.) 127 (1844)
Federalism	Bill of Rights does not protect religious liberties of citizens of respective states	<i>Permoli v. First Municipality</i> 44 US (3 How.) 589 (1845)
Church Property	Heirs of member of Society of Separatists cannot recover share of property from the society	<i>Goesele v. Bimeler</i> 55 US (14 How.) 589 (1852)
Division of Church Property	When a church voluntarily separates into two parts, a bill in equity to effect a division of jointly held property may follow	<i>Smith v. Swormstedt</i> 57 US (16 How.) 288 (1853)
Church Property	Defecting member of Harmony Society cannot recover share of property from the society	<i>Baker v. Nachtrieb</i> 60 US (19 How.) 126 (1856)
Mandatory Oath	Priest cannot be deprived of right to function for failure to take expurgatory oath in Constitution of Missouri	<i>Cummings v. Missouri</i> 71 US (4 Wall.) 277 (1866)
Internal Church Property Dispute	Secular courts may not interfere in matters of church doctrine, discipline or polity	<i>Watson v. Jones</i> 80 US (13 Wall.) 679 (1871)
Internal Church Property Dispute	In property disputes dependent on questions of doctrine, courts will apply the rule of church's highest tribunal. Courts will not go behind reason for excommunication of members, but will determine if ouster was act of Church or merely persons purporting to have authority to act for church.	<i>Bouldin v. Alexander</i> 82 US (15 Wall.) 131 (1872)

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Polygamy	Upheld federal law disenfranchising polygamists	Murphy v. Ramsey 114 U.S. 15 (1895)
Polygamy	Upheld federal law prohibiting polygamy	Reynolds v. US 98 US 145 (1879)
Tax Exemptions	Upheld property tax levies on land owned by and adjacent to a church but not used or needed for its convenient enjoyment	Gibbons v. District of Columbia 116 US 404 (1886)
Church Property	Defecting member of Harmony Society cannot recover share of property from the society	Speidel v. Henrici 120 US 377 (1887)
Polygamy	Upheld conviction for falsely taking oath that one was not member of polygamous organization	Davis v. Beason 133 US 333 (1890)
Polygamy	Upheld revocation of Mormon Church charter and confiscation of church property	Church of Jesus Christ of Latter Day Saints v. U.S. 136 US 1 (1890)
Church Staff Hiring	Refused to apply to churches congressional act forbidding contracts with aliens to work in U.S.	Church of the Holy Trinity v. U.S. 143 US 457 (1892)
Building Grants	Upheld use of federal funds for construction at religious hospital	Bradfield v. Roberts 175 US 291 (1899)
Treaty; Church Property	Land in Puerto Rico given to Roman Catholic Church by Spain remains the property of the church after Puerto Rico is annexed by United States	Ponce v. Roman Catholic Apostolic Church, 210 US 296 (1908)
Indian Trust Disbursement	Upheld allocation of Indian funds to a Catholic Mission operating sectarian schools	Quick Bear v. Leupp 210 US 50 (1908)
Church Property	Vow of poverty and communal ownership of property not contrary to public policy	St. Benedict Order v. Steinhauser 234 US 640 (1914)
Exemption from Military Service	Exemption of clergy, theology students and pacifist sects from combat service is constitutional	Selective Draft Law Cases (Arver v. United States) 245 US 366 (1918)
Parochial School Curriculum	Statute forbidding teaching of foreign languages held unconstitutional	Meyer v. Nebraska 262 US 390 (1923)
Parochial School Attendance	Invalidated state law requiring attendance at public schools	Pierce v. Society of Sisters 268 US 510 (1925)
Private School Regulation	Invalidated overbearing regulation of private schools	Farrington v. Tokushige 273 US 284 (1927)

Naturalization Qualifications	A pacifist may be denied citizenship.	United States v. Schwimmer 279 US 644 (1929)
Ecclesiastical Appointment	Court declined to interfere in refusal by archbishop to appoint petitioner to ecclesiastical office	Gonzalez v. Archbishop 280 US 1 (1929) Decisions of proper church tribunals on matters purely ecclesiastical. Are accepted in secular courts as conciliatives, in absence of fraud, collusion, etc.
Textbooks	Upheld a state law providing secular books to all students, including parochial	Cochran v. Board of Educ. 281 US 370 (1930)
Naturalization Qualifications	Alien unwilling to take oath of allegiance, except with qualifications, to support future war held not entitled to citizenship	United States v. Macintosh 283 US 605 (1931)
Naturalization Qualifications	Refusal to bear arms in defense of the United States is a valid reason to bar naturalization as a U.S. citizen	United States v. Bland 283 US 636 (1931)
Pacifism	Due process clause of Fourteenth Amendment confers no right to attend and grant state university without taking prescribed course of military training required as part of curriculum	Hamilton v. Regents of University of California 293 US 245 (1934)
Distribution of Religious Literature	Ordinance prohibiting distribution of literature of any kind is unconstitutional because it abridged freedom of the press	Lovell v. City of Griffin 303 US 444 (1938)
Distribution of Religious Literature	Ordinance making it unlawful to distribute handbills on sidewalk, street or any other public place is unconstitutional	Schneider v. State of New Jersey, (Town of Irvington) 308 US 147 (1939)
Breach of the Peace	State may not unduly suppress communication of religious views under guise of conserving public peace, or deciding what is a legitimate "religion" for solicitation purposes. Free exercise clause expressly applied to states through Fourteenth Amendment	Cantwell v. Connecticut 310 US 296 (1940)

Saluting Flag	A requirement of board of education that pupils salute the national flag in daily school exercises as a condition of attending free public school is not violative of due process	Minersville School District v. Gobitis 310 US 586 (1940)
Public Parade Licensing	Not unconstitutional to charge a parade fee limited to the purpose of meeting the expense incident to administration of licensing and the maintenance of public order; the authority of a municipality to impose regulations in order to assure safety and convenience in the use of public highways is not inconsistent with civil liberties	Cox v. New Hampshire 312 US 569 (1941)
Fighting Words	Cursing a public officer is not the exercise of 'religion' or protected speech	Chaplinsky v. New Hampshire 315 US 568 (1942)
Tract Distribution	Jehovah's Witnesses selling tracts are not exempt from regulation of commercial activities	Jones v. Opelika (I) 316 US 584 (1942)
Door to Door Selling	A city ordinance requiring permit to solicit orders for books is unconstitutional as applied to distribution of religious publications. (Permit issuance is within discretion of municipal officer).	Largent v. Texas 318 US 418 (1943)
Distribution of Religious Literature	Ordinance prohibiting the dissemination of handbills is unconstitutional	Jamison v. State of Texas 318 US 413 (1943)
Tract Distribution	The state may not prohibit distribution of handbills in pursuit of a religious activity because handbills seek to raise funds in a lawful fashion. (Even if ordinance is 'nondiscriminatory', liberties guaranteed by 1st Amend. are in preferred position).	Jones v. Opelika (II) 319 US 103 (1943)
Tract Distribution; Flat License Tax	The mere fact that religious literature is sold by itinerant preachers rather than donated does not transform evangelism into a 'commercial enterprise'	Murdock v. Pennsylvania 319 US 105 (1943)
Distribution of Religious Literature	Ordinance forbidding door-to-door distribution of handbills, circulars or other advertising matter is unconstitutional	Martin v. Struthers 319 US 141 (1943)
Flat License Tax	Case was not properly in federal court; same ordinance was dealt with in <i>Murdock</i>	Douglas v. Jeannette 319 US 157 (1943)

Saluting Flag	To salute flag and recite pledge is invalid as applied to Jehovah Witnesses [since it denies 'freedom of speech' and 'freedom of belief']	West Virginia State Board of Education v. Barnette 319 US 624 (1943)
Parent or Guardian Rights	Statute forbidding boys under 12 and girls under 18 to sell magazines in street or public place is not unconstitutional as denying or abridging 'freedom of religion'	Prince v. Massachusetts 321 US 158 (1944)
License Tax	Disallowed flat license tax on minister distributing religious material	Follett v. McCormick 321 US 573 (1944)
Religious Fraud	Truth of religious belief may not be subject to the scrutiny of a jury, but sincerity may	United States v. Ballard 322 US 78 (1944)
Conscientious Objector	Turning down bar applicant because of refusal to take an oath to support the state's constitution due to unwillingness to serve in state militia in time of war does not violate religious freedom	In re Summers 325 US 561 (1945)
Polygamy	Defendant who persuaded minor female to join him in "celestial" marriage not guilty of kidnapping	Chatwin v. United States 326 US 455 (1946)
Religious Literature Distribution in Company Town	The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by first amendment rights of those who use it	Marsh v. Alabama 326 US 501 (1946)
Religious Literature Distribution	Statute making it an offense to distribute literature in government-owned town invalid	Tucker v. Texas 326 US 517 (1946)
Naturalization Qualifications	Denial of citizenship to one who out of religious scruples declared that he would not take up arms, was error but would serve in army as non-combatant.	Girouard v. United States 328 US 61 (1946)
Polygamy	The transportation across state lines of plural wives by members of polygamous sect was for an 'immoral purpose' within meaning of the Mann Act	Cleveland v. United States 329 US 14 (1946)
Exemption From Military Service	Defendant failed to establish right to pre-ministerial deferment under Selective Service Act	Eagles v. Samuels 329 US 304 (1946)
Exemption From Military Service	Defendant failed to establish right to pre-ministerial deferment under Selective Service Act	Eagles v. Horowitz 329 US 317 (1946)

School Transportation	Upheld a state law providing reimbursement to parents for costs of transporting children to and from parochial schools	Everson v. Board of Education 330 US 1 (1947)
Advocacy of Polygamy	Conviction for polygamy vacated and remanded for consideration of state law questions	Musser v. Utah 333 U.S. 95 (1948)
On Campus Release Time	Disallowed program allowing privately employed teachers to hold classes in public schools during school hours	McCollum v. Board of Education 333 US 203 (1948)
Religious Speech	In absence of any standards, ordinance prohibiting use of sound amplification invalid as infringing right of free speech	Saia v. New York 334 US 558 (1948)
Religious Meeting Permit	Lack of standards in license issuing renders that practice open to discrimination contrary to free speech and religion	Niemotko v. Maryland 340 US 268 (1951)
Meeting Permit	Ordinances which require that permits be obtained from local officials for use of public places are unconstitutional in absence of narrowly drawn, reasonable and definite standards for the officials for the process of revocation of such permits.	Kunz v. New York 340 US 290 (1951)
Standing	Plaintiffs do not have standing to challenge Bible-reading in public school, since pupil has graduated	Doremus v. Board of Education 342 US 429 (1952)
Regulation of Churches	State undertaking to transfer control of churches from the central governing hierarchy to local governing authorities prohibits freedom of religion	Kedroff v. Saint Nicholas Cathedral 344 US 94 (1952)
Censorship	State law permitting censorship of films that are "sacrilegious" is unconstitutional	Joseph Burstyn, Inc. v. Wilson 343 US 495 (1952)
Release Time	Upheld program allowing children to attend religious exercises off school grounds	Zorach v. Clauson 343 US 306 (1952)
Public Forum	Ordinance prohibiting religious speech, but not church services, in public park violates first amendment	Fowler v. Rhode Island 345 US 67 (1953)
Public Meetings	Ordinance leaving to officials no discretion in granting permits for conducting religious meetings in public park is constitutional	Poulos v. New Hampshire 345 US 395 (1953)
Military Exemption	COs refusing to submit to induction into armed services has not shown the statute to be unconstitutional	United States v. Nugent 346 US 1 (1953)

Military Exemption	Willingness to fight in "theocratic" wars does not disqualify a Jehovah's Witness who would otherwise qualify for exemption as a conscientious objector to military service	Sicurella v. United States 348 US 385 (1955)
Military Exemption	Jehovah's Witness was denied fair hearing because of government's failure to supply him with materials in his record	Simmons v. United States 348 US 397 (1955)
Military Exemption	Jehovah's Witness was denied fair hearing because of government's failure to supply him with materials in his record	Gonzales v. United States 348 US 407 (1955)
Loyalty Oath	Striking down loyalty oath requirement to obtain property tax exemption as violation of due process	First Unitarian Church v. Los Angeles 357 US 545 (1958)
Sunday Closing Law	Upheld Sunday closing law as applied to owner of kosher supermarket, Orthodox Jewish customers and rabbis having duty to inspect kosher markets to insure compliance with Jewish dietary laws	Gallagher v. Crown Kosh Super Market of Massachusetts 366 US 617 (1961)
Blue Laws	Upheld state law proscribing business and commercial activity on Sunday	McGowan v. Maryland 366 US 420 (1961)
Sunday Closing Law	The closing law does not violate establishment of religion	Two Guys from Harrison Allentown, Inc. v. McGinley 366 US 582 (1961)
Blue Laws	Statute proscribing Sunday retail did not interfere with Jewish religion	Braunfeld v. Brown 366 US 599 (1961)
Public Office Oaths	Requirement of declaration of belief in existence of God as test for public office unconstitutional	Torcaso v. Watkins 367 US 488 (1961)
School Prayer	Disallowed state program of daily classroom prayer	Engel v. Vitale 370 US 421 (1962)
Bible Reading	Disallowed practice of daily classroom devotional Bible recitation	Abington School District v. Schempp 374 US 203 (1963)
Unemployment Compensation Benefits	Refusal to accept employment due to religious beliefs does not disqualify claimant for unemployment compensation	Sherbert v. Verner 374 US 398 (1963)

Bible Reading in Public School	Reading of Bible and recitation of Lord's Prayer in public school unconstitutional	Chamberlin v. Public Instruction Board 377 US 402 (1964) (per curiam)
Prisoner Rights	Black Muslim prisoner's claim that he was denied religious publications is entitled to hearing on the merits	Cooper v. Pate 378 US 546 (1964)
Conscientious Objectors	Conscientious objectors are exempted from combat training and service in armed forces if their belief is sincere and meaningful and occupies a place in their life parallel to that filled by an orthodox belief in God of one who clearly qualifies for the exemption	United States v. Seeger 380 US 163 (1965)
Textbooks	Upheld a state law requiring secular textbooks be provided to private as well as public school students	Board of Education v. Allen 392 US 236 (1968)
Evolution	Disallowed prohibition on teaching theory of evolution	Epperson v. Arkansas 393 US 97 (1968)
Medical Care	Blood transfusions may be administered to children over religious objections	Jehovah's Witnesses v. King County Hospital 390 US 598 (1968) (affd. per curiam)
Standing	Federal taxpayer had standing to sue to prevent federal funds for parochial schools	Flast v. Cohen 392 US 83 (1968)
Civil Court's Interpretation of Church Doctrine	First Amendment prohibits civil court from awarding church property on basis of interpretation of church doctrine	Presbyterian Church v. Hull Church 393 US 440 (1969)
Church Property Dispute	Civil courts may resolve church property disputes as long as they do not involve inquiry into church doctrine	Maryland & Virginia Churches v. Sharpsburg Church 396 US 367 (1970)
Draft Exemption	Beliefs held with strength of traditional religious convictions are entitled to conscientious objector status	Welsh v. U.S. 398 US 333 (1970)
Tax Exemption	Upheld property tax exemption for churches	Walz v. Tax Commission 397 US 664 (1970)

Conscription	Exempting person opposed to participating in all war, but not those objecting to participation in a particular war, from military service on the basis of religion does not violate Constitution	<i>Gillette v. United States</i> 401 US 437 (1971)
Employment	Decision rejecting free exercise claim of a sabbatarian	<i>Dewey v. Reynolds Metals Co.</i> 402 US 689 (1971) (affd. by equally divided court)
Teacher Salary Supplements and Purchase of Secular Services	Disallowed state law appropriating salary supplements for private school teachers; disallowed state law authorizing purchase of services from private schools by reimbursing them for teacher salaries, textbooks, and instructional material	<i>Lemon v. Kurtzman</i> 403 US 602 (1971)
Construction Grants	Upheld construction grants for secular buildings at religious colleges and universities	<i>Tilton v. Richardson</i> 403 US 672 (1971)
Prisoner Rights	Reasonable opportunities must be afforded to prison inmates to exercise religion	<i>Cruz v. Beto</i> 405 US 319 (1972)
Compulsory Education	State law requiring all children to attend school until the age of 16, regardless of religious belief, disallowed	<i>Wisconsin v. Yoder</i> 406 US 205 (1972)
Parochial Aid	<i>Lemon</i> (1971) should not be applied retroactively	<i>Lemon v. Kurtzman (II)</i> 411 US 192 (1973)
Textbooks	Disallowed secular textbook loans to racially discriminatory schools	<i>Norwood v. Harrison</i> 413 US 455 (1973)
Revenue Bonds	Upheld issuance of revenue bonds for religious colleges	<i>Hunt v. McNair</i> 413 US 734 (1973)
Testing and Reporting Reimbursement	Disallowed state law authorizing reimbursement for required records and teacher-prepared as well as state-required tests	<i>Levitt v. Committee for Public Education</i> 413 US 472 (1973)
Tuition Reimbursement, State Tax Credit, and Maintenance and Repair Grants	Disallowed state law authorizing reimbursement for low income families for portion of parochial school tuition; disallowed sliding scale tax deductions for families with students in parochial schools; disallowed direct grants to private schools serving low income students for cost of maintenance and repair	<i>Committee for Public Education v. Nyquist</i> 413 US 756 (1973)

Tuition Grants	Disallowed reimbursement to parents for portion of parochial tuition	Sloan v. Lemon 413 US 825 (1973)
Education Benefits & CO status	Statute which grants educational benefits to military draftees but not to draftees who perform civilian alternative service, not unconstitutional	Johnson v. Robison 415 US 361 (1974)
Pacifism & Entitlements	Constitutional challenge by COs to denial of veteran educational benefits	Hernandez v. Veterans' Administration 415 US 391 (1974)
Pacifism & Taxes	Conscientious objection to payment of war taxes does not excuse withholding tax payments	United States v. American Friends Service Committee 419 US 7 (1974) (per curiam)
Textbooks, Institutional Materials and Equipment, and Counseling, Psychological Therapeutic Services	Upheld state statute authorizing approved text for private school; disallowed loans to private schools of materials such as maps, photos, films, projectors, recorders and lab equipment; disallowed counseling, remedial and accelerated teaching, psychological and speech & hearing therapy to private school children	Meek v. Pittenger 421 US 349 (1975)
Non-categorical Grants	Upheld non-categorical grant program for religious colleges	Roemer v. Maryland Public Works Board 426 US 736 (1976)
Disputes Over Church Doctrine and Cleric Discipline	Civil courts may not probe into church polity or removal of clerics	Serbian Orthodox Diocese v. Milivojevich 426 US 696 (1976)
Counseling, Remedial and Therapeutic Services; Diagnostic Hearing and Remedial Services; Standardized Testing and Scoring Services; Instructional Materials and Equipment; Field Trips	Upheld use of public personnel to provide guidance, remedial and therapeutic speech and hearing services on a neutral site; upheld provision of diagnostic services on neutral site; upheld provision of standardized tests and scoring to private school students; disallowed loan of instructional materials to private schools or to parents; disallowed transportation for field trips by private schools	Wolman v. Walter 433 US 229 (1977)
State Motto	State cannot require display of state motto upon vehicle license plates that violates owner's religious convictions	Wooley v. Maynard 430 US 705 (1977)

Private Accommodation	Absent a clear and express indication from Congress, airline not required to permit clerk to work a four-day week in order to avoid working on his Sabbath	Trans World Airlines, Inc. v. Hardison 432 US 63 (1977)
Testing Reimbursement	Disallowed reimbursements for state mandated record keeping	New York v. Cathedral Academy 434 US 125 (1977)
Clergy Disqualified from Public Office	Disqualification of clergy from public office violates first amendment	McDaniel v. Paty 435 US 618 (1978)
Labor Law Regulation	Refused to recognize National Labor Relations Board jurisdiction over parochial school lay teachers	NLRB v. Catholic Bishop of Chicago 440 US 490 (1979)
Church Property Ownership	A state may, as an option, adopt neutral principles of law as a means of adjudicating church property disputes	Jones v. Wolf 443 US 595 (1979)
Testing and Reporting Reimbursement	Upheld reimbursement for actual costs of state-mandated tests and reporting	Committee for Public Education v. Regan 444 US 646 (1980)
Abortion and Religion	Upheld congressional restrictions on Medicaid funded abortions	Harris v. McRae 448 US 297 (1980)
Ten Commandments	Disallowed state law requiring posting of Ten Commandments in school rooms	Stone v. Graham 449 US 39 (1980) (per curiam)
Unemployment Compensation	Denial of unemployment benefits because religious beliefs forbade production of armaments violated first amendment	Thomas v. Review Board, Ind. Empl. Sec. Div. 450 US 707 (1981)
Parochial Schools and Unemployment Compensation Coverage	The word "church" in the Federal Unemployment Tax Act exempting service performed in the employ of a church applies to schools that have no separate legal existence from a church	St. Martin Lutheran Church v. South Dakota 451 US 772 (1981)
Written Material Distribution & Sale on Fair Grounds	Prohibiting sale or distribution on fair grounds did not violate First Amendment as applied to members of religious sect	Heffron v. International Society for Krishna Consciousness 452 US 640 (1981)
Equal Access	Disallowed restrictions on religious groups meeting in state university buildings	Widmar v. Vincent 454 US 263 (1981)
Social Security Tax Exemption	Denied constitutional exemption from Social Security taxes for Amish employers	United States v. Lee 455 US 252 (1982)

Standing	Organization lacked standing as taxpayers to complain of federal government's transfer, without financial payment, of property to religious organization	Valley Forge College v. Americans United 454 US 464 (1982)
Public School Prayer	Statute authorizing student "volunteers" to lead classroom prayer in public schools violates no-establishment	Treen v. Karen B. 455 US 913 (1982) (affd. memo.)
Charitable Solicitation Law	Striking down ordinance that required officials to distinguish between "spiritual" and temporal religious purposes	Espinosa v. Rusk 456 U.S. 951 (1982) (aff'd mem.)
Charitable Solicitation Law	Disallowed state law requiring only certain religious organizations to make reports	Larson v. Valente 456 US 228 (1982)
Unemployment Tax	District court did not have jurisdiction to hear case involving state tax	California v. Grace Brethren 457 US 393 (1982)
Liquor License "Veto"	Disallowed practice of allowing churches to veto nearby liquor licenses	Larkin v. Grendel's Den, Inc. 459 US 116 (1982)
Tax Exempt Status	Upheld IRS revocation of tax exempt status on the basis of racially discriminatory policies	Bob Jones Univ. v. U.S. 461 US 574 (1983)
State Income Tax Deduction	Upheld deduction by parochial school parents of education-related expenses	Mueller v. Allen 463 US 388 (1983)
Legislative Prayer	Upheld state practice of hiring chaplain and offering prayers in the legislature	Marsh v. Chambers 463 US 783 (1983)
Nativity Scene	Upheld government practice of displaying nativity scene as part of a holiday display	Lynch v. Donnelly 465 US 668 (1984)
Religious Display	Christmas nativity scene permitted in village park	Scarsdale v. McCreary 471 US 83 (1985) (affd. by equally divided court)
Sabbath Laws	Disallowed state law guaranteeing private sector employees right not to work on one's Sabbath	Estate of Thornton v. Caldor, Inc. 472 US 703 (1985)
Title I Remedial Services	Disallowed practice of providing and monitoring federally funded Title I remedial services in classrooms leased from private schools	Aguilar v. Felton 473 US 402 (1985)
Shared Time Programs	Disallowed practice of providing remedial and enrichment courses taught by public personnel in sectarian schools leased to public schools	Grand Rapids School District v. Ball 473 US 373 (1985)

Fair Labor Standards Act	Application of the Act to religious foundation and its employees did not violate the free exercise or establishment clauses	Tony & Susan Alamo Foundation v. Secretary of Labor 471 US 290 (1985)
Driver's License Photograph	Struck down licensing requirement that applicant submit to having color photograph taken for affixing on the license unconstitutionally burdened applicant's free exercise of her sincerely held religious beliefs	Jensen v. Quaring 472 US 478 affirmed by equally divided court, 728 F.2d 1121 (1985)
Moment of Silence	Disallowed state law requiring moment of silence for prayer or meditation in public schools	Wallace v. Jaffree 472 US 38 (1985)
Vocational Education	Under vocational rehab program upheld aid to blind persons attending sectarian school of higher education to enter religious vocation	Witters v. Washington Dept. of Services for Blind 474 US 481 (1986)
Standing	School board member has no standing to appeal a decision concerning his child's religious rights, in his individual capacity as a parent	Bender v. Williamsport Area School District 475 US 534 (1986)
Military Regulations	First Amendment does not prohibit application of air force regulation to prevent wearing of yarmulke by plaintiff while on duty and in uniform.	Goldman v. Weinberger 475 US 503 (1986)
Social Security Number Requirement.	Requirement that a state agency use a social security number in administering programs does not violate the free exercise clause, notwithstanding belief that use of the number would impair the child's spirit	Bowen v. Roy 476 US 693 (1986)
Federal Jurisdiction	Federal District Courts should abstain from adjudicating pending state proceedings as long as federal plaintiff has opportunity to litigate his constitutional claim	Ohio Civil Rights Commission v. Dayton Schools 477 US 619 (1986)
Title VII	Employer not required to accept employee's preferred religious accommodation	Ansonia Board of Education v. Philbrook 479 US 60 (1986)
Unemployment Compensation	Refusal to award unemployment compensation benefits to claimant, who was discharged when she refused to work on her Sabbath, violated constitution	Hobbie v. Unemployment Appeals Commission of Florida 480 US 136 (1987)

Religious Discrimination	Jews may rely on racial clause of civil rights statute for cause of action against desecrators of synagogue	Shaare Tefila Congregation v. Cobb 481 US 615 (1987)
Prisoner's Rights	Heightened scrutiny of prison regulations allegedly impinging on inmates constitutional rights is not appropriate whenever regulations effectively prohibit, rather than simply limit, particular exercise of constitutional rights	O'Lone v. Estate of Shabazz 482 US 342 (1987)
Overbreadth Doctrine	Airport regulation banning all "first amendment activities" within a public or non-public forum is a violation of the free speech clause	Airport Commissioners v. Jews for Jesus, Inc. 482 US 569 (1987)
Creationism	Disallowed state law requiring teaching of creation if evolution is taught	Edwards v. Aguillard 482 US 578 (1987)
Employment Discrimination	Upheld religious discrimination exemption in Civil Right Act of 1964, as amended for religious organizations	Corporation of the Presiding Bishop v. Amos 483 US 327 (1987)
Standing	Legislative officers cannot maintain appeal of "moment of silence" law after having left office.	Karcher v. May 484 US 72 (1987)
Native American Rights	Constitution does not forbid construction of road through portion of national forest traditionally used for religious purposes by members of three Indian tribes	Lyng v. Northwest Indian Cemetery Protective Association 485 US 439 (1988)
Unemployment Compensation	State court must determine whether religious use of peyote is legal under state law	Emp. Div., Oregon v. Smith [Smith I] 485 US 660 (1988)
Standing	The Catholic Conference, a nonparty witness, could challenge District Courts' lack of subject matter jurisdiction, where Conference was being held in contempt for refusal to comply with discovery subpoena	Catholic Conference v. Abortion Rights Mobilization 487 US 72 (1988)
Aid to Religious Social Agency	Upheld, on its face, federal funding of church-affiliated counseling centers promoting chastity	Bowen v. Kendrick 487 US 589 (1988)
Tax Exemption	Disallowed special state sales tax exemption for religious materials	Texas Monthly, Inc. v. Bullock 489 US 1 (1989)

Unemployment Benefits	Denial of unemployment benefits to worker who refused position because job would have required him to work on Sunday violated constitution	Fraze v. Illinois Employment Security Department 489 US 829 (1989)
Tax Deductions	Section of the Internal Revenue Code allowing income tax deduction for charitable contributions or gifts, but not for payments resulting in return of commensurate benefit, does not violate Constitution	Hernandez v. Commissioner of Internal Revenue 490 US 680 (1989)
Nativity Scene; Menorah Display	Disallowed practice of displaying nativity scene; upheld practice of displaying Menorah as part of a holiday display	Alleghney County v. ACLU 492 US 573 (1989)
Tax Exemption	Upheld uniform state levy of sales and use taxes on sale of religious material	Swaggart Ministries v. Cal. Bd. of Equalization 493 US 378 (1990)
Unemployment Compensation	Upheld denial of compensation; workers were fired after using peyote for sacramental purposes; Limits <i>Sherbert</i> to unemployment compensation cases. Compelling state interest test not applied.	Employment Division v. Smith [Smith II] 494 US 872 (1990)
Tax Deductions	Treasury regulation governing charitable contribution does not allow taxpayers to claim deductions for expenses incurred by son on mission	Davis v. U. S. 495 US 472 (1990)
Equal Access	Upheld Equal Access Act	Westside Community Schools v. Mergens 496 US 226 (1990)
Title VII	Nondiscrimination in employment rules of Title VII do not apply outside U.S. to U.S. employers who employ U.S. citizens abroad.	EEOC v. Arabian American Oil Co. 499 US 244 (1991)
Graduation Prayers	Disallowed practice of clergy offering prayers during public school graduation ceremonies	Lee v. Weisman 112 S.Ct. 2649 (1992) 1992 US Lexis 4364
Forum Analysis	An airport terminal operated by a public authority is a non-public forum, therefore a ban on religious handbills and solicitation need only satisfy a reasonableness standard	ISKCON v. Lee 112 S.Ct. 2701 (1992) 1992 US Lexis 4532

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| IRS Summons | Unlawful search claim not moot upon return of tapes to church | Church of Scientology of Cal. v. U.S. 113 S.Ct. 447 (1992) 1992 US Lexis 7197 |
| Equal Access | Struck down school policy that denied use of facilities to church as viewpoint discrimination | Lamb's Chapel v. Center Moriches Union Free School Dist. 113 S.Ct. 2141 (1993) 1993 US Lexis 4019 |
| Ritual Sacrifice of Animals | Municipal ordinance regulating ritual sacrifice of animals violates free exercise clause | Church of The Lukumi Babalu Aye, Inc. v. Hialeah 113 S.Ct. 2217 (1993) 1993 US Lexis 4022 |
| Sign Language Interpreter Provided to Parochial School Student | Providing interpreter does not violate establishment clause | Zobrest v. Catalina Foothills School District 113 S.Ct. 2462 (1993) 1993 US Lexis 4211 |
| Delegation of Civil Power | Creation of a public school district coterminous with boundaries of a religious sect's village enclave violates establishment clause. | Bd. of Ed. of Kiryas Joel Village Sch. Dist. v. Grumet, 114 S. Ct. —) 1994 WL 279673 |