

Points: /

Name EXAMPLE

Per.

Opinion Analysis Template

Date

Supreme Court Simulation: Lehnhart

Precedent Case Reference

Church of Lukumi Babalu Aye

Plaintiff

VS.

City of Hialeah

Respondent



Supreme Court Opinion

Majority

or one

Dissenting



In Justice Anthony Kennedy's majority opinion, he/she argues that
Justice's first and last name *majority or dissenting*

a law that inhibits religious practice does not need a compelling government reason if it is neutral (doesn't target one religion) and generally applied to all religions. If it isn't neutral or generally applied then it needs to be scrutinized (looked at carefully.)

He/she claims that the Hialeah ordinance (law)
(Make sure you identify the Constitutional component(s) addressed here)

is a law that punishes just those who "sacrifice" animals for religious reasons. This demonstrates that it is NOT neutral because it targets one religion's (the Santeria*) religious exercise (1st Amendment free exercise clause) Animal sacrifice is a central component, crucial to their "exercise" of their religion.

* Santeria is the religion that the Church of Lukumi Babalu Aye follows

Justice Kennedy supports this claim by first showing that this law "gerrymanders"
(He/She) *(supports/develops)* *(Explain what the author is doing: verb)*

(targets certain groups in certain areas) so as to stop the Church of Lukumi Babalu Aye's specific practice of animal sacrifice and suppresses more religious conduct than is necessary. It targets the Santaria church's killing of animals, but excludes almost all other animal killings. They (the government--city of Hialeah) suppress much more religious conduct than is necessary to achieve their goals of stopping animal cruelty and avoiding harmful food practices (suppression of germs).

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Then he shows that the city of Hileah could address it's compelling interest of public health and preventing animal cruelty with restrictions that do not target a specific religion. Laws against religion must be generally applied, not specifically targeted at one religion. This violates both religious clauses of the first amendment by "establishing" religions that don't practice animal sacrifice and prohibiting Santeria's free exercise of sacrificing animals in the name of faith. This law is crafted to stop Santeria's killing of animals, but allows other killings of animals in the community (killings for food) for nonreligious reasons to continue.

And finally, the Hileah law cannot withstand the Smith standard (Human Resources of Oregon v. Smith.) In this precedent setting case the strict scrutiny (high and stringent) requirement says the government must have a "compelling government interest" to interfere with specific religions. The Smith case allowed the state of Oregon to deny unemployment benefits to a person who used peyote, an illegal drug, because the state had a "compelling interest" to stop illegal drug use. There is no compelling interest here to stop animal cruelty or protect public health.

Justice Kennedy's (author's last name) 's purpose is to protect the First amendment's prohibition against the government's interference with people exercising their religious rights to worship as they desire.

In order to do this the (Hileah) government must not be allowed to create laws that specifically target a religion's practice unless they have a compelling interest to do so. That does not exist here.

This work is important as a precedent to my case because it shows that when it comes to religion the government has a very high standard to maintain when and if it interferes. Religious practice should largely go unimpeded allowing individuals to practice their chosen religion without government interference. Faith is arguably one of the most personal things and people are protected in their choices by the first amendment's prohibitions against the government's "establishing" of religion and interference in free practice of said chosen religion.