

Church of the Lukumi Babalu Aye v. City of Hialeah

I.) Facts: In 1987, the Church of the Lukumi Babalu Aye leased land in the city of Hialeah, Florida. They planned on opening a church of worship where they could practice the Santeria faith. By early August 1987 they had obtained all the necessary licenses for their establishment. The people of the city of Hialeah were distressed by the opening of a Santeria church in their community. They voted in the city's council to create ordinances that prohibit "ritual sacrificing" and ownership of animals for the sake of "slaughtering" outside of the area zoned for slaughterhouse use. They attempted to sacrifice chickens, pigeons, doves, ducks, guinea pigs, goats, sheep, and turtles.

II.) Issues: Was the city council's ordinance a violation of the First Amendment Freedom of Religion Clause.

III.) Opinion of Justice Kennedy for the Court: The ordinances had to be justified by a compelling governmental interest. The failures of the ordinances were that they applied exclusively to the church of the Lukumi Babalu Aye. It singled out the "ritual sacrificing" that was an essential aspect of the faith. The record in this case compels the conclusion that suppression of the central element of the Santeria worship service was the object of the ordinances, and so the ordinances failed to survive through strict scrutiny of the court.

IV.) Significance: