

**U.S. Supreme Court Decisions Relating to Religious Liberty
and Church-State Relations**

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<u>TYPE OF CASE</u>	<u>DECISION OF THE COURT</u>	<u>CASE</u>
Church Property	Virginia may not expropriate property of the formerly established Episcopal Church or abolish its incorporation.	Terrett v. Taylor, 13 U.S. (9 Cranch) 43 (1815)
Church Property	Royal grant of land to Church of England was not completed; thus, following the Revolution the State of Vermont, as successor to English Crown, could claim the land and convey it to town for schools; Episcopal Church in the town had no right or title.	Town of Pawlet v. Clark, 13 U.S. (9 Cranch) 292 (1815)
Charitable Bequest	A bequest in trust to voluntary association of Baptist clergy and laymen was ineffective because an unincorporated society was incapable in Virginia law of taking under a will.	Trustees of Philadelphia Baptist Ass'n v. Hart's Executors, 17 U.S. (4 Wheat.) 1 (1819)
Church-Affiliated College	Colonial charter issued to church trustees for the founding of Dartmouth College could not be forcibly voided in New Hampshire's attempt to take control of the college.	Trustees of Dartmouth College v. Woodward, 17 U.S. (4 Wheat.) 518 (1819)
Church Property	English corporation, controlled by British subjects, did not lose its real estate in Vermont; title was secured by treaty of peace.	Society for Propagation of the Gospel v. Town of New Haven, 21 U.S. (8 Wheat.) 464 (1823)
Church Property	Although legal title in unincorporated Lutheran church land, now used as cemetery, was deficient, nevertheless equity permitted settlement of title in the church out of religious sensibilities and sentiments for kindred of the deceased.	Beatty v. Kurtz, 27 U.S. (2 Pet.) 566 (1829)
Preemption	An Indian agent and missionary, present in Cherokee territory pursuant to federal authority and treaties, could not be prosecuted under Georgia law for living among the Cherokees and offering them education.	Worcester v. Georgia, 31 U.S. (6 Pet.) 515 (1832)
Charitable Bequest	Testamentary bequest to endow school for orphans is valid notwithstanding provisions derogatory of Christianity.	Vidal v. Girard's Executors, 43 U.S. (2 How.) 127 (1844)
Federalism	First Amendment does not protect against impairment of religious liberty by states.	Permoli v. Municipality No. 1, 44 U.S. (3 How.) 589 (1845)
Marriage; Illegitimacy; Inheritance	Spanish colonial law, in force in Mobile, Alabama, then colonial territory in possession of Spain, which law incorporated Catholic canon law, permitted marriage by mere mutual consent; therefore claimant to a will was not illegitimate as marriage of parents was valid;	Hallett v. Collins, 51 U.S. (10 How.) 174 (1850)

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	ecclesiastical decree deeming null and void such marriages was not to be given effect because that decree was not adopted by Spain for application in its colonies.	
Marriage; Illegitimacy; Inheritance	In a suit to enforce inheritance rights, it was necessary for claimant to prove that she was offspring of parents who had validly married and hence she was legitimate; to show that mother of claimant was already married to another man at the time of parent's putative marriage, and hence not able to enter into valid marriage to her father, court admitted into evidence record of an ecclesiastical proceeding for bigamy conducted under the Spanish government, then in possession of Louisiana and the two Floridas, which record helped to show that the mother was indeed validly married to another man at the time of parent's putative marriage and thus claimant was illegitimate. Cf. 65 U.S. 553.	Gaines v. Relf, 53 U.S. (12 How.) 472 (1852)
Church Property	Heirs of deceased member of Society of Separatists cannot recover share of property from the Society.	Goesele v. Bimeler, 55 U.S. (14 How.) 589 (1853)
Church Property	When a church voluntarily divides and the parties are numerous, a suit in equity may properly lie to effect a division of jointly held property.	Smith v. Swormstedt, 57 U.S. (16 How.) 288 (1854)
Church Property	Defecting member of Harmony Society cannot recover share of property from the Society.	Baker v. Nachtrieb, 60 U.S. (19 How.) 126 (1856)
Fast Day	Cargo lost when unattended because of official day of prayer and fasting did not excuse liability; observance of day was not legally compulsory.	Richardson v. Goddard, 64 U.S. (23 How.) 28 (1860)
Sunday Law	Railroad which left debris in water is not excused from liability for damage to boat that sailed on Sunday; boats are works of necessity not bound by Sabbath laws.	Philadelphia, Wil. & Balt. RR. v. Phila. Havre de Grace Steam Towboat Co., 64 U.S. (23 How.) 209 (1860)
Tax Exemption	It was within city's authority to partially revoke exemption following a partial repeal of the property tax exemption statute.	Christ Church Hospital v. Philadelphia, 65 U.S. (24 How.) 300 (1861)
Marriage; Illegitimacy; Inheritance	In suit to enforce inheritance rights as described in <i>Gaines v. Relf</i> (1852), the record of an ecclesiastical proceeding for bigamy, said to be conducted under Spanish government, was inadmissible; it now appeared that the proceeding was irregular having been conducted by a cleric without canonical power.	Gaines v. Hennen, 65 U.S. (24 How.) 553 (1861)
Church Property	In dispute between Presbyterians and Unitarians over title to church meetinghouse in Boston, held that there was no subject matter jurisdiction to permit an appeal from state court.	Attorney General v. Federal Street Meeting-house, 66 U.S. (1 Black) 262 (1862)
Oath; Ecclesiastics	Priest in Catholic church cannot be deprived of	Cummings v. Missouri,

	right to function as cleric for failure to take exculpatory oath; law was both bill of attainder and ex post facto.	71 U.S. (4 Wall.) 277 (1867)
Church Polity	Trustee had obtained policy on church building on which insurance company refused to pay; held that congregational polity permitted board of trustees to designate one trustee to act on board's behalf and thus policy was valid.	Insurance Co. v. Chase, 72 U.S. (5 Wall.) 509 (1867)
Intrachurch Dispute	Courts may not interfere in matters of church doctrine, discipline, or polity.	Watson v. Jones, 80 U.S. (13 Wall.) 679 (1872)
Intrachurch Dispute	Courts will not go behind stated reasons for excommunication of trustees and members, but will determine if ouster was act of the church or merely persons purporting to have authority to act for church.	Bouldin v. Alexander, 82 U.S. (15 Wall.) 131 (1872)
Church Liability	Investor sued Brigham Young, as trustee of church, alleging failed company was part of Mormon church; decision by territorial court reversed for improperly considering hearsay.	Young v. Godbe, 82 U.S. (15 Wall.) 562 (1873)
Polygamy	Upheld federal criminal law prohibiting polygamy.	Reynolds v. United States, 98 U.S. 145 (1879)
Charitable Bequest	A bequest to voluntary association of Catholic nuns was ineffective because an unincorporated society in Virginia is incapable of taking under a will.	Kain v. Gibboney, 101 U.S. 362 (1879)
Church Property	As a matter of statutory construction, out-of-state religious corporations can receive a conveyance of property in Illinois.	Christian Union v. Yount, 101 U.S. 352 (1880)
Polygamy	In prosecution for bigamy, calling second wife to testify against husband violates spousal testimonial privilege; voire dire may inquire into belief that polygamy is religiously required.	Miles v. United States, 103 U.S. 304 (1881)
Church Property	Oregon Territory's grant of land to religious society in possession was proper.	Missionary Society of M.E. Church v. Dallas City, 107 U.S. 336 (1883)
Sunday Law	Upheld municipal Sabbath law as one protecting persons from undue physical labor, not to promote religion.	Soon Hing v. Crowley, 113 U.S. 703 (1885)
Polygamy	Upheld federal law disenfranchising polygamists.	Murphy v. Ramsey, 114 U.S. 15 (1885)
Polygamy	Upholding indictment for cohabitation and polygamy notwithstanding exclusion of Mormons from serving on grand jury.	Clawson v. United States, 114 U.S. 477 (1885)
Polygamy	Meaning of "cohabit" in criminal statute is "living together as husband and wife," and does not require proof of sexual relations.	Cannon v. United States, 116 U.S. 55 (1885)
Tax Exemption	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 U.S. 404 (1886)

Polygamy	Appeal from multiple convictions for cohabitation for different years with same woman was dismissed for want of jurisdiction.	Snow v. United States, 118 U.S. 346 (1886)
Polygamy	Cannon v. United States, 116 U.S. 55 (1885) was vacated for want of jurisdiction.	Cannon v. United States, 118 U.S. 355 (1886)
Polygamy	Reversing multiple convictions for cohabitation for different years with same woman because offense was inherently a single continuous event.	In re Snow, 120 U.S. 274 (1887)
Church Property	Due to latches, defecting member of Harmony Society cannot recover share of property from the Society.	Speidel v. Henrici, 120 U.S. 377 (1887)
Church Property	As a matter of statutory construction, Presbyterian Home and Foreign Mission Boards are not groups "organized for religious worship" under Illinois statute limiting such groups to ten acres of land.	Gilmer v. Stone, 120 U.S. 586 (1887)
Sunday Law	In action for personal injury, federal courts are bound to follow state law denying claim to railroad passenger harmed while traveling on Sunday, without necessity or for charity, in violation of a state Sabbath law.	Bucher v. Cheshire RR. Co., 125 U.S. 555 (1888)
Polygamy	Mormon who pleaded guilty of cohabitation (living together as husband and wife when married to another) could not also be tried for adultery.	Ex Parte Hans Nielsen, 131 U.S. 176 (1889)
Polygamy	Upheld conviction for falsely taking oath to the effect that one was not member of polygamous organization.	Davis v. Beason, 133 U.S. 333 (1890)
Polygamy	Upheld revocation of Mormon Church charter and confiscation of church property.	Late Corporation of the Church of Jesus Christ of Latter-day Saints v. United States, 136 U.S. 1 (1890)
Polygamy	Conviction for polygamy reversed where wife permitted to testify against husband contrary to testimonial privilege between spouses.	Bassett v. United States, 137 U.S. 496 (1890)
Sunday Law	Although a judgment entered on Sunday is void, the Sunday return of a verdict in a federal criminal case is not cause for reversal.	Ball v. United States, 140 U.S. 131 (1891)
Polygamy	Decree entered on opinion reported at 136 U.S. 1 (1890).	The Late Corporation of the Church of Jesus Christ of Latter-day Saints v. United States, 140 U.S. 665 (1891)
Church Employment	As a matter of statutory construction, Court refuses to apply to churches federal legislation forbidding employment contracts with aliens to work in United States.	Rector of Holy Trinity Church v. United States, 143 U.S. 457 (1892)
Church Property	Grant of small tract of public land, within administration of federal agency, to a church in possession dating back to British Hudson Bay	Catholic Bishop of Nesqually v. Gibbon, 158 U.S. 155 (1895)

	Co., was held conclusive.	
Sunday Law	State may prohibit Sunday operation of trains without violating "dormant" commerce clause.	Hennington v. Georgia, 163 U.S. 299 (1896)
Sunday Law	A general verdict in a federal civil case is not void because it was returned on Sunday.	Stone v. United States, 167 U.S. 178 (1897)
Social Service Funding	Upholding use of federal funds for construction at religious hospital.	Bradfield v. Roberts, 175 U.S. 291 (1899)
Sunday Law	"Works of necessity" permitted on Sunday need not include barber shops.	Petit v. Minnesota, 177 U.S. 164 (1900)
Church Property	Harmony Society was not shown to have been dissolved, therefore its property was not subject to distribution.	Schwartz v. Duss, 187 U.S. 8 (1902)
Tax Exemption	State's narrow interpretation of tax statute so as to deny exemption to investment real estate held by seminary is permissible.	Chicago Theological Seminary v. Illinois, 188 U.S. 662 (1903)
Church Property	Title was vested in City of Denver by patent from U.S., with full power of alienation; thus title, which passed to Catholic bishop in a sale by city, would be upheld in face of adverse claim that title still rests with city's mayor.	Wright v. Morgan, 191 U.S. 55 (1903)
Taxation	Case dismissed for lack of federal question jurisdiction notwithstanding claim that local tax on sale of cattle by Jesuit mission, with proceeds going to support of tribal Indians, was tax on property in support of federal obligations and thus constitutionally immune.	Catholic Missions v. Missoula County, 200 U.S. 118 (1906)
Charitable Bequest	Georgetown College is not a sectarian institution within the meaning of Maryland constitutional provision voiding bequests to religious groups within 30 days of death.	Speer v. Colbert, 200 U.S. 130 (1906)
Tax Exemption	State could only constitutionally exempt from inheritance tax only those charitable bequests to charities that were chartered in Illinois.	Bd. of Educ. of Methodist Episcopal Church v. Illinois, 203 U.S. 553 (1906)
Church Property	Claim involving an 1849 agreement whereby a foreign mission board transferred a school to the Hawaiian government on condition that Christian training be continuously offered at the school. In the event of nonfulfillment of that condition, the agreement provided for reversion of title to the grantor or payment of \$15,000, at the government's option. Hawaii later converted the school into an agricultural college and the teaching of religion ceased. Notwithstanding that Hawaii's Organic Act of 1894 prohibited governmental aid to a sectarian or denominational school, the Court ordered Hawaii to exercise its option.	Lowrey v. Hawaii, 206 U.S. 206 (1907)
Indian Trust; Religious Schools	Upheld disbursement of Indian tribal funds, held in trust by the federal government, to a Catholic mission operating religious schools.	Quick Bear v. Leupp, 210 U.S. 50 (1908)
Treaty; Church	Land in Puerto Rico given to Roman Catholic	Ponce v. Roman Catholic

Property	Church by Spain remains the property of the Church after Puerto Rico is annexed by United States; Church had juridical personality notwithstanding lack of incorporation.	Apostolic Church, 210 U.S. 296 (1908)
Religious College	Criminal prosecution of religious college upheld for violating state segregation laws; state may lawfully limit the power to teach of an incorporated college.	Berea College v. Kentucky, 211 U.S. 45 (1908)
Treaty; Church Property	Judgment restoring possession of chapel in the Philippines where Catholic Church had been ejected by a dissident group notwithstanding that land was first acquired by the Church as a gift from Spain; the Philippines was acquired by U.S. in treaty following war with Spain.	Santos v. Holy Roman Catholic and Apostolic Church, 212 U.S. 463 (1909)
Church Property	Government's proposal to teach a form of general evangelical Christianity does not meet condition of agreement to teach a definite Congregational and Presbyterian doctrine; Hawaii ordered to pay \$15,000 pursuant to decision and judgment in <i>Lowrey v. Hawaii</i> (1907).	Lowrey v. Hawaii, 215 U.S. 554 (1910)
Church Property	In dispute between Presbyterians over control of publishing house, trustees of publisher were not to be realigned to defeat diversity jurisdiction because to do so would pre-judge the merits.	Helm v. Zarecor, 222 U.S. 32 (1911)
Church Property	Same as <i>Helm v. Zarecor</i> (1911).	Sharpe v. Bonham, 224 U.S. 241 (1912)
Religious Order Property	Vow of poverty and communal ownership of property not contrary to public policy, thus enforceable by civil courts.	Order of St. Benedict v. Steinhauser, 234 U.S. 640 (1914)
Religious Exemptions	Conviction of nonreligious "drugless practitioner" of medicine for failure to obtain license was not violative of Equal Protection Clause, notwithstanding Christian Science practitioners rendering "treatment by prayer" were not required to be licensed.	Crane v. Johnson, 242 U.S. 339 (1917)
Military Service	Exemption of clergy, theology students, and pacifist sects from combat service is constitutional.	The Selective Service Draft Law Cases [<i>Arver v. United States</i>], 245 U.S. 366 (1918)
Church Property	Presbyterian Church merger controlled by decision in <i>Watson v. Jones</i> (1871).	Shepard v. Barkley, 247 U.S. 1 (1918) (aff'd mem.)
Religious Schools	Statute forbidding teaching of foreign languages held unconstitutional.	Meyer v. Nebraska, 262 U.S. 390 (1923)
Religious Schools	Reversing conviction on the basis of <i>Meyer v. Nebraska</i> (1923).	Bartels v. Iowa, 262 U.S. 404 (1923)
Religious Fraud	State law only punished intentional fraud and, therefore, difficulty reaching a correct determination concerning whether product was	Hygrade Provision Co. v. Sherman, 266 U.S. 497 (1925)

	"kosher" did not render it violative of Due Process Clause as merchants were only required to exercise good faith judgment.	
Religious Schools	Invalidating state law requiring attendance at public schools.	Pierce v. Society of Sisters, 268 U.S. 510 (1925)
Private School Regulation	Invalidating overbearing regulation of private nonsectarian schools.	Farrington v. Tokushige, 273 U.S. 284 (1927)
Naturalization	A religious pacifist may be denied U.S. citizenship.	United States v. Schwimmer, 279 U.S. 644 (1929)
Ecclesiastics	Court declined to interfere in refusal by archbishop to appoint petitioner to ecclesiastical office.	Gonzalez v. Roman Catholic Archbishop, 280 U.S. 1 (1929)
Textbooks	Upheld state law providing secular textbooks to all students, including religious school students.	Cochran v. Louisiana State Bd. of Educ., 281 U.S. 370 (1930)
Naturalization	Alien unwilling to take oath of allegiance to support future war, except with qualifications, is not entitled to citizenship.	United States v. Macintosh, 283 U.S. 605 (1931)
Naturalization	Refusal to bear arms in defense of the United States is a valid reason to bar naturalization.	United States v. Bland, 283 U.S. 636 (1931)
Pacifism	Due process clause of Fourteenth Amendment confers no right to attend state university without taking prescribed course in military training.	Hamilton v. Regents of Univ. of California, 293 U.S. 245 (1934)
Religious Literature Distribution	Upholding conviction of Jehova's Witness under ordinance requiring prior written permission for literature distribution issued at discretion of city manager.	Coleman v. City of Griffin, 302 U.S. 636 (1937) (app'l dismissed for want of sub'l fed'l question)
Religious Literature Distribution	Ordinance prohibiting distribution of literature of any kind is unconstitutional because it abridges freedom of the press.	Lovell v. City of Griffin, 303 U.S. 444 (1938)
Religious Literature Distribution	Ordinance making it unlawful to distribute handbills on sidewalks, streets or any other public place is unconstitutional.	Schneider v. Town of Irvington, 308 U.S. 147 (1939)
Breach of 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 applied to state and local governments through Fourteenth Amendment.	Cantwell v. Connecticut, 310 U.S. 296 (1940)
Religious Speech	A requirement that pupils salute the flag in daily school exercises is not violative of due process.	Minersville Sch. Dist. v. Gobitis, 310 U.S. 586 (1940)
Parade Permit	It is constitutional to charge a parade fee limited to the purpose of meeting the expense incident to the administration of licensing and the maintenance of public order	Cox v. New Hampshire, 312 U.S. 569 (1941)
Fighting Words	Cursing a public officer is not an exercise of religion or protected speech.	Chaplinsky v. New Hampshire,

		315 U.S. 568 (1942)
Religious Literature Distribution	Jehovah's Witnesses selling tracts are not exempt from regulation of commercial activities.	Jones v. Opelika [Opelika I], 316 U.S. 584 (1942)
Religious Literature Distribution	Ordinance prohibiting the dissemination of handbills is unconstitutional.	Jamison v. Texas, 318 U.S. 413 (1943)
Religious Literature Distribution	A city ordinance requiring permit to solicit orders for books is unconstitutional as applied to distribution of religious publications.	Largent v. Texas, 318 U.S. 418 (1943)
Religious Literature Distribution	On rehearing <i>Opelika I</i> is vacated; state may not prohibit distribution of religious handbills where handbills seek to raise funds in a lawful fashion.	Jones v. Opelika [Opelika II], 319 U.S. 103 (1943)
Religious Literature 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; tax is unconstitutional.	Murdock v. Pennsylvania, 319 U.S. 105 (1943)
Religious Literature Distribution	Ordinance forbidding door-to-door distribution of handbills, circulars or other advertising matter is unconstitutional.	Martin v. City of Struthers, 319 U.S. 141 (1943)
Religious Literature Distribution; Flat License Tax	Case was not properly in federal court; same ordinance was dealt with in <i>Murdock v. Pennsylvania</i> (1943).	Douglas v. City of Jeannette, 319 U.S. 157 (1943)
Religious Literature Distribution	Conviction of Jehovah's Witness for unlicensed selling of magazines on public sidewalks is vacated and remanded in light of <i>Jones v. Opelika</i> (1943), and <i>Murdock v. Pennsylvania</i> (1943).	Busey v. Dist. of Columbia, 319 U.S. 579 (1943)
Religious Speech	Overturning convictions of Jehovah's Witnesses arrested for advocating a refusal to salute flag.	Taylor v. Mississippi, 319 U.S. 583 (1943)
Religious Speech	School requirement to salute flag and recite pledge is invalid as applied to Jehovah's Witnesses because it denies freedom of speech and of belief.	West Va. State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943)
Military Service	Draft board's alleged error in classifying Jehovah's Witness as conscientious objector rather than minister is no defense to board's order to report for national service; post-reporting review of the classification is sufficient due process.	Falbo v. United States, 320 U.S. 549 (1944)
Parent or Guardian Rights	Statute forbidding boys under 12 and girls under 18 to sell magazines on streets or in public places is not unconstitutional as abridging freedom of religion.	Prince v. Massachusetts, 321 U.S. 158 (1944)
Religious Literature Distribution; Flat License Tax	Disallowed flat license tax on minister distributing religious material.	Follett v. Town of McCormick, 321 U.S. 573 (1944)
Religious Fraud	Truth of religious beliefs may not be subjected to scrutiny by a jury, but sincerity may.	United States v. Ballard, 322 U.S. 78 (1944)

Conscientious Objector; Oath	Turning down bar applicant for refusal to take oath supporting state's constitution because unwilling to serve in militia in time of war does not violate religious freedom.	In re Summers, 325 U.S. 561 (1945)
Polygamy	Defendant who persuaded minor female to join him in "celestial" marriage is not guilty of kidnapping.	Chatwin v. United States, 326 U.S. 455 (1946)
Religious Literature Distribution	Property owner's rights in company town become circumscribed by First Amendment rights of those who use it.	Marsh v. Alabama, 326 U.S. 501 (1946)
Religious Literature Distribution	Statute making it an offense to distribute literature in government-owned town invalid.	Tucker v. Texas, 326 U.S. 517 (1946)
Military Service	Draft board's refusal to classify Jehovah's Witness as minister is, after exhausting administrative remedies, subject to judicial review.	Estep v. United States, 327 U.S. 114 (1946)
Naturalization	As a matter of statutory construction, denial of citizenship to one who would not take up arms because of religious scruples was error.	Girouard v. United States, 328 U.S. 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 U.S. 14 (1946)
Military Service	Neither use of advisory theological panel to assist draft board nor panel's asking religious questions are reasons to overturn board's discretion in denying a Jewish objector's claim to be an exempt divinity student.	Eagles v. United States <i>ex rel.</i> Samuels, 329 U.S. 304 (1946)
Military Service	Draft board was within its discretion in denying a Jewish objector's claim to be exempt divinity student.	Eagles v. Horowitz, 329 U.S. 317 (1946)
Military Service	Jehovah's Witness minister could appeal his classification without first appearing at induction camp.	Gibson v. United States, 329 U.S. 338 (1946)
Religious School Transportation	Upheld law providing reimbursement to parents for cost of transporting children to religious schools; establishment clause applied to state and local governments through Fourteenth Amendment.	Everson v. Board of Educ., 330 U.S. 1 (1947)
Military Service	Courts have limited scope of review over board's classification of Jehovah's Witness as conscientious objector rather than minister.	Cox v. United States, 332 U.S. 442 (1947)
Religious Speech; Polygamy	Conviction for polygamy vacated and case remanded for consideration of state law questions.	Musser v. Utah, 333 U.S. 95 (1948)
Release Time	Invalidating program allowing local churches to hold religion classes in public schools during school hours.	McCullum v. Board of Educ., 333 U.S. 203 (1948)
Religious Speech	In absence of any standards, ordinance	Saia v. New York,

	prohibiting use of sound amplification invalid as infringing free speech.	334 U.S. 558 (1948)
Snake Handling	Upheld law prohibiting handling of poisonous reptiles as applied to a church.	Bunn v. North Carolina, 336 U.S. 942 (1949) (app'l dismissed for want of sub'l fed'l question)
Zoning	Upheld exclusion of churches from area reserved for single family homes.	Corporation of Presiding Bishop v. City of Porterville, 338 U.S. 805 (1949) (app'l dismissed for want of sub'l fed'l question)
Naturalization	Reaffirming <i>Girouard v. United States</i> (1946).	Cohnstaedt v. INS, 339 U.S. 901 (1950) (rev'd mem.)
Military Service	Notwithstanding religious scruples, defendant is subject to military draft.	Gara v. United States, 340 U.S. 857 (1950) (aff'd by equally divided Court)
Meeting Permit	Lack of standards in issuing license renders practice open to discrimination contrary to free speech and religion.	Niemotko v. Maryland, 340 U.S. 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.	Kunz v. New York, 340 U.S. 290 (1951)
Sunday Law	Legislation construed to apply to laborers but not retailers.	Friedman v. New York 341 U.S. 907 (1951) (app'l dismissed for want of sub'l fed'l question)
Public Forum	Public school may deny equal access to facilities sought by religious organizations.	McKnight v. Board of Pub. Educ., 341 U.S. 913 (1951) (app'l dismissed for want of a sub'l fed'l question)
Religious Schools	Teacher certification law upheld as applied to Jewish day school.	Donner v. New York, 342 U.S. 884 (1951) (app'l dismissed for want of sub'l fed'l question)
Standing; Mootness	State taxpayers do not have standing to challenge Bible reading in public school; case is moot because pupil has graduated.	Doremus v. Board of Educ., 342 U.S. 429 (1952)
Release Time	Upheld program allowing students to attend religion classes off public school grounds.	Zorach v. Clauson, 343 U.S. 306 (1952)
Censorship	State law permitting censorship of films that are "sacrilegious" is unconstitutional.	Joseph Burstyn, Inc. v. Wilson, 343 U.S. 495 (1952)

Unemployment Compensation	Denial of compensation to person refusing job entailing work on Sabbath is not violation of Religion Clauses.	Heisler v. Board of Review, 343 U.S. 939 (1952) (app'l dismissed for want of a sub'l fed'l question)
Intrachurch Dispute	State undertaking to transfer control of church from central governing hierarchy to local governing authorities is unconstitutional.	Kedroff v. St. Nicholas Cathedral, 344 U.S. 94 (1952)
Public Forum; Discrimination Among Sects	Ordinance prohibiting religious speech in public park but not church services, violates First Amendment.	Fowler v. Rhode Island, 345 U.S. 67 (1953)
Meeting Permit	Ordinance leaving to officials no discretion in granting permits for religious meetings in public park is constitutional.	Poulos v. New Hampshire, 345 U.S. 395 (1953)
Military Service	Conscientious objector has not shown induction statute to be unconstitutional.	United States v. Nugent, 346 U.S. 1 (1953)
Military Service	Classification as minister is not available to all members of a sect notwithstanding doctrine that all are ministers; but part-time secular work does not, without more, disqualify member from satisfying the ministerial exemption.	Dickinson v. United States, 346 U.S. 389 (1953)
Military Service; Sincerity	Draft board's rejection of Jehovah's Witness' claim of conscientious objector status upheld as lacking sincerity.	Witmer v. United States, 348 U.S. 375 (1955)
Military Service	Willingness to fight in "theocratic" wars does not disqualify a Jehovah's Witness who would otherwise be eligible for exemption as a conscientious objector.	Sicurella v. United States, 348 U.S. 385 (1955)
Military Service	Jehovah's Witness was denied fair hearing because of failure to supply him with materials in his record.	Simmons v. United States, 348 U.S. 397 (1955)
Military Service	Jehovah's Witness was denied fair hearing because of failure to supply him with materials in his record.	Gonzales v. United States, 348 U.S. 407 (1955)
Tax Exemption	Property tax exemption for religious school and charity does not violate establishment clause.	Heisey v. County of Alameda, 352 U.S. 921 (1956) (app'l dismissed for want of a sub'l fed'l question)
Oath; Church Autonomy	Striking down loyalty oath requirement to obtain property tax exemption as violative of due process.	First Unitarian Church v. County of Los Angeles, 357 U.S. 545 (1958)
Intrachurch Dispute	First Amendment prevents judiciary, just as legislature, from interfering in ecclesiastical governance.	Kreshik v. St. Nicholas Cathedral, 363 U.S. 190 (1960) (per curiam)
Sunday Law	Upheld state law proscribing Sunday commercial activity notwithstanding economic harm.	McGowan v. Maryland, 366 U.S. 420 (1961)
Sunday Law	<i>McGowan v. Maryland</i> (1961), followed.	Two Guys from Harrison-Allentown, Inc. v. McGinley, 366 U.S. 582 (1961)

Sunday Law	Statute proscribing Sunday retailing did not violate free exercise of Jewish owners.	Braunfeld v. Brown, 366 U.S. 599 (1961) (plurality)
Sunday Law	Upheld Sunday closing law as applied to owner of kosher supermarket, Orthodox Jewish customers, and rabbis having duty to inspect markets for compliance with dietary laws.	Gallagher v. Crown Kasher Super Mkt., 366 U.S. 617 (1961)
Oath	Declaration of belief in existence of God as requirement for public office unconstitutional.	Torcaso v. Watkins, 367 U.S. 488 (1961)
Tax Exemption	Property tax exemptions for religious organizations are not in violation of equal protection or due process clauses, nor of the First Amendment.	General Finance Corp. v. Archetto, 369 U.S. 423 (1962) (app'l dismissed for want of a sub'l fed'l question)
School Prayer	Disallowed state program of daily classroom prayer.	Engel v. Vitale, 370 U.S. 421 (1962)
Sunday Law	Exemption from Sunday closing law for sabbatarians does not violate establishment clause.	Arlan's Dep't Store v. Kentucky, 371 U.S. 218 (1962) (app'l dismissed for want of a sub'l fed'l question)
School Bible Reading	Disallowed practice of daily classroom prayer and devotional Bible recitation.	School Dist. of Abington Township v. Schempp, 374 U.S. 203 (1963)
Unemployment Compensation	Refusal to take a job due to religious beliefs may not disqualify claimant for unemployment compensation.	Sherbert v. Verner, 374 U.S. 398 (1963)
School Bible Reading	Reading of Bible and recitation of Lord's Prayer in public school unconstitutional.	Chamberlin v. Board of Pub. Instruction, 377 U.S. 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 U.S. 546 (1964)
Military Service; Religious Exemption	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.	United States v. Seeger, 380 U.S. 163 (1965)
Medical Care	Blood transfusions may be administered to children over religious objections.	Jehovah's Witnesses v. King County Hosp., 390 U.S. 598 (1968) (summarily aff'd)
Standing	Federal taxpayer had standing to sue to prevent federal funds for religious schools.	Flast v. Cohen, 392 U.S. 83 (1968)
Religious School Aid	Upheld state law requiring secular textbooks be provided to private and public schools.	Board of Educ. v. Allen, 392 U.S. 236 (1968)
Evolution	Disallowed prohibition on teaching theory of evolution in public schools.	Epperson v. Arkansas, 393 U.S. 97 (1968)
Military Service	Individual classified as divinity student could not lose exemption by sending board his draft card as protest.	Oestereich v. Selective Service System, 393 U.S. 233 (1968)

Intrachurch Dispute	First Amendment prohibits civil court from awarding church property on the basis of interpretation of church doctrine.	Presbyterian Church v. Hull Mem'l Church, 393 U.S. 440 (1969)
Intrachurch Dispute	Civil courts may resolve church property disputes as long as it does not involve inquiry into church doctrine.	Maryland & Va. Churches of God v. Church at Sharpsburg, 396 U.S. 367 (1970) (per curiam)
Tax Exemption	Upheld property tax exemption for churches.	Walz v. Tax Comm'n, 397 U.S. 664 (1970)
Military Service	Beliefs held with strength of traditional religious convictions are entitled to conscientious objector status.	Welsh v. United States, 398 U.S. 333 (1970) (plurality)
Military Service	Lapsed Roman Catholic who returned to the faith and applied for conscientious objector status could not be denied opportunity for reclassification, thus also affording opportunity for administrative appeal.	Mulloy v. United States, 398 U.S. 410 (1970)
Military Service	Non-religious objections to draft, religious exemptions, and legality of Vietnam War claims were dismissed because case had been improperly appealed.	United States v. Sisson, 399 U.S. 267 (1970) (plurality)
Military Service; Religious Exemption	Exempting person from military service if opposed to all war, but not those objecting to participation in a particular war, does not violate Constitution.	Gillette v. United States, 401 U.S. 437 (1971)
Employment Discrimination	Decision below rejects a job accommodation claim of a sabbatarian.	Dewey v. Reynolds Metals Co., 402 U.S. 689 (1971) (aff'd by equally divided Court)
Teacher Salary Supplements and Purchase of Secular Services	Disallowed law appropriating salary supplements for private school teachers; disallowed law authorizing purchase of services from private schools by reimbursing them for teacher salaries, textbooks, and instructional material.	Lemon v. Kurtzman [Lemon I], 403 U.S. 602 (1971)
Aid to Higher Education	Upheld construction grants for secular buildings at religious colleges and universities.	Tilton v. Richardson, 403 U.S. 672 (1971) (plurality in part)
Military Service	Conviction of Black Muslim for refusing induction is reversed when government conceded pacifism and sincerity.	Clay v. United States, 403 U.S. 698 (1971) (per curiam)
Property Tax; Mootness	Challenge to property tax exemption for church parking lot used for commercial purposes is moot due to change in statute.	Diffenderfer v. Central Baptist Church, 404 U.S. 412 (1972) (per curiam)
Tax Exempt Status	IRS could not appeal directly to Supreme Court where ruling below was not that §501(c)(3) was unconstitutional, but that IRS had applied it in violation of First Amendment rights of religious organization.	United States v. Christian Echoes Ministry, 404 U.S. 561 (1972) (per curiam)
Religious School	Upholding IRS revocation of tax exemption on	Coit v. Green,

Tax Exemption	basis of racially exclusionary policies.	404 U.S. 997 (1971) (summarily aff'd)
Prisoner Rights	Reasonable opportunities must be afforded to prison inmates to exercise religion.	Cruz v. Beto, 405 U.S. 319 (1972)
Religious School Aid	Provision of free public school education does not constitutionally compel the state to provide an equal benefit to parochial school parents.	Brusca v. Board of Educ., 405 U.S. 1050 (1972) (summarily aff'd)
Compulsory Education	State law requiring all children to attend school until the age of 16, regardless of religious belief, disallowed.	Wisconsin v. Yoder, 406 U.S. 205 (1972)
Religious School Tuition Grants	State tuition grants to parents enrolling children in nonpublic schools violates establishment clause.	Essex v. Wolman, 409 U.S. 808 (1972) (summarily aff'd)
Religious School Aid	<i>Lemon v. Kurtzman</i> (1971), should not be applied retroactively.	Lemon v. Kurtzman [Lemon II], 411 U.S. 192 (1973)
Textbooks; State Action	Disallowed secular textbook loans to racially discriminatory schools.	Norwood v. Harrison, 413 U.S. 455 (1973)
Testing and Reporting Reimbursement	Disallowed state law authorizing reimbursement for state-required records and tests.	Levitt v. Committee for Pub. Educ., 413 U.S. 472 (1973)
Aid to Higher Education	Upheld issuance of revenue bonds for religious colleges.	Hunt v. McNair, 413 U.S. 734 (1973)
Tuition Reimbursement, State Tax Credit, and Maintenance & Repair Grants	Disallowed state law authorizing reimbursement to low income families for portion of parochial school tuition; disallowed sliding scale tax deductions for families with students in religious schools; disallowed direct grants to private schools serving low income students for cost of maintenance and repair.	Committee for Pub. Educ. v. Nyquist, 413 U.S. 756 (1973)
Tuition Grants	Disallowed reimbursement to parents for portion of religious school tuition.	Sloan v. Lemon, 413 U.S. 825 (1973)
Religious School Aid	State tax credits for expenses related to children enrolled in nonpublic schools violates Establishment Clause.	Grit v. Wolman 413 U.S. 901 (1973) (summarily aff'd)
Aid to Higher Education	Upheld state loan program whereby students could attend college of their choice.	Durham v. McLeod, 413 U.S. 902 (1973) (app'l dismissed for want of sub'l fed'l question)
Education Benefits and CO Status	Statute which grants educational benefits to military draftees, but not to draftees who perform civilian alternative service, is constitutional.	Johnson v. Robison, 415 U.S. 361 (1974)
Education Benefits and CO Status	Constitutional challenge by conscientious objectors to denial of veteran educational benefits not barred by statute.	Hernandez v. Veterans' Administration, 415 U.S. 391 (1974)
Federally Funded Remedial	Religious school students are entitled by federal statute to services comparable to those	Wheeler v. Barrera, 417 U.S. 402 (1974),

Education Services	offered in public schools.	modified 422 U.S. 1004 (1975)
Aid to Education	State programs providing cash funding to parents of nonpublic school students for textbooks, supplies, and auxiliary services is unconstitutional.	Marburger v. Public Funds for Pub. Schs.; Griggs v. Public Funds for Pub. Schs., 417 U.S. 961 (1974) (summarily aff'd)
Pacifism and Taxes	Conscientious objection to payment of war taxes does not override provision in anti-injunction act barring withholding taxes.	United States v. American Friends Serv. Comm., 419 U.S. 7 (1974) (per curiam)
School Transportation	Providing bus transportation for just public school students did not violate free exercise right of religious school students.	Luetkemeyer v. Kaufmann, 419 U.S. 888 (1974) (summarily aff'd)
Religious School Aid	State income tax reduction for parents enrolling children in nonpublic schools violates Establishment Clause.	Franchise Tax Bd. v. United Am. For Pub. Schools, 419 U.S. 890 (1974) (summarily aff'd)
Textbooks, Institutional Materials and Equipment, and Psychological Therapeutic Services	Upheld statute authorizing textbooks for private schools; 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 U.S. 349 (1975) (plurality in part)
Intrachurch Disputes	Civil courts may not probe into church polity or the removal of clerics.	Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696 (1976)
Aid to Higher Education	Upheld state non-categorical grant program for religious colleges.	Roemer v. Board of Pub. Works, 426 U.S. 736 (1976) (plurality)
Employment Discrimination	Affirming by equally divided Court holding below that employer did not make sufficient effort to accommodate religious employee as required by Title VII.	Parker Seal Co. v. Cummings, 429 U.S. 65 (1976) (per curiam)
Religious Communities	Reapportionment plan adopted to comply with Voting Rights Act to aid election of African Americans thereby dividing community of Hasidic Jews and diluting voting strength, did not violate Fourteenth or Fifteenth Amendment rights.	United Jewish Organizations of Williamsburgh, Inc. v. Carey, 430 U.S. 144 (1977)
Forced Speech	State cannot require display of state motto on vehicle license plates that violates owner's religious convictions.	Wooley v. Maynard, 430 U.S. 705 (1977)
Employment Discrimination	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 U.S. 63 (1977)
Counseling, Remedial and	Upheld use of public school personnel to provide guidance, remedial and therapeutic	Wolman v. Walter, 433 U.S. 229 (1977)

Therapeutic Services; Diagnostic Hearing and Remedial Services; Standardized Testing and Scoring Services; Instructional Materials and Equipment; Field Trips	speech and hearing services on a neutral site; upheld provision of diagnostic services on neutral site; upheld reimbursing cost of standardized testing and scoring of private school students; disallowed loan of instructional materials to private schools or to parents; disallowed transportation for field trips by private schools.	(plurality in part)
Employment Discrimination	Vacating <i>Parker Seal Co. v. Cummings</i> (1976), for consideration in light of <i>TWA v. Hardison</i> (1977).	<i>Parker Seal Co. v. Cummings</i> , 433 U.S. 903 (1977)
Record Keeping and Testing Reimbursement	Disallowed parochial school reimbursement for state-mandated record keeping and testing expenses.	<i>New York v. Cathedral Academy</i> , 434 U.S. 125 (1977)
Aid to Higher Education	Tennessee program of aid to students in colleges, public and private, including religiously affiliated schools, does not violate establishment clause.	<i>Americans United v. Blanton</i> , 434 U.S. 803 (1977) (summarily aff'd)
Discovery Order; Regulation	First Amendment no bar to Dept. of Labor's demand for payroll records to determine applicability of FLSA to nonecclesiastical employees.	<i>Pacific Union Conf. of Seventh-day Adventists v. Marshall</i> , 434 U.S. 1305 (1977) (Rehnquist, J., Opinion as Circuit Justice)
Clergy Disqualified from Public Office	Disqualification of clergy from public office violates First Amendment.	<i>McDaniel v. Paty</i> , 435 U.S. 618 (1978) (plurality)
Church Autonomy	First Amendment does not bar consideration of church polity for the purpose of determining personal jurisdiction over church.	<i>Methodist General Council on Finance and Admin. v. Cal. Superior Court</i> , 439 U.S. 1369 (1978) (Opinion in Chambers, Rehnquist, J.)
Regulation	Court refused to recognize National Labor Relations Board jurisdiction over lay teachers at religious schools.	<i>NLRB v. Catholic Bishop</i> , 440 U.S. 490 (1979)
Religious School Aid	State income tax deduction for parents of children enrolled in nonpublic schools violates Establishment Clause.	<i>Beggans v. Public Funds for Pub. Schs.</i> ; <i>Byrne v. Public Funds for Pub. Schs.</i> , 442 U.S. 907 (1979) (summarily aff'd)
Intrachurch Dispute	A state may, at its option, adopt neutral principles of law as a means of adjudicating church property disputes.	<i>Jones v. Wolf</i> , 443 U.S. 595 (1979)
Religious School Aid	Upheld state law requiring school districts to provide bus transportation for all children, including children enrolled in religious schools.	<i>School Dist. of Pittsburgh v. Dept. of Educ. of Penn.</i> , 443 U.S. 901 (1979) (app'ls dismissed for want of a sub'l fed'l question)

Testing and Reporting Reimbursement	Upheld religious school reimbursement for actual costs of state-mandated tests and reporting.	Committee for Pub. Educ. v. Regan, 444 U.S. 646 (1980)
Clergy Testimonial Privilege	Dicta recognizing clergy testimonial privilege as a matter of common law.	Trammel v. U.S., 445 U.S. 40 (1980)
Abortion; Standing	Upheld congressional restrictions on federally funded abortions.	Harris v. McRae, 448 U.S. 297 (1980)
Ten Commandments	Disallowed state law requiring posting of Ten Commandments in public school classrooms.	Stone v. Graham, 449 U.S. 39 (1980) (per curiam)
Unemployment Compensation	Denial of unemployment benefits because religious beliefs forbade production of armaments violated First Amendment.	Thomas v. Review Bd., 450 U.S. 707 (1981)
Parochial Schools and Unemployment Compensation Coverage	The word "church" in the Federal Unemployment Tax Act exempting services performed in the employ of a church applies to schools that have no separate corporate existence from a church.	St. Martin Evangelical Lutheran Church v. South Dakota, 451 U.S. 772 (1981)
Religious Literature Distribution	Prohibiting sale or distribution on fair grounds did not violate First Amendment as applied to members of religious sect.	Heffron v. ISKCON, 452 U.S. 640 (1981)
Equal Access	Disallowed restrictions on religious groups meeting in state university buildings.	Widmar v. Vincent, 454 U.S. 263 (1981)
Standing	Plaintiffs lacked standing as taxpayers to complain of federal government's transfer of property to religious organization.	Valley Forge Christian College v. Americans United, 454 U.S. 464 (1982)
Social Security Tax	Denied religious exemption from Social Security taxes for Amish employer.	United States v. Lee, 455 U.S. 252 (1982)
School Prayer	Statute authorizing student volunteers to lead classroom prayer in public schools violates establishment clause.	Treen v. Karen B., 455 U.S. 913 (1982) (summarily aff'd)
Charitable Solicitation Law	Disallowed state law requiring only certain religious organizations to make reports.	Larson v. Valente, 456 U.S. 228 (1982)
Charitable Solicitation Law	Striking down ordinance that required officials to distinguish between "spiritual" and temporal purposes of church activity.	Rusk v. Espinosa, 456 U.S. 951 (1982) (summarily aff'd)
Unemployment Tax	Tax Injunction Act prohibited federal court taking jurisdiction over case involving state tax.	California v. Grace Brethren Church, 457 U.S. 393 (1982)
Non-delegation of Sovereign Power	Disallowed practice of granting churches veto power over nearby issuance of liquor licenses.	Larkin v. Grendel's Den, Inc., 459 U.S. 116 (1982)
Religious School Tax Exemption	Upheld IRS revocation of tax exempt status because of school's racially discriminatory policies.	Bob Jones Univ. v. United States, 461 U.S. 574 (1983)
State Income Tax Deduction	Upheld tax deduction by religious school parents of education-related expenses.	Mueller v. Allen, 463 U.S. 388 (1983)
Legislative Prayer	Upheld state practice of hiring chaplain and offering prayers in the legislature.	Marsh v. Chambers, 463 U.S. 783 (1983)

Employment	Religious college held subject to employment nondiscrimination rules as condition of students receiving federal financial aid.	Grove City College v. Bell, 465 U.S. 555 (1984)
Religious Display	Upheld government practice of displaying nativity scene as part of a holiday display.	Lynch v. Donnelly, 465 U.S. 668 (1984)
Religious Display	Privately sponsored Christmas nativity scene permitted in village park.	Scarsdale v. McCreary, 471 U.S. 83 (1985) (aff'd by equally divided Court)
Fair Labor Standards Act	Application of the FLSA to religious foundation and its employees did not violate the free exercise or establishment clauses.	Tony & Susan Alamo Foundation v. Secretary of Labor, 471 U.S. 290 (1985)
Moment of Silence	Disallowed state law requiring moment of silence for prayer or meditation in public schools.	Wallace v. Jaffree, 472 U.S. 38 (1985)
Driver's License Photograph	Struck down requirement that applicant submit to having photograph taken for affixing on driver's license as unconstitutionally burdening free exercise.	Jensen v. Quaring, 472 U.S. 478 (1985) (aff'd by equally divided Court)
Private Employer	Disallowed state law guaranteeing private sector employee a right not to work on Sabbath.	Estate of Thornton v. Caldor, Inc., 472 U.S. 703 (1985)
Shared Time & Community Programs	Disallowed practice of providing remedial and enrichment courses taught by public school personnel in religious schools leased to the public schools.	Grand Rapids Sch. Dist. v. Ball, 473 U.S. 373 (1985)
Aid for Remedial Education	Disallowed practice of providing and monitoring federally funded Title I remedial services at private schools.	Aguilar v. Felton, 473 U.S. 402 (1985)
Vocational Education	Under vocational rehab program, upheld aid to blind person attending sectarian school of higher education to enter religious vocation.	Witters v. Washington Dep't of Servs. for the Blind, 474 U.S. 481 (1986)
Military Regulations	First Amendment does not prohibit application of Air Force regulation preventing wearing of yarmulke by officer while on duty and in uniform.	Goldman v. Weinberger, 475 U.S. 503 (1986)
Standing	School board member, in his individual capacity as a parent, has no standing to appeal a decision concerning his child's religious rights.	Bender v. Williamsport Sch. Dist., 475 U.S. 534 (1986)
Social Security Number	Federal agency's internal use of social security number in administering programs does not violate the free exercise clause, notwithstanding parent's belief that use of the number would impair his child's spirit.	Bowen v. Roy, 476 U.S. 693 (1986) (plurality in part)
Native American Religion	Native American could be convicted under Endangered Species Act for selling parts of Bald Eagle notwithstanding that earlier treaty reserved right to hunt and that taking of bird feathers was for religious purposes.	United States v. Dion, 476 U.S. 734 (1986)

Federal Jurisdiction	Federal courts should abstain from adjudicating issues also pending in state proceedings as long as plaintiff has opportunity to litigate his constitutional claim in state proceedings.	Ohio Civil Rights Comm'n v. Dayton Christian Schs., 477 U.S. 619 (1986)
Title VII	Employer not required to accept employee's preferred religious accommodation.	Ansonia Bd. of Educ. v. Philbrook, 479 U.S. 60 (1986)
Unemployment Compensation	Refusal to award unemployment compensation benefits to claimant, who was discharged when she refused to work on her Sabbath, violated free exercise.	Hobbie v. Unemployment Appeals Comm'n, 480 U.S. 136 (1987)
Religious Garb	White clothing and turban worn by Sikh special education teacher could be banned out of desire to keep public schools religiously neutral.	Cooper v. Eugene Sch. Dist. No. 4J, 480 U.S. 942 (1987) (app'l dismissed for want of sub'l fed'l question)
Private Religious Discrimination	Jewish person may rely on race-based discrimination clause of civil rights statute for claim against desecrators of synagogue.	Shaare Tefila Congregation v. Cobb, 481 U.S. 615 (1987)
Prisoner Rights	Heightened scrutiny of prison regulations allegedly impinging on inmates constitutional rights is not appropriate when regulations effectively prohibit, rather than simply limit, particular exercise of rights.	O'Lone v. Estate of Shabazz, 482 U.S. 342 (1987)
Religious Speech; Overbreadth	Airport regulation banning all "first amendment activities" within a public or non-public forum is a violation of overbreadth doctrine.	Board of Airport Comm'rs v. Jews for Jesus, Inc., 482 U.S. 569 (1987)
Creationism	Disallowed state law requiring teaching of creation whenever evolution is taught.	Edwards v. Aguillard, 482 U.S. 578 (1987)
Religious Exemption	Upheld religious discrimination exemption in Title VII for religious organizations.	Corporation of Presiding Bishop v. Amos, 483 U.S. 327 (1987)
Standing	Legislative officers cannot appeal decision on "moment of silence" law after having left office.	Karcher v. May, 484 U.S. 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 Ass'n, 485 U.S. 439 (1988)
Unemployment Compensation	State court must determine whether religious use of peyote is legal under state law.	Employment Div. v. Smith [Smith I], 485 U.S. 660 (1988)
Standing	The Catholic Conference, a nonparty witness, could challenge district court's 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, Inc., 487 U.S. 72 (1988)
Social Service Funding; Standing	Upheld, on its face, federal funding for faith-based counseling centers promoting teen chastity.	Bowen v. Kendrick, 487 U.S. 589 (1988)

Tax Exemption	Disallowed state sales tax exemption for certain religious publications.	Texas Monthly, Inc. v. Bullock, 489 U.S. 1 (1989) (plurality)
Unemployment Benefits	Denial of unemployment benefits to individual, who declined job because it would have required him to work on Sunday, was violative of free exercise.	Frazer v. Illinois Dep't of Empl. Security, 489 U.S. 829 (1989)
Tax Deductions	Section of tax code allowing income tax deduction for charitable contributions, but not for payments resulting in return of a commensurate benefit, does not violate First Amendment.	Hernandez v. Commissioner, 490 U.S. 680 (1989)
Religious Symbols	Disallowed practice of displaying nativity scene; upheld practice of displaying Menorah as part of a holiday display.	County of Allegheny v. Greater Pittsburgh ACLU, 492 U.S. 573 (1989) (plurality in part)
Tax Exemption	Upheld uniform state levy of sales and use taxes on sale of religious material.	Jimmy Swaggart Ministries v. California Bd. of Equalization, 493 U.S. 378 (1990)
Unemployment Compensation	Upheld denial of compensation where workers were fired after using peyote for sacramental purposes; <i>Sherbert</i> compelling interest test rejected.	Employment Div. v. Smith [Smith II], 494 U.S. 872 (1990)
Tax Deductions	Treasury regulation governing charitable contribution does not allow taxpayers to claim deductions for expenses incurred by son on church mission.	Davis v. United States, 495 U.S. 472 (1990)
Equal Access	Upheld Equal Access Act.	Westside Bd. of Educ. v. Mergens, 496 U.S. 226 (1990) (plurality in part)
Title VII	Nondiscrimination in employment rules of Title VII do not apply outside United States.	EEOC v. Arabian American Oil Co., 499 U.S. 244 (1991)
Graduation Prayer	Disallowed practice of clergy offering prayers during public school graduation ceremonies.	Lee v. Weisman, 505 U.S. 577 (1992)
Public Forum	An airport terminal is a non-public forum, therefore a ban on religious handbills and solicitation need only satisfy a reasonableness standard.	ISKCON v. Lee, 505 U.S. 672, 830 (1992)
Mootness	Unlawful search claim not moot upon return of tapes to the church.	Church of Scientology v. United States, 506 U.S. 9 (1992)
Equal Access to Forum	Struck down as viewpoint discrimination a public school policy that denied use of facilities to a church.	Lamb's Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384 (1993) (plurality in part)
Religious Discrimination	Municipal ordinance discriminating against ritual sacrifice of animals violates free exercise clause.	Church of Lukumi Babalu Aye, Inc. v. City of Hialeah, 508 U.S. 520 (1993)

Sign Language Interpreter Provided to Religious School Student	Providing interpreter does not violate establishment clause.	Zobrest v. Catalina Foothills Sch. Dist., 509 U.S. 1 (1993)
Favoring a Sect	Creation of new public school district coterminous with boundaries of a religious sect's village enclave violates establishment clause.	Kiryas Joel Bd. of Educ. v. Grumet, 512 U.S. 687 (1994) (plurality in part)
Equal Access; Religious Symbol	State's refusal to allow display of religious symbol in public forum is speech discrimination not justified by establishment clause.	Capitol Sq. Review & Advisory Bd. v. Pinette, 515 U.S. 753 (1995) (plurality in part)
Equal Access; Financial Aid for Student Newspaper	University's denial of funds to pay for printing of student publication with religious perspective constitutes viewpoint-based discrimination contrary to free speech rights.	Rosenberger v. Rector & Visitors, 515 U.S. 819 (1995)
Religious School Aid	Public employees may deliver remedial educational services on the parochial school campus.	Agostini v. Felton, 521 U.S. 203 (1997)
Congressional Power to Protect Free Exercise	Enactment of Religious Freedom Restoration Act exceeds Congress' power under § 5 of the Fourteenth Amendment, which is limited to remedial or preventive legislation.	City of Boerne v. Flores, 521 U.S. 507 (1997)
Religious School Aid	Federal act may provide library books and educational equipment to K-12 schools on basis that is neutral with regard to religion.	Mitchell v. Helms, 530 U.S. 793 (2000) (plurality)
Parental Rights	State legislation may not grant right of visitation to grandparents over objection of parents.	Troxel v. Granville, 530 U.S. 57 (2000)
Public School Prayer	Student-initiated prayer in response to solemn occasion set aside by public school at the beginning of football games is violative of establishment clause.	Sante Fe Ind. Sch. Dist. v. Doe, 530 U.S. 290 (2000)
Equal Access	It was viewpoint discrimination for public school to deny after-school access to religious group seeking to reach children.	Good News Club v. Milford Central School, 533 U.S. 98 (2001)
Religious Literature Distribution	Municipal registration and permit requirement to canvass door-to-door and handbill violates free speech.	Watchtower Bible and Tract Soc'ty v. Village of Stratton, 536 U.S. 150 (2002)
Religious School Aid	State school voucher plan for urban area available to schools without regard to religion does not violate establishment clause.	Zelman v. Simmons-Harris, 536 U.S. 639 (2002)
Religious College Aid	Student who earned state scholarship to attend any accredited institution of higher education in state, may be denied the right to use the funding to seek a degree in theology; Free Exercise Clause not violated.	Locke v. Davey, 540 U.S. 712 (2004)
Standing	Noncustodial father of minor does not have standing to challenge his daughter's voluntary	Elk Grove Unified Sch. Dist. v. Newdow,

	recitation of the Pledge of Allegiance to the U.S. flag.	542 U.S. 1 (2004)
Subject Matter Jurisdiction	Tax Injunction Act does not bar federal jurisdiction over Establishment Clause challenge to state tax credit for contributions to nonprofit organizations supporting nonpublic schools because the remedy sought would actually increase tax revenues.	Hibbs v. Winn, 542 U.S. ____ (June 2004)
Evidence; Capital Sentence	In sentencing phase of jury deliberations, it was error to not admit as mitigating evidence defendant's religious conversion.	Brown v. Payton, ____ U.S. _____ (March 2005)
Religious Exemptions	Religious Land Use and Institutionalized Persons Act requiring states to accommodate religious practices of prison inmates not a preference for religion that violates Establishment Clause.	Cutter v. Wilkinson, 544 U.S. ____ (May 2005)
Ten Commandments	Ten Commandments monument, one of several displays and memorials on the grounds of Texas' Capitol complex, in its larger context primarily conveys moral and historical message, and hence did not violate Establishment Clause.	Van Orden v. Perry, 545 U.S. ____ (June 2005) (plurality)
Ten Commandments	Ten Commandments posted in two Kentucky county courthouses violated Establishment Clause because displays were mounted with the primary purpose of advancing religion.	ACLU v. McCreary County, 545 U.S. ____ (June 2005)