

AMERICAN CONSTITUTIONALISM
 VOLUME II: RIGHTS AND LIBERTIES
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Supplementary Material

Chapter 10: The Reagan Era – Individual Rights/Religion/Free Exercise

From *Sherbert* to *Smith* Scorecard

<u>Case</u>	<u>Year</u>	<u>Exemption Claim</u>	<u>Result</u>	<u>Reason</u>
<i>Gillette v. United States</i>	1971	Conscientious objection to specific war	Rejected	Compelling interest
<i>Wisconsin v. Yoder</i>	1972	Mandatory schooling	Accepted	<i>Sherbert</i> applied
<i>Johnson v. Robison</i>	1974	Rules limiting benefits for veterans	Rejected	Compelling interest
<i>Thomas v. Review Bd. of Indiana Employment Sec. Division</i>	1981	Unemployment benefits for persons who quit their jobs	Accepted	<i>Sherbert</i> applied
<i>U.S. v. Lee</i>	1982	Social Security taxes	Rejected	Compelling interest
<i>Bob Jones University v. United States</i>	1983	Ban on racial discrimination	Rejected	Compelling interest
<i>Goldman v. Weinberger</i>	1986	Military dress code	Rejected	<i>Sherbert</i> inappropriate in a military setting
<i>Bowen v. Roy</i>	1986	Social Security numbers	Rejected	Compelling interest
<i>Hobbie v. Unemployment Appeals Com'n of Florida</i>	1987	Unemployment benefits	Accepted	<i>Sherbert</i> applied
<i>Lyng v. Northwest Indian Cemetery Protective Ass'n</i>	1988	Timber harvested and road construction	Rejected	No undue burden
<i>O'Lone v. Estate of Shabazz</i>	1987	Prison rituals	Rejected	<i>Sherbert</i> inappropriate in a prison setting
<i>Frazee v. Illinois Dept. of Employment Sec.</i>	1989	Unemployment benefits	Accepted	<i>Sherbert</i> applied
<i>Jimmy Swaggart Ministries v. Board of Equalization of</i>	1990	Sales taxes	Rejected	No undue burden

California



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