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BURWELL V. HOBBY LOBBY (2013) CASE BACKGROUND AND CENTRAL QUESTION

Directions: Read the following quotations that support a close connection between the church and the government. For each, identify the reasons used to justify this position and rephrase the reasons in your own words.

CASE BACKGROUND

The Free Exercise Clause of the First Amendment has, for a long time, meant that the government is required to make accommodations for religious beliefs. In *Sherbert v. Verner* (1963), the Court upheld the right of plaintiff Adell Sherbert, a member of the Seventh-day Adventist Church who worked in a textile mill, to claim unemployment benefits when she refused to take a job requiring her to work on the Sabbath. In *Wisconsin v. Yoder* (1972), the Court held that a state's interest in educating children past 8th grade was outweighed by the parents' free exercise of their religion.

In *Sherbert*, Justice Brennan declared that "The door of the Free Exercise Clause stands tightly closed against any governmental regulation of religious beliefs." In *Yoder*, Chief Justice Burger wrote that "The traditional way of life of the Amish is not merely a matter of personal preference, but one of deep religious conviction ... and intimately related to daily living" and that the law "affirmatively compels them, under threat of criminal sanction, to perform acts undeniably at odds with fundamental tenets of their religious beliefs." He concluded that "an intrusion by a State... would give rise to grave questions of religious freedom."

But what if government requires a family-owned corporation to fund insurance for medical services that violate that family's religious beliefs? This question proved controversial for the Supreme Court and continues to be debated in the public square.

CENTRAL QUESTION:

Do the First Amendment and the Religious Freedom Act of 1993 prohibit an executive agency from requiring a family who owns a corporation to provide full insurance coverage for services that violate their religious beliefs?