

Case of Church of the Lukumi Babalu Aye vs City of Hialeah Florida

Context:

Church of Lukumi follows *Santéria* religion:

- Afro-Caribbean religion based on Yoruba traditions with some influences of Roman Catholicism
- Focuses on relationships between humans and ‘Orisha’ (powerful, mortal spirits)

Animal sacrifice in *Santéria*:

- Followers of an Orisha provide food and animal sacrifice for building relationship
- The animals are killed by cutting the carotid arteries with a single knife stroke
- Animal cooked and eaten (Orisha shares by eating blood)

It is important to note at this time: Florida law “prohibits the sacrificial killing of animals other than for the primary purpose of food consumption”

Case:

Apr. 1987:

Church of Lukumi announces it will openly practising religion on ground, bought by the church in Hialeah, Florida

Jun. 1987:

Hialeah City Council holds emergency public session:

Councilman Silvio Cardoso: this religion is “in violation of everything this country stands for”

Councilman Andres Mejides: Bible does not allow this particular type of animal sacrifice

Councilman Julio Martinez: in Cuba “people were put in jail for practicing this religion.”

Hialeah’s police chaplain testified that the Church worshipped “demons” and the city attorney testified that “This community will not tolerate religious practices abhorrent to its citizens.”

Sept. 1987:

City council passed new ordinances prohibiting the “possess[ion], sacrifice, or slaughter” of an animal in “any type of ritual”

The city council exempted halal and kosher slaughterhouses, regular slaughterhouses, hunting, fishing, pest extermination, euthanasia of stray animals, and feeding live rabbits to greyhounds

Jun. 1988:

Church sues state in the District court under the First Amendment -
“Congress make no law respecting an establishment of religion or prohibiting its free exercise”

Oct. 1989:

District judge rules in favour of the city, arguing:

“Preventing public health risks and cruelty to animals fully justified the absolute prohibition on ritual sacrifice ”

Narrower restrictions would be “unenforceable as a result of the Santeria religion’s secret nature.”

1991:

Court of Appeals confirms validity of District Court’s ruling

Nov. 1992:

Trial goes to Supreme court

Jun. 1993:

Verdict reached in favour of Church of Lukumi:

“Each of the ordinances pursues the city’s governmental interests only against conduct motivated by religious belief and thereby violates the requirement that laws burdening religious practice must be of general applicability.”