Google Drive



Religious Freedom and Indian Rights: The Case of Oregon v. Smith

Carolyn N. Long

Download now

Click here if your download doesn"t start automatically

Religious Freedom and Indian Rights: The Case of Oregon v. Smith

Carolyn N. Long

Religious Freedom and Indian Rights: The Case of Oregon v. Smith Carolyn N. Long
The Supreme Court's controversial decision in Oregon v. Smith sharply departed from previous expansive readings of the First Amendment's religious freedom clause and ignited a firestorm of protest from legal scholars, religious groups, legislators, and Native Americans. Carolyn Long provides the first book-length analysis of Smith and shows why it continues to resonate so deeply in the American psyche.

In 1983, Klamath Indian Alfred Smith and his co-worker Galen Black were fired as counselors from a drug rehabilitation agency for using peyote, a controlled substance under Oregon law, in a religious ceremony of the Native American Church. Both were subsequently denied unemployment benefits, which the State of Oregon claimed was permissible under its police powers and necessary in its effort to eradicate drug abuse. But Smith and Black argued that the denial of unemployment benefits constituted an infringement of their religious freedom and took their cases to court.

Long traces the tortuous path that Smith followed as it went from state courts to the Supreme Court and then back again for a second round of hearings. A major event in Native American history, the case attracted widespread support for the Indian cause from a diverse array of religious groups eager to protect their own religious freedom. It also led to an intense tug-of-war between the Court and Congress, which fought back with amendments to the American Indian Religious Freedom Act (to protect the religious use of peyote) and the Religious Freedom Restoration Act of 1993, which protected religious freedom for all Americans. The Court subsequently ruled the latter act unconstitutional in *Boerne v. Flores* (1997).

Long provides a lucid and balanced view of the competing sides in Smith. Drawing on interviews with Smith and his family, as well as with lawyers, judges, and congressional and interest group representatives involved in this struggle between Congress and Court, she takes the reader from the rituals of a peyote religious ceremony to the halls of government to reveal the conflicting interests that emerged in this key First Amendment case. She also clarifies how the Court reversed longstanding precedent by replacing the balancing test of "compelling state interest" and "least restrictive means" with a new "reasonable basis" argument that theoretically could be used to curtail religious practices well beyond those of the Native American church.

Ultimately, the Supreme Court ruled that the First Amendment protection of religious freedom applies only to laws that specifically target religious behavior and that an individual's religious beliefs do not excuse one from complying with statutes that indirectly infringe on their religious rights. Engagingly written, Long's study highlights the resultant struggles, but without ever losing sight of the rich human dimensions of the story.

Download Religious Freedom and Indian Rights: The Case of O ...pdf

Read Online Religious Freedom and Indian Rights: The Case of ...pdf

Download and Read Free Online Religious Freedom and Indian Rights: The Case of Oregon v. Smith Carolyn N. Long

---

From reader reviews:

Jodi Saldana:

Hey guys, do you would like to finds a new book to read? May be the book with the headline Religious Freedom and Indian Rights: The Case of Oregon v. Smith suitable to you? The particular book was written by well-known writer in this era. The particular book untitled Religious Freedom and Indian Rights: The Case of Oregon v. Smithis the main of several books in which everyone read now. This particular book was inspired many men and women in the world. When you read this reserve you will enter the new shape that you ever know ahead of. The author explained their thought in the simple way, consequently all of people can easily to comprehend the core of this reserve. This book will give you a large amount of information about this world now. So that you can see the represented of the world with this book.

Lisa McCann:

Reading a book to become new life style in this year; every people loves to examine a book. When you examine a book you can get a lots of benefit. When you read publications, you can improve your knowledge, mainly because book has a lot of information into it. The information that you will get depend on what sorts of book that you have read. If you want to get information about your review, you can read education books, but if you want to entertain yourself you can read a fiction books, such us novel, comics, and soon. The Religious Freedom and Indian Rights: The Case of Oregon v. Smith offer you a new experience in studying a book.

Tony Partee:

Beside that Religious Freedom and Indian Rights: The Case of Oregon v. Smith in your phone, it could possibly give you a way to get closer to the new knowledge or info. The information and the knowledge you are going to got here is fresh in the oven so don't end up being worry if you feel like an outdated people live in narrow small town. It is good thing to have Religious Freedom and Indian Rights: The Case of Oregon v. Smith because this book offers to you readable information. Do you at times have book but you would not get what it's facts concerning. Oh come on, that will not end up to happen if you have this in the hand. The Enjoyable arrangement here cannot be questionable, including treasuring beautiful island. Techniques you still want to miss the item? Find this book as well as read it from currently!

Edward Sullivan:

Do you like reading a guide? Confuse to looking for your preferred book? Or your book ended up being rare? Why so many query for the book? But almost any people feel that they enjoy for reading. Some people likes reading through, not only science book and also novel and Religious Freedom and Indian Rights: The Case of Oregon v. Smith or maybe others sources were given information for you. After you know how the truly amazing a book, you feel desire to read more and more. Science guide was created for teacher or perhaps students especially. Those guides are helping them to bring their knowledge. In other case, beside

science reserve, any other book likes Religious Freedom and Indian Rights: The Case of Oregon v. Smith to make your spare time considerably more colorful. Many types of book like this.

Download and Read Online Religious Freedom and Indian Rights: The Case of Oregon v. Smith Carolyn N. Long #2FW9RPZ75SQ

Read Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long for online ebook

Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long Free PDF d0wnl0ad, audio books, books to read, good books to read, cheap books, good books, online books, books online, book reviews epub, read books online, books to read online, online library, greatbooks to read, PDF best books to read, top books to read Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long books to read online.

Online Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long ebook PDF download

Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long Doc

Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long Mobipocket

Religious Freedom and Indian Rights: The Case of Oregon v. Smith by Carolyn N. Long EPub