

1. Record Nr.	UNINA9910790734003321
Autore	Waltman J
Titolo	Congress, the Supreme Court, and Religious Liberty [[electronic resource]] : The Case of City of Boerne v. Flores // by J. Waltman
Pubbl/distr/stampa	New York : , : Palgrave Macmillan US : , : Imprint : Palgrave Macmillan, , 2013
ISBN	1-349-45321-8 1-137-30064-7
Edizione	[1st ed. 2013.]
Descrizione fisica	1 online resource (208 p.)
Disciplina	342.7308/52
Soggetti	Religion and sociology Europe - Politics and government Political science Law - Philosophy Law - History Human rights Sociology of Religion European Politics Political Science Theories of Law, Philosophy of Law, Legal History Human Rights
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references (pages 187-194) and index.
Nota di contenuto	Congress, the Supreme Court, and Religious Liberty: The Case of City of Boerne v. Flores; Contents; Acknowledgments; Introduction; Chapter 1: The Road to RFRA; Reynolds v. United States: Belief versus Action; Incorporation: Cantwell v. Connecticut; The Compelling Interest Test; Employment Division, Department of Human Resources of Oregon v. Smith: The Compelling Interest Test Overturned; The Religious Freedom Restoration Act; Chapter 2: Boerne, Texas, and St. Peter Apostolic Catholic Church; Chapter 3: A Building Permit Denied Chapter 4: Separation of Powers and Federalism in the Rehnquist Court Separation of Powers and the Problem of Constitutional

Interpretation; Federalism; Conclusion; Chapter 5: The Federal District Court and the Court of Appeals; The Framework of the Act; Precedents; The "One Way Ratchet" Theory; *Belgard v. Hawaii*; The Court of Appeals; Chapter 6: The Supreme Court Decision; The Written Briefs; Oral Argument; The Decision of the Supreme Court; Chapter 7: Political Reaction; State RFRAs; The Religious Liberty Protection Act; The Death of RLPA

The Religious Land Use and Institutionalized Persons Act (RLUIPA) RFRA and the Federal Government; Chapter 8: Back in Boerne: Compromising to Build a Church; Chapter 9: Conclusion; Notes; Bibliography; Index

Sommario/riassunto

In the case *City of Boerne v. Flores*, the Supreme Court struck down the Religious Freedom Restoration Act of 1993. Waltman offers the first book-length analysis of the act to show how this case contributes to an intense legal debate still ongoing today: Can and should the Supreme Court be the exclusive interpreter of the Constitution?
