

## CONTROLLING LEGAL PRINCIPLES

### *Free Exercise Clause Decision – The “Contemplation of Justice”*

*Thomas v. Review Bd., Ind. Empl. Sec. Div., 450 U.S. 707 (1981)*



The determination of what is a "religious" belief or practice is more often than not a difficult and delicate task, as the division in the Indiana Supreme Court attests.

[Footnote 7] **However, the resolution of that question is not to turn upon a judicial perception of the particular belief or practice in question; *religious beliefs need not be acceptable, logical, consistent, or comprehensible to others* in order to merit First Amendment protection.**” Page 450 U. S. 707, 714 (*Emphasis added*)

*Thomas v. Review Bd., Ind. Empl. Sec. Div. - 450 U.S. 707 (1981)*: but where the state conditions receipt of an important benefit upon conduct proscribed by a religious faith, or where it denies such a benefit because of conduct mandated by religious belief, **thereby putting substantial pressure on an adherent to modify his behavior and to violate his beliefs, a burden upon religion exists.** While the compulsion may be indirect, the infringement upon free exercise is nonetheless substantial. Pp. **450 U. S. 716-718.**”