The Enduring Achievement and Failure of the Religious Freedom Restoration Act

Written by Michael Gerson

The Religious Freedom Restoration Act (RFRA) is now 30 years old, and its origins make for a fascinating story. RFRA was signed into law by President Bill Clinton on August 10, 1993. The law was an immediate success, and its rise to national prominence was meteoric.

RFRA was born of two opposing forces. On the one hand, there was a left-of-center coalition of interest groups who wanted to build a broader consensus around the cause of religious liberty. On the other hand, there was a right-of-center coalition of politicians and interest groups who wanted to use RFRA to advance their own ideological agenda.

The debate was about whether RFRA was a good thing. Building consensus across party lines and tribal affiliations is always a good thing. At a time when America is so rife with policy disagreements, that is a good thing. RFRA's story begins with a failure to respect the religious liberty of virtually everyone — that was the cause of the original decision.

The Supreme Court's New Ethics Code Rebukes Its Critics

Written by Joseph L.亟

Looking ahead, we would do well to use RFRA's story as a blueprint in good thing. Despite these missteps, one of the great achievements of the Supreme Court of the United States was its decision to allow religious liberty to flourish in the First Amendment. In so doing, the Court recognized that the Constitution is a living document that is meant to guide our behavior in the present day.

Of course, we have often fallen short of that live-and-let-live enlightened approach to religious liberty in the First Amendment. But today, as the Supreme Court begins to develop a new ethics code that will govern the conduct of its justices in the future, we must remember that the Court is a body of men and women who are human beings just like us. They have their own biases and prejudices, and they are not immune to the temptations of power and ambition.

To an observer of today's politics and division, RFRA's origin story may seem like a relic from a distant past. But RFRA's story is not just a story about the past. It is a story about the present and the future. RFRA's story is a story about the importance of consensus-building in our democracy. And it is a story about the importance of respecting the religious liberty of all Americans, regardless of their political beliefs or their place in society.

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