

## CONTROLLING LEGAL PRINCIPLES

*Free Exercise Clause Decision – The “Contemplation of Justice”*  
*Burwell v. Hobby Lobby Stores, Inc.* 573 U.S. \_\_\_\_ (2014)



The Religious Freedom Restoration Act of 1993 (RFRA) prohibits the “Government [from] substantially burden[ing] a person’s exercise of religion even if the burden results from a rule of general applicability” unless the Government “demonstrates that application of the burden to the person—

(1) is in furtherance of a compelling governmental interest; and  
(2) is the least restrictive means of furthering that compelling governmental interest.” 42 U. S. C. §§2000bb–1(a), (b). As amended by the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA),

RFRA covers “*any exercise of religion, whether or not compelled by, or central to, a system of religious belief.*” §2000cc–5(7)(A).

The Court’s “**narrow function** . . . is to determine” whether the plaintiffs’ asserted religious belief reflects “an honest conviction,” *id.*, at 716, and there is no dispute here that it does. *Tilton v. Richardson*, 403 U. S. 672 ; and *Board of Ed. of Central School Dist. No. 1 v. Allen*, 392 U. S. 236 –249, distinguished. Pp. 35–38.