

By: Representatives Bentley, S. Meeks, B. Smith, Wing, McClure, Crawford, Vaught, Cloud, S. Smith,
Rye

By: Senator Rapert

HOUSE CONCURRENT RESOLUTION

TO PROCLAIM RELIGIOUS FREEDOM DAY.

Subtitle

TO PROCLAIM RELIGIOUS FREEDOM DAY.

WHEREAS, our country's democracy is rooted in the fundamental truth that all people are created equal and endowed with certain unalienable rights, including life, liberty, and the pursuit of happiness; and

WHEREAS, freedom of conscience was highly valued by the individuals seeking religious freedom who settled early in the American colonies; the founders of the United States; and Thomas Jefferson, who wrote in his letter to the Society of the Methodist Episcopal Church at New London, Connecticut, dated February 4, 1809: "No provision in our constitution ought to be dearer to man, than that which protects the rights of conscience against the enterprises of the civil authority"; and

WHEREAS, the Virginia Statute for Religious Freedom, which was enacted on January 16, 1786, and is the forerunner to the Free Exercise Clause of the First Amendment of the United States Constitution, was drafted by Thomas Jefferson, who considered the Virginia Statute for Religious Freedom to be one of his greatest achievements; and

WHEREAS, the First Amendment of the United States Constitution protects the right of individuals to express freely and to act peacefully on their



religious beliefs, and also protects individuals from coercion to profess or act on a religious belief to which they do not adhere; and

WHEREAS, Thomas Jefferson wrote in 1798 that each right encompassed in the First Amendment of the United States Constitution is independent of the other rights described in that amendment, "thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: insomuch, that whatever violated either, throws down the sanctuary which covers the others"; and

WHEREAS, in 1822, he wrote that the constitutional freedom of religion is "the most inalienable and sacred of all human rights"; and

WHEREAS, individuals who have studied United States democracy from an international perspective, including Alexis de Tocqueville, have noted that religion plays a central role in preserving the United States Government because religion provides the moral base required for democracy to succeed; and

WHEREAS, in a 1935 speech delivered at the University of Notre Dame, President Franklin D. Roosevelt quoted George Mason's statement from the Virginia Declaration of Rights that "all men are equally entitled to the free exercise of religion according to the dictates of conscience", then went on to state, "In the conflict of policies and of political systems which the world today witnesses, the United States has held forth for its own guidance and for the guidance of other nations if they will accept it, this great torch of liberty of human thought, liberty of human conscience. We will never lower it"; and

WHEREAS, in *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2013), the United States Supreme Court affirmed that "people of many faiths may be united in a community of tolerance and devotion"; and

WHEREAS, more recently, in *Roman Catholic Diocese v. Cuomo*, 2020 U.S. LEXIS 5708, the United States Supreme Court found that "even in a pandemic, the Constitution cannot be put away and forgotten. The restrictions [on

religious freedom at issue in the case]..., by effectively barring many from attending religious services, strike at the very heart of the First Amendment's guarantee of religious liberty"; and

WHEREAS, for countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to their homes, houses of worship, doctrine, or creeds; and

WHEREAS, the role of religion in the society and public life of the United States has a long and robust tradition,

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

THAT the House of Representatives proclaim January 14, 2020, as "Religious Freedom Day" to honor the anniversary of the enactment of the Virginia Statute for Religious Freedom, and affirm that religious freedom is a fundamental human right.