

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

HCR 1005

4
5 By: Representatives Bentley, S. Meeks, B. Smith, Wing, McClure, Crawford, Vaught, Cloud, S. Smith,
6 Rye
7 By: Senator Rapert

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9 **HOUSE CONCURRENT RESOLUTION**
10 TO PROCLAIM RELIGIOUS FREEDOM DAY.

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13 **Subtitle**
14 TO PROCLAIM RELIGIOUS FREEDOM DAY.

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17 WHEREAS, our country's democracy is rooted in the fundamental truth
18 that all people are created equal and endowed with certain unalienable
19 rights, including life, liberty, and the pursuit of happiness; and
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21 WHEREAS, freedom of conscience was highly valued by the individuals
22 seeking religious freedom who settled early in the American colonies; the
23 founders of the United States; and Thomas Jefferson, who wrote in his letter
24 to the Society of the Methodist Episcopal Church at New London, Connecticut,
25 dated February 4, 1809: "No provision in our constitution ought to be dearer
26 to man, than that which protects the rights of conscience against the
27 enterprises of the civil authority"; and
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29 WHEREAS, the Virginia Statute for Religious Freedom, which was enacted
30 on January 16, 1786, and is the forerunner to the Free Exercise Clause of the
31 First Amendment of the United States Constitution, was drafted by Thomas
32 Jefferson, who considered the Virginia Statute for Religious Freedom to be
33 one of his greatest achievements; and
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35 WHEREAS, the First Amendment of the United States Constitution protects
36 the right of individuals to express freely and to act peacefully on their



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

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

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

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

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

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

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

1 religious freedom at issue in the case]..., by effectively barring many from
2 attending religious services, strike at the very heart of the First
3 Amendment's guarantee of religious liberty"; and
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5 WHEREAS, for countless people of the United States, faith is an
6 integral part of every aspect of daily life and is not limited to their
7 homes, houses of worship, doctrine, or creeds; and
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9 WHEREAS, the role of religion in the society and public life of the
10 United States has a long and robust tradition,
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12 NOW THEREFORE,

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL
14 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:
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16 THAT the House of Representatives proclaim January 14, 2020, as
17 "Religious Freedom Day" to honor the anniversary of the enactment of the
18 Virginia Statute for Religious Freedom, and affirm that religious freedom is
19 a fundamental human right.
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