

HOUSE JOINT RESOLUTION 820

By Sexton J

A RESOLUTION uplifting faith and freedom in America.

WHEREAS, the United States of America, with its democratic system of representation, is dependent upon the fundamental truths that all people are created equal and are endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness; and

WHEREAS, freedom of conscience has been highly valued in America since its earliest beginnings, not only by individuals seeking religious freedom in the American colonies but through colonial charters and laws, such as the 1658 "Flushing Remonstrance" that guaranteed citizens the freedom "to have and enjoy the liberty of conscience, according to the manner and custom of Holland, without molestation or disturbance" or the 1677 West Jersey "Laws, Concessions and Agreements" that allowed for complete religious liberty, stating "That no men, nor number of men upon earth, hath power or authority to rule over men's consciences in religious matters"; and

WHEREAS, even with such an inspired beginning, some colonies sought religious uniformity and persecuted dissenters, driving them out to more tolerant colonies, such as Rhode Island, which led to the founding of new colonies such as Pennsylvania in 1681, which was created as a refuge for persecuted Quakers; and

WHEREAS, knowing this volatile history, not only in colonial America, but also in the Old World, founders such as Patrick Henry and George Mason created the Virginia Declaration of Rights in 1776 to ensure "that all men should enjoy the fullest toleration in the exercise of religion, according to the dictates of Conscience, unpunished and unrestrained by the Magistrate..."; and

WHEREAS, expanding on this effort, Thomas Jefferson penned his first draft of the Virginia Statute for Religious Freedom in 1777 to fully disestablish the Church of England, an effort that finally came to fruition on January 16, 1786, under the guidance of James Madison; and

WHEREAS, "Religion or the duty which we owe our Creator" was recognized by the American founders to exist prior to the civil bonds of men in government. As explained by James Madison, "This right is in its nature an unalienable right...This duty is precedent, both in order of time and in degree of obligation, to the claims of Civil Society"; and

WHEREAS, Thomas Jefferson stated, "Almighty God hath created the mind free. All attempts to influence it by temporal punishments or burthens...are a departure from the plan of the holy Author of our religion..."; and

WHEREAS, the Virginia Statute for Religious Freedom became the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States, ratified to protect the unalienable right of individuals to peacefully speak and act on their religious beliefs and to ensure they would remain free from coercion to profess or act on a religious belief to which they do not adhere; and

WHEREAS, Thomas Jefferson said of the First Amendment that it "guard(s) in the same sentence, and under the same words, the freedom of religion, of speech, and of the press; insomuch as that whatever violates either throws down the sanctuary which covers the others"; and

WHEREAS, those who have studied America's form of government, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving the nation, because religion provides the moral base that a free people require for self-government; and

WHEREAS, a long line of presidents, from President George Washington to the current day, has recognized the unique and foundational role of religious freedom to the survival of America, including President Franklin D. Roosevelt's statement that it "has been integral to the preservation and development of the United States" or the acknowledgement of President

George H.W. Bush that "the free exercise of religion goes hand in hand with the preservation of our other rights" or that "(f)reedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government," as expressed by President William Clinton; and

WHEREAS, in *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2014), the United States Supreme Court affirmed that "people of many faiths may be united in a community of tolerance and devotion"; 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, or doctrinal needs; and

WHEREAS, in America today, the growing ignorance of our rich religious heritage of freedom has been directly accompanied by an increasing hatred and a coarsening of civil discourse in the body politic; and

WHEREAS, this ignorance and intolerance, if left unchecked, will quench the very essence of America, and her beacon of freedom will no longer serve as a light to the world; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED ELEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we must once again value religious liberty and its vital importance to all human rights and to individual dignity and return to the principle that President George Washington expressed in his Farewell Address, that the happiness of a nation is connected with its virtue, and its virtue is dependent upon religious principle.

BE IT FURTHER RESOLVED, that we must protect the fabric of religious faith in God in this nation, for only by doing so will America be able to protect the fabric of freedom that has made this nation great.

BE IT FURTHER RESOLVED, that we request constant and fervent prayers for our leaders so that those who know God will be strengthened to maintain their faith and those who have no belief in God will, at a minimum, show civility and respect to those who do.

BE IT FURTHER RESOLVED, that we seek laws and public policies at all levels of government that will honor the long, hard road that our founders traveled from mere religious tolerance to true religious liberty for all American citizens.

BE IT FURTHER RESOLVED, that we seek God's continued grace, protection, guidance, and favor in the hope that America can soon overcome her civil discord and her disunity, so that her heritage of faith and freedom can remain a light of freedom to the nations.

BE IT FURTHER RESOLVED, that we proudly look back in history to the passage of the Virginia Statute of Religious Freedom on January 16, 1786, recognizing and affirming Religious Freedom Day to commemorate that great historical accomplishment that provided the heart of our First Amendment to the U.S. Constitution.