

SENATE RESOLUTION NO. 88

Senator VanderWall offered the following resolution:

1 A resolution to support the religious liberty of Michigan
2 citizens.

3 Whereas, The Declaration of Independence affirms that people
4 are "...endowed by their Creator with certain unalienable Rights,
5 that among these are Life, Liberty, and the pursuit of
6 Happiness..."; and declares that governments derive "their just
7 powers from the consent of the governed..."; and

8 Whereas, The First Amendment to the Constitution of the United
9 States clearly, plainly, and unequivocally states that "Congress
10 shall make no law respecting an establishment of religion, or
11 prohibiting the free exercise thereof or abridging the freedom of
12 speech...". The constitutional protection of these bedrock
13 principles of religious liberty and freedom of expression was

1 extended to the actions of the states through the Fourteenth
2 Amendment to the Constitution of the United States; and

3 Whereas, The Michigan Constitution unambiguously affirms that
4 "[e]very person shall be at liberty to worship God according to the
5 dictates of his own conscience"; and that "[t]he civil and
6 political rights, privileges and capacities of no person shall be
7 diminished ... on account of his religious belief" and that
8 "[e]very person may freely speak, write, express and publish his
9 views on all subjects" and "no law shall be enacted to restrain or
10 abridge the liberty of speech..."; and

11 Whereas, Despite the clear prohibition against government
12 actions infringing upon freedom of expression and the free exercise
13 of religion, religious people and religious organizations have been
14 frequent targets of governmental actions by state and local
15 government officials seeking to limit religious expression and
16 exercise, including by executive orders that close houses of
17 worship, mandates that effectively prohibit religious student
18 athletes from participating in collegiate sports, and policies that
19 exclude religious families and organizations from foster care
20 programs; and

21 Whereas, Religious expression is essential for maintaining
22 societal morality. As George Washington stated, "Let us with
23 caution indulge the supposition that morality can be maintained
24 without religion. Reason and experience both forbid us to expect
25 that national morality can prevail in exclusion of religious
26 principle"; and

27 Whereas, When religious-based ideas inform the public ethic,
28 society benefits greatly. For example, the idea that God created
29 humans in His image, and that all human life has dignity,

1 significantly contributed to ending slavery and advancing the
2 rights of women and minorities. Censuring an idea that is informed
3 by ancient sacred tenets prevents thousands of years of wisdom from
4 informing the public ethic; and

5 Whereas, In this country, individuals, houses of worship, and
6 religious organizations compelled by their religious beliefs have
7 served the needy, the homeless, widows, and orphans long before
8 government and continue to partner with government to serve our
9 communities. Indeed, this is a vital notion in our pluralistic
10 society: The ability and freedom of Americans of any faith—or no
11 faith at all—to be free to serve in ways consistent with the
12 commitments that inspire their service in the first place; and

13 Whereas, A moral republic cannot function without religious
14 expression. Government suppression of a citizen's religious
15 expression or religious exercise sends a bitter chill throughout
16 the citizenry in a republic. Instead of censuring or punishing
17 religious speech or religious conscience, the answer in a republic
18 valuing freedom must always be to foster and support expression;
19 and

20 Whereas, The test of a functioning moral republic is not only
21 whether government protects speech and religious expression with
22 which it agrees - it is whether government will protect speech and
23 religious expression with which it disagrees. The constitutional
24 liberty here does not protect governments from religious conscience
25 - it protects the exercise of religious conscience from government
26 infringement. When government suppresses or punishes a citizen's
27 religious expression or conscience, it betrays the fundamental
28 principle of freedom on which our country was founded; and

29 Whereas, Good governance and civic institutional integrity

1 rest on the virtue of its citizens. Religious ideas support and
2 nurture this virtue and should, therefore, always be permitted
3 within the marketplace of ideas; and

4 Whereas, It is the duty of elected officials to uphold the
5 *Constitution of the United States* and the Michigan Constitution;
6 now, therefore, be it

7 Resolved by the Senate, That we support the religious liberty
8 of Michigan citizens; and be it further

9 Resolved, That we will not infringe upon the ability of
10 citizens to act in accordance with their religious conscience and
11 beliefs; and be it further

12 Resolved, That we will not tolerate persecution of religious
13 people because of their beliefs; and be it further

14 Resolved, That we condemn any behavior by government
15 authorities that limits the ability of individuals to express their
16 religious conscience and beliefs; and be it further

17 Resolved, That copies of this resolution be transmitted to the
18 Governor, the Michigan Attorney General, the Michigan Secretary of
19 State, the President of the United States, the President of the
20 United States Senate, the Speaker of the United States House of
21 Representatives, and the members of the Michigan congressional
22 delegation.