
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 164 Session of
2021

INTRODUCED BY KAUFFMAN, BOROWICZ, METCALFE, RYAN, M. MACKENZIE,
JOZWIAK, LEWIS, PICKETT, STAMBAUGH, R. BROWN, ROAE, RAPP,
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BERNSTINE, GLEIM, COX, B. MILLER, KEEFER, ROWE, SCHLEGEL
CULVER AND JONES, DECEMBER 7, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 7, 2021

A RESOLUTION

1 Affirming the commitment to adhere to the strictest measures
2 within our power to preserve religious freedom.

3 WHEREAS, Religious freedom is the bedrock upon which our
4 Commonwealth was founded; and

5 WHEREAS, Religious freedom was referred to by our framers as
6 "the first freedom" without which no other freedom could long
7 last; and

8 WHEREAS, The Declaration of Independence affirms the
9 sovereignty of God, proclaiming "that all men are created equal,
10 that they are endowed by their Creator with certain unalienable
11 Rights, that among these are Life, Liberty and the Pursuit of
12 Happiness"; and

13 WHEREAS, The right to freedom of religion was guaranteed in
14 the First Amendment to the Constitution of the United States,
15 which states that "Congress shall make no law respecting an
16 establishment of religion, or prohibiting the free exercise

1 thereof"; and

2 WHEREAS, The Free Exercise Clause of the First Amendment,
3 protecting the right of citizens to practice their religion,
4 applies to the states through the Incorporation Doctrine of the
5 14th Amendment; and

6 WHEREAS, The United States Supreme Court opined in *Cantwell*
7 *v. Connecticut*, 310 U.S. 296, 303 (1940) that "Freedom of
8 conscience and freedom to adhere to such religious organization
9 or form of worship as the individual may choose cannot be
10 restricted by law"; and

11 WHEREAS, The government may not determine which moral or
12 religious beliefs are acceptable and, in *Thomas v. Review Board*
13 *of Indiana Employment Security Division*, 450 U.S. 707, 714
14 (1981), the Supreme Court stated that "religious beliefs need
15 not be acceptable, logical, consistent, or comprehensible to
16 others in order to merit First Amendment protection"; and

17 WHEREAS, The fundamental right to freedom of religion has
18 resonated throughout the unique history of our Commonwealth; and

19 WHEREAS, In 1701, protection of religious freedom from an
20 intrusive government was granted to the colonial government of
21 Pennsylvania by William Penn in the Pennsylvania Charter of
22 Privileges, which states "BECAUSE no People can be truly happy,
23 though under the greatest Enjoyments of Civil Liberties, if
24 abridged of the Freedom of their Consciences, as to
25 their Religious Profession and Worship"; and

26 WHEREAS, Penn's words of freedom and hope are echoed on the
27 walls of our Capitol Building: "There may be room there for such
28 a holy experiment. For the nations want a precedent. And my God
29 will make it the seed of the nation. That an example may be set
30 up to the nations"; and

1 WHEREAS, The Constitution of Pennsylvania grants religious
2 freedom in section 3 of Article I, declaring that "All men have
3 a natural and indefeasible right to worship Almighty God
4 according to the dictates of their own consciences; no man can
5 of right be compelled to attend, erect or support any place of
6 worship, or to maintain any ministry against his consent; no
7 human authority can, in any case whatever, control or interfere
8 with the rights of conscience, and no preference shall ever be
9 given by law to any religious establishments or modes of
10 worship"; and

11 WHEREAS, In 2002, to further protect the religious freedom of
12 Pennsylvanians, the General Assembly passed the Religious
13 Freedom Protection Act for the purpose of "Protecting the free
14 exercise of religion; and prescribing the conditions under which
15 government may substantially burden a person's free exercise of
16 religion"; and

17 WHEREAS, Today, we find ourselves at a crossroads in what
18 appears to be an ongoing attack on our religious freedom; and

19 WHEREAS, As individuals, we have spiritual needs and
20 physical needs and one cannot coexist without the other; and

21 WHEREAS, The ability to acknowledge and worship God in an in-
22 person religious setting is a spiritual matter essential to the
23 well-being of those committed to their faith; and

24 WHEREAS, The ability to assemble together with those of like-
25 minds and hearts to pray for one another and draw strength from
26 one another should be a source of encouragement during a public
27 crisis; and

28 WHEREAS, Protection of religious liberty remains undeniably
29 intertwined with the freedoms inherent in democracy; and

30 WHEREAS, Ronald Reagan stated "To those who cite the first

1 amendment as reason for excluding God from more and more of our
2 institutions and everyday life, may I just say: The first
3 amendment of the Constitution was not written to protect the
4 people of this country from religious values; it was written to
5 protect religious values from government tyranny"; therefore be
6 it

7 RESOLVED, That the House of Representatives affirm the
8 commitment to adhere to the strictest measures within our power
9 to preserve religious freedom; and be it further

10 RESOLVED, That the House of Representatives protect religious
11 freedom established centuries ago, at the behest of the founder
12 and visionary of this great Commonwealth, William Penn.