

My name is Bryan Neihart, and I am an attorney with the Committee for the Protection of Constitutional Rights. I am here today to talk about religious freedom; a fundamental freedom that people of all faiths believe has a long lasting—or even an eternal—significance. This freedom involves the right to manifest religion in private or in public, and includes the right to teach, worship, observe, and behave according to one's religion. The question being debated today is whether Colorado should enact a law that protects religious peoples' right to act publicly in accordance with their faith. The answer is that it should, because many religions instruct their followers on how they ought to live.

For example, the Quran teaches that "those who believe and do righteous good deeds, they are dwellers of paradise, they will dwell therein forever." Surah 2, ayah 82. Buddhist and Hindu belief in Karma instructs that good deeds, words, and thoughts lead to beneficial effects for a person while bad deeds, words, thoughts, lead to harmful effects. And in Judaism, Moses commanded the Israelites "to love the Lord your God, to walk in obedience to him, and to keep his commands, decrees and laws." Deut. 30:16.

These instructions from four theologically diverse religions are nuanced and contrasted in others all over Colorado. It is no surprise, then, that faithful individuals strive to conduct their personal lives, as well as their public actions, businesses, estates, foundations and charities, according to the tenants of their religion.

Different religions, and even denominations within religions, have different teachings on what is acceptable and worthy behavior. The beauty of religious liberty is that it affords each individual the choice and opportunity to follow their hearts and their minds towards committing- or not committing- themselves to any particular religion.

It should be the goal of Colorado to let this personal quest develop as freely and organically as possible and not to determine or force someone to act contrary to their beliefs. However, in a complex society like Colorado, conflicts will inevitably arise and there also needs to be laws that can peacefully adjudicate the instances where the conflicts are so intractable they cannot be resolved outside of the legal system.

That is where the New Freedom of Conscience Protection Act comes in. This act adopts a sensible balancing test that weighs the burden on an individuals' exercise of religion with the state's mechanism for advancing a compelling interest. In a society with countless individual interests that may occasionally compete, this balancing test is the only way to quell conflict.

Opponents of this bill state that it authorizes discrimination. It doesn't. Instead, it creates an environment where Colorado residents can be free to explore the yearnings of their inner most being and express their religious beliefs in every aspect of life that makes us human- in our homes, in public, at our work- free from fear of punishment.

Religious freedom matters in Colorado because it encourages moral virtue, good works, it protects minorities and dissenting opinions, and it reduces social conflict.