

04.12.2017 SB17-283

Senate State Affairs

Mark Braunlich, J.D.

This Bill does NOT establish any kind of exemption. It is NOT a religious freedom bill. It is a bill that speaks to the most fundamental of all inherent human rights – the unalienable rights of conscience. That every human being – whether or not they believe in a God – has the right to self-determine their own set of moral beliefs and to live a life guided by those beliefs. This bill is about FREEDOM for ALL – not freedom for some.

The bill does this by adding one provision to the Colorado Anti-Discrimination Act, clarifying that there is a distinction between discrimination & disagreement.

There is a profound distinction between discrimination and the fundamental right to disagree. The right to disagree is the core unifying principle of the unalienable rights of conscience enumerated in the First Amendment of the United States Constitution. The pre-Constitutional right of individual moral conscience is the absolute core of human rights and liberties. Each of us has the right to hold – *and to live by* – a self-determined set of moral beliefs. In the hierarchy of rights, unalienable rights reign far above statutory or judicially created rights.

Unalienable rights are inseparable from our inherent nature and are beyond the jurisdiction of any governmental body, including the courts.

The freedom of each citizen to self-determine a personal moral conscience necessarily generates conflicting sets of moral beliefs. A private business is an extension of an individual entrepreneur's hopes, dreams and moral conscience. Unalienable rights apply by extension to private business.

You certainly have the right to disagree with my beliefs. You don't have the right to commandeer the government to force me to embrace or to behave in compliance with your beliefs; or, to force my business to conduct its dealings in conformity with your conscience.

The purpose of government is to secure unalienable rights of moral conscience, not to redefine a particular set of moral beliefs as discrimination and then statutorily criminalize those beliefs.

I'll conclude with a quote from Thomas Jefferson.

"No provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority."

– Thomas Jefferson, 1809