

BY SENATORS CAIN, ADLEY, BARHAM, BROOME, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, JONES, KOSTELKA, LENTINI, MALONE, MICHOT, MOUNT, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE BAUDOIN

1

## AN ACT

2 To enact Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised  
3 of R.S. 25:1280 through 1283, relative to the religious history of America and of the  
4 state of Louisiana as background of American and Louisiana law; to authorize the  
5 state archives and records service within the office of the secretary of state to  
6 produce certain documents; to distribute certain documents to state offices, judges  
7 and clerks of court and local government entities; to authorize court houses and local  
8 buildings to post certain documents relative to the history of that heritage; to provide  
9 for the production of documents by members of the public; and to provide for related  
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Chapter 32 of Title 25 of the Louisiana Revised Statutes of 1950, to be  
13 comprised of R.S. 25:1280 through 1283 is hereby enacted to read as follows:

14 **CHAPTER 32. DISPLAY OF RELIGIOUS DOCUMENTS**

15 **AS HISTORY OF LAW**

16 **§1280. Legislative finding**

17 **The Legislature of Louisiana finds that:**

18 **(1) There is a need to educate and inform the public as to the history and**  
**background of American and Louisiana law.**

19 **(2) America and Louisiana's religious history plays an important role**  
**in the background of our American and Louisiana law.**

20 **(3) The role of religion in the constitutional history of both America and**  
**Louisiana is acknowledged by historians.**

1                   (4) The basic knowledge of American legal history is important to the  
2                   formation of civic virtue in our society.

3                   (5) The courts have provided vital direction to the Legislature of  
4                   Louisiana on how to approach the display of historical documents.

5                   (6) The Legislature of Louisiana now endorses the prolongation of a  
6                   uniform, sound, distinct, and appropriate presentation of the story of the role  
7                   of religion in the constitutional history of America and Louisiana, which may  
8                   be publically displayed in court houses and other state and local buildings  
9                   throughout the state of Louisiana.

10                   **§1281. Public displays of religious history impacting the law**

11                   **A. Public displays with acknowledged religious history may include, but**  
12                   **shall not be limited to, the items in this Section.**

13                   **B. The Mayflower Compact, written and adopted in 1620, the text which**  
14                   **reads as follows:**

15                   **Mayflower Compact (1620 A.D.)**

16                   **Agreement Between the Settlers at New Plymouth: 1620**

17                   **IN THE NAME OF GOD, AMEN. We, whose names are underwritten,**  
18                   **the Loyal Subjects of our dread Sovereign Lord, King James, by the Grace of**  
19                   **God, of Great Britain, France, and Ireland, King, Defender of the Faith.**  
20                   **Having undertaken for the Glory of God, and Advancement of the Christian**  
21                   **Faith, and the Honour of our King and Country, a voyage to plant the first**  
22                   **colony in the northern Parts of Virginia; do by these presents, solemnly and**  
23                   **mutually, in the Presence of God and one another, covenant and combine**  
24                   **ourselves together into a civil Body Politick, for our better Ordering and**  
25                   **Preservation, and Furtherance of the Ends aforesaid: And by Virtue hereof do**  
26                   **enact, constitute, and frame, such just and equal Laws, Ordinances, Acts,**  
27                   **Constitutions and Offices, from time to time, as shall be thought most meet and**  
28                   **convenient for the General good of the Colony; unto which we promise all due**  
29                   **submission and obedience. In Witness whereof we have hereunto subscribed**  
30                   **our names at Cape Cod the eleventh of November, in the Reign of our Sovereign**

1                   Lord King James, of England, France, and Ireland, the eighteenth, and of  
2                   Scotland the fifty-fourth, Anno Domini; 1620.

3                   C. The Ten Commandments, as extracted from the Bible.

4                   D. The Declaration of Independence, adopted by Congress on July 4,  
5                   1776, the text of which reads as follows:

6                   The Declaration of Independence.

7                   IN CONGRESS, July 4, 1776

8                   The unanimous Declaration of the thirteen United States of America.

9                   When in the Course of human events, it becomes necessary for one  
10                   people to dissolve the political bands which have connected them with another,  
11                   and to assume among the powers of the earth, the separate and equal station to  
12                   which the Laws of Nature and of Nature's God entitle them, a decent respect to  
13                   the opinions of mankind requires that they should declare the causes which  
14                   impel them to the separation.

15                   We hold these truths to be self-evident, that all men are created equal,  
16                   that they are endowed by their Creator with certain unalienable Rights, that  
17                   among these are Life, Liberty and the pursuit of Happiness, -- That to secure  
18                   these rights, Governments are instituted among Men, deriving their just powers  
19                   from the consent of the governed, -- That whenever any Form of Government  
20                   becomes destructive of these ends, it is the Right of the People to alter or to  
21                   abolish it, and to institute new Government, laying its foundation on such  
22                   principles and organizing its powers in such form, as to them shall seem most  
23                   likely to effect their Safety and Happiness. Prudence, indeed, will dictate that  
24                   Governments long established should not be changed for light and transient  
25                   causes; and accordingly all experience hath shewn, that mankind are more  
26                   disposed to suffer, while evils are sufferable, than to right themselves by  
27                   abolishing the forms to which they are accustomed. But when a long train of  
28                   abuses and usurpations, pursuing invariably the same Object evinces a design  
29                   to reduce them under absolute Despotism, it is their right, it is their duty, to  
30                   throw off such Government, and to provide new Guards for their future

1        security. -- Such has been the patient sufferance of these Colonies; and such is  
2        now the necessity which constrains them to alter their former Systems of  
3        Government. The history of the present King of Great Britain is a history of  
4        repeated injuries and usurpations, all having in direct object the establishment  
5        of an absolute Tyranny over these States. To prove this, let Facts be submitted  
6        to a candid world.

7        He has refused his Assent to Laws, the most wholesome and necessary  
8        for the public good.

9        He has forbidden his Governors to pass Laws of immediate and pressing  
10       importance, unless suspended in their operation till his Assent should be  
11       obtained; and when so suspended, he has utterly neglected to attend to them.

12       He has refused to pass other Laws for the accommodation of large  
13       districts of people, unless those people would relinquish the right of  
14       Representation in the Legislature, a right inestimable to them and formidable  
15       to tyrants only.

16       He has called together legislative bodies at places unusual,  
17       uncomfortable, and distant from the depository of their public Records, for the  
18       sole purpose of fatiguing them into compliance with his measures.

19       He has dissolved Representative Houses repeatedly, for opposing with  
20       manly firmness his invasions on the rights of the people.

21       He has refused for a long time, after such dissolutions, to cause others to  
22       be elected; whereby the Legislative powers, incapable of Annihilation, have  
23       returned to the People at large for their exercise; the State remaining in the  
24       mean time exposed to all the dangers of invasion from without, and convulsions  
25       within.

26       He has endeavoured to prevent the population of these States; for that  
27       purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass  
28       others to encourage their migrations hither, and raising the conditions of new  
29       Appropriations of Lands.

30       He has obstructed the Administration of Justice, by refusing his Assent

1                   to Laws for establishing Judiciary powers.

2                   He has made Judges dependent on his Will alone, for the tenure of their  
3                   offices, and the amount and payment of their salaries.

4                   He has erected a multitude of New Offices, and sent hither swarms of  
5                   Officers to harrass our people, and eat out their substance.

6                   He has kept among us, in times of peace, Standing Armies without the  
7                   Consent of our legislatures.

8                   He has affected to render the Military independent of and superior to the  
9                   Civil power.

10                   He has combined with others to subject us to a jurisdiction foreign to our  
11                   constitution, and unacknowledged by our laws; giving his Assent to their Acts  
12                   of pretended Legislation:

13                   For Quartering large bodies of armed troops among us.

14                   For protecting them, by a mock Trial, from punishment for any Murders  
15                   which they should commit on the Inhabitants of these States.

16                   For cutting off our Trade with all parts of the world.

17                   For imposing Taxes on us without our Consent.

18                   For depriving us in many cases, of the benefits of Trial by jury.

19                   For transporting us beyond Seas to be tried for pretended offences.

20                   For abolishing the free System of English Laws in a neighbouring  
21                   Province, establishing therein an Arbitrary government, and enlarging its  
22                   Boundaries so as to render it at once an example and fit instrument for  
23                   introducing the same absolute rule into these Colonies.

24                   For taking away our Charters, abolishing our most valuable Laws, and  
25                   altering fundamentally the Forms of our Government.

26                   For suspending our own Legislatures, and declaring themselves invested  
27                   with power to legislate for us in all cases whatsoever.

28                   He has abdicated Government here, by declaring us out of his Protection  
29                   and waging War against us.

30                   He has plundered our seas, ravaged our Coasts, burnt our towns, and

1                   destroyed the lives of our people.

2                   He is at this time transporting large Armies of foreign Mercenaries to  
3                   compleat the works of death, desolation and tyranny, already begun with  
4                   circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous  
5                   ages, and totally unworthy the Head of a civilized nation.

6                   He has constrained our fellow Citizens taken Captive on the high Seas  
7                   to bear Arms against their Country, to become the executioners of their friends  
8                   and Brethren, or to fall themselves by their Hands.

9                   He has excited domestic insurrections amongst us, and has endeavoured  
10                   to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose  
11                   known rule of warfare, is an undistinguished destruction of all ages, sexes and  
12                   conditions.

13                   In every stage of these Oppressions We have Petitioned for Redress in  
14                   the most humble terms; Our repeated Petitions have been answered only by  
15                   repeated injury. A Prince whose character is thus marked by every act which  
16                   may define a Tyrant, is unfit to be the ruler of a free people.

17                   Nor have We been wanting in attentions to our Brittish brethren. We  
18                   have warned them from time to time of attempts by their legislature to extend  
19                   an unwarrantable jurisdiction over us. We have reminded them of the  
20                   circumstances of our emigration and settlement here. We have appealed to  
21                   their native justice and magnanimity, and we have conjured them by the ties of  
22                   our common kindred to disavow these usurpations, which, would inevitably  
23                   interrupt our connections and correspondence. They too have been deaf to the  
24                   voice of justice and of consanguinity. We must, therefore, acquiesce in the  
25                   necessity, which denounces our separation, and hold them, as we would the rest  
26                   of mankind, Enemies in War, in Peace Friends.

27                   We, therefore, the Representatives of the United States of America, in  
28                   General Congress, Assembled, appealing to the Supreme Judge of the world for  
29                   the rectitude of our intentions, do, in the Name, and by Authority of the good  
30                   People of these Colonies, solemnly publish and declare, That these United

Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

E. Articles I through VI of the Northwest Ordinance enacted by Congress on July 13, 1787, which prohibited slavery in the new territories and which stated that "religion, morality, and knowledge as being necessary for good government and the happiness of mankind" and which text reads as follows:

## Article I

No person, demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

## **Article II**

The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great.

All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and

1 declared, that no law ought ever to be made, or have force in the said territory,  
2 that shall, in any manner whatever, interfere with or affect private contracts or  
3 engagements, bona fide, and without fraud, previously formed.

### Article III

Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

## Article IV

The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be

1                   imposed on lands the property of the United States; and, in no case, shall  
2                   nonresident proprietors be taxed higher than residents. The navigable waters  
3                   leading into the Mississippi and St. Lawrence, and the carrying places between  
4                   the same, shall be common highways and forever free, as well to the inhabitants  
5                   of the said territory as to the citizens of the United States, and those of any other  
6                   States that may be admitted into the confederacy, without any tax, impost, or  
7                   duty therefor.

8                   Article V

9                   There shall be formed in the said territory, not less than three nor more  
10                   than five States; and the boundaries of the States, as soon as Virginia shall alter  
11                   her act of cession, and consent to the same, shall become fixed and established  
12                   as follows, to wit: The western State in the said territory, shall be bounded by  
13                   the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the  
14                   Wabash and Post Vincents, due North, to the territorial line between the United  
15                   States and Canada; and, by the said territorial line, to the Lake of the Woods  
16                   and Mississippi. The middle State shall be bounded by the said direct line, the  
17                   Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn  
18                   due north from the mouth of the Great Miami, to the said territorial line, and  
19                   by the said territorial line. The eastern State shall be bounded by the last  
20                   mentioned direct line, the Ohio, Pennsylvania, and the said territorial line:  
21                   Provided, however, and it is further understood and declared, that the  
22                   boundaries of these three States shall be subject so far to be altered, that, if  
23                   Congress shall hereafter find it expedient, they shall have authority to form one  
24                   or two States in that part of the said territory which lies north of an east and  
25                   west line drawn through the southerly bend or extreme of Lake Michigan. And,  
26                   whenever any of the said States shall have sixty thousand free inhabitants  
27                   therein, such State shall be admitted, by its delegates, into the Congress of the  
28                   United States, on an equal footing with the original States in all respects  
29                   whatever, and shall be at liberty to form a permanent constitution and State  
30                   government: Provided, the constitution and government so to be formed, shall

1 be republican, and in conformity to the principles contained in these articles;  
2 and, so far as it can be consistent with the general interest of the confederacy,  
3 such admission shall be allowed at an earlier period, and when there may be a  
4 less number of free inhabitants in the State than sixty thousand.

5 Article VI

6 There shall be neither slavery nor involuntary servitude in the said  
7 territory, otherwise than in the punishment of crimes whereof the party shall  
8 have been duly convicted: Provided, always, That any person escaping into the  
9 same, from whom labor or service is lawfully claimed in any one of the original  
10 States, such fugitive may be lawfully reclaimed and conveyed to the person  
11 claiming his or her labor or service as aforesaid.

12 §1282. Context of public display

13 Public displays set forth in R.S. 25:1281(B), (C), (D), and (E) shall be  
14 accompanied by a document entitled "Context for Acknowledging America's  
15 Religious History" which shall read as follows:

16 (1) Some documents stand out as pivotal in the religious history of  
17 America and Louisiana's legal system, among which are the Mayflower  
18 Compact, The Declaration of Independence as a legal foundation for the United  
19 States Constitution, the Ten Commandments as one of the foundations of our  
20 legal system, and the Northwest Ordinance, which was a primary document  
21 affirming faith and the first congressional act legally prohibiting slavery. It is  
22 hoped that their study and relation to each other and the history of our state  
23 and nation will foster an appreciation for the role that religion has played in the  
24 legal history of America and the state of Louisiana and prompt further public  
25 study.

26 (2) American law, constitutionalism, and political theory have deep roots  
27 in religion. American ideals about liberty, freedom, equality, legal  
28 responsibility and codes of law, to mention a few, have roots and underpinnings  
29 in religion and biblical literacy. The Ten Commandments, which are found in  
30 the Book of Exodus in the Old Testament of the Bible, was one of the earliest

1       written expressions of law to be incorporated in American legal systems. The  
2       Ten Commandments, or the law of nature, also impacted the Declaration of  
3       Independence which refers to the "laws of nature and of Nature's God."

4       §1283. Production of historical documents, display

5       A. The division of state archives and records service within the office of  
6       the secretary of state shall, upon request, prepare and distribute to state offices,  
7       clerks of court and judges and the local governing authorities in the state of  
8       Louisiana, copies of the documents set forth in R.S. 25:1281 suitable for framing  
9       and display, upon receipt of funds to reimburse the secretary for the actual cost  
10       of the preparation and delivery of the documents.

11       B. Each state office, clerk of court, judge and local governing authority  
12       is authorized to post the documents for display provided by the secretary in a  
13       visible public location, along with other historical documents.

14       C. Nothing herein shall prohibit the state or local governing officers,  
15       judges or clerks of court from reprinting the documents in R.S. 25:1281 or  
16       accepting a donation of already printed documents for display in public  
17       buildings.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_