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## House of Representatives State of Idaho

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Our American freedoms do not always make us comfortable. Quite frequently our constitutionally protected rights create friction rather than agreement between various individuals and groups with opposing viewpoints. In a healthy democracy this freedom of expression and the protections afforded by the rule of law help to build a dynamic and emergent social identity upon the free exchange of ideas, thoughts, art, and actions.

In a recent article appearing in the Coeur d'Alene Press, "Art or Blasphemy" (July 27, 2017); it was reported that several passerby's have taken issue with a piece of art located in the Art Spirit Gallery in downtown Coeur d'Alene. Apparently this particular piece of art may be perceived by some individuals as offensive to the Roman Catholic faith.

While beauty and artistic value are certainly left up to the eye of the beholder and I certainly will not attempt to place any evaluations on either the artistic or religious merits of the piece, the constitutionality of this piece is quite clear.

Both the United States and Idaho Constitutions have broad protections for freedom of speech and expression, for reference you can find the U.S. notation in the First Amendment to the Constitution and the Idaho reference in Section 9. At a time when our country finds itself more politically polarized than ever, we must find it within ourselves to place an even greater value on these constitutional protections for freedom of speech and expression.

Fortunately the U.S. Supreme Court has taken a strong stance in reaffirming these constitutional protections in a recent case. In *Matal v. Tam*, the Supreme Court ruled on a case regarding trademark registration, finding that the government cannot ban certain names/trademarks because they might be perceived as offensive, in this particular case an Asian-American rock band had sought to register the name *The Slants*, which is a common slur used against people of Asian descent. Justice Samuel Alito wrote for the majority when he said the law violates a, "bedrock First Amendment principle: Speech may not be banned on the ground that it expresses ideas that offend."

The melting pot that is our country, which so often brings us opposing views and cultural friction is not what makes America so amazing, but rather it is the protections for those viewpoints and the freedom that we enjoy to express those opinions without fear of persecution from our government.

Living in America is not always comfortable, and for that I am very thankful.

Regards,

Paul Amador  
Representative

July 27, 2017  
Page 2

Legislature of Idaho