

‘Constitution above pay grade,’ say offending governors

Recently, two Michigan police officers visited a mother who had allowed her daughter to play with the child next door in the backyard. The police demanded to know why she was not enforcing the government’s stay at home order. They demanded her name, which she refused to give believing she had done nothing wrong. For this, she was cited as being uncooperative. The video of the incident showed them treating her with pure contempt (Tucker Carlson Tonight, May 1, 2020).

This should never happen in America. The Constitution gives government agents no such power.

Given the draconian measures used by Democratic governors denying civil liberties in their states, many Americans wonder why the Constitution isn’t protecting them as before. But today, elected officials are largely constitutional illiterates, as are their constituents. Virtually no one has read fully and recently the less-than-10-page document. For years I had to tell students that Democrats overwhelmingly ignore the Constitution, and Republicans carry it with them but seldom read it — neither party defending it against actions of their own political party.

Hence some governors have turned into little tyrants in regard to the First Amendment.

When Governor Phil Murphy of New Jersey was asked if his actions were not violating the Constitution he answered, “That’s above my pay grade.”

But it shouldn’t be! It is Government 101 and all governors took an oath to preserve it. The Constitution requires it.

“The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath ... to support this Constitution” (Article 6, Clause 3). All elected leaders and all military personnel swear an oath to preserve the Constitution from all enemies foreign and domestic.

The First Amendment that Democrat governors and some mayors are threatening reads: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

The 14th Amendment makes it applicable to all state offices as well.

Simply put, for those with tyrannical tendencies, no governor, legislature (including city and county), congress or president shall make or enforce any law or decree respecting religion, speech, press, or peaceable assembly. Nor may they deny citizens petitioning the government for a redress of grievances when civil liberties are offended.

We will walk on public places, including beaches, when and where we please. We will attend any church where, when and in any size allowed by the pastor of the attended congregation as we please. You may not regulate the distance between walking or communicating with people. We will wear face coverings at the request of the owner of buildings we visit but not at your order, as you do not own us. You may not require us to stay in our homes or yards. You may not collectively shut down our workplaces without individual due process. You may not use drones above our heads, taking photos and shouting instructions, monitoring and enforcing a collective behavior. We are a free people. These rights are not negotiable and do not disappear in times of national emergencies. These rights come from God — not from you. Yes, the Constitution also gives us due process on the parts of the above where contested.

The remainder of Tucker Carlson’s interview with Governor Phil Murphy follows.

Tucker: “Fifteen congregants at a synagogue in New Jersey were arrested and charged for being in a synagogue together. Now the Bill of Rights, as you well know, protects Americans’ ... right to practice their religion as they see fit and to congregate together to assemble peacefully. By what authority did you nullify the Bill of Rights in issuing this order? How do you have the power to do that?”

Governor: “That’s above my pay grade, Tucker. I wasn’t thinking of the Bill of Rights when we did this.”

Tucker: “Since you are an elected official, a leader in the government, an

executive, how do you have the authority to order something that so clearly contravenes the Bill of Rights of the United States, the Constitution? Where do you get the authority to do that?"

Governor: "Well, here's the thing. We know we need to stay away from each other, number one. Number two, we do have broad authority within the state. Number three, we would never do that without coordinating, discussing, and hashing it out with the variety of the leaders of the faiths in New Jersey."

Tucker: "You can't just, as the governor of a state, tell people who they can talk to, when and where, because the Constitution of the United States, upon which all this is based, prohibits you from doing this; so you clearly decided that you could do it."

Governor: "We have to find a different way to worship."

Tucker: "Government is not allowed to tell people how to worship" (Tucker Carlson Tonight, April 15, 2020).

Unfortunately, the same conversation could have been held with almost any of the other First-Amendment-violating governors, or worse, Third World dictators.

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