

Real World Graduation: Question 25

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Question 25

Which of these are phrases found in the Constitution of the United States of America?

- a) "... separation of church and state..."
- b) "... government shall have the right ..."
- c) "... people shall be entitled to general welfare ..."
- d) "... right to rest and leisure ..."
- e) Both a) and c)

Answer to Question 25

This is a trick question. None of the suggested choices appear in the U. S. Constitution.

Answer (a), often cited by atheists, actually comes from a letter sent by Thomas Jefferson to Nehemiah Dodge and others of "a Committee of the Danbury [CT] Baptist Association" on 1 Jan 1802. The second paragraph reads as follows [1]:

"Believing with you that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared the their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between church and state. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural rights in opposition to his social duties."

It thus informs the Baptist group that the intent of the First Amendment is to prohibit the government from creating a state religion, compelling participation in any religion, compelling belief in any doctrine, or prohibiting belief in any doctrine, or otherwise interfering with private religious activities. Jefferson does not claim that the First Amendment mandates public atheism, as some would have you believe. If it did, why would Jefferson, having taken an oath to uphold the Constitution, write to members of a church?

Answer (b) is incorrect because in the U. S. Constitution, the government was granted powers, whereas rights are simply regarded as intrinsic freedoms belonging to each person. In the American system, only persons have rights; governments can only have powers. The American system is a divided sovereignty, meaning that the federal government has certain powers, and the states have certain powers, but none of either set of powers can interfere with the rights of a citizen.

Answer (c) is incorrect; it is a common misuse of the statement in the Preamble to the Constitution, which reads:

"We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, and promote the general welfare..."

In this context, general welfare meant that the government was granted powers to do things that would benefit the people in general (such as building roads, canals, and creating a Post Office); it has nothing to do with providing "welfare" to individuals (which is accomplished only by taking money out of someone else's pocket). The concept of public "welfare", or "safety net", is an entirely different idea, and is not contained the Constitution.

Answer (d) is actually a quote from Article 119 of the 1936 Constitution of the Union of Soviet Socialist Republics [2]. This was nothing more than propaganda. History shows that there was not a moment of rest or leisure under communism, unless you were a member of the Communist Party. Incidentally, Article 122 of the same Constitution guaranteed that "women in the USSR are accorded equal rights with men". In other words, women were equal slaves to the all-seeing, all-knowing, all-directing socialist state.

[1] Merrill D. Peterson, ed., *Jefferson: Writings*, New York: Literary Classics of the United States, 1984, p. 510

[2] <https://www.departments.bucknell.edu/russian/const/1936toc.html>