

Does The First Amendment Promote Personal Liberty Or Government Power?

As students of the Constitution, it is always safest to discover the intention and meaning of its architects. One such architect, James Madison, called the “Father of the Constitution,” explained the difference of power and liberty by contrasting the American charter of liberty (the Constitution) and charters of power: that is to say, government power.

*In Europe, charters of liberty have been **granted by power**. America has set the example, and France has followed it, of charters of power **granted by liberty**. This revolution in the practice of the world, may, with an honest praise, be pronounced the most triumphant epoch of its history, and the most consoling presage of its happiness. We look back, already, with astonishment, at the daring outrages committed by despotism, on the reason and the rights of man; We look forward with joy, to the period, when it shall be despoiled of all its usurpations, and bound forever in the chains, with which it had loaded its miserable victims.*

When speaking of the Constitution, Madison explained that every word “decides a question between power and liberty.”

Words matter. They reveal the difference between power and liberty.

On Friday, the Trump administration [issued](#) new rules, one of which allows “entities that have sincerely held religious beliefs” to opt out of the tyrannical, unconstitutional Obamacare regulations requiring them to provide free contraceptives to employees.

The Departments of Health and Human Services, Treasury, and Labor announced two rules providing “conscience protections to Americans who have a religious or moral objection to paying for health insurance that covers contraceptive/abortifacient services.”

“The second rule applies the same protections to organizations and small businesses that have objections on the basis of moral conviction, which is not based in any particular religious belief.”

The American Civil Liberties Union will be cutting off its nose to spite its face by filing a lawsuit in response to the new rules.

Although the entire Obamacare legislation should be immediately nullified, I want to develop a superb teaching point regarding liberty and power.

Why would the executive branch relinquish some power and return liberty back to Americans? White House Press Secretary Sarah Huckabee Sanders said Friday, “The president believes that the freedom to practice one’s faith is a fundamental right in this country, and I think all of us do, and that’s all that today was about – our federal government should always protect that right”.

Make no mistake, the First Amendment has everything to do with limiting authority and promoting liberty. Period. “Congress shall make no law” prevents tyranny; “respecting an establishment of religion, or prohibiting the free exercise thereof” promotes liberty.

In this rule, we see a fulfillment of Madison’s constitutional aspirations, where government has been “despoiled of all its usurpations, and bound forever in the chains, with which it had loaded its miserable victims.”

Sanders’ advice for the naysayers was imperfectly put; “If

people don't like what the Constitution says, they should talk to Congress about changing it."

The good news is not even Congress can change or alter a right our Creator commanded.

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