



Written by [Selwyn Duke](#) on April 16, 2020

N.J. Governor Says Bill of Rights “Above My Pay Grade” When Asked About Lockdown Orders

Did we just learn that New Jersey governor Phil Murphy didn't mean a word of the oath of office he took in 2018? Back then he “solemnly” swore to “support” and “bear true faith and allegiance” to the United States Constitution.

Now he says “That's above my pay grade” when asked if his Wuhan virus lockdown orders violate the Constitution.

The startling admission occurred Wednesday evening when Fox News commentator Tucker Carlson pressed Murphy, a first-term Democrat, “on the constitutionality of his recent executive orders that deem liquor stores essential and business and churches nonessential, which Murphy said he did not consider,” [reports](#) the *Washington Examiner*.



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“As I noted before, 15 congregants at a synagogue in New Jersey were arrested and charged for being in a synagogue together,” the *Examiner* relates, quoting Carlson. “Now, the Bill of Rights, as you well know, protects Americans' right, enshrines their 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?” Carlson continued.

“That's above my pay grade, Tucker,” Murphy responded, saying he “wasn't thinking of the Bill of Rights when we did this,” writes the *Examiner*.

“Well, I can tell,” Tucker interjected” (video below).

Murphy is one of 42 governors who've “locked down” their states in response to the virus pandemic, actions threatening to collapse the U.S. economy and [thrust us into a great depression](#), causing poverty and its related disease and death. Yet his interview, in which he danced around the questions, didn't inspire confidence in his grasp of the problem.

But most shocking was Murphy's confessed ignorance of what he, as a chief executive, is supposed to know: the Constitution. Below is video of Murphy taking the oath of office in 2018.

So now we should ask the governor: Were you lying when you swore on that Bible? How did you expect to uphold something above your pay grade? And just how much would we have to pay you (his net worth is currently \$60-plus million) for you to bone up on civics?

Murphy likely got his line from Barack Obama, who [answered](#) a 2008 question about when a baby gets



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human rights with the “pay grade” remark (yet still, oddly, felt qualified to sign prenatal infanticide bills). But imagine if a doctor were asked about Hippocratic Oath imperatives and said, “That’s above my pay grade.” Would you hand your child over to him for care? Is he qualified to practice medicine?

In defending his religious-services ban, Murphy [said](#) he’d spoken to faith leaders and that they rubber stamped his measures. But this is irrelevant and a dodge. A governor’s violation of millions of people’s constitutionally protected rights isn’t legitimized just because other powerful people agree.

In other words, there may or may not be good reasons — and constitutional ones — for Murphy’s actions, but he didn’t provide them. He clearly doesn’t know what they might be.

Murphy [had also recently tried](#) “suspending” the Second Amendment, as some put it, until lawsuits made him back down. But he isn’t alone in ignorance of/indifference to constitutional principles. With the virus scare, we’ve “now witnessed local and state governments issue decrees about what people can and cannot buy in stores, arrest parents playing with their children in public parks, [yank people off public buses at random](#), remove basketball rims along with private property, ticket churchgoers, and in one case try — and fail — to [chase down a lone runner on an empty beach](#),” [writes](#) the *Federalist*.

“The most egregious example of this outpouring of authoritarianism was an attempt by Louisville, Kentucky, Mayor Greg Fischer to ban drive-in church services on Easter,” the site continued. “To remove all doubt about his seriousness, he also threatened arrest and criminal penalties for anyone who dared violate his order, and in an Orwellian twist, invited people to snitch on their fellow citizens.”

Thankfully, a shocked judge issued a restraining order against Louisville, writing, “The Mayor’s decision is stunning. And it is, ‘beyond all reason,’ unconstitutional.”

There have also been other instances of virus-enabled governments singling out and banning church services. In one Mississippi incident, a uniformed cop [actually told](#) a pastor that his “rights are suspended.”



One could easily chalk Murphy’s “pay grade” response up to bad word choice, but it’s more like a Freudian slip. The truth: Unschooled in civics and philosophy, moderns are generally indifferent to the Constitution, and the sub-species of moderns called “leftists” are often hostile to it.

Yet principles always matter, and they’re perhaps even more important in times of panic; they can temper rash action. But even in better times leftists see the Constitution as an impediment to their aims; thus have they conjured up the “living document” rationalization so they can (mis)interpret the document to fit their agenda.

Of course, it’s naïve thinking that leftists (and many others), who are fond of saying everything is relative, wouldn’t view the Constitution as relative and, therefore, meaningless. This came through loud and clear with Murphy, too. Once again, what he has done is perhaps less shocking than what he failed



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to do: consider, even for a moment, when issuing his decrees what he took an oath to uphold.

The real threat today is not a disease, but that we live in post-constitutional America. For a virus won't destroy our republic. Tyranny can.

Photo of Gov. Phil Murphy: AP Images

Selwyn Duke (@SelwynDuke) has written for The New American for more than a decade. He has also written for The Hill, Observer, The American Conservative, WorldNetDaily, American Thinker, and many other print and online publications. In addition, he has contributed to college textbooks published by Gale-Cengage Learning, has appeared on television, and is a frequent guest on radio.



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