

Biblical Commandments Are Unconstitutional

By August Berkshire

There are many Ten Commandments monuments on public property throughout the United States. They are often found on the lawns outside courthouses, city halls, state capitols, and in public parks.

Many of these monuments were erected from the mid-1950s to the mid-1960s by the Fraternal Order of Eagles. This was done at the behest of film director Cecil B. DeMille, as a publicity stunt to promote his 1956 film *The Ten Commandments*.

These monuments should be removed from public property because they represent a government establishment of religion, in violation of the First Amendment. The monuments should also be removed because they have little connection to U.S. law, and because enacting most of them into law would be unconstitutional.

Looking at a typical monument, we find there are actually eleven commandments. (The first commandment is in two distinct parts.)

Of these eleven commandments, only three, or 27%, have counterparts in American law:

- 5) Thou shalt not kill.**
- 7) Thou shalt not steal.**
- 8) Thou shalt not bear false witness against thy neighbor.**

Even so, there are exceptions that we do not prosecute, such as killing in self-defense, stealing evidence of illegal activity and turning it over to the law, and lying about public figures if there is absence of malice.

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The other eight commandments, representing 73% of the total of eleven, would be unconstitutional if we were to enact them into civil law:

- 1a) Thou shalt have no other gods before me.** *This violates freedom of religion.*
- 1b) Thou shalt not make to thyself any graven images.** *This violates freedom of religion and freedom of artistic expression.*
- 2) Thou shalt not take the name of the Lord thy God in vain.** *This violates freedom of religion and free speech.*
- 3) Remember the Sabbath day, to keep it holy.** *This violates freedom of religion.*
- 4) Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee.** *Compelling loyalty to anyone is tantamount to slavery.*
- 6) Thou shalt not commit adultery.** *This violates our right to privacy.*
- 9) Thou shalt not covet thy neighbor's house.** *This violates freedom of thought.*
- 10) Thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbors.** *This violates freedom of thought.*

The first four of these eight commandments are purely religious and have no place in civil law. The last four may often be good advice, but it would nevertheless be unconstitutional to legislate them.

Thus we have a conflict between the U.S. Constitution and the Bible, between civil law and theocracy.

For the sake of our democracy and our civil liberties, Ten Commandments monuments should be removed from public property.

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