

## 4<sup>TH</sup> OF JULY

2016

Recently I came across an article in which a person claimed the United States was born out of rebellion. The implication being that the beginning of our nation was somehow less than honorable. But nothing could be further from the truth. In studying both history and our founding documents, we discover that our founding fathers were men of principle and spiritual conviction.

The Declaration of Independence is the founding document of the American political tradition. It articulates the fundamental ideas that form the American nation: All men are created free and equal and possess the same inherent, natural rights. Legitimate governments must therefore be based on the consent of the governed and must exist “to secure these rights.”

As a practical matter, the Declaration of Independence announced to the world the unanimous decision of the thirteen American colonies to separate themselves from Great Britain. But its true revolutionary significance—then as well as now—is the declaration of a new basis of political legitimacy in the sovereignty of the people (over against monarchialism). The Americans’ final appeal was not to any man-made decree or evolving spirit but to rights inherently possessed by all men. These rights are found in eternal “Laws of Nature and of Nature’s God.” As such, the Declaration’s meaning transcends the particulars of time and circumstances.

The circumstances of the Declaration’s writing make us appreciate its exceptionalist claims even more. The war against Britain had been raging for more than two years when the Continental Congress, following a resolution of Richard Henry Lee on June 7, 1776, appointed a committee to explore the independence of the colonies from Great Britain. John Adams, Benjamin Franklin, Roger Sherman, and Robert Livingston turned to their colleague Thomas Jefferson to draft a formal declaration which they then submitted, with few corrections, to Congress. On July 2 Congress voted for independence and proceeded to debate the wording of the Declaration, which was, with the notable deletion of Jefferson’s vehement condemnation of slavery, unanimously approved on the evening of July 4. Every Fourth of July, America celebrates not the actual act of independence (proclaimed on July 2) but rather the public proclamation of the principles behind the act.

The Declaration has three parts—the famous Preamble, a list of charges against King George III, and a conclusion. The Preamble summarizes the fundamental principles of American self-government. The list of charges against the king presents examples of the violation of those principles. The stirring conclusion calls for duty, action, and sacrifice.<sup>1</sup>

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<sup>1</sup><http://www.heritage.org/initiatives/first-principles/primary-sources/the-declaration-of-independence>

## The Unanimous Declaration of the Thirteen United States of America

*In Congress, July 4, 1776*

### (PREAMBLE)

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be **self-evident**, that all men are **created equal**; that they are endowed by their Creator with certain unalienable **rights**; that among these are Life, Liberty, and the **pursuit of Happiness**; that, to secure these rights, governments are instituted among Men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to **throw off** such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

Let's consider key ideas in the Preamble and first paragraph.

**Self-Evident Truths.** The Declaration bases America and its government on self-evident truths such as human equality and certain "unalienable rights." The truths are self-evident, not in the sense of being immediately obvious to everyone, but rather in presenting the logical or evident conclusion of what enlightened humanity understands

by a human being. Self-evident truths are also not restricted to any one era or nation; they are as true today as they were in 1776, as true in America as they are in contemporary China or in ancient Greece. To enforce those rights is the challenge of American politics.

**Rights.** Such rights are acknowledged and affirmed liberties inherent in human nature—the right to own property, for example. They are not merely powers, and neither are they simply wishes or desires. “[E]ndowed by their Creator,” these rights transcend the ability of any government to destroy them (though killing or enslaving the men and women who possess these rights is, of course, another matter). Thus, these inherent or natural rights produce *legitimate* government and deny the legitimacy of any government justified merely on, for example, heredity, religion, class, race, or wealth.

**Equality.** So conceived, American government is fundamentally about rights or liberty. But these rights follow from the equality of all men. This precedence of equality obviously does not mean an equality of strength, character, batting averages, or writing skill; nor does it demand a communistic equality of results or condition. In fact the Declaration’s idea of equality would forbid such an arbitrary leveling of the naturally diverse human condition. Whatever our differences, there exists a fundamental human identity—that no one is born to rule or be ruled. Equality in this sense therefore requires that legitimate government be based on “the consent of the governed.”

**The Pursuit of Happiness.** The purpose of such a legitimate government in turn is to protect “certain unalienable rights,” including “Life, Liberty, and the pursuit of Happiness.” Rights culminate in the pursuit (that is, the vocation, not the chase) of happiness. And happiness is not about self-satisfaction or stupefied pleasure but rather a life lived to its full potential—human flourishing.

**The Right of Revolution.** Politically, the most important right is the right of self-government, which the whole Declaration elaborates upon, in theory and practice. Violation of government by consent calls forth the right, if not the duty, of “the people” (not any angry individual or mob) to “alter or to abolish” a government destructive of rights and to “institute new government” that will bring about “their safety and happiness.” Throughout the Declaration we see attention to both life’s necessities (“safety” or the right to life) and highest aspirations (“happiness”).

The 27 charges against the king list in increasing severity his violations of American colonists’ civil, political, and natural rights. The Declaration lays out a “long train of abuses” culminating in “absolute tyranny.” Legitimate revolutions—those that protect the natural rights of the people—require more than “light and transient causes.” The king has interfered with our rights not only to our pursuit of happiness but also to liberty and to life itself.<sup>2</sup>

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<sup>2</sup> Ibid.

**(INDICTMENTS)**

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasions from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas, to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments;

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration

and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations which would inevitably interrupt our connections and correspondence. They too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace friends.

The list of abuses reflects the colonists' belief that their rights as British Citizens had been slowly eroded ever since the French and Indian War ended in 1763. Although the *Declaration* does not name the specific legislation passed by Parliament, its listing of the abuses and usurpation effectively covers the history of the King and Parliament's attempts to gain more power and control over the colonies. The list crescendos with the most offensive actions, aimed at total suppression of the colonies, that were put into effect just prior to the signing of the *Declaration*.

Many of the acts that the *Declaration* criticizes were intended to tighten royal control over the colonies. The history of Parliament's acts unfolded over a period of 13 years during which royal attempts to squash the civil liberties of colonists met with heightened colonial resistance. Beginning with The Proclamation of 1763, Parliament stripped colonists of the right to settle in the land between the Appalachian Mountains and the Mississippi River. This meant that although many colonists had given their lives to defend that land from the French, they would not be permitted to reap the benefits. Shortly after the proclamation, Parliament decided that the colonies would help repay the war debts, and enacted laws such as the Sugar Act (1764), the Stamp Tax (1765), the Townshend Acts (1767) and the Tea Act (1773). When the colonists protested against these acts, the King and Parliament responded by further suppressing the rights of colonists. Legislation in 1774 referred to by colonists as the "Intolerable Acts" struck especially hard at the civil rights of the colony of Massachusetts.

The Intolerable Acts differed from previous legislation. These acts struck not only at the economic freedom of the colonies, but at their political rights and legislative independence as well. Not only was the port of Boston closed to all trade, but a military governor was also appointed and the people of Massachusetts no longer had the right to elect their representatives, select jurors, or hold town meetings. Additionally, British soldiers accused of crimes would be tried in England, not in the colony, and a new Quartering Act forced colonists in Massachusetts to feed and house British soldiers. The passage of the Intolerable Acts indicated to many colonists, even those not living in Massachusetts, that the King and Parliament were more interested in asserting unconditional control than in preserving the civil liberties of the colonists.

The basic principle upon which the *Declaration* rests is that colonists, as British citizens, believed they were entitled to the rights and privileges granted by the Magna Carta, and the British Bill of Rights of 1689. Among other things, these documents established that the King was not above the law, that the people, represented in parliament, had a right to endorse or reject taxation, and that citizens were entitled to a trial by jury of their peers. Additionally, the *Declaration* relied on precedent: most British colonies had enjoyed self-rule and had been governed through their own legislative bodies since their

founding. By 1774, most of the colonists that had once protested "no taxation without representation" found themselves without any representation whatsoever, neither in Parliament nor in any colonial house of representation.

Towards the end of the list of abuses, the *Declaration* focuses attention on a few specific incidents that demonstrate the King's disregard for colonial life and liberty, the danger of colonists remaining divided on the issue of independence, and the preparations being made by Great Britain for an all-out war. These statements served, in many cases, to convince moderates in the Second Continental Congress to see that reconciliation was not a possibility and to cast their vote in favor of independence.

The British attack on colonists and the loss of American lives at the Battles of Lexington and Concord in April of 1775 and the Battle of Bunker Hill in June of 1775 demonstrated the King's "waging war against us" and his disregard for American lives. In December of 1775, Parliament withdrew British military protection from the colonies and enacted a policy of seizure and confiscation of American ships and sailors ("...[King George] has plundered our seas...he has constrained our fellow-citizens, taken captive on the high seas..."). This action also left colonists living on the frontier, especially those in Georgia, with no military protection from Native American attacks ("...he has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages..."). Furthermore, the heightened tension between colonists and the King began to overflow into hostile relations between those colonists loyal to the king (Tories) and those seeking independence (Whigs). This tension actually erupted into an armed battle between colonists in early 1776 in the Battle at Moore's Creek Bridge ("He has excited domestic insurrections among us...").

It is interesting to note that the *Declaration* reserved its most scathing language to describe the King's use of mercenaries. Accusing George III's mercenaries of cruelty "scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation," the *Declaration* aims to evoke support from moderates within the colonies by revealing that the British civilization in which they took pride was no more than a cruel and tyrannical monarchy.

Interestingly, Jefferson devoted approximately one-fourth of the abuses in his original draft of the *Declaration of Independence* to the topic of slavery. Jefferson held the King accountable for maintaining and protecting slavery as an institution in the colonies. Not surprisingly, the moderate congress, already fearful of being too radical, removed all references to slavery from the document.<sup>3</sup>

### (CONCLUSION)

WE, THEREFORE, the REPRESENTATIVES of the UNITED STATES OF AMERICA, in General Congress assembled, appealing to the Supreme

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<sup>3</sup> <http://m.sparknotes.com/history/american/declaration/section2/page/2/>

Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Almost fifty years later, Jefferson described the Declaration as “an expression of the American mind.... All its authority rests ... on the harmonizing sentiments of the day....” The Declaration weaves together philosophy, theology, and political history, both the American mind and American experience. A secular document, the Declaration nonetheless needs religion for its authority. Thus, God is mentioned or referred to four times, in three capacities: legislator (Laws of Nature and of Nature’s God), Creator (or executive), Supreme Judge of the world, and as guardian (divine Providence).

The first of the four organic laws of the United States, the Declaration may lack legal force but remains nonetheless the source of all legitimate political authority. No wonder the Declaration’s greatest expositor, Abraham Lincoln, referred to it as more than “a merely revolutionary document.” For the first time a nation constituted itself on what it has in common with all other people throughout geographic place and history and thus gave hope and inspiration to the whole world. The Declaration created America and with it a “new order of the ages” (*novus ordo seclorum*) in the history of human self-government.<sup>4</sup>

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<sup>4</sup> <http://www.heritage.org/initiatives/first-principles/primary-sources/the-declaration-of-independence>