is not accidental that the Greek word for history (historia) is a derivative of the verb meaning to narrate what one has learnt, for all history is, in some manner or other, the relating of tales about a people. Now as we all know some stories are more dramatic than others; some are more accurate; and some, dare we say it, are more important. The most important tales for any people are those told about the beginnings of their political society and the forming of the body politic, beginnings which are often blurred with the society's conception of virtue, piety, and the gods. Thus, Plato begins The Laws, his political treatise par excellence, with the old Athenian stranger asking his two interlocutors: "Tell me, gentlemen, to whom do you give the credit for establishing your codes of law? Is it a god, or a man?" Cleinias' response is very determined: "A god, sir, a god—and that's the honest truth." ¹

This apotheosis of the beginnings of political society is universal: all societies shroud their founders and their nascent mores in their respective myths and symbols. America is no exception. Franklin stood in the rain flying a kite. Betsy Ross was at home knitting a flag. George Washington chopped down a cherry tree and would not tell a lie—even about throwing a dollar across the Potomac. And make no mistake about it: How these myths are told and to whom, when, and where are all critical questions, for it is through these myths and symbols that a society transmits its values and beliefs, or in the language of Eric Voegelin, comes to know itself as a people. Propriety dictates, therefore, that we not tell our children that Benjamin Franklin would not recognize lightning if it struck him in the head; that Betsy Ross was really a very simple lady, doing her very best to reproduce the Union Jack; or that George Washington was an unsavory, unstable character at best, having never psychologically adjusted to either his red hair or his wooden teeth. To tell our children these things would be to destroy their creed, to tread on their dreams. In the final analysis failure to

transmit the proper myths and symbols will weaken—if not destroy—the moral fibre of any nation.

One of America's most cherished symbols, of course, is the American Declaration of Independence, and its Promethean author, Thomas Jefferson—a document and a man whom subsequent generations have blurred together in a myth of no mean proportion. It is the immediate task of this essay to unravel that myth so we will know what we teach our children when we encourage them to embrace its principles and commitments. Fortunately, our task is not as difficult as it might have been because, unlike the case of so many of our other myths, we have in this instance something tangible—a written document—which can be analyzed using the methodology Willmoore Kendall called a "universal confrontation with the text." Put simply this methodology contends that by focusing our attention on the precise language of the document, we can ascertain what Jefferson told us and thereby identify the basic presumptions and convictions of the Declaration of Independence.

Two points should be emphasized before embarking upon this enterprise. First, this approach will tell us little about Jefferson the man, Jefferson the politician, or Jefferson the statesman. It will, however, give us at least a preliminary look at Jefferson the philosopher, no mean task given Jefferson's aversion to cosmic philosophy—an aversion reflected in part by the fact that his political thought lies scattered up and down in his political pamphlets, state papers, and innumerable letters and addresses. Furthermore, while the object of the Declaration was, as Jefferson put it: "Not to find out new principles, or new arguments never before thought of . . . but to place before mankind the common sense of the subject. . . . [I]t was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion," it should not be forgotten that the Declaration was in large part the product of Jefferson's own hand and that he himself proclaimed it as one of his three major contributions to American political thought.

Second, it should be emphasized that the methodology to be employed here requires a firm commitment to analytic rigor, for the pitfalls of textual analysis are multiple. Even the most cursory examination of the secondary literature on the Declaration reveals

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the varied and conflicting interpretations to which the document has been subjected. On the one hand, the Declaration of Independence is "that immortal emblem of Humanity" \(^3\) and on the other, a false doctrine founded upon "glittering and sounding generalities" \(^4\); it is both "one of the most revolutionary political papers ever written" \(^5\) and one of the most conservative legal documents ever composed \(^6\); its central theme or intent is the "doctrine of free statehood as a universal right," \(^7\) "the absolute independence of the individual," the pursuit of happiness, \(^5\) and equality for all men; at one and the same time it announces the birth of one nation, one people, \(^41\)- and thirteen separate and independent colonies. \(^12\) Most—if not all—of the confusion here could have been avoided had the authors attempted to make their theses compatible—or at least not inconsistent—with the manifest tenor of the document as a whole, instead of rending words, phrases, sentences, or even paragraphs, out of context to project their own preferences or biases.

There are literally hundreds of books, pamphlets, and articles


by scholars, polemicists, or apologists who in one manner or other consider the historical and political manifestations of the Declaration and/or its author, Thomas Jefferson. It is not the purpose of this essay to review either that secondary literature or even the many primary works of Jefferson himself. Rather, our purpose here is fourfold: (1) to offer a preliminary analysis of the major objective and general format of the Declaration of Independence; (2) to articulate and answer the critical question left unresolved by the Declaration; (3) to identify the fundamental right of the people in their collective capacity; and (4) to indicate how the basic presumptions and convictions underlying this right of the people not only controlled the fashioning of the natural rights doctrine of the Declaration and the twenty-eight charges against the King, but also integrated the Declaration into a single, coherent statement of political commitments and beliefs.

THE CALL FOR INDEPENDENCE

The War of Independence had begun long before the Second Continental Congress issued its declaration justifying separation from Britain. After the "Boston Tea Party" on December 16, 1773, and Parliament's passage of the "Intolerable Acts" in January of the following year, the colonies moved steadily toward independence. Open hostility erupted at Lexington and Concord on the 19th of April, 1775, and in his proclamation from the Throne in August of that same year, George III declared that open and avowed rebellion existed in the colonies. Radical leaders throughout the colonies, especially in Massachusetts, were convinced that the only alternative to independence was tyranny. Inspired by Thomas Paine's *Common Sense*, which first appeared in Boston in January of 1776 and circulated rapidly throughout the colonies, many colonists agreed with Paine's conclusion "that nothing can settle our affairs so expeditiously as an open and determined declaration of independence."13

Although the Continental Congress urged on May 15, 1776, that the people in the several colonies suppress the authority of the Crown and seize control of the colonial governments, Congress was still reluctant to press for total independence, for there was considerable opposition, especially in the middle colonies, to an official declaration of separation. As political and civil affairs continued to

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degenerate, however, the Virginia Convention would suffer delay
no longer and instructed its delegate to the Continental Congress
to propose independence—an instruction fulfilled with Richard
Henry Lee's Resolution for Independence on June 7, 1776. Lee's
resolution was referred to a Committee of Five, consisting of
Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman,
and Robert Livingston, with instructions to draft a declaration
should one be required. The Committee of Five submitted its draft
of the Declaration on the 28th of June, and the Congress declared
the independence of the American colonies on July 2, 1776. Two
days later the Congress officially adopted the document which we
today call the Declaration of Independence.

THE DECLARATION: ITS, MAJOR OBJECTIVE
AND GENERAL FORMAT

The Declaration of Independence as we know it, then, was a
statement approved and publicly distributed by the Continental
Congress which (1) announced a course of action, and (2) justified
the decision to undertake that action. Its main objective was not
to declare American independence per se (for that action had been
taken two days earlier), but to promulgate that decision and to
clarify the causes which had impelled separation from Britain. In
other words, the Declaration of Independence is not really a decla-
ration of independence at all: it is rather an announcement and
formal justification of that decision.

The general format of the Declaration consists of three easily
differentiated parts: (a) an introduction, consisting of a statement
of purpose and a concise summary of the general political principles
of democratic governments (Part I, including the title and the first
and second paragraphs); (b) an enumeration of the specific griev-
ances against George III (Part II, comprising charges [i]–[xxviii]);
and (c) the concluding paragraphs, one dealing with George III,
one with Parliament, and one with the formal proclamation of
separation (Part III, including paragraphs [1], [2], and [3] respec-
tively).14 Interestingly enough, the format of the Declaration seems

14I have included in the Appendix a copy of the broadside edition of the
Declaration (published in Philadelphia by John Dunlap, July 4, 1776 by order
of the Continental Congress). I have taken the liberty of numbering the parts
and the paragraphs in the margins for convenience in referring to the text.
Throughout this essay all citations to the Declaration are taken from this broad-
side edition unless specifically stated to the contrary. For a preliminary analysis
to parallel the three parts of any traditional essay (an introduction, a body, and a conclusion), thus lending support to the hypothesis that the American Declaration of Independence does indeed constitute a coherent whole. Let us begin our analysis, then, by examining each of these parts separately.

The Introductory Statement of Purpose

The Declaration opens with these words: "In CONGRESS, July 4, 1776. A DECLARATION By the REPRESENTATIVES of the UNITED STATES OF AMERICA, In GENERAL CONGRESS Assembled." Immediately following this title is the introductory paragraph so familiar to Americans.

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 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.

The title and opening paragraph of the Declaration confirm our earlier observation that the major objective or immediate purpose of the document is to announce the causes which have necessitated the separation from Britain. This is a document, in other words, whose central concern is not the rise of government, nor its maintenance, but its dissolution for good cause. Furthermore, we learn: (1) that there are two peoples involved here, presumably one the British and the other the Americans; (2) that there has been a severing of the political bands between them; and (3) that this separation does not require the concurrence of both parties, but is an act of one People.

Now if the decision to dissolve the political bands which con-nect two peoples is a collective one, (as the language indeed suggests: "they should declare the causes which impel them to the separation"), and if the people who are to exercise this right of altering or abolishing the government must do so in their collective capacity, then there must be a decision–making rule for determin-

ing what course of action is to be taken. In the final analysis, there is but one of three alternative rules available: unanimous consent; majority rule; or minority rule.

That the colonists did not believe that unanimous consent was necessary to justify resistance to governmental authority is obvious, for many colonists remained loyal to George III and the British Parliament throughout the War of Independence. This historical evidence aside, however, the Declaration itself confirms this fact, for there is no mention of unanimity anywhere in the text. In fact, we know that it was not until some time later that the Declaration was unanimously agreed to (July 19, 1776, to be precise), and that it was at that time that the Congress ordered the now unanimous Declaration engrossed on parchment with a new title to reflect its unanimity, a title much more familiar to our ears: "In CONGRESS, July 4, 1776. The unanimous Declaration of the thirteen united States of America." The members of Congress affixed their names to this parchment copy of the Declaration on August 2nd, and in January of the following year Congress ordered the reprinting and distribution of the Declaration, bearing both its new title and the names of the original signers.

It is significant, of course, that while unanimity on the issue of independence was important to the members of the Continental Congress—important enough at least to warrant a change in the title of the Declaration itself, the only change made after its adoption on July 4, 1776—it was not required to dissolve the political bands of the body politic. In actual fact, the decision in the Committee of the Whole was far from unanimous: Pennsylvania and South Carolina voted against independence, Delaware was divided, and New York abstained because of previous instructions to its delegates. The question arises, of course, if unanimous consent is not the decision–making rule for the altering or abolishing of government, then what is? The Declaration gives us no answer at this point but moves to an affirmation of democratic principles and beliefs to which the colonists are committed.

*The Introductory Statement of Principles and Beliefs*

This brings us then to the second paragraph of the Declaration and the famous proclamation of self–evident truths. The first three of these truths are so familiar that there is hardly need to repeat them: (1) that all men are created equal; (2) that the creator has
endowed all men with certain unalienable rights, and (3) that among these rights are the rights of life, liberty and the pursuit of happiness. Instead of clarifying the conditions of this natural equality or elaborating upon these natural rights, however, this single, introductory sentence continues its enumeration of self-evident truths, adding one about the institution of government and another about its dissolution: (4) that governments are instituted to secure the natural rights of man; and (5) that whenever any form of government becomes destructive of the ends for which it was instituted, it is the right of the people to alter or abolish it.

Of the first three self-evident truths we are told virtually nothing. By implication, however, we may assume that their application is meant to be universal, for it is not the equality and rights of Englishmen, or Americans, that is in question here, but the equality and rights of all men. On the other hand, when the focal point of the enumerated truths shifts from each and every man to men living together in civil society, clarifying or qualifying conditions immediately surface. Thus, in addition to claiming that governments are instituted among men for securing of certain rights, the Declaration also adds that governments derive their just powers from the consent of the governed. What constitutes just powers or consent of the governed is not clear, but what is clear is that these notions are integral factors in the institution of government itself. Furthermore, by the time we arrive at the last truth enumerated two additional tests or requirements have been established which must be met before the dissolution of government can be justified: (1) the institution of a new government; and (2) the alteration of existing conditions in such a way as is likely to maximize the safety and happiness of the people.

The first of these tests is very clear from the language of the text. In the three passages of the introductory paragraphs where the dissolving, altering, or abolishing of government is mentioned, it is always done within the context of instituting anew. Thus, the text reads:

When . . . it becomes necessary for one People to *dissolve* the Political Bands . . . *and to assume* . . . the separate and equal Station. . . .

[W]henever any Form of Government becomes destructive . . . it is the Right of the People *to alter or to abolish* it, *and to institute* new Government. . . .
But when a long Train of Abuses and Usurpations . . . evinces a Design . . . it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security.

The second requirement or test is more enigmatic—for no people would knowingly and willingly change their condition from bad to worse. The focal point here, however, seems to be "the people," for it is "their Safety and Happiness" which are to be secured, by whatever means "as to them shall seem" best. Presumably the people referred to here are the same people who have the authority to alter or abolish government in the first place, and if the Declaration does not require unanimity for the dissolution of government, then obviously unanimous consent is also not required in the formulating and fixing of public policy.

Who, then, are these people who have the authority to alter or abolish government and to direct its ordinary operations? The Declaration does not say at this point, but it does tell us that these are a prudent people who will not change their government for light and transient reasons, being more willing to suffer, while the evils are sufferable, than to right themselves through force of arms. When, however, the abuses and usurpations against their rights have been persistent, general, deliberate, and with bad motive—when, in other words, a long train of abuses and usurpations evinces a design to bring them under an absolute depotism—then they will stir and provide new guards for their future security.

Then in one succinct sentence the Declaration links all these earlier remarks about democratic principles and democratic governments to the list of grievances against the King. The closing sentence of the second paragraph makes it clear: (1) that the history of the present King is—has been and will continue to be—a history of repeated injuries and usurpations, and (2) that the object of all these repeated injuries and usurpations is the establishment of an absolute tyranny. The King has done more than simply wronged the colonists: he has attempted to set up a system of absolute despotism over them. An enumeration of his acts will confirm this to all candid observers. The list of grievances is designed to show, then, that such a state of tyranny exists, not that any (or even all) of the grievances per se would be sufficient to justify resistance to government.
The Grievances Against George III

At long last, we arrive at the heart of the Declaration—the enumeration of the pernicious acts of George III and his attempt to establish an absolute tyranny over the American colonies. Now for many readers of the Declaration, of course, this list of grievances is nothing more than a tedious compendium of rhetorical charges which have quite appropriately yielded to the force and power of the language and principles of the opening paragraphs. How ironic that the list of grievances which forms the body or middle of the essay and contains more than all the rest should have fallen into historical obscurity. These grievances were, to repeat, the very reason the Declaration was written and promulgated—to justify the severing of the political bands with Britain—and it was with good reason that the pamphleteers John Lind in his *An Answer to the Declaration of the American Congress* and Thomas Hutchinson in his *Strictures upon the Declaration of the Congress at Philadelphia* made these grievances the focal point of their respective criticisms.

A preliminary analysis of the twenty-eight charges against the King is obviously no mean task. If we return to the language of the Declaration, however, we find an initial clue as how best to proceed: "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." The Declaration, in other words, divides what is to follow into three general categories: (1) those grievances associated with the "injuries," or abuses of constitutional powers; (2) those associated with the "usurpations," or the exercise of power that others have a right to; and (3) those settled and malicious acts of George III which prove the design to establish tyranny. Under such a scheme [i]–[xiii] constitute the "injuries," [xiv]–[xxii] the "usurpations," and [xxiii]–[xxvii] the proofs that the King is tyrannical. Furthermore, the language clearly suggests that while the King is responsible for certain injuries and is indeed a tyrant (for the pronoun "He" used to introduce grievances [i]–[xiii] and [xxiii]–[xxvii] clearly refers to George III), someone else must bear the burden of usurpation. In some cases the specific reference is unclear. In other cases we may be surprised at the ranking, such as the relegation of the issue of taxation, the initial cause of unrest in the colonies, to a mere seventeenth place in the list of colonial grievances. It is not
important that we resolve these issues at this point but merely acknowledge the fact that—the historical validity of the charges aside—there may indeed be some critical thought buried within the language and ordering of the grievances against George III.

The Closing Paragraphs

The twenty-eighth charge against the King is found in the first of the three concluding paragraphs. This last charge is in a real sense not only a summary of all the previous charges, but is the fulfillment of the objective of the Declaration itself. In short, George III is a tyrant, unfit to be ruler of a free people, and for this reason, the American colonies have found it necessary to sever the political bands with Britain.

Instead of closing, however, the Declaration reiterates in yet a second concluding paragraph that the colonists have not been rash in their actions but have tried repeatedly to secure redress for their grievances through channels other than separation. The colonists have not only vainly pleaded with the King, but they have also fruitlessly appealed to the British people themselves. The colonists have warned the British people of Parliament's attempts to extend unwarranted jurisdiction over the colonies; they have cited the circumstances of the colonizing of America; they have called out for justice, a virtue common to all English-speaking peoples. All this has been for nought, for the British people have also been unattentive to their cries. And once again we hear the charge of usurpation, and once again it is evident that usurpation per se is not the cause of severance, but usurpation uncontrolled and un-controllable. Necessity and compulsion are indeed the parents of the decision to separate from Britain.

At last, in a sort of anti-climatic fashion, we arrive at the closing paragraph to hear what we knew all along—the political bands between Britain and the American colonies are hereby dissolved. But now something is made clear which may not have been clear before: the authority to declare independence is vested in the people alone, for we are told all this is done "in the Name, and by the Authority of the good People of these Colonies."

THE CRITICAL QUESTION: WHO ARE THE PEOPLE?

Obviously we have passed over innumerable inherent questions or tensions in this preliminary analysis. The most frequent source
of question or controversy, of course, is the list of self-evident truths, especially those relating to the capacity and rights of individual men. In what sense, for example, are all men created equal, and does the Declaration's use of the past tense of the verb "to create" mean that men are no longer equal? If life, liberty, and the pursuit of happiness are among the unalienable rights of man, then what are some of man's other unalienable rights, and are those rights enumerated more important or significant than those not enumerated? And what do the rights to life, liberty, and the pursuit of happiness mean, who is to define them, and how are conflicts between the rights of one man and those of another to be resolved?

While this list of secondary questions or concerns is long indeed, at a number of points in our preliminary analysis of the Declaration we encountered one question of an enduring nature, namely what does the Declaration mean when it refers to "the people"? I call this question of what constitutes "the people" the critical question, for unless this question can be meaningfully resolved, the American Declaration of Independence—that symbol par excellence of Revolutionary America—is reduced to half-baked mumbo jumbo. One cannot talk meaningfully about the unalienable rights of man, the right to resist tyrannical government, consent of the governed, or the just powers of government, if one does not know who has the authority to alter or abolish the government which fails to meet its commitments. Nor can one believe the grievances against the King are more than rhetorical nonsense if the people he has injured and whose power he has usurped cannot be defined. In providing an answer to this critical question of what constitutes "the people," then, we shall construct the parameters within which not only to resolve these second-order questions, but also to integrate the natural rights doctrine of the Declaration with the grievances against George III.

The task of determining what the Declaration means when it refers to the people is complicated, of course, by the fact that the Declaration nowhere makes its meaning explicit. Nevertheless, if the single reference in paragraph two to the natural rights of man is excluded for the moment, it becomes obvious that all references to either the people or the colonists are in collective terms. Thus, in the text:

(1) "One people" dissolves the political bands connecting the colonies and Britain and decency requires that "they should declare the causes which impel them to the separation."
(2) It is "the Right of the People" to alter or abolish government and to institute another in its place which "to them shall seem most likely to effect their Safety and Happiness."

(3) It is "in the Name, and by the Authority of the good People of these Colonies" that "the Representatives of the UNITED STATES OF AMERICA" do "solemnly Publish and Declare" independence, dissolving "all political connections" between the American States and the British Crown.

As we have already indicated in our preliminary analysis, there are only three collective decision-making rules available to a people: unanimous consent; majority rule; or minority rule. There are also three points at which the people may collectively participate in the decision making process: the origin; the operation; or the dissolution of government. These alternatives are best conceptualized in a matrix such as this:

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<tr>
<td>Dissolution of Government</td>
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Our preliminary analysis of the text of the Declaration has already established, of course, that in both the case of the dissolution of government and in its ordinary operation "the people" does not mean all people, for decisions may be made in either of those cases without unanimous consent. Let us examine each of the sections of this matrix separately, beginning with the dissolution of government—for the dissolution of government for just cause was, as has been noted, the central concern of the Declaration.

"The People" and the Dissolution of Government

While it is true the Declaration avoids any explicit references to either a majority or a minority, the language of the last para-
graph of that document as drafted by Jefferson and as adopted, unchanged by Congress declares that the decision for independence is done "in the Name, and by the Authority of the good People of these Colonies." Not even the authority of the Continental Congress (no insignificant minority of the population) is sufficient to justify a severing of the political bands with Britain. A Congress unwilling to claim such authority for themselves would certainly be unlikely to acknowledge the claims of any lesser minority. The implication to which the language of the Declaration leads us, then, is that a majority alone has the right to dissolve government. Thus,

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The Declaration's equation of "the people" with a majority of the community for the purposes of the dissolution of government is consistent with the antecedent thought of the colonists found in the political pamphlets which circulated in the colonies in the years immediately preceding the separation from Britain. Time and again the American pamphlets argued that while each man has a right to decide for himself when his own preservation is called into question, only the majority can decide if political society has been dissolved. Thus, to cite just one example, Samuel West argued not only did the right of exercising political power belong to a majority, but also the minority must of necessity and right submit to the decisions of that majority.

When legislators have enacted a set of laws, which are highly approved by a large majority of the community, as tending to promote the public good, in this case, if a small number of persons are so unhappy as to view the matter in a very different point of light from the publick, tho' they have an undoubted right to shew the reasons of their dissent from the judgment of the publick, and may lawfully use all proper arguments to convince the publick of what they judge to be an error, yet if they fail in their attempt, and the majority still continue to approve of the laws that are enacted, it is the duty of those few that dissent, peaceably and for conscience sake to submit to the public judgment. . . . It is the major part of the community that have the sole right of establishing a constitution, and authorizing the magistrates; and consequently it is
When the issue is to alter or abolish the government, the minority is absolutely bound by the wishes of the majority. The right to throw off government and to provide for the safety and happiness of the people is a right which belongs "not [to] a few disaffected individuals, but the collective body of the state." 16

This position that the right to alter or abolish government is a right of the community as a whole is consistent not only with the antecedent thought of the Declaration, however, but with the language and thought of many of the state constitutions and bills of rights written during this same period as well. The 1776 Constitution of Maryland, for example, opens with a declaration of rights in which the first right or truth enumerated is "That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole." As a consequence, "whenever the ends of government are perverted and public liberty manifestly endangered . . . the people may, and of right ought, to reform the old or establish a new government." 11

The Pennsylvania Constitution, also written immediately after the colonists proclaimed their independence, is even more explicit than in the Maryland Constitution:

That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; and not for the particular emolument or advantage of any single man, family, or sett of men, who are a part only of that community; And that the community hath an indubitable, unalienable and indefeasible right to reform, alter or abolish government in such manner as shall be by that community judged most conducive to the public weal. 18

Or in the words of the Massachusetts Constitution adopted during the War of Independence:

Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of

15 Samuel West, A Sermon (Boston: Printed by John Gill, 1776), pp. 18-19 (emphasis added).
16 Ibid., p. 27.
18 Ibid., 5:3082-3083.
men: Therefore the people alone have an incontestible, unalienable, and indefeasible right to institute government; and to reform, alter or totally change the same, when their protection, safety, prosperity, and happiness require it.19

Much of the confusion of what constitutes a people could well have been avoided, of course, had those who drafted and signed the American Declaration of Independence used the language found in the Virginia Declaration of Rights adopted by the Virginia Convention on June 12, 1776. Even if Thomas Jefferson had not seen the Virginia Declaration (a possibility which seems highly unlikely given the fact that the Virginia document had been in circulation among the members of Congress from the very earliest days of June and had appeared in the Pennsylvania Evening Post of June 6 and in the Pennsylvania Gazette of June 12), it is significant that no member of Congress who had seen that document insisted upon a clarification of what constitutes the people, for the Virginia Declaration of Rights, unlike the Declaration of Independence, is most explicit—a majority alone has the right to alter or abolish government.

That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration: and that, when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such a manner as shall be judged most conducive to the public weal.20

There are many reasons which could be advanced as to why Jefferson and the other signers of the Declaration of Independence did not adopt the language of the Virginia document. These speculations aside, however, the question immediately arises whether "the people" means "a majority" in the cases of the origin and/or operation of government as well. Let us return to our analytic matrix focusing our attention this time on the ordinary operation of government.

19 Ibid., 3:1890.
20 Ibid., 7:3813.
"The People" and the Ordinary Operation of Government

Our preliminary analysis of the last self-evident truth announced in the Declaration led us to conclude that the same people who have authority to alter or abolish government also have the authority to organize government and fix public policy "in such form, as to them shall seem most likely to effect their Safety and Happiness." From our analysis of the dissolution of government, then, we can by extrapolation easily complete our analytic matrix for the case of the operation of government. Thus,

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Although this commitment to the doctrine of majority rule in the ordinary operations of government may not appear revolutionary to Americans today, this concept—the concept of a sovereign people—provides another link in the integration of the natural rights doctrine of the Declaration and the grievances against George III. In that the natural rights doctrine is also a central concern in the institution of government, however, it seems appropriate to complete our analytic matrix prior to our discussion of a sovereign people.

"The People" and the Origin of Government

Although the fourth and fifth self-evident truths of the Declaration specifically refer to the institution of government, as has been shown the focal point of concern of the fifth is actually the dissolution of governments and rights and powers of a sovereign people. It is not inappropriate, therefore, to confine our analysis to the other self-evident truths, especially the fourth which reads as follows: "That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

As was indicated earlier, just powers and consent of the governed are clearly integral factors in the institution of government. Furthermore, when we combine the fact that this fourth enumerated truth specifically refers to the rights of life, liberty, and the pursuit of happiness—rights which presumably all men have—with the fact
that the theory being expounded here is that of the social compact, the question of unanimity is immediately raised again. Although the majority may have the right to decide whether to alter or abolish an existing government, each and every man would seem to have an individual right to decide for himself whether to join with others under a new government, for once government is dissolved each man returns to the state of nature and is at liberty to give or withhold his consent to any new government.

Furthermore, it is not insignificant in our analysis here that the man who gave the theory of the social contract its clearest articulation was John Locke—the only moral philosopher whom Jefferson included in his list of "the three greatest men that have ever lived." 21 The language of the "sagacious Mr. Locke," 22 "whom the Americans have appointed their political apostle" 23 was very precise:

For when any number of Men have, by the consent of every individual, made a Community, they have thereby made that Community one Body, with the Power to Act as one Body, which is only by the will and determination of the majority. For that which acts, any Community being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is necessary the Body should move that way whither the greater force carries it, which is the consent of the majority: or else it is impossible it should act or continue one body, one Community, which the consent of every individual united into it, agreed that it should; 24

Locke's colonial disciples found his claim that all just governments have their beginning in the consent of the governed wholly compatible with their political experience.

If unanimous consent alone can make a government just and obligate the individual to the dictates of law, then under no pretense of right could those Americans who remained loyal to George III be bound by the directives of the Continental Congress and the other provincial assemblies. It was this very reason which led Peter Van Schaack to challenge the authority of the provincial convention of New York, arguing "that you cannot justly put

me to the alternative of choosing to be a subject of Great Britain or to this State, because should I deny subjection to Great Britain, it would not follow that I must necessarily be a member of the State of New York." Furthermore, Van Schaack even identified the document from which he claimed to have deduced his political principles—the American Declaration of Independence:

The declaration of independency proceeded upon a supposition, that the constitution under which we before lived was actually dissolved, and the British government, as such, totally annihilated here. Upon this principle, I conceive that we were reduced to a state of nature, in which the powers of government reverted to the people, who had undoubtedly a right to establish any new form of government they thought proper; that portion of his natural liberty which each individual had before surrendered to the government, being now resumed, and to which no one in society could make any claim until he incorporated himself in it.25

That the signers of the Declaration of Independence were unconvinced by the claims of Van Schaack and the other loyalists is, of course, evident in the penalties imposed by the Continental Congress upon those who did not support the American cause. In the case of Queen's County of New York, for example, the inhabitants—and a majority at that—refused to send deputies to the convention being held in the colony. This led Congress to claim that the inhabitants of Queens' County had "deserted the American cause" and that "those who refuse to defend their country should be excluded from its protection, and be prevented from doing it injury." The Congress further ordered that the names of all those who had voted contrary to its wishes be published and denied the offenders the right to travel outside the County of Queens on punishment of three months confinement.26

Similarly the good people of Massachusetts refused to grant the arguments of the western towns of the county of Berkshire that the disruption of the political connections with Britain had terminated all legitimate authority within the colony and returned men to the state of nature where each man was at liberty to give or withhold his consent as he saw fit. The provincial assembly of Massachusetts not only proclaimed themselves the legitimate heirs of political

power, but roundly denounced the inhabitants of Berkshire as rebels. Even when the conflict between them had been resolved, the language of the provincial assembly announcing the concordat did not yield the point of who had held the lawful power: "That all riots, routs, and unlawful assemblies committed . . . within the said county of Berkshire . . . be and hereby are pardoned."27

The grounds on which the leaders of the Revolutionary movement rejected the claims that men were at liberty to give or withhold their individual consent to new governments—a claim that would make unanimous consent necessary for the institution of government—was founded upon a fundamental distinction between government on the one hand, and society on the other. Society was primary and did indeed require unanimous consent to come into being; government, on the other hand, was created by a simple majority of those united together into society; Thus "that great and immortal reasoner"28 Mr. Locke had argued: "And thus that, which begins and actually constitutes any Political Society, is nothing but the consent of any number of Freemen capable of a majority to unite and incorporate into such a Society." 29 The dissolution of government through an alteration of the legislative power or a violation of the public trust involves the dissolution of government alone. Society remains intact. This fact is critical in that if men do not return to a state of nature, they are presumably still "a people," who may once again structure the legislative power in such a way as to secure their mutual safety and happiness. Thus, "that prince of philosophers"30 Mr. Locke claimed:

When the Government is dissolved, the People are at liberty to provide for themselves by erecting a new Legislative, differing from the other, by the change of Persons, or Form, or both as they shall find it most for their safety and good. For the Society can never, by fault of another, lose the Native and Original Right it has to preserve itself, which can only be done by a settled Legislative, and a fair and impartial execution of the Laws made by it.31

28 Resistance not Rebellion. In which The Right of a British Parliament to Tax the American Colonies, is fully considered, and found unconstitutional . . . (Old Bailey, London, MDCCLXXV), p. 18.
29 John Locke, Two Treatises of Government, 11:99 (emphasis concerning the majority added).
30 Gad Hitchcock, A Sermon . . . (Boston, 1775), p. 38.
31 John Locke, Two Treatises of Government, 11:220, (emphasis added).
It was this very reasoning that William Whiting used in his *Address to the Inhabitants of the County of Berkshire Respecting Their Present Opposition to Civil Government*. In his refutation of the Berkshire claims, Whiting argued that although the Declaration of Independence had destroyed the political connections with Britain, the people of Massachusetts had not returned to the state of nature, but had found it necessary to place the legislative power anew. And because the majority of the colony had acquiesced to the provincial assembly, the inhabitants of Berkshire were obligated to honor the decision of the majority. "No revolution in, or dissolution of, particular constitution or forms of government, can absolve the members of the society from their allegiance to the major part of the community."32

Thus, while, the governments in the thirteen colonies had been dissolved, the social bands among the colonists remained undisturbed. Men had not returned to the state of nature at all. On the contrary, they now found themselves responsible for the exercise of political power as well, for in the words of the Declaration itself: "the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasions from without, and convulsions from within."

In that the "People at large" clearly cannot mean a minority of the population, our matrix is now complete and looks as follows:

![Matrix](image)

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There can be no doubt, then, what the American Declaration of Independence means by "the people." Whether we consider the original, extent, or end of government, the answer is the same: the majority alone has the right of political power. No people could be more sovereign, be more free.

THE FUNDAMENTAL RIGHT OF THE PEOPLE: THE RIGHT TO SHARE IN THE LEGISLATURE

The majoritarian implications of this analysis will undoubtedly bother some, for on the surface at least, the Declaration's commitment to the natural rights of man seems at radical variance with the doctrine of majority rule. While it is true that there is only one reference in the Declaration to these natural rights of man, this reference occurs in no inconspicuous place and forms an integral part of three of the self-evident truths of that document:

1. That all men have certain unalienable rights;
2. That among these rights are the rights of "Life, Liberty, and the Pursuit of Happiness";
3. That governments are instituted among men to secure these rights.

Those who find the Declaration's commitment to the doctrine of majority rule troublesome in light of these references to the unalienable rights of man are not apt to find much solace, however, in the writings of Thomas Jefferson. With the single exception to "the afflict ing oppression . . . from an unjust majority in Connecticut," 33 Jefferson never seemed to deviate from his position of 1782 in his Notes on Virginia: "The lex majoris partis [is] founded in common law as well as common right. . . . [It] is the natural law of every assembly of men, whose numbers are not fixed by any other law." 34 When a majority carried Jefferson and the Republicans to power over his political foes, the Federalists, Jefferson announced in his Inaugural Address that while the majority "to be rightful, must be reasonable," republican government required "Absolute acquiescence in the decisions of the majority," for this is "the vital principle of republics, from which there is no appeal but to force." 35

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34 Ibid., 111:230.
late as 1817, when commenting on the instability and despotism of the French Revolution, Jefferson again noted:

The first principle of republicanism is that the *lex majoris partis* is the fundamental law of every society of individuals of equal rights; to consider the will of the society enounced [sic] by the majority of a single vote as if unanimous, is the first of all lessons in importance, yet the last which is thoroughly learnt. This law once discarded, no other remains but that of force, which ends necessarily in military despotism. 36

On the other hand if we turn our attention to the text of the Declaration once again, we find the clue necessary to resolve this dilemma. In addition to the unalienable rights of man, the Declaration also speaks in the fifth grievance against the King of the "Rights of the People," rights which are somehow related to representative institutions: "He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People." Furthermore, a closer look at the grievances reveals that the fundamental right of the people has already been boldly announced: the fundamental right of the people is "the Right of Representation, a Right inestimable to them, and formidable to Tyrants only." So "essential and indisputable" is this right that the colonial assembly of Massachusetts argued in a letter to Governor Hutchinson "that a people under any form of government, destitute of it, is destitute of freedom." Life, liberty, property, consent—none of these can be secure without this right "Hence, [it] is deducible [that] representation . . . being necessary to preserve these invaluable rights of nature, is itself, for that reason, a natural right, coinciding with, and running into that great law of nature, self–preservation." 37

The reason this right of representation was so fundamental to Americans was that it constituted the very essence of liberty itself. Thus, Richard Price, whose *Observations On The Nature of Civil Liberty* was printed and reprinted on both sides of the Atlantic no fewer than twenty–eight times in the course of 1776, argued that while liberty could be divided into four categories (physical, moral, religious, and civil), there is one common theme in all its manifestations: "the idea of Self–direction, or Self–government." To the extent that "a force stands opposed to the agent's own will," to that extent is he in servitude to someone else. Thus, liberty in any civil

36 Ibid., X:89.
37 *The Speeches of His Excellency Governor Hutchinson* (Boston, 1773), p. 350.
society is the power of that society "to govern itself by its own discretion," and slavery is brought about by "any will distinct from that of the Majority of the Community, which claims a power of making laws for it, and disposing of its property." Because the people cannot regularly or conveniently gather together in large states, however, government must be delegated to the representatives of the people, and the will of the majority designated by a majority of those representatives, appointed by, and subject to, a majority of the community. In the final analysis, "as long as that part of a government which represents the people is a fair representation; and also has a negative on all public measures, together with the sole power of imposing taxes and originating supplies, the essentials of liberty will be preserved."38

The most comprehensive statement of the right of representation prior to independence appeared in a pamphlet of 1774 entitled A Declaration of The People's Natural Right To A Share In the Legislature. Its author, Granville Sharp, opened his pamphlet with a sixty page preface in which he attempted to demonstrate that reason, human conscience, and the laws of nature are in fact indistinguishable. Through his reason and conscience man is able to distinguish good from evil, and it is this capacity which distinguishes him from the brutes. This knowledge of good and evil in turn allows him to recognize that the claim of Parliamentary omnipotence is "A kind of Popery in Politics," for "no Power on earth is tolerable without a just limitation." Because it is impossible to maintain any limit where the laws are not formulated by the elected representatives of the people, nothing could be more treasonous than "to attempt to deprive any free British Subjects of their natural Right to a Share in the Legislature."39

We need not depend upon the antecedent thought of the pamphleteers alone, however, to confirm the Declaration's commitment to this fundamental right of the community, for this fact is also confirmed in other public documents of the Continental Congress. Thus in The Address to the Inhabitants of Quebec Congress provides us not only with an enumeration of the fundamental rights of the community, but with a rank ordering of these rights as well, Without question, "the first grand right is, that of a people having

39 Granville Sharp, A Declaration Of The People's Natural Right To A Share In the Legislature (London, 1774), xxix—xxxvii, pp. 28-30.
a share in their own government, by their representatives, chosen by themselves." This right is fundamental because it is the major "bulwark surrounding and defending their property." Second, "the next great right is that of trial by jury." In The Address, these two rights—the right of representation and the right to trial by jury—conclude the list of great rights. The third right enumerated is simply designated as "another right" which "related merely to the liberty of the person." Obviously if this third right refers merely to the individual, then the first two great rights must refer to something else being the whole community, or the people. It should also be emphasized that this right of liberty does not mean the right to do whatever one wishes to do, but the right of habeas corpus. The fourth and fifth rights go almost unnoticed. The fourth right is that of holding lands by the tenure of easy rents and "the last right which we shall mention" is none other than the freedom of the press." These, then, are the essential rights "without which a people cannot be free and happy," the most critical being the right of the people to share in the legislative power.4°

THE UNALIENABLE RIGHTS OF MAN

If we now turn to reconsider the Declaration's reference to the natural rights of man within the context of the fundamental right of the people to share in the legislature, we see the two extremes of the dilemma more clearly: absolute, individual rights on the one hand and "absolute acquiescence in the decisions of the majority" on the other. The solution to this dilemma is complicated, of course, by the almost total silence of the Declaration on the nature of the rights of men. All we are explicitly told is that these natural rights are unalienable and that governments are instituted to secure them.

In fact, the precise language of the Declaration, combined with its obvious commitment to representative government, makes an individualistic interpretation of these rights suspect, for "to secure" means to define as well as to protect, and government cannot protect what cannot be defined. If we further require that these rights (among which are life, liberty, and the pursuit of happiness) be defined by each individual, we shall have returned to the requirement of unanimous consent for the operation of government, because by controlling the liberty of some individuals to secure the

rights of others, government would *by definition* be acting in a manner destructive of the rights of at least one individual. Thus, all governments ought to be altered or abolished, for in acting in a manner destructive of the rights of at least one individual, government would also by definition be acting in a manner destructive of the rights of man. Such a conclusion is obviously in sharp conflict of the very sentence which follows the enumeration of self-evident truths: "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."

Furthermore, while the Declaration is silent on the matter of how "absolute" these unalienable rights are, the antecedent thought of the Declaration found in the political pamphlets of the Revolution makes an absolutist interpretation of these natural rights suspect as well. Nowhere was the absolutist approach more vehemently denounced and nowhere more vehemently denied than in the case of man's natural right to liberty. In his *What think ye of the Congress now?*, for example, the American loyalist Thomas Chandler bitterly attacked the American patriots, those "bear house gentry," who have perpetrated "a long train of such infamous abuses" upon true liberty that no one and nothing (including freedom of the press) is secure.  

John Drinker challenged the representative authority of Congress and the other ad hoc assemblies, arguing that no man is either actually or virtually represented and that all decent men have been denied access to the legitimate governments of the colonies. Government has in fact succumbed to "economic robbery," and American liberty is indistinguishable from anarchy and licentiousness.  

As Isaac Wilkins observed: the dictates of the Congress are "to be enforced by their *High Mightinesses* the Mob, to the utter subversion of all Law, and the total destruction of LIBERTY."  

The American patriots, however, equally opposed unrestrained liberty. Thus, while openly admitting that "submission becomes a fault, and resistance a virtue" when the rulers abuse their powers, Peter Whitney vehemently denounced those people who "run into the most excessive licentiousness" under the guise of liberty, and

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43 Isaac Wilkins, *Short Advice* (New York, 1774), p. 11.
who are guilty "of the most lawless, unjust, and tyrannical proceed-
ings."44 Echoing this denunciation, John Zubly warned against those
"querulous, factious and licentious" men who have come 'to despise
all government and have attempted to sow discord and disorder in
church and state alike. "Liberty, my brethren, is a precious and
inestimable jewel, and ought to be used with the utmost caution and
delicacy. It may be as much abused as government and power, lead-
ing into measures equally tyrannical and oppressive." To prevent
this, liberty must be carefully blended with law, for without law
"there would soon be no liberty at all ... and right, justice, and
property must give away to power."45

Law, liberty, and natural rights, then, are inseparable. All men by
nature have rights (both alienable and unalienable), rights which
are natural because they come to man "from the constitution of
nature itself without the intervention of any human contrivance,
institution, compact or deed." 46 But once a man enters into civil
society with other men, "the community who have power from the
consent of every member, [may] by laws, . . . prohibit the exercise
of a particular right inconsistent with the welfare of the whole."47
And this right to regulate the natural rights of man is especially
important in the case of his unalienable rights, for the conflict
created by each man's attempt to secure his own person and prop-
erties was the immediate cause of men joining together in civil
societies in the first place. Thus, Hamilton in his The Farmer
Refuted quotes Blackstone's Commentaries: " [As]
the principal
aim of society is to protect individuals, in the enjoyment of those
absolute rights . . . [so] the first and primary end of human laws,
is to maintain and regulate these absolute rights of individuals.'48

In essence, then, the unalienable rights of man—including among
others, the rights of life, liberty, and the pursuit of happiness, the
right to private judgment, the right of conscience (often referred to
as the right of religion), the right of marriage, and the right to
associate and communicate with other individuals—are unalienable
not because they are beyond regulation, but because no man can
cease to pursue them even if he wanted to, and no man or society of
men can long be happy where these rights of the individual are fre-

44 Peter Whitney, The Transgression (Boston, 1774), pp. 17-18, 53-54.
46 Francis Hutcheson, A System of Moral Philosophy, 1:293.
47 [Thomas Pownall], The Administration of the Colonies, p. 87.
quently and repeatedly violated. The test to be used in the regulation of these rights is, nevertheless, the happiness of the society, not the happiness of the individual, for "as the whole is more valuable than any part, so the security of every particular person ought to be consulted, and provided for, only so far as is consistent with the welfare of the whole. . . . Where public security requires anything as necessary to be done, there a Private Injury ought to be no Bar against that which appears necessary to the Public Good."49 This commitment to the public good as the measure of public policy pervades the literature of the Revolution and is reflected in John Adams' much circulated pamphlet on the nature of government: "That form of government which communicates ease, comfort, security, or, in a word, happiness, to the greatest number of persons, and in the greatest degree, is the best."50

This same measure—accordance with the public good—is the test to be used in the decision to disturb government. The American patriot Andrew Eliot had warned his American brethren as early as 1765 that ambitious men are everywhere spreading "jealousies and suspicions" to destroy confidence in even the best of rulers:

The rulers of a people are seldom so happy as to please all who are under their authority: They have often personal enemies; or crafty and ambitious men find fault with government because they are not in place: They had need be wise as serpents as well as harmless as doves to counterwork the machinations of such men, to give no occasion of offense to those who seek occasion, or to prevent the bad effect of the misrepresentation that they will industriously spread.

The people at large, however, are not apt to be duped by the machinations of these few, for those "discontented men, who think nothing right but what they do themselves" and who attempt "to raise suspicions of evil designs, and of schemes that never entered into any one's head but their own . . . may possibly prevail to raise tumults and disturbances; but very often they fall into the pit digged for others." Even if the grievances are real, the people "will make allowances for mistakes, and even for faults" in their rulers. In fact, "it is not easy to effect a general opposition, even where they have the most pernicious designs." It is prudence which keeps the people's

49 Essay upon Government, pp. 47-49.
50 [John Adams], Thoughts on Government, p. 5.
right to resist government from becoming a vehicle for perpetual rebellion. Thus:

Most certainly people ought to bear much, before they engage in any attempts against those who are in authority; they ought to consider their rulers are frail and fallible men, who are liable to mistakes and faults, when their general aim is good and right; they should overlook their errors, and even their vices, if they are not such as tend directly to overturn the state, and to bring distress and ruin on the whole community. Better a particular person, yea many individuals should suffer, than to encourage civil broils and a public disturbance.51

In the final analysis, then, the unalienable rights of man can only be understood within the broader concerns of the public good and the rights of the political community in general. In other words, while the Declaration assumes the existence of certain individual rights which government is obligated to recognize and protect, it also assumes that the validity of these claims will be measured in terms of the security and happiness of the people in general and that government will not be disturbed until the mischief has grown so general that little or no alternative remains to the resistance of authority.

THE GRIEVANCES AGAINST GEORGE III

But here it will be raised as a mighty objection that the people collectively will have no concern for the individual until the state of affairs has grown so severe that many an innocent man has perished. An examination of the grievances against George III within the context of the people's right to share in the legislature, however, reveals that the specific violations of the rights of man have been included without making any particular individual the basis of any of the charges. Furthermore, all of the tests which a prudent people will require before disturbing government have been met. First, the grievances have been general. It is "the Rights of the People" he has invaded; it is "the Lives of our People" he has destroyed; it is the petitions of the people he has rejected; it is "the good people of these Colonies" who have suffered the injuries and usurpation of King and Parliament.

Second, the injuries and usurpation of George III have been persistent. He has repeatedly dissolved the colonial legislatures for

opposing his pernicious designs; "he has refused for a long time" to allow others to be elected in their place; he has combined with Parliament in many cases to deprive the colonists of the fundamental right of trial by jury; he has answered the colonists' "repeated Petitions . . . by repeated Injury." Even now he persists in his attempt to enslave the American colonies by calling upon "foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny" already begun.

Third, the acts of oppression on the part of the King and the British Parliament have been deliberate. The violations of the rights of the people have not been the result of mismanagement or poor judgment, but 'rather the machinations of a conniving mind. The King has not just forgotten to care for his loyal subjects in the American colonies: he has "utterly neglected" their needs and has adamantly refused to consent to laws "the most wholesome and necessary for the public good." He has repeatedly tried to force his will upon the colonies by attempting to undermine their "Representative Houses." He has even "combined with others" to alter the legislative power of the colonies.

And finally, the designs against the rights of the people have been with bad motives or intentions. George III does not seek the safety and happiness of the people. On the contrary the "direct object" of all his injuries and usurpations is nothing other than "the establishment of an absolute Tyranny over these States," a tyranny already begun with the declaration of war against the American colonies.

In short, the natural rights of man have been incorporated in the capacity and natural right of the American people to self-govern-ment, for no man is safe where popular government is insecure. This, then, is the critical presumption or conviction which controlled the fashioning of the American Declaration of Independence, and it is within this framework that the accusations against George III can be most meaningfully understood: (1) his interference with the colonial representative institutions ([i]-[viii]); (2) the violation of separation of powers ([viii]-[xii]); (3) the placement of the supreme power of the community in a tribunal superior to the immediate representatives of the people ([xiii]-[xxii]); and (4) the attempt to alter the legislative power of the colonies through barbarous acts of force ([xxiii]-[xxvii]).

The injuries, the usurpations, all these were sufferable, until the pernicious acts of George III threatened the very foundations of
self—government. It is most appropriate, therefore, that the twenty—
eighth charge against the King—which in a real sense marks the end
of the American Declaration of Independence—concludes "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." A people who
do not control their government, cannot be free, cannot be happy,
for popular control of government alone distinguishes liberty from
slavery, taxation from robbery, and just government from tyranny
and oppression.

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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 shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing 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.

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.
[iv] 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.

[v] He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

[vi] 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 Invasion from without, and Convulsions within.

[vii] He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

[viii] He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

[ix] He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

[x] He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.

[xi] He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.

[xii] He has affected to render the Military independent of and superior to the Civil Power.

[xiii] 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:

[xiv] For quartering large Bodies of Armed Troops among us:

[xv] For protecting them, by a mock Trial, from Punishment for any Murders they should commit on the Inhabitants of these States:

[xvi] For cutting off our Trade with all Parts of the World:

[xvii] For imposing Taxes on us without our Consent:

[xviii] For depriving us, in many Cases, of the Benefits of Trial by Jury:

[xix] For transporting us beyond Seas to be tried for pretended Offenses:

[xx] For abolishing the free System of English Laws in a neighbouring 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:

[xxi] For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

[xxii] For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

[xxiii] He has abdicted Government here, by declaring us out of his Protection and waging War against us.

[xxiv] He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

[xxv] He is, at this Time, transporting large Armies of foreign Mercenaries to compleat 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 Insurrections amongst us, and has endeavoured 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 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.

We, therefore, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by 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 to 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.

Signed by ORDER and in BEHALF of the CONGRESS,

JOHN HANCOCK, PRESIDENT.

ATTEST.
CHARLES THOMSON, SECRETARY.
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