



Declaration of Independence Virtual Seminar
Civitas Institute – University of Texas at Austin
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In Congress, July 4, 1776

The unanimous Declaration of the thirteen united States of America, 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 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.

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 invasion from without, and convulsions within.

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.

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 harrass 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 offences

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:

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, burnt our towns, and destroyed the lives of our people.

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 & 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.

Georgia

Button Gwinnett

Maryland

Samuel Chase

Delaware

Caesar Rodney

Massachusetts

Samuel Adams

Lyman Hall

George Walton

North Carolina

William Hooper

Joseph Hewes

John Penn

South Carolina

Edward Rutledge

Thomas Heyward, Jr.

Thomas Lynch, Jr.

Arthur Middleton

Massachusetts

John Hancock

William Paca

Thomas Stone

Charles Carroll of
Carrollton

Virginia

George Wythe

Richard Henry Lee

Thomas Jefferson

Benjamin Harrison

Thomas Nelson, Jr.

Francis Lightfoot
Lee

Carter Braxton

Pennsylvania

Robert Morris

Benjamin Rush

Benjamin Franklin

John Morton

George Clymer

James Smith

George Taylor

James Wilson

George Ross

George Read

Thomas McKean

New York

William Floyd

Philip Livingston

Francis Lewis

Lewis Morris

New Jersey

Richard Stockton

John Witherspoon

Francis Hopkinson

John Hart

Abraham Clark

New Hampshire

Josiah Bartlett

William Whipple

John Adams

Robert Treat Paine

Elbridge Gerry

Rhode Island

Stephen Hopkins

William Ellery

Connecticut

Roger Sherman

Samuel Huntington

William Williams

Oliver Wolcott

New Hampshire

Matthew Thornton

CHAPTER. II.

OF THE STATE OF NATURE.

Sect. 4. TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

Sect. 5. This equality of men by nature, the judicious Hooker looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are,

The like natural inducement hath brought men to know that it is no less their duty, to love others than themselves; for seeing those things which are equal, must needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me shewed unto them: my desire therefore to be loved of my equals in nature as much as possible may be, imposeth upon me a natural duty of bearing to them-ward fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant, Eccl. Pol. Lib. 1.

Sect. 6. But though this be a state of liberty, yet it is not a state of licence: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure: and

being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for our's. Every one, as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

Alexander Hamilton, *The Farmer Refuted*, &c.1

New-York [February 23,] 17752

...

Having thus, briefly, delivered my sentiments of your performance in general, I shall proceed to a particular examination of it, so far, as may be requisite, towards placing it in that just point of light in which it ought to stand. I flatter myself, I shall find no difficulty in obviating the objections you have produced, against the Full Vindication; and in shewing, that your View of the Controversy between Great-Britain and the Colonies, is not only partial and unjust, but diametrically opposite to the first principles of civil society. In doing this, I may, occasionally, interweave some strictures on the Congress Canvassed.6

...

I shall, for the present, pass over to that part of your pamphlet, in which you endeavour to establish the supremacy of the British Parliament over America. After a proper eclaircissement of this point, I shall draw such inferences, as will sap the foundation of every thing you have offered.

The first thing that presents itself is a wish, that "I had, explicitly, declared to the public my ideas of the *natural rights* of mankind. Man, in a state of nature (you say) may be considered, as perfectly free from all restraints of *law* and *government*, and, then, the weak must submit to the strong."

I shall, henceforth, begin to make some allowance for that enmity, you have discovered to the *natural rights* of mankind. For, though ignorance of them in this enlightened age cannot be admitted, as a sufficient excuse for you; yet, it ought, in some measure, to extenuate your guilt. If you will follow my advice, there still may be hopes of your reformation. Apply yourself, without delay, to the study of the law of nature. I would recommend to your perusal, Grotius, Puffendorf, Locke, Montesquieu, and Burlamaqui.9 I might mention other excellent writers on this subject; but if you attend, diligently, to these, you will not require any others.

There is so strong a similitude between your political principles and those maintained by Mr. Hobbs,10 that, in judging from them, a person might very easily *mistake* you for a disciple of his. His opinion was, exactly, coincident with yours, relative to man in a state of nature. He held, as you do, that he was, then, perfectly free from all restraint of *law* and *government*. Moral obligation, according to him, is derived from the introduction of civil society; and there is no virtue, but what is purely artificial, the mere contrivance of politicians, for the maintenance of social intercourse. But the reason he run into this absurd and impious doctrine, was, that he disbelieved the existence of an intelligent superintending principle, who is the governor, and will be the final judge of the universe.

As you, sometimes, swear *by him that made you*, I conclude, your sentiment does not correspond with his, in that which is the basis of the doctrine, you both agree in; and this makes it impossible to imagine whence this congruity between you arises. To grant, that there is a supreme intelligence, who rules the world, and has established laws to regulate the actions of his creatures; and, still, to assert, that man, in a state of nature, may be considered as perfectly free from all restraints of *law* and *government*, appear to a common understanding, altogether irreconcilable.

Good and wise men, in all ages, have embraced a very dissimilar theory. They have supposed, that the deity, from the relations, we stand in, to himself and to each other, has constituted an eternal and immutable law, which is, indispensibly, obligatory upon all mankind, prior to any human institution whatever.

This is what is called the law of nature, "which, being coeval with mankind, and dictated by God himself, is, of course, superior in obligation to any other. It is binding over all the globe, in all countries, and at all times. No human laws are of any validity, if contrary to this; and such of them as are valid, derive all their authority, mediately, or immediately, from this original." Blackstone.11

Upon this law, depend the natural rights of mankind, the supreme being gave existence to man, together with the means of preserving and beatifying that existence. He endowed him with rational faculties, by the help of which, to discern and pursue such things, as were consistent with his duty and interest, and invested him with an inviolable right to personal liberty, and personal safety.

Hence, in a state of nature, no man had any *moral* power to deprive another of his life, limbs, property or liberty; nor the least authority to command, or exact obedience from him; except that which arose from the ties of consanguinity.

Hence also, the origin of all civil government, justly established, must be a voluntary compact, between the rulers and the ruled; and must be liable to such limitations, as are necessary for the security of the *absolute rights* of the latter; for what original title can any man or set of men have, to govern others, except their own consent? To usurp dominion over a people, in their own despite, or to grasp at a more extensive power than they are willing to entrust, is to violate that law of nature, which gives every man a right to his personal liberty; and can, therefore, confer no obligation to obedience.

“The principal aim of society is to protect individuals, in the enjoyment of those absolute rights, which were vested in them by the immutable laws of nature; but which could not be preserved, in peace, without that mutual assistance, and intercourse, which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws, is to maintain and regulate these *absolute rights* of individuals.” Blackstone.¹²

If we examine the pretensions of parliament, by this criterion, which is evidently, a good one, we shall, presently detect their injustice. First, they are subversive of our natural liberty, because an authority is assumed over us, which we by no means assent to. And secondly, they divest us of that moral security, for our lives and properties, which we are intitled to, and which it is the primary end of society to bestow. For such security can never exist, while we have no part in making the laws, that are to bind us; and while it may be the interest of our uncontrolled legislators to oppress us as much as possible.

To deny these principles will be not less absurd, than to deny the plainest axioms: I shall not, therefore, attempt any further illustration of them.

You say, “when I assert, that since Americans have not, by any act of theirs, impowered the British parliament to make laws for them, it follows they can have no just authority to do it, I advance a position subversive of that dependence, which all colonies must, from their very nature, have on the mother country.” The premises from which I drew this conclusion, are indisputable. You have not detected any fallacy in them; but endeavor to overthrow them by deducing a false and imaginary consequence. My principles admit the only dependence which can subsist, consistent with any idea of civil liberty, or with the future welfare of the British empire, as will appear hereafter.

“The dependence of the colonies, on the mother country,” (you assert) “has ever been acknowledged. It is an impropriety of speech, to talk of an independent colony: The words independent and colony, convey contradictory ideas, much like *killing* and *sparing*.* As soon as a colony becomes independent on the parent state, it ceases to be any longer a colony, just as when you *kill* a sheep, you cease to *spare* him.”

In what sense, the dependance of the colonies on the mother country, has been acknowledged, will appear from those circumstances of their political history, which I shall, by and by, recite. The term colony signifies nothing more, than a body of people drawn from the mother country, to inhabit some distant place, or the country it self so inhabited. As to the degrees and modifications of that subordination, which is due to the parent state, these must depend upon other things, besides the mere act of emigration, to inhabit or settle a distant country. These must be ascertained, by the spirit of the constitution of the mother country, by the compacts for the purpose of colonizing, and, more especially, by the law of nature, and that *supreme law* of every society—*its own happiness*.

The idea of colony does not involve the idea of slavery. There is a wide difference, between the dependence of a free people, and the submission of slaves. The former I allow, the latter I reject with disdain. Nor does the notion of a colony imply any subordination to our fellow subjects, in the parent state, while there is one common sovereign established. The dependence of the colonies, on Great-Britain, is an ambiguous and equivocal phrase. It may, either mean dependence on the people of Great-Britain, or on the King. In the former sense, it is absurd and unaccountable: In the latter it is just and rational. No person will affirm, that a French colony is independent, on the parent state, though it acknowledge the King of France as rightful sovereign. Nor can it, with any greater propriety, be said, that an English colony is independent, while it bears allegiance to the King of Great-Britain. The difference, between their dependence, is only that which distinguishes civil liberty from slavery; and results from the different genius of the French and English constitution.

But you deny, that “we can be liege subjects to the King of Great-Britain, while we disavow the authority of parliament.” You endeavour to prove it thus,* “The King of Great Britain was placed on the

throne, by virtue of an act of parliament; and he is King of America, by virtue of being King of Great-Britain. He is therefore King of America by act of parliament: And, if we disclaim that authority of Parliament, which made him our King, we, in fact, reject him from being our King; for we disclaim that authority, by which he is King at all.”

Admitting, that the King of Great Britain was enthroned by virtue of an act of parliament, and that he is King of America, because he is King of Great-Britain, yet the act of parliament is not the *efficient cause* of his being the King of America: It is only the *occasion* of it. He is King of America, by virtue of a compact between us and the Kings of Great-Britain. These colonies were planted and settled by the Grants, and under the Protection of English Kings, who entered into covenants with us for themselves, their heirs and successors; and it is from these covenants, that the duty of protection on their part, and the duty of allegiance on ours arise.

So that, to disclaim, the authority of a British Parliament over us, does by no means imply the dereliction of our allegiance to British Monarchs. Our compact takes no cognizance of the manner of their accession to the throne. It is sufficient for us, that they are Kings of England.

The most valid reasons can be assigned for our allegiance to the King of Great-Britain; but not one of the least force or plausibility for our subjection to parliamentary decrees.

We hold our lands in America by virtue of charters from British Monarchs; and are under no obligations to the lords or commons for them: Our title is similar and equal to that, by which they possess their lands; and the King is the legal fountain of both: this is one grand source of our obligation to allegiance.

Another, and the principal source is, that protection which we have hitherto enjoyed from the Kings of Great-Britain. Nothing is more common than to hear the votaries of parliament urge the protection we have received from the mother country, as an argument for submission to its claims. But they entertain erroneous conceptions of the matter; the King himself, being the supreme executive magistrate, is regarded by the constitution, as the supreme protector of the empire. For this purpose, he is the generalissimo, or first in military command; in him is vested the power of making war and peace, of raising armies, equipping fleets and directing all their motions. He it is that has defended us from our enemies, and to him alone, we are obliged to render allegiance and submission.

The law of nature and the British constitution both confine allegiance to the person of the King; and found it upon the principle of protection. We may see the subject discussed at large in the case of Calvin: The definition given of it by the learned Coke, is this, “Legiance is the mutual bond and obligation between the King and his subjects, whereby subjects are called his liege subjects, because they are bound to obey and serve him; and he is called their liege lord, because he is bound to maintain and defend them.”¹⁴ Hence it is evident, that while we enjoy the protection of the King, it is incumbent upon us to obey and serve him, without the interposition of parliamentary supremacy.

The right of parliament to legislate for us cannot be accounted for upon any reasonable grounds. The constitution of Great Britain is very properly called a limited monarchy, the people having reserved to themselves a share in the legislature, as a check upon the regal authority, to prevent its degenerating into despotism and tyranny. The very aim and intention of the democratical part, or the house of commons, is to secure the rights of the people. Its very being depends upon those rights. Its whole power is derived from them, and must be terminated by them.

It is the unalienable birth-right of every Englishman, who can be considered as a *free agent* to participate in framing the laws which are to bind him, either as to his life or property. But, as many inconveniences would result from the exercise of this right, in person, it is appointed by the constitution, that he shall delegate it to another. Hence he is to give his vote in the election of some person he chuses to confide in as his representative. This right no power on earth can divest him of. It was enjoyed by his ancestors time immemorial; recognized and established by Magna Charta, and is essential to the existence of the constitution. Abolish this privilege, and the house of commons is annihilated.

But what was the use and design of this privilege? To secure his life and property from the attacks of exorbitant power. And in what manner is this done? By giving him the election of those, who are to have the disposal and regulation of them, and whose interest is in every respect connected with his.

The representative in this case is bound by every possible tie to consult the advantage of his constituent. Gratitude for the high and honourable trust reposed in him demands a return of attention

and regard to the advancement of his happiness. Self-interest, that most powerful incentive of human actions, points and attracts towards the same object.

The duration of his trust is not perpetual; but must expire in a few years, and if he is desirous of the future favour of his constituents, he must not abuse the present instance of it; but must pursue the end, for which he enjoys it; otherwise he forfeits it, and defeats his own purpose. Besides, if he consent to any laws hurtful to his constituent, he is bound by the same, and must partake in the disadvantage of them. His friends, relations, children, all whose ease and comfort are dear to him, will be in a like predicament. And should he concur in any flagrant acts of injustice or oppression, he will be within the reach of popular vengeance, and this will restrain him within due bounds.

To crown the whole, at the expiration of a few years, if their representatives have abused their trust, the people have it in their power to change them, and to elect others, who may be more faithful and more attached to their interest.

These securities, the most powerful that human affairs will admit of, have the people of Britain, for the good deportment of their representatives towards them. They may have proved, at some times, and on some occasions, defective; but, upon the whole, they have been found sufficient.

...

The fundamental source of all your errors, sophisms and false reasonings is a total ignorance of the natural rights of mankind. Were you once to become acquainted with these, you could never entertain a thought, that all men are not, by nature, entitled to a parity of privileges. You would be convinced, that natural liberty is a gift of the beneficent Creator to the whole human race, and that civil liberty is founded in that; and cannot be wrested from any people, without the most manifest violation of justice. *Civil liberty, is only natural liberty, modified and secured by the sanctions of civil society.* It is not a thing, in its own nature, precarious and dependent on human will and caprice; but is conformable to the constitution of man, as well as necessary to the *well-being* of society.

Upon this principle, colonists as well as other men, have a right to civil liberty: For, if it be conducive to the happiness of society (and reason and experience testify that it is) it is evident, that every society, of whatsoever kind, has an absolute and perfect right to it, which can never be with-held without cruelty and injustice. The practice* of Rome, towards her colonies, cannot afford the shadow of an argument against this. That mistress of the world was often unjust. And the treatment of her dependent provinces is one of the greatest blemishes in her history. Through the want of that civil liberty, for which we are now so warmly contending, they groaned under every species of wanton oppression. If we are wise, we shall take warning from thence; and consider a like state of dependence, as more to be dreaded, than pestilence and famine.

The right of colonists, therefore, to exercise a legislative power, is an inherent right. It is founded upon the right of all men to freedom and happiness. For civil liberty cannot possibly have any existence, where the society, for whom laws are made, have no share in making them; and where the interest of their legislators is not inseparably interwoven with theirs. Before you asserted, that the right of legislation was derived "from the indulgence or grant of the parent state," you should have proved two things, that all men have not a natural right to freedom, and that civil liberty is not advantageous to society.

"The position, (you say) that we are bound by no laws, but those, to which we have assented, either by ourselves, or by our representatives, is a novel position, unsupported by any authoritative record of the British constitution, ancient or modern. It is republican, in its very nature; and tends to the utter subversion of the English monarchy.

"This position has arisen from an artful change of terms. To say, that an Englishman is not bound by any laws, but those to which the representatives of the nation have given their consent, is to say what is true. But to say, that an Englishman is bound by no laws but those to which he hath consented, in person, or by *his* representative, is saying what never was true, and never can be true. A great part of the people have no vote in the choice of representatives, and, therefore, are governed by laws, to which, they never consented, either by themselves, or by *their* representatives."

The foundation of the English constitution rests upon this principle, that no laws have any validity, or binding force, without the consent and approbation of the *people*, given in the persons

of *their* representatives, periodically elected by *themselves*. This constitutes the democratical part of the government.

It is also, undeniably, certain, that no Englishman, who can be deemed a *free agent* in a *political* view, can be bound by laws, to which he has not consented, either in person, or by *his* representative. Or, in other words, every Englishman (exclusive of the mercantile and trading part of the nation) who possesses a freehold, to the value of forty shillings per annum, has a right to a share in the legislature, which he exercises, by giving his vote in the election of some person, he approves of, as his representative.

“The true reason (says Blackstone) of requiring any qualification, with regard to property in voters, is to exclude such persons, as are *in so mean a situation*, that they are esteemed to have *no will* of their own. If these persons had votes, they would be tempted to dispose of them, under some undue influence, or other. This would give a great, an artful, or a wealthy man, a larger share in elections, than is consistent with general liberty. If it were probable, that every man would give his vote, freely, and without influence of any kind, then, upon the true theory and genuine principles of Liberty, every member of the community, however poor, should have a vote, in electing those delegates, to whose charge is committed the disposal of his property, his liberty and life. But since that can hardly be expected, in persons of indigent fortunes, or such as are under the immediate dominion of others, all popular states have been obliged to establish certain qualifications, whereby, some who are suspected to have no will of their own, are excluded from voting; in order, to set other individuals, whose wills may be supposed independent, more thoroughly upon a level with each other.”²³

...

[In the preceding paragraphs, Hamilton goes through several colonial charters in order to make a lengthy legal argument against the supremacy of Parliament over the colonial assemblies.]

Thus Sir, I have taken a pretty general survey of the American Charters; and proved to the satisfaction of every unbiassed person, that they are intirely, discordant with that sovereignty of parliament, for which you are an advocate. The disingenuity of your extracts (to give it no harsher name) merits the severest censure; and will no doubt serve to discredit all your former, as well as future labours, in your favourite cause of despotism.

It is true, that New-York has no Charter. But, if it could support it's claim to liberty in no other way, it might, with justice, plead the common principles of colonization: for, it would be unreasonable, to seclude one colony, from the enjoyment of the most important privileges of the rest. There is no need, however, of this plea: The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sun beam, in the whole *volume* of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.

...

Extraordinary emergencies, require extraordinary expedients. The best mode of opposition was that in which there might be an union of councils. This was necessary to ascertain the boundaries of our rights; and to give weight and dignity to our measures, both in Britain and America. A Congress was accordingly proposed, and universally agreed to.

You, Sir, triumph in the supposed *illegality* of this body; but, granting your supposition were true, it would be a matter of no real importance. When the first principles of civil society are violated, and the rights of a whole people are invaded, the common forms of municipal law are not to be regarded. Men may then betake themselves to the law of nature; and, if they but conform their actions, to that standard, all cavils against them, betray either ignorance or dishonesty. There are some events in society, to which human laws cannot extend; but when applied to them lose all their force and efficacy. In short, when human laws contradict or discountenance the means, which are necessary to preserve the essential rights of any society, they defeat the proper end of all laws, and so become null and void.

...

On the Right to Rebel Against Governors (Election Day Sermon)

By Samuel West, 1776

[...]

In order, therefore, that we may form a right judgment of the duty enjoined in our text, I shall consider the nature and design of civil government, and shall show that the same principles which oblige us to submit to government do equally oblige us to resist tyranny; or that tyranny and magistracy are so opposed to each other that where the one begins the other ends. I shall then apply the present discourse to the grand controversy that at this day subsists between Great Britain and the American colonies.

That we may understand the nature and design of civil government, and discover the foundation of the magistrate's authority to command, and the duty of subjects to obey, it is necessary to derive civil government from its original, in order to which we must consider what "state all men are naturally in, and that is (as Mr. Locke observes) a state of perfect freedom to order all their actions, and dispose of their possessions and persons as they think fit, within the bounds of the law of nature, without asking leave or depending upon the will of any man." It is a state wherein all are equal,---no one having a right to control another, or oppose him in what he does, unless it be in his own defence, or in the defence of those that, being injured, stand in need of his assistance.

Had men persevered in a state of moral rectitude, every one would have been disposed to follow the law of nature, and pursue the general good. In such a state, the wisest and most experienced would undoubtedly be chosen to guide and direct those of less wisdom and experience than themselves,---there being nothing else that could afford the least show or appearance of any one's having the superiority or precedency over another; for the dictates of conscience and the precepts of natural law being uniformly and regularly obeyed, men would only need to be informed what things were most fit and prudent to be done in those cases where their inexperience or want of acquaintance left their minds in doubt what was the wisest and most regular method for them to pursue. In such cases it would be necessary for them to advise with those who were wiser and more experienced than themselves. But these advisers could claim no authority to compel or to use any forcible measures to oblige any one to comply with their direction or advice. There could be no occasion for the exertion of such a power; for every man, being under the government of right reason, would immediately feel himself constrained to comply with everything that appeared reasonable or fit to be done, or that would any way tend to promote the general good. This would have been the happy state of mankind had they closely adhered to the law of nature, and persevered in their primitive state.

Thus we see that a state of nature, though it be a state of perfect freedom, yet is very far from a state of licentiousness. The law of nature gives men no right to do anything that is immoral, or contrary to the will of God, and injurious to their fellow-creatures; for a state of

nature is properly a state of law and government, even a government founded upon the unchangeable nature of the Deity, and a law resulting from the eternal fitness of things. Sooner shall heaven and earth pass away, and the whole frame of nature be dissolved, than any part, even the smallest iota, of this law shall ever be abrogated; it is unchangeable as the Deity himself, being a transcript of his moral perfections. A revelation, pretending to be from God, that contradicts any part of natural law, ought immediately to be rejected as an imposture; for the Deity cannot make a law contrary to the law of nature without acting contrary to himself,--a thing in the strictest sense impossible, for that which implies contradiction is not an object of the divine power. Had this subject been properly attended to and understood, the world had remained free from a multitude of absurd and pernicious principles, which have been industriously propagated by artful and designing men, both in politics and divinity. The doctrine of non-resistance and unlimited passive obedience to the worst of tyrants would never have found credit among mankind had the voice of reason been hearkened to for a guide, because such a doctrine would immediately have been discerned to be contrary to natural law.

In a state of nature we have a right to make the persons that have injured us repair the damages that they have done us; and it is just in us to inflict such punishment upon them as is necessary to restrain them from doing the like for the future,--the whole end and design of punishing being either to reclaim the individual punished, or to deter others from being guilty of similar crimes. Whenever punishment exceeds these bounds it becomes cruelty and revenge, and directly contrary to the law of nature. Our wants and necessities being such as to render it impossible in most cases to enjoy life in any tolerable degree without entering into society, and there being innumerable cases wherein we need the assistance of others, which if not afforded we should very soon perish; hence the law of nature requires that we should endeavor to help one another to the utmost of our power in all cases where our assistance is necessary. It is our duty to endeavor always to promote the general good; to do to all as we would be willing to be done by were we in their circumstances; to do justly, to love mercy, and to walk humbly before God. These are some of the laws of nature which every man in the world is bound to observe, and which whoever violates exposes himself to the resentment of mankind, the lashes of his own conscience, and the judgment of Heaven. This plainly shows that the highest state of liberty subjects us to the law of nature and the government of God. The most perfect freedom consists in obeying the dictates of right reason, and submitting to natural law. When a man goes beyond or contrary to the law of nature and reason, he becomes the slave of base passions and vile lusts; he introduces confusion and disorder into society, and brings misery and destruction upon himself. This, therefore, cannot be called a state of freedom, but a state of the vilest slavery and the most dreadful bondage. The servants of sin and corruption are subjected to the worst kind of tyranny in the universe. Hence we conclude that where licentiousness begins, liberty ends.

The law of nature is a perfect standard and measure of action for beings that persevere in a state of moral rectitude; but the case is far different with us, who are in a fallen and degenerate estate. We have a law in our members which is continually warring against the law of the mind, by which we often become enslaved to the basest lusts, and are brought into bondage to the vilest passions. The strong propensities of our animal nature often overcome the sober dictates

of reason and conscience, and betray us into actions injurious to the public and destructive of the safety and happiness of society. Men of unbridled lusts, were they not restrained by the power of the civil magistrate, would spread horror and desolation all around them. This makes it absolutely necessary that societies should form themselves into politic bodies, that they may enact laws for the public safety, and appoint particular penalties for the violation of their laws, and invest a suitable number of persons with authority to put in execution and enforce the laws of the state, in order that wicked men may be restrained from doing mischief to their fellow-creatures, that the injured may have their rights restored to them, that the virtuous may be encouraged in doing good, and that every member of society may be protected and secured in the peaceable, quiet possession and enjoyment of all those liberties and privileges which the Deity has bestowed upon him; i.e., that he may safely enjoy and pursue whatever he chooses, that is consistent with the public good. This shows that the end and design of civil government cannot be to deprive men of their liberty or take away their freedom; but, on the contrary, the true design of civil government is to protect men in the enjoyment of liberty.

From hence it follows that tyranny and arbitrary power are utterly inconsistent with and subversive of the very end and design of civil government, and directly contrary to natural law, which is the true foundation of civil government and all politic law. Consequently, the authority of a tyrant is of itself null and void; for as no man can have a right to act contrary to the law of nature, it is impossible that any individual, or even the greatest number of men, can confer a right upon another of which they themselves are not possessed; i.e., no body of men can justly and lawfully authorize any person to tyrannize over and enslave his fellow-creatures, or do anything contrary to equity and goodness. As magistrates have no authority but what they derive from the people, whenever they act contrary to the public good, and pursue measures destructive of the peace and safety of the community, they forfeit their right to govern the people. Civil rulers and magistrates are properly of human creation; they are set up by the people to be the guardians of their rights, and to secure their persons from being injured or oppressed,--the safety of the public being the supreme law of the state, by which the magistrates are to be governed, and which they are to consult upon all occasions. The modes of administration may be very different, and the forms of government may vary from each other in different ages and nations; but, under every form, the end of civil government is the same, and cannot vary: it is like the laws of the Medes and Persians--it altereth not.

Though magistrates are to consider themselves as the servants of the people, seeing from them it is that they derive their power and authority, yet they may also be considered as the ministers of God ordained by him for the good of mankind; for, under him, as the Supreme Magistrate of the universe, they are to act: and it is God who has not only declared in his word what are the necessary qualifications of a ruler, but who also raises up and qualifies men for such an important station. The magistrate may also, in a more strict and proper sense, be said to be ordained of God, because reason, which is the voice of God, plainly requires such an order of men to be appointed for the public good. Now, whatever right reason requires as necessary to be done is as much the will and law of God as though it were enjoined us by an immediate revelation from heaven, or commanded in the sacred Scriptures.

From this account of the origin, nature, and design of civil government, we may be very easily led into a thorough knowledge of our duty; we may see the reason why we are bound to obey magistrates, viz., because they are the ministers of God for good unto the people. While, therefore, they rule in the fear of God, and while they promote the welfare of the state,--i.e., while they act in the character of magistrates,--it is the indispensable duty of all to submit to them, and to oppose a turbulent, factious, and libertine spirit, whenever and wherever it discovers itself. When a people have by their free consent conferred upon a number of men a power to rule and govern them, they are bound to obey them. Hence disobedience becomes a breach of faith; it is violating a constitution of their own appointing, and breaking a compact for which they ought to have the most sacred regard. Such a conduct discovers so base and disingenuous a temper of mind, that it must expose them to contempt in the judgment of all the sober, thinking part of mankind. Subjects are bound to obey lawful magistrates by every tender tie of human nature, which disposes us to consult the public good, and to seek the good of our brethren, our wives, our children, our friends and acquaintance; for he that opposes lawful authority does really oppose the safety and happiness of his fellow-creatures. A factious, seditious person, that opposes good government, is a monster in nature; for he is an enemy to his own species, and destitute of the sentiments of humanity.

Subjects are also bound to obey magistrates, for conscience' sake, out of regard to the divine authority, and out of obedience to the will of God; for if magistrates are the ministers of God, we cannot disobey them without being disobedient to the law of God; and this extends to all men in authority, from the highest ruler to the lowest officer in the state. To oppose them when in the exercise of lawful authority is an act of disobedience to the Deity, and, as such, will be punished by him. It will, doubtless, be readily granted by every honest man that we ought cheerfully to obey the magistrate, and submit to all such regulations of government as tend to promote the public good; but as this general definition may be liable to be misconstrued, and every man may think himself at liberty to disregard any laws that do not suit his interest, humor, or fancy, I would observe that, in a multitude of cases, many of us, for want of being properly acquainted with affairs of state, may be very improper judges of particular laws, whether they are just or not. In such cases it becomes us, as good members of society, peaceably and conscientiously to submit, though we cannot see the reasonableness of every law to which we submit, and that for this plain reason: if any number of men should take it upon themselves to oppose authority for acts, which may be really necessary for the public safety, only because they do not see the reasonableness of them, the direct consequence will be introducing confusion and anarchy into the state.

It is also necessary that the minor part should submit to the major; e.g., 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 public, though they have an undoubted right to show the reasons of their dissent from the judgment of the public, and may lawfully use all proper arguments to convince the public 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, unless something is required of them which they judge would be sinful for them to comply with; for in that case they ought to obey the dictates of their own consciences rather than any human authority whatever. Perhaps, also, some cases of intolerable oppression, where compliance would bring on inevitable ruin and destruction, may justly warrant the few to refuse submission to what they judge inconsistent with their peace and safety; for the law of self-preservation will always justify opposing a cruel and tyrannical imposition, except where opposition is attended with greater evils than submission, which is frequently the case where a few are oppressed by a large and powerful majority. (1) Except the above-named cases, the minor ought always to submit to the major; otherwise, there can be no peace nor harmony in society. And, besides, it is the major part of a community that have the sole right of establishing a constitution and authorizing magistrates; and consequently it is only the major part of the community that can claim the right of altering the constitution, and displacing the magistrates; for certainly common sense will tell us that it requires as great an authority to set aside a constitution as there was at first to establish it. The collective body, not a few individuals, ought to constitute the supreme authority of the state.

The only difficulty remaining is to determine when a people may claim a right of forming themselves into a body politic, and assume the powers of legislation. In order to determine this point, we are to remember that all men being by nature equal, all the members of a community have a natural right to assemble themselves together, and act and vote for such regulations as they judge are necessary for the good of the whole. But when a community is become very numerous, it is very difficult, and in many cases impossible, for all to meet together to regulate the affairs of the state; hence comes the necessity of appointing delegates to represent the people in a general assembly. And this ought to be looked upon as a sacred and inalienable right, of which a people cannot justly divest themselves, and which no human authority can in equity ever take from them, viz., that no one be obliged to submit to any law except such as are made either by himself or by his representative.

If representation and legislation are inseparably connected, it follows, that when great numbers have emigrated into a foreign land, and are so far removed from the parent state that they neither are or can be properly represented by the government from which they have emigrated, that then nature itself points out the necessity of their assuming to themselves the powers of legislation; and they have a right to consider themselves as a separate state from the other, and, as such, to form themselves into a body politic.

In the next place, when a people find themselves cruelly oppressed by the parent state, they have an undoubted right to throw off the yoke, and to assert their liberty, if they find good reason to judge that they have sufficient power and strength to maintain their ground in defending their just rights against their oppressors; for, in this case, by the law of self-preservation, which is the first law of nature, they have not only an undoubted right, but it is their indispensable duty, if they cannot be redressed any other way, to renounce all submission to the government that has oppressed them, and set up an independent state of their own, even though they may be vastly inferior in numbers to the state that has oppressed them. When either of the aforesaid cases takes place, and more especially when both concur, no

rational man, I imagine, can have any doubt in his own mind whether such a people have a right to form themselves into a body politic, and assume to themselves all the powers of a free state. For, can it be rational to suppose that a people should be subjected to the tyranny of a set of men who are perfect strangers to them, and cannot be supposed to have that fellow-feeling for them that we generally have for those with whom we are connected and acquainted; and, besides, through their unacquaintedness with the circumstances of the people over whom they claim the right of jurisdiction, are utterly unable to judge, in a multitude of cases, which is best for them?

It becomes me not to say what particular form of government is best for a community,--whether a pure democracy, aristocracy, monarchy, or a mixture of all the three simple forms. They have all their advantages and disadvantages, and when they are properly administered may, any of them, answer the design of civil government tolerably. Permit me, however, to say, that an unlimited, absolute monarchy, and an aristocracy not subject to the control of the people, are two of the most exceptionable forms of government: firstly, because in neither of them is there a proper representation of the people; and, secondly, because each of them being entirely independent of the people, they are very apt to degenerate into tyranny. However, in this imperfect state, we cannot expect to have government formed upon such a basis but that it may be perverted by bad men to evil purposes. A wise and good man would be very loth to undermine a constitution that was once fixed and established, although he might discover many imperfections in it; and nothing short of the most urgent necessity would ever induce him to consent to it; because the unhinging a people from a form of government to which they had been long accustomed might throw them into such a state of anarchy and confusion as might terminate in their destruction, or perhaps, in the end, subject them to the worst kind of tyranny.

Having thus shown the nature, end, and design of civil government, and pointed out the reasons why subjects are bound to obey magistrates,--viz., because in so doing they both consult their own happiness as individuals, and also promote the public good and the safety of the state,--I proceed, in the next place, to show that the same principles that oblige us to submit to civil government do also equally oblige us, where we have power and ability, to resist and oppose tyranny; and that where tyranny begins government ends. For, if magistrates have no authority but what they derive from the people; if they are properly of human creation; if the whole end and design of their institution is to promote the general good, and to secure to men their just rights,--it will follow, that when they act contrary to the end and design of their creation they cease being magistrates, and the people which gave them their authority have the right to take it from them again. This is a very plain dictate of common sense, which universally obtains in all similar cases; for who is there that, having employed a number of men to do a particular piece of work for him, but what would judge that he had a right to dismiss them from his service when he found that they went directly contrary to his orders, and that, instead of accomplishing the business he had set them about, they would infallibly ruin and destroy it? If, then, men, in the common affairs of life, always judge that they have a right to dismiss from their service such persons as counteract their plans and designs, though the damage will affect only a few individuals, much more must the body politic have a right to depose any persons, though appointed to the highest place of power and authority, when they find that they are

unfaithful to the trust reposed in them, and that, instead of consulting the general good, they are disturbing the peace of society by making laws cruel and oppressive, and by depriving the subjects of their just rights and privileges. Whoever pretends to deny this proposition must give up all pretence of being master of that common sense and reason by which the Deity has distinguished us from the brutal herd.

As our duty of obedience to the magistrate is founded upon our obligation to promote the general good, our readiness to obey lawful authority will always arise in proportion to the love and regard that we have for the welfare of the public; and the same love and regard for the public will inspire us with as strong a zeal to oppose tyranny as we have to obey magistracy. Our obligation to promote the public good extends as much to the opposing every exertion of arbitrary power that is injurious to the state as it does to the submitting to good and wholesome laws. No man, therefore, can be a good member of the community that is not as zealous to oppose tyranny as he is ready to obey magistracy. A slavish submission to tyranny is a proof of a very sordid and base mind. Such a person cannot be under the influence of any generous human sentiments, nor have a tender regard for mankind.

[...]

15

Equality

[Volume 1, Page 555]

CHAPTER 15 | Document 48**James Wilson, Of Man, as a Member of Society, Lectures on Law**1791 *Works 1:240--41*

In civil society, previously to the institution of civil government, all men are equal. Of one blood all nations are made; from one source the whole human race has sprung.

When we say, that all men are equal; we mean not to apply this equality to their virtues, their talents, their dispositions, or their acquirements. In all these respects, there is, and it is fit for the great purposes of society that there should be, great inequality among men. In the moral and political as well as in the natural world, diversity forms an important part of beauty; and as of beauty, so of utility likewise. That social happiness, which arises from the friendly intercourse of good offices, could not be enjoyed, unless men were so framed and so disposed, as mutually to afford and to stand in need of service and assistance. Hence the necessity not only of great variety, but even of great inequality in the talents of men, bodily as well as mental. Society supposes mutual dependence: mutual dependence supposes mutual wants: all the social exercises and enjoyments may be reduced to two heads--that of giving, and that of receiving: but these imply different aptitudes to give and to receive.

Many are the degrees, many are the varieties of human genius, human dispositions, and human characters. One man has a turn for mechanicks; another, for architecture; one paints; a second makes poems; this excels in the arts of a military; the other, in those of civil life. To account for these varieties of taste and character, is not easy; is, perhaps, impossible. But though their efficient cause it may be difficult to explain; their final cause, that is, the intention of Providence in appointing them, we can see and admire. These varieties of taste and character induce different persons to choose different professions and employments in life: these varieties render mankind mutually beneficial to each other, and prevent too violent oppositions of interest in the same pursuit. Hence we enjoy a variety of conveniences; hence the numerous arts and sciences have been invented and improved; hence the sources of commerce and friendly intercourse between different nations have been opened; hence the circulation of truth has been quickened and promoted; hence the operations of social virtue have been multiplied and enlarged.

Heaven, forming each on other to depend, Bids each on other for assistance call, 'Till one man's weakness grows the strength of all. Wants, frailties, passions closer still ally The common interest, or endear the tie: To these we owe true friendship, love sincere, Each home-felt joy, that life inherits here.

[Pope, *Essay on Man*]

[Volume 1, Page 556]

How insipidly uniform would human life and manners be, without the beautiful variety of colours, reflected upon them by different tastes, different tempers, and different characters!

But however great the variety and inequality of men may be with regard to virtue, talents, taste, and acquirements; there is still one aspect, in which all men in society, previous to civil government, are equal. With regard to all, there is an equality in rights and in obligations; there is that "jus aequum," that equal law, in which the Romans placed true freedom. The natural rights and duties of man belong equally to all. Each forms a part of that great system, whose greatest interest and happiness are intended by all the laws of God and nature. These laws prohibit the wisest and the most powerful from inflicting misery on the meanest and most ignorant; and from depriving them of their rights or just acquisitions. By these laws, rights, natural or acquired, are confirmed, in the same manner, to all; to the weak and artless, their small acquisitions, as well as to the strong and artful, their large ones. If much labour employed entitles the active to great possessions, the indolent have a right, equally sacred, to the little possessions, which they occupy and improve.

As in civil society, previous to civil government, all men are equal; so, in the same state, all men are free. In such a state, no one can claim, in preference to another, superiour right: in the same state, no one can claim over another superiour authority.

The Founders' Constitution

Volume 1, Chapter 15, Document 48

<http://press-pubs.uchicago.edu/founders/documents/v1ch15s48.html>

The University of Chicago Press

The Works of James Wilson. Edited by Robert Green McCloskey. 2 vols. Cambridge: Belknap Press of Harvard University Press, 1967.

John Adams, Letter to the Abbe de Mably, 15 January 1783 (excerpt)

Let me close this Letter, Sir, by giving you a Clue to the whole Mistery. There is a general Analogy, in the Governments and Characters of all the thirteen States: But as the Controversy and the War, began in the Massachusetts Bay, the principal Province of New England, their Institutions had the first operation. Four of those Institutions, Should be Studied and fully examined by any one, who would write with any Intelligence upon the Subject because they produced the decisive Effect, not only by the first decisions of the Controversy in publick Councils, and the first determinations to resist in Arms, but by Influencing the Minds of the other Colonies to follow their Example and to adopt, in a greater or less degree the Same Institutions and Similar Measures.

The four Institutions intended are, 1. the Towns. 2. The Churches. 3. The Schools. and 4. the Militia.⁸

1. The Towns are certain Pieces of Land or Districts of Territory, into which the Massachusetts Bay, Connecticut, New Hampshire and Rhode Island are divided.— Each Town contains upon an Average Six miles or two Leagues Square. The Inhabitants who live within its Limits are erected by Law into a Corporation or Body Politick and are vested with certain Powers and Priviledges, Such as repairing the Roads, maintaining the Poor, choosing the Select Men Constables Collectors of Taxes, and other Officers, and above all their Representatives in the Legislature; and that of Assembling, whenever warned to it by their select Men, in Town Meeting to deliberate upon the publick affairs of the Town, or to instruct their Representatives. The Consequence of this Institution has been, that all the Inhabitants have acquired from their Infancy, an Habit of debating, deliberating and judging of public Affairs. it was in these Town Meetings that the Sentiments of the People were first formed, and their Resolutions taken from the Beginning to the End of this Controvesy and War.

2. The Churches are the religious Societies, which comprehend the whole People. each Town composes one Parish and one Church at least. most of them have more than one, and many of them Several. Each Parish has a Meeting house and a Minister, Supported at its own Expencc. The Constitutions of the Churches are extreemly popular and the Clergy have little Authority or Influence, except such as their own Piety, Virtues and Learning naturally give them. They are chosen by the People of the Parish and ordained by the neighbouring Clergy. They all marry and have families, and live with their Parishes in mutual Friendship and good Offices. They visit the sick are charitable to the Poor, attend all Marriages & Funerals and preach, twice on every sunday. The least Reproach to their moral Character, ruins their Influence and forfeits their Livings, so that they are a wise virtuous and pious set of Men. Their sentiments are generally popular and they are zealous Friends of Liberty.

3. The Schools are in every Town. By an early Law of the Colony, every Town consisting of Sixty Families, is obliged, under a Penalty to maintain constantly a School House and a school Master, who teaches Reading, Writing Arithmetick and the Rudiments of Latin and Greek. To this public school the Children of all the Inhabitants poor as well as rich, have a Right to go. In these Schools are formed schollars for the Colleges at Cambridge New Haven, Warwick⁹ and Dartmouth, and in those Colledges are educated, Masters for the schools, Ministers for the Churches, Practitioners in Law and Physick, and Magistrates and officers for the Government of the Country.

4. The Militia comprehends the whole People.— By the Law of the Land every Male Inhabitant between Sixteen and Sixty Years of Age is enrolled in a Company and a Regiment of Militia, compleatly organized with all its officers, is obliged to keep at his own Expencc constantly in his House, a Firelock in good order, a Powder Horn with a Pound of Powder, twelve Flynts four and Twenty Bullets, a Cartouch Box and an Havresack.—so that the whole Country is ready to march for their Defence at a short Warning. The Companies and Regiments are obliged to assemble certain Times of the Year, at the Command of their Officers, for the View of their Arms and Ammunition and to go through the military Exercises.

Thus, Sir you have a Brief Sketch of the four Principal Sources of that Wisdom in Council, and that skill and Bravery in War, which have produced the American Revolution and which I hope will be Sacredly preserved as the foundations of a free, happy and prosperous People.

If there is any other Particular in which I can give you any Information, you will do me a favour to mention it.

With very great Esteem I have the Honour to be, sir your most obedient and most humble servant

SOURCE: Teaching American History

<https://teachingamericanhistory.org/library/document/letter-to-roger-c-weightman/>

Letter to Roger C. Weightman
Thomas Jefferson | June 24, 1826

[*This is an abridged version of the document.*]

Monticello

RESPECTED SIR, — The kind invitation I receive from you, on the part of the citizens of the city of Washington, to be present with them at their celebration of the fiftieth anniversary of American Independence, as one of the surviving signers of an instrument pregnant with our own, and the fate of the world, is most flattering to myself, and heightened by the honorable accompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoicings of that day. But acquiescence is a duty, under circumstances not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged there congratulations personally with the small band, the remnant of that host of worthies, who joined with us on that day, in the bold and doubtful election we were to make for our country, between submission or the sword; and to have enjoyed with them the consolatory fact, that our fellow citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all), the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them. ...

Source: *Thomas Jefferson: Writings*, ed. Merrill D. Peterson (New York: Library of America, 1984), 1516-1517.