



Is it Time for a New Declaration of Independence?

This author has questioned whether the permission for the absolute abuse of power soon to be codified as part of the National Defense Authorization Act is not a greater act of tyranny than any perpetrated by George III that precipitated the waging of America's war for independence.

The "long train of abuses" of which Britain's crown was accused are enumerated in the Declaration of Independence. This historic indictment of King George III was penned principally by Thomas Jefferson and was laid out in a manner both methodical and lyrical. It stood on the rooftops and decried for the all the world to hear the despotic measures levied against the American colonies by the government of Great Britain.



As our own modern government passes one after the other laws eroding the bedrock of freedom upon which our Republic was built after the successful waging of the war against English oppression, the specific examples of the abuse of power cited in the Declaration of Independence may prove prophetic and may help to enlighten 21st-century Americans and embolden them in their efforts to restore liberty and the constitutional boundaries of government.

To this end, several organizations have been founded that seek to cause the drafting of a second document that would declare our independence from a federal authority that has grown unwieldy, unaccountable, and unchecked in its exercise of unconstitutional power.

[One such group](#), for example, states on its website that "the actions of our government have created a moral and Constitutional crisis that demands a response from the people."

[Another party](#) echoes that sentiment, proclaiming that present-day Americans "have patiently suffered mounting government outrages against us — lies, corruption, legal plunder and terror. We have waited in despair for reforms and redress, but the outrages have only gotten worse. We can now wait no longer. The fundamental rights of 'We the People' must be restored now."

What of these claims? That the federal government has behaved unconstitutionally is beyond debate. Equally, few would sensibly argue that the borders of freedom have not been invaded repeatedly by bureaucratic regulations masquerading as laws.

But the threshold question when one ponders the necessity of a second Declaration of Independence is, have these actions risen to a level that our Founding Fathers believed justified the dissolution of "the political bands" that bound them to the government of Great Britain?

To illuminate the matter a bit, one might consider the following three charges against George III contained in the original Declaration of Independence and the accompanying contemporary examples of similarly suspect suppressions of America's God-given liberty as committed by her own leaders.



1. “He has refused to Assent to Laws”:

King George III was hereby accused of ignoring the constitution of Great Britain by taking from the American colonists the right to be represented in the legislature and by imposing his autocratic will on all who would not accede to the decrees made in the name of controlling the empire. Rights afforded all Englishmen since the days of the Magna Carta were summarily stripped from Americans and their ability to nullify such actions through the appeal to local governments was denied by the abolition of those colonial councils.

In our own day, we have witnessed an unsettling, albeit unofficial repeal of the protections mandated by the Fourth Amendment. Witness these words from a judge on the bench of the Indiana Supreme Court [in a case regarding the right of law enforcement to enter a home without a warrant](#):

We believe ... a right to resist an unlawful police entry into a home is against public policy. We also find that allowing resistance unnecessarily escalates the level of violence and therefore the risk of injuries to all parties involved without preventing the arrest.

Also, the cases where agents of the TSA have illegally searched and humiliated airline passengers are published on a near daily basis. For example, [the story of a young woman](#)

who along with her child was sexually assaulted by TSA staff after refusing to go through a naked body scanner, has gone viral on the Internet after it was picked up by the Drudge Report, a website leading the charge in the backlash against airport oppression at the hands of the TSA that has now led to the world’s largest pilot’s association boycotting the use of naked body scanners.

Such displays of inhumanity and totalitarianism were not unknown to our colonial ancestors. They toiled for years under the yoke of government oppression of liberty before finally throwing it off and declaring their independence from the oppressors.

2. “He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people and eat out their substance.”

So prevalent in today’s society are examples of this complaint taken from Jefferson’s indictment of the crown that it almost needs no recitation of modern re-enactments.

Read the story of [Mike and Chantell Sackett](#) who were forbidden by the Environmental Protection Agency from building their dream home on their own lot because it was suspected of being a federally protected wetland.

Representatives of the EPA informed the Sacketts that every day they failed to conform to the mandates of the order they would be fined \$32,500. Furthermore, applicable EPA regulations prohibited the family from challenging the agency’s compliance order in court.

And, what of the [proliferation of regulations designed to ensure the safety of the food supply](#)? The federal Food and Drug Administration has assumed the right to dictate to Americans what they may and may not legally eat and drink. FDA code states that Americans are only “allowed” to eat or drink those substances granted prior approval by the agency. The right to consume any food not declared “safe” by the FDA has been abolished and violations of the regulations will be punished by the imposition of severe fines.

3. “depriving us in many cases of the benefits of Trial by Jury”:

Both houses of the Congress of the United States recently passed the aforementioned [National Defense](#)



Written by [Joe Wolverton, II, J.D.](#) on December 22, 2011

[Authorization Act](#) (NDAA), a bill that gives the President the absolute power to arrest and detain citizens of the United States without their being informed of any criminal charges, without a trial on the merits of those charges, and without a scintilla of the due process safeguards protected by the Constitution of the United States.

Further, it unlawfully affords the President the absolute and unquestionable authority to deploy the armed forces of the United States to apprehend and to indefinitely detain those suspected of threatening the security of the "homeland."

This last provision of the NDAA smacks of another Declaration-worthy abuse, namely that of "waging war against us" and the use of the military to "complete the works of death, desolation, and tyranny."

The preceding are a few of the scores of examples that could be provided of ways in which our government has ceased being the servant of the people and has instead become their cruel master. In the words of Thomas Jefferson: "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."



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