The Declaration of Independence, Annotated

By Thomas Jefferson and Timothy Sandefur

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. To secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the
forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

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.

But see Dennis v. United States, 341 U.S. 494, 549 (1951) (Frankfurter, J., concurring) (“Of course no government can recognize a ‘right’ of revolution . . . .”).


But see Vieth v. Jubelirer, 541 U.S. 267, 277 (2004) (holding that political
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 harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies

gerrymandering is a problem “entrusted to one of the political branches or involves no judicially enforceable rights.”

23 But see Guinn v. Leg. of the State of Nev., 71 P.3d 1269, 1272 (Nev. 2003) (granting governor’s petition for a writ of mandamus and instructing legislature to disregard 2/3 majority requirement for tax increases).


25 See also John C. Eastman & Timothy Sandefur, The Senate Is Supposed to Advise and Consent, Not Obstruct and Delay, 7 NEXUS 11 passim (2002) (describing Senate’s refusal to hold hearings on judicial nominees).

26 But see Humphrey’s Ex’r v. United States, 295 U.S. 602, 631-32 (1935) (holding that the President’s removal power over independent administrative agencies is constitutional).


without the Consent of our Legislature.  

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,

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:

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30 But see Campbell v. Clinton, 203 F.3d 19, 20-21 (D.C. Cir. 2000) (finding that the congressmen lacked standing to enjoin the President from sending troops to Yugoslavia without congressional approval); Berk v. Laird, 429 F.2d 302, 304-06 (2d Cir. 1970) (questioning the U.S.'s authority to engage in Vietnam war without Declaration of War is political question beyond court's power to determine).


32 See, e.g., Nat'l Cable Television Ass'n Inc. v. United States, 415 U.S. 336, 352-53 (1974) (Marshall, J., concurring in part and dissenting in part) ("The notion that the Constitution narrowly confines the power of Congress to delegate authority to administrative agencies, which was briefly in vogue in the 1930's, has been virtually abandoned by the Court for all practical purposes...."); see also Tara L. Branum, President or King? The Use and Abuse of Executive Orders In Modern-Day America, 28 J. LEGIS. 1, 5-6, 9-10 (2002) (arguing that the executive branch is wrongly embracing qualities of the lawmaking branch, and Congress should "assert its authority to restore the separation of powers intended by the Framers of our Constitution").


34 But see United States v. Lewis, 728 F. Supp. 784, 789 (D.D.C. 1990), rev'd, 921 F.2d 1294 (D.C. Cir. 1990) ("In this 'anything goes' war on drugs, random knocks on the doors of our citizens' homes seeking 'consent' to search for drugs cannot be far away. This is not America. In my opinion, the Fifth Amendment to the Constitution is transgressed when police officers engage in a concerted planned program that involves random indiscriminate stopping, questioning, and searching individuals with the clear purpose to obtain from their lips and their bodies information and evidence that would incriminate them."); United States v. Cothran, 729 F. Supp. 153, 157 (D.D.C. 1990), rev'd, 921 F.2d 1294 (D.C. Cir. 1990) ("[P]resent police practices in furtherance of the 'war on drugs' represent, in modern sophisticated dress, the same type of government behavior that led to this nation's war of independence.").

35 But see Idaho v. Horiuchi, 215 F.3d 986, 988 (9th Cir. 2000), vacated as moot, 266 F.3d 979 (9th Cir. 2001) (ruling that immunity prevented prosecution of federal law enforcement officials for murders that took place while employed); Andrade v. Chojnacki, 65 F. Supp. 2d 431, 452 (W.D. Tex. 1999) (holding that public officials are entitled to qualified immunity so long as his/her conduct does not violate any clearly established statutory or constitutional law); Andrade v. United States, 116 F. Supp. 2d 778, 788 (W.D. Tex. 2000) (holding that the discretionary function exception bars suit for excessive force in attack on Waco compound which resulted in numerous deaths).

For imposing Taxes on us without our Consent: 37
For depriving us in many cases, of the benefits of Trial by Jury: 38
For transporting us beyond Seas to be tried for pretended offenses: 39
For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: 40
For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government: 41
For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever: 42
He has abdicated Government here, by declaring us out of his Protection and waging War against us: 43
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
endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention 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.

JOHN HANCOCK