

The King had "obstructed the Administration of Justice," "made judges dependent on his Will alone" and deprived the people "of the benefits of trial by Jury," much as the Bush Administration has largely removed the judiciary from monitoring the actions of the Executive; closed immigration hearings from public scrutiny; eavesdropped on confidential communications between attorneys and their clients; and detained indefinitely, citizens and non-citizens alike, without charging them with any crimes, without affording them access to legal counsel and without presenting evidence against them at a trial by jury.

The King had "affected to render the Military independent of and superior to the Civil Power," as the Bush Administration, without consulting Congress, let alone obtaining its approval, has created Military Commissions to secretly try non-citizens, without affording them all the rights guaranteed by the Constitution, the Code of Military Justice and international law, and has transferred suspects from the civilian criminal justice system into indefinite military incarceration.

The King had taken away "our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments," much as the Bush Administration has taken away or altered the rule of law, separation of powers, checks and balances, the authority of Congress to declare war, the independence of the judiciary, the right to dissent, the right to associate with others free of government surveillance, the right to public trials, the right to trial by jury, the presumption of innocence, the right to remain silent, the right of Habeas Corpus and the right of meaningful appeal.

It is chilling to catalogue some, and yet not all, of the usurpations and abuses visited upon the people by the Bush Administration in less than a year since the 9/11.

THE PURSUIT OF HAPPINESS

If all men, and women, are created equal, and are entitled to Life, Liberty and the pursuit of Happiness, how can it be that 226 years after the Declaration of Independence, America has become the richest nation in the world but has the greatest disparity of wealth in the entire industrialized world? In the United States today, the wealthiest one percent of the population owns more than the bottom 95 percent combined.

Sixteen percent of children in America live in poverty. The wages of American workers over the last quarter century have remained flat or declined. Families who have been able to improve their standard of living have done so almost entirely because women have entered the work force. Households now depend on two wage earners. Today, child care, home management, cooking, shopping, etc. are not part of the work day, but in addition to it.

And workers are working more hours than ever. A Harvard study discovered that the average American works an additional 163 hours, or one month a year more than workers did in 1969.

That the rich get richer is a cliché because it is so true. Capitalism depends on capital and the system generously rewards those who have it, in contrast to those who don't, and must rely solely on their personal labor to support themselves and their families.

Two mechanisms which tend to redistribute wealth and mitigate

against its concentration are taxes and government spending on social welfare programs. Yet, with the exception of a Clinton tax increase on the wealthy in 1993, every major tax change since 1978 (during which Republicans Ronald Reagan, George Bush and George W. Bush were presidents a majority of the time) redistributed wealth upward, with larger tax breaks going to the wealthy than ordinary taxpayers. Meanwhile, non-progressive social security taxes for federally-funded pensions and Medicare for health care for senior citizens cut into the paychecks of working people.

Most recently, under President Bush's huge tax cut, the wealthiest one percent of the population will enjoy 52 percent of the tax benefits when the cuts are fully operative. In the next ten years, Bush's new tax plan will direct \$500 billion—that's billion—that would otherwise fund much-needed social programs—into the bank accounts of those earning \$375,000 or more a year.

Meanwhile, with the minimum wage at a paltry, non-livable \$5.15 an hour, Business Week reports that the CEO's of large corporations earn, in salary and other compensation, 500 times what their average workers make. In other words, the executives make, in slightly over half a day, what their workers earn in an entire year.

Since 1979, the minimum wage, adjusted for inflation, has dropped 21 percent. Meanwhile, whereas in 1980, CEOs made 45 times as much as their workers (itself an astounding disparity), last year CEOs made 531 times what their workers made.

Hopefully, this barrage of deplorable statistics doesn't obscure the essential reality that in America today, the privileged few are pursuing a lot more Happiness than everyone else.

As we commemorate the Declaration of Independence, the Declaration of the Rights of Man and the Citizen, the Declaration of the Rights of Women, we should measure how close we have come to the ideal vision of equal rights and justice and how far we have strayed from that vision.

Ironically, in the last ten months, in the name of protecting freedom we have become less free; in the name of protecting constitutional rights, we enjoy fewer of them and in the name of defending human rights around the world, those rights are at greater risk.

Equality, justice and independence can no longer be simply declared one nation at a time. The world is too small for that. The inter-dependence of the world's people is beyond question. Through renewed dedication to international law and institutions, including the newly constituted International Criminal Court (from which tragically the U.S. has withdrawn), we can achieve, not for a few nations, but for all people around the world, Life, Liberty and the pursuit of Happiness.

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Religious communities must stop blessing war...

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A CALL FOR A NEW DECLARATION OF INTER-DEPENDENCE

By Stephen F. Rohde

In the summer of 1775, American revolutionaries, including Thomas Jefferson, John Adams and Benjamin Franklin, believing that "a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation" from Great Britain, wrote the Declaration of Independence.

In the summer of 1789, French revolutionaries, led by Marquis de Lafayette, believing that "the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments," wrote the Declaration of the Rights of Man and of the Citizen.

In the summer of 2002, citizens of the world, believing that what is done in one part of the globe affects all the rest, whether to wage war or to insure peace; to protect the environment or to despoil it; to improve the lives, wages and working conditions of the people who grow our food and make our goods or to exploit those workers for the sake of greed and profit; to educate every child or to consign them to ignorance and illiteracy; to provide quality health care or to ignore illness and disease; to encourage self-determination and political independence or to subjugate and oppress people; and to protect and expand human rights or to violate personal liberties and individual freedoms, people everywhere must dedicate themselves to adopting and living by a new Declaration of Inter-Dependence.

DECLARATION OF INDEPENDENCE

As the War for Independence raged on, sparked by the Battle of Lexington and Concord on April 18, 1775, the Second Continental Congress resolved to set before the world the reasons that impelled the American colonies to rebel. On June 12, 1776, the Committee of Five, Jefferson, Adams, Franklin, Roger Sherman and Robert R. Livingston delegated to Jefferson the task of writing the first draft of a Declaration of Independence.

Jefferson hardly wrote on a blank slate. By then, throughout America almost one hundred resolutions and instructions had been issued by various states, counties, towns, grand juries and private and quasi-public groups, enumerating the serious injuries visited upon the American colonies by King George III and calling for independence from Great Britain. Jefferson succeeded in bringing together all of these revolutionary ideas and on July 4, the

Congress adopted the final edited version of the Declaration.

Contrary to popular belief, the Declaration was not signed by all members on July 4. John Hancock, as President of the Congress and Charles Thomas, as Secretary, signed it that day. A month later, on August 2, most of the other members signed and a few still later.

The Declaration of Independence boldly declared that "all men are created equal," yet we know that many of the Founders, including Jefferson, George Washington and James Madison, owned slaves. We know that the rights of "Life, Liberty and the pursuit of Happiness," were fully enjoyed only by propertied white males and were denied to women, blacks, Native Americans and the poor. These contradictions, embedded in the Declaration, would not be cured by the

Constitution ratified in 1789 or the Bill of Rights ratified in 1791. It would take a bloody Civil War and several more amendments to the Constitution to begin to extend these fundamental rights to all of those excluded in 1776.

Yet, despite its hypocrisy, the Declaration of Independence is an aspiration document, expressing the ideals of equality and liberty, setting a standard for every leader and every person in this country. Yet the Declaration will remain little more than a compendium of platitudes unless it is matched by the genuine conviction of every person in America to join in the unfinished task of building a society – indeed a world – based on peace, tolerance, compassion, equality and justice.



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DECLARATION OF THE RIGHTS OF MAN AND OF THE CITIZEN

The year that the U.S. Constitution was ratified and the Bill of Rights was adopted, in France the forces of revolution were in the rise. In May, 1789, the Estates-General, composed of the First Estate (clergy), Second Estate (nobles) and Third Estate (others), debated the future of France. On June 17, members of the Third Estate, claiming they represented the whole of the country, took the law into their own hands and renamed themselves the National Assembly. On June 20, in the famous "Tennis Court Oath," they resolved that despite any edict from King Louis XVI to dissolve them, they would continue to meet "until the constitution of the realm is established."

On July 14, 1789, the Paris masses, suffering severe deprivation, with grain prices at an all time high, stormed the state prison at the Bastille and captured that symbol of royal oppression.

For months, local assemblies throughout France had prepared lists of grievances against the Crown, many of which appealed for a declaration of rights. This spontaneous outpouring was remarkably similar to what had occurred in America preceding the Declaration of Independence.

The National Assembly, under the leadership of the Marquis de Lafayette, and with the advice of Thomas Jefferson, set about to write a constitution that would put an end to the absolutist monarchy of the Bourbons.

The preamble to that Constitution, the Declaration of the Rights of Man and of the Citizen, was approved on August 4 and finally adopted on August 26, 1789. Under pressure from the Assembly and the people, who had marched defiantly to Versailles, Louis XVI ratified the Declaration on October 5, 1789. The Constitution itself was not adopted until 1791.

The Declaration of the Rights of Man and of the Citizen, although inspired by the Declaration of Independence, serves more the function of Bill of Rights, in that aside from a one paragraph preamble, it lists in 17 brief and numbered Articles, a series of rights expressed in positive terms (as in the Bill of Rights) instead of grievances against the King, expressed as complaints (as in the Declaration of Independence).

As the "representatives of the French people, organized as a National Assembly, believing that the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments," the Declaration of the Rights of Man declares "the natural, unalienable, and sacred rights of man in order that this declaration, being constantly before all the members of the Social body, shall remind them continually of their rights and duties," so that acts of legislative and executive power may be judged against these rights and that "the grievances of the citizens, based hereafter upon simple and incontestable principles, shall tend to the maintenance of the constitution and rebound to the happiness of all." Thereafter, the National Assembly recognized and enumerated certain "rights of man and of the citizen."

The first Article begins with the declaration that "Men are born and remain free and equal in rights," followed by the statement that "Social distinctions may be founded only upon the general good."

The Declaration proceeds to declare the following rights:

that the "aim of all political association is the preservation of the natural and imprescriptable rights of man," which are "liberty, property, security and resistance to oppression;

that "all sovereignty resides essentially in the nation;"

that "Liberty consists in the freedom to do everything which injures no one else;"

that "Law can only prohibit such actions as are hurtful to society;"

that "every citizen has a right to participate personally, or through his representative" in the foundation of the law;

that "all citizens being equal in the eyes of the law, are equally eligible to all dignities and to all public positions and occupations, according to their abilities, and without distinction except that of their virtues and talent;"

that "no person shall be accused, arrested, or imprisoned except in the cases and according to the forms prescribed by law;"

that "no one shall suffer punishment except it be legally inflicted in virtue of a law passed and promulgated before the commission of the offense;"

that "all persons are held innocent until they shall have been declared guilty;"

that no one "shall be disquieted on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law;"

that the "free communication of ideas and opinions is one of the most precious of the rights of man;"

that every citizen "may, accordingly speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law;"

that the "security of the rights of man and of the citizen requires public military forces" which are "established for the good of all and not for the personal advantage of those to whom they shall be intrusted;"

that a "common contribution" which is "equitably distributed among all the citizens in proportion to their means" is "essential for the maintenance of the public forces and for the cost of administration;"

that "Society has the right to require of every public agent an account of his administration;"

that a "society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all;" and

that since "property is an inviolable and sacred right, no one shall be deprived thereof except where public necessity, legally determined, shall clearly demand it, and then only on condition that the owner shall have been previously and equitably indemnified."

Tragically, it would be only a few years before these lofty principles would be cast aside during the Terror from 1793 to 1794, when a group of radicals seized power and acting under the Committee of Public Safety, executed around 16,000 people by the guillotine.

One victim, Olympe de Gouges, a butcher's daughter, had emerged as one of the most outspoken and articulate female revolutionaries. Challenging the inferiority of women presumed by the draftsmen of the Declaration of the Rights of Man, in 1791, de Gouges wrote a passionate Declaration of the Rights of Women.

It is filled with urgent commands and questions. "Women wake up;" "discover your rights;" "Oh, women, women! When will you cease to be blind?" "What advantage have you received from the Revolution?" and "Regardless of what barriers confront you, it is in your power to free yourselves; you have only to want to . . ."

Calling marriage "the tomb of trust and love," de Gouges' Declaration offered instead a "Social Contract Between Man and Woman," laying out each party's respective rights and duties.

In closing, she offers "a foolproof way to elevate the soul of women." It is "to join them all to the activities of man, if man persists in finding this way impractical, let him share his fortune with woman, not at his caprice, but by the wisdom of law."

De Gouges' liberating manifesto was a century and a half ahead of her time and she suffered for it. Charged with treason during the rule of the National Convention, Olympe de Gouges was quickly arrested, tried, convicted and on November 3, 1793, executed by the guillotine.

THE STRUGGLE CONTINUES

The struggle for equality, by women, people of color, other minorities and the poor, continues to this day, despite all the Declarations ever written, wherever and whenever governments acting under color of law or societies acting under social conventions and ancient prejudices, subject oppressed peoples and groups to abuse, discrimination, slavery, impoverishment, oppression and death.

The work begun by these Declarations in the United States, France and other nations, some centuries old, others of recent vintage and many still to be written, is far from finished. These Declarations are mere blueprints. Some foundations have been built. Some framing has been accomplished. But no permanent home for peace and justice in the world has yet been completed.

In the midst of the current "War on Terrorism", where the Bush Administration is exceeding its powers under the Constitution, ignoring and undermining the separate and equal powers of Congress and the judiciary and violating personal liberties, it is wise to recall the words of the Declaration of Independence and particularly the bill of indictment leveled against King George III.

The Preamble, in its oft-repeated words, declared that all men (which we today take to mean "all people") are "created equal" and enjoy the "unalienable Rights" to "Life, Liberty, and the pursuit of Happiness." Less well-known are the words that immediately follow, which declare that Governments are instituted "to secure these rights." That is the first purpose for governments – to secure the right to Life, Liberty, and the pursuit of Happiness. All that

Governments do must be judged against that primary purpose.

But the Preamble says more about the relationship between the people and their Government. It declares that Governments derive "their just powers from the consent of the governed." No power which Government purports to exercise is just or legitimate until the people have consented to grant that power to the Government.

Consequently, Governments are not sovereign, detached from the people, free to exercise any and all powers they choose, contrary to the will of the people. This fundamental principle would bear fruit thirteen years later in the Constitution and then in the Bill of Rights. It must be reaffirmed today as the Bush Administration exercises powers, domestically and internationally, to which neither the people nor their elected representatives have consented.

The Preamble does not merely declare that the Government is subservient to the people, but announces a revolutionary principle to enforce that fundamental doctrine. "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."

In 1776, this principle justified independence from Great Britain. Today, this principle justifies the demand that a Government that has become destructive of Life, Liberty and the pursuit of Happiness and a Government that has become destructive of the consent of the governed, must be altered or abolished and replaced by a new Government which is true to those ends and that will ensure our Safety and Happiness.

The Founders understood that a nation based on the consent of the people is entitled to be both Safe and Free. They understand that these are compatible, not irreconcilable, goals. When a Government ignores its people, violates their Rights at home and embarks on undeclared wars abroad, inviting retaliation and ever widening armed conflict, the people are neither Safe nor Free.

Today, neither the people nor their elected Congress have declared war on Iraq or any of the 60 countries which the Bush administration has targeted in its endless War on Terrorism. Yet our Government is actively making plans for these wars, which will unleash massive destruction around the world, risking chemical, biological and nuclear attacks and acts of violence everywhere, including the United States where the Government is duty bound to guarantee "Safety and Happiness."

Many of the injustices and abuses practiced by King George III against America as catalogued in the Declaration of Independence, echo down through the ages to our time. The King had "refused his Assent to Laws," which today includes the Constitution and the Bill of Rights, "the most wholesome and necessary for the public good." The King had "dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people," as today the Bush Administration has ignored the separate constitutional authority of Congress, even as we yearn for its members to break their silence and to more firmly oppose the invasions on the rights of the people.