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Grade 11

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## Life, Liberty, and the Pursuit of Happiness

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“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...”<sup>1</sup> These words, once penned by Thomas Jefferson himself, are more than the vain assertions of a country on the brink of a revolutionary war. These words are the birthright of a nation.

From the first wave of English settlers to the first shots of a crusade for independence, the American people did not hesitate to acknowledge what once was viewed as a rather radical idea: the theory that a human being, as an individual, is endowed with rights that cannot be stripped from him.<sup>2</sup> First proposed by the philosopher Locke, inalienable rights are the foundation and cornerstone of the American Constitution and perhaps the sole reason it has so long remained as a beacon of freedom, individuality, and equality.

By the time the founding fathers assembled for the second Continental Congress in preparation to draft the Declaration of Independence (US 1776), they had few illusions concerning the failings and unjust usurpations of the English government.<sup>3</sup> For years the colonists were forced to bear up under the weight of absurd taxes and wrongful laws forced upon them by the English.

When the time came for them to “...throw off such Government, and to provide new Guards for their future security” men such as John Jay, Thomas Jefferson, and Benjamin Franklin wanted to safeguard their new country from further despotism, while pursuing a form of government that merged a realistic view of human nature and an idealistic stance on the value of a human life.<sup>4</sup> Experienced and acutely intellectual, most were already familiar with Locke’s controversial *Second Treatise of Government* before they began to draft the Declaration of Independence.

English Common Law during the colonial times was considered to be some of the most just and impartial in existence, granting commoners the right to trial and preventing the king from seizing property without just cause. However, unlike the Declaration of Independence (and later the American Constitution) it placed little value upon the rights of an individual and instead viewed humans as subsidiaries to the king, able to be exploited for the benefit of the state. The

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<sup>1</sup> "The Declaration of Independence: A Transcription." *National Archives and Records Administration*. National Archives and Records Administration, n.d. Web. 11 Dec. 2015.

<sup>2</sup> Locke, John, and C.B. McPherson. *John Locke Second Treatise of Government*. Cambridge and Indianapolis: Hackett. 1980. Print.

<sup>3</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*. Harmondsworth: Penguin, 1987. Print.

<sup>4</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*. Harmondsworth: Penguin, 1987. Print.

American founding fathers rejected this mercantilist perspective entirely, viewing it as not only an ineffective form of government, but as morally repugnant.<sup>5</sup> Spurred on by Locke and other philosophers of the era, they did not hesitate in declaring what they believed to be the fundamental human rights: those of life, liberty, and the pursuit of happiness. This was perhaps the first political proclamation which guaranteed rights to an individual, not as a citizen, but as a human being. The Declaration of Independence is now recognized as the most pivotal American treatise due to its revolutionary merge of political theory and ethics.<sup>6</sup>

But why did the founders feel so strongly that all humans were entitled to these particular rights? Locke and the founding fathers would argue that any human who cannot live, be free, and pursue what he believes to be happiness (namely his rights to own property) has no rights at all. As Locke claimed, "All mankind... being all equal and independent, no one ought to harm another in his life, health, liberty or possessions."<sup>7</sup> Thomas Jefferson wanted to ensure that the citizens had an intricate government that protected the most basic rights of a human being which he believed would safeguard any other rights. The framers of the constitution had no difficulty accepting the fundamental principle that a human being, as an individual, is entitled to life. Life is endowed to man through birth, thus making the deprivation of such life a criminal offense.<sup>8</sup>

However, the other core principles might have been more difficult to acquiesce, had not the American colonists been so unjustly oppressed by the English. From the Mayflower Compact (signed in 1620) to the Declaration of Independence (signed in 1776), the colonists considered themselves to be self-governed Englishmen, entitled to all the same liberties as those born in England. However, when George III was crowned king in 1738, the colonists began to see disparities between the charter that England had sworn to uphold and the actual management of the colonies. After the French and Indian War, colonists who had recently fought and died for the crown were charged with paying off England's wartime expenses in the form of the Townshend Duties and the Stamp Act. Contrary to established English law, the primary purpose of the Townshend Duties was to raise revenue for the English government while the Stamp Act was the first internal tax on American goods.<sup>9</sup> Eventually, the English were forced to repeal these duties, but King George's pride had been gravely injured. Scarcely three years after the repeal of the Stamp Act, the English once again refused to acknowledge their own laws and gave British owned East India Tea Company a monopoly of the colonial tea market.<sup>10</sup> The colonists, convinced of their own correctness, refused to allow their liberties to be impeached. In protest, they staged the infamous Boston Tea Party. King George, well aware that he was infringing upon

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<sup>5</sup> Paine, Thomas, and Lynd Ward. *Rights of Man*. New York: Heritage, 1961. Print.

<sup>6</sup> Paine, Thomas, and Lynd Ward. *Rights of Man*. New York: Heritage, 1961. Print.

<sup>7</sup> Locke, John, and C.B. McPherson. *John Locke Second Treatise of Government*. Cambridge and Indianapolis: Hackett. 1980. Print.

<sup>8</sup> Locke, John, and C.B. McPherson. *John Locke Second Treatise of Government*. Cambridge and Indianapolis: Hackett. 1980. Print.

<sup>9</sup> Morison, Samuel Eliot. *The Oxford History of the American People*. New York: Oxford UP, 1965. Print.

<sup>10</sup> Morison, Samuel Eliot. *The Oxford History of the American People*. New York: Oxford UP, 1965. Print.

the colonists' liberty, responded with an act of war. He blockaded the Boston harbor, forced the colonists to quarter English soldiers, dismissed the colonial assemblies, and passed an act proclaiming that the thirteen colonies thenceforth could only trade with the British Empire.<sup>11</sup> Spurred on by blatant injustices, the colonists did not question that the liberty that they had so cherished was, and should always be, an inalienable right. The Continental Congress did not force the people to revolt, but their experience of true despotism compelled them to create a government that would not rob its citizens of their liberty.<sup>12</sup>

Perhaps the most recognizable example of this is Patrick Henry's noteworthy speech where he fearlessly swore, "Give me liberty or give me death."<sup>13</sup> This not only exemplifies the founders' determination, but their realization that liberty was well worth fighting for.

The last "inalienable" right is perhaps the most frequently ignored. The pursuit of happiness, in its traditional definition, seems to be less of an inalienable right and more of a human tendency. However, in a letter from James Madison to James Monroe, Madison further explains this right by noting, "...taking the word 'interest' as synonymous with 'ultimate happiness' ...qualified with every necessary moral ingredient, and the proposition is no doubt true. But taking it in its popular sense, as referring to the immediate augmentation of property and wealth, nothing can be more false."<sup>14</sup> The pursuit of happiness, by this definition, is the right to better oneself by pursuing virtue, education, and opportunity.

Today, we can live without fear that our government will cease to recognize us as intelligent, independent, and equal individuals, born to claim the natural rights to which our forefathers once died in pursuit. Life, liberty, and the pursuit of happiness are now much more than Locke's proposed inalienable rights. They are the pillars of a country, the birthright of a nation.

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<sup>11</sup> Morison, Samuel Eliot. *The Oxford History of the American People*. New York: Oxford UP, 1965. Print.

<sup>12</sup> Morison, Samuel Eliot. *The Oxford History of the American People*. New York: Oxford UP, 1965. Print.

<sup>13</sup> "Give Me Liberty Or Give Me Death." *Ushistory*. Independence Hall Association. n.d. Web. 11 Dec. 2015

<sup>14</sup> Adair, Douglass, and Mark E. Yellin. *The Intellectual Origins of Jeffersonian Democracy: Republicanism, the Class Struggle, and the Virtuous Farmer*. Lanham, MD: Lexington, 2000. Print.

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