

*jesuitically adopted by the King and his parasites, with a low papistical design of gaining an unfair bias on the credulous weakness of our minds.”*³

It seems, at least with our examples above, that His Majesty was the fashionable ideal of irresponsible power. Little doubt he was exactly who Jefferson and the other Fathers of our Nation had in mind when constructing our system of government. More to the point:

- The Founding Fathers *intended* to fashion the framework of our new nation to address the issues of irresponsible power, via the *Declaration of Independence* and *The Constitution of the United States*.
- The people of the United States, in considering ratification of the *Constitution*, insisted upon amendments to the *Constitution* in order to prevent any potential abuse of power by our new Congress (these amendments came to be known as the *Bill of Rights*).

The Declaration of Independence

Although it was not the first formal document signifying unity among the colonies in America, the *Declaration of Independence* was the most important document for this young country to date because it announced to the world that the colonies were independent from England.

The costly 1763 British-American victory in the French and Indian War left England heavily in debt. The Crown, anxious to heal their financial wounds, came to expect some remuneration from the colonies for their defense in the form of taxes.

³ Microsoft Corporation "Paine, Thomas", Microsoft © Encarta © Reference Library 2005. 2004. www.ushistory.org. *Thoughts on the Present State of American Affairs*. Retrieved July 14, 2005, from <http://www.ushistory.org/paine/commonsense/sense4.htm>.

Americans, outraged by the Stamp Act of 1765 in particular, doubted England's position that the colonists had "virtual representation" in England – that Parliament was protecting America's interests even though the Colonists themselves did not vote for members of the House of Commons. Although 1766 saw the repeal of the Stamp Act, it also saw the assertion of Parliament's absolute right to legislate for the Colonies:

*"That the said colonies and plantations in America have been, are, and of right ought to be, subordinate unto, and dependent upon the imperial crown and parliament of Great Britain; and that the King's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever... And be it further declared and enacted by the authority aforesaid, That all resolutions, votes, orders, and proceedings, in any of the said colonies or plantations, whereby the power and authority of the parliament of Great Britain, to make laws and statutes as aforesaid, is denied, or drawn into question, are, and are hereby declared to be, utterly null and void to all in purposes whatsoever."*⁴

Additional taxation acts followed, and tempers flared – history records The Boston Massacre of 1770 and the Boston Tea Party of 1773 among the products of American frustration – prior to the outbreak of full-scale war in 1775.

⁴ www.patriotresource.com. *The Patriot Resource Documents: Declaratory Act*, Retrieved July 18, 2005 from <http://www.patriotresource.com/documents/declact.html>.

Inspired by philosophers of the Enlightenment (among them: Thomas Paine), Thomas Jefferson drafted the *Declaration* in three major parts- the second of which was a list of grievances directed at King George III (*ibid*). The *Declaration* was an important first step in addressing the issues of irresponsible power, because Thomas Jefferson used it in part to *define* irresponsible power; it served as model and motivation for the United States to become what the Crown, as evidenced by the list of grievances, was *not*.

The Constitution of the United States

The Articles of Confederation, which was drafted in 1778 and went into effect in 1781, was in effect the first attempt at a constitution. Notably, it created a loose confederation of independent States – the United States of America – with a weak, unicameral Congress, requiring the assent of nine States to make law - and no judicial branch; it was designed in this manner *primarily because the States greatly feared a powerful central government* (such as to which they were subject under the Crown). With the great balance of power residing with the States, the central government became largely ignored. Six years later, in May of 1787, the Constitutional Convention met in Philadelphia to address the deficiencies of the Articles.

The Constitution of the United States, as ratified by the States in 1788, defines and assigns distinct powers to the Congress, a federal court system, and the office of the President in its first three articles. Each branch of government was assigned a specific responsibility: To Congress, the responsibility to create law; to the judicial branch, the responsibility to interpret the law; and to the executive branch, the responsibility to enforce the law.