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HISTORY

Liberty in America's Founding Moment: Doubts about Natural Rights in Jefferson's Declaration of Independence
Howard I. Schwartz
Other Ideas Press
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Four Stars (out of Five)

Many Americans don't realize that "the primary author of the Declaration had a different view of rights than is commonly ascribed to the Declaration," writes Howard I. Schwartz in this scholarly analysis of the thinking behind the Declaration of Independence. His new book looks far deeper than any of the superficial interpretations many give the document today. What were the founders thinking? Were they of one mind as to their reasons for separating us from the British king? What were the rights they sought to establish?

Contrary to popular understanding, according to the author, the Declaration was not the first of its kind, and its signers held a variety of motivations and beliefs: the colonies owed allegiance to the king but not to Parliament, where they had no representation; Englishmen automatically severed their allegiance to the crown when they crossed the Atlantic and conquered new lands; the king granted colonial charters, but he had no right to do so; Americans had always been a separate people, or were British subjects who had been wronged by the king; the settlers had the "natural right" to quit English society and to establish one of their own, so colonies as such never truly existed.

In the previous century, English philosopher John Locke had written about the natural right of humans to live in freedom, and his influence prevailed in the Declaration. "Had [Jefferson] had his druthers," Schwartz writes, "he might never have put in the classic statements about natural rights for which the Declaration and Jefferson are so famous." While John Dickinson and others insisted on mentioning people's rights, "It is reasonable to conclude that Jefferson himself would have happily published a Declaration of Independence with no such statement…What was needed was simply a way to depose the king…"

Whatever their views, few founders envisioned the United States that later emerged. The Constitution doesn't emphasize natural rights, but the Declaration does, making it what the author calls "the presumptive political philosophy of the United States."

Schwartz delves into the issues with clarity and depth, occasionally repeating himself or over-explaining, but the net result is a solid contribution to the understanding of one of the core documents in American history. He provides substantial notes and references in the back of the book.

Liberty in America's Founding Moment, if widely read, would raise the level of public discourse several notches.

Bob Sanchez