

THE FIRST CONTINENTAL CONGRESS ~ 1774

CONVENED AS A RESULT OF GOVERNMENT'S VIOLATIONS OF THE LAW AND ITS REFUSAL TO LISTEN AND RESPOND TO THE PEOPLE'S PETITIONS FOR REDRESS.

By
Bob Schulz¹

In September 1774, citizens from Delaware, Pennsylvania, New Jersey, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, and Rhode Island sent representatives to Philadelphia in what was to be called a Continental Congress. They were referred to as “delegates”

The purpose of their assembly was two-fold:

First, they wanted to establish the fact that their central government was rapidly degenerating into an unrestrained tyranny. After 150 years, the authorities of all of “Great Britain,” had begun to violate the Rights of the Englishmen in the colonies. The first gathering in Philadelphia seemed a necessity after eleven years of earnest effort to express their concerns to the government through the given legal right to Petition for Redress (remedy) of grievances. This long-standing right had been in place and freely exercised since 1215, as the Law given to The People of Britain through the Magna Carta. With government officials refusing to listen or respond to the petitions, the 1774 gathering was a natural, necessary next step in the path to Liberty.

“If we, our chief justice, our officials, or any of our servants offend in any respect against any man, or transgress any of the articles of the peace or of this security, and the offence is made known to four of the said twenty-five barons, they shall come to us - or in our absence from the kingdom to the chief justice – to declare it and claim immediate redress.”

¹ Founder and Chairman, We The People Foundation for Constitutional Education, Inc., and We The People Congress, Inc.

"If we, or in our absence abroad the chief justice, make no redress within forty days, reckoning from the day on which the offence was declared to us or to him, the four barons shall refer the matter to the rest of the twenty-five barons, who may distrain upon and assail us in every way possible, with the support of the whole community of the land, by seizing our castles, lands, possessions, or anything else saving only our own person and those of the queen and our children, until they have secured such redress as they have determined upon. Having secured the redress, they may then resume their normal obedience to us." Magna Carta, Section 61 (1215).

Second, these representatives wanted to discuss and discern what meaningful steps the free people of the thirteen British colonies might take, **within the law**, to remedy the situation and end the government's use of arbitrary power and oppression.

It's important to note that the delegates did not go to Philadelphia to declare their independence. They did not go there to separate from Great Britain. They did not intend to seize anything from the government or to "distrain upon or assail" the government in any way. There was no predetermined outcome. Their assembly in Philadelphia was solely intended to determine what non-violent, legal action the Delegates could recommend to bring the central government back under the law.

In October 1774, one month after convening the Continental Congress, the delegates settled on just such a course of action – an early model of civic action in America that was consistent with the spirit and the letter of the law.

In harmony with Parliament's 1689 declaration of the (English) Bill of Rights detailing the Rights of the People and the obligations of the government, and consistent with the Rights of Petition and Redress as expressed in Section 61 of the Magna Carta, the delegates to the first Continental Congress in 1774 unanimously held:

"If money is wanted by Rulers who have in any manner oppressed the People, they may retain it until their grievances are redressed, and thus peaceably procure relief, without

trusting to despised petitions or disturbing the public tranquility." Journals of the Continental Congress, 1:105-113

In effect, the Founding Fathers determined the People of Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Georgia and Rhode Island possessed both a fundamental legal Right and the practical means to effectively hold the government accountable to the Rule of Law, non-violently, and without further reliance upon the "despised" Petitions for redress, and without having to seize anything from the government - all by simply retaining their money (property).

In 1775, Thomas Jefferson further justified the delegates' recommended approach to holding the government accountable to the fundamental law by writing:

"The privilege of giving or withholding our money is an important barrier against the undue exertion prerogative which if left altogether without control may be exercised to our great oppression; and all history shows how efficacious its intercession for redress of grievances and establishment of rights, and how improvident would be the surrender of so powerful a mediator." Thomas Jefferson: Reply to Lord North, 1775. Papers 1:225

Choosing not to stand down -- not to be held accountable to the law-- the central government responded to the delegates' non-violent solution of choice by clamping down – increasing the degree of arbitrary power and oppression.

In 1776, facing the certain and imminent loss of their fundamental Rights and Liberties, and seeing no remaining means of securing their Rights peacefully, the delegates to the (Second) Continental Congress were left with no option but to openly declare their independence, concluding that the central government of Great Britain was, as a matter of natural law, unfit to rule the free people of Delaware, Pennsylvania, New Jersey, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Georgia and Rhode Island.

As they did in 1774, the delegates to the Continental Congress of 1776 justified their Declaration of Independence by (once again) referring to the

Principle of Accountability that is so clearly expressed in the Cradle of Liberty -- the Magna Carta.

“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.” Declaration of Independence, 1776.

And so was born America. By 1787 the People of this emerging nation were ready to codify a new federal government of limited, delegated authority to unite the colonies and enable the Republic to establish her place in the affairs of the world.

It was within that document, the Constitution of the United States of America and its Bill of Rights that the Founders would formally articulate and guarantee, the People's natural Right to *peacefully* hold their servant government accountable by Petitioning their government for Redress of grievances. And as evidenced by the delegates of the Continental Congresses that gave us the Constitution, if a free People's Petitions are not Redressed, the People retain an array of other Rights, such as withholding their funding, in order to hold Government accountable.

Government, an instrument and creation of the People, was to honor their Rights and be held under pain of submission should it fail to do so.

Make no mistake: the last ten words of the First Amendment do not merely guarantee a Right to send complaints to government offices. The Rights of Petition, Response and Redress bequeathed to the nation by our Founders are nothing less than the practical exercise of Popular Sovereignty and their hope, and fervent prayer, that our People would never again be forced to violent revolution to enjoy the Divine gift of Liberty.

And so, in 1787, The People and The States were wise in conditioning their approval of the new fundamental governing law, The Constitution of The United States of America. With the addition of a guarantee of The People's Right to hold the new government accountable to The Constitution through the Petition for Redress, the new Americans could proceed to focus on fulfillment of Freedoms granted to each person at the time of birth - the

“unalienable rights of Life, Liberty and the Pursuit of Happiness.” Any violation of the Constitution’s prohibitions, restrictions and mandates would be addressed immediately by The People, as responsible defenders and protectors of same. As it would come to pass, elected officials would take only one oath, under God, for the fulfillment of their post: to uphold the Constitution.

“Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the Right of the People peaceably to assemble, and to Petition the government for a redress of grievances.” Bill of Rights, First Amendment, Constitution of the United States of America.