

## **The U.S. Declaration of ‘Dependence’**

**by John W. Brabner-Smith, Esq.**

We celebrate the Declaration of Independence every year. So what do I mean by the ‘Declaration of Dependence’? I believe it is a phrase that identifies the legal and philosophical bedrock of this nation which still sustains and nurtures us.

President Reagan employed this exact phrase two years ago and President Bush unashamedly expressed the concept in his inaugural address. In fact, each U.S. president has done so.

Sir Lionel Luckhoo, the international lawyer, during one of his visits to the U.S. identified the July 4, 1776, Declaration as a declaration of “dependence.”

In 1776, Thomas Jefferson, framer of the U.S. Declaration of Independence, adopted as the basis of our new nation’s character “the laws of nature and of nature’s God.” Although Jefferson’s principal intent was to provide legal justification and a charter for the colonial separation from English monarchy, the U.S. Declaration engendered a continuing worldwide move toward republics and democratic nation-states.

The 18<sup>th</sup> century map of Europe was dotted by monarchies with kings who claimed political sovereignty as viceroys of the Lord. This belief was known as the ‘Divine rights of kings.’ But the United States, when established, had no king. Instead, Jefferson and the other founders who assembled in the 1776 Continental Congress declared in their chartering Act of July 4, that the United States of America was a new international political state “among the powers of the earth,” with “a separate and equal station.” They held that this new national sovereignty had emanated as an endowment from their Creator. Thereafter, all Acts of the United states have been dated, not from a temporary king, but for the Lord Jesus Christ, in truth *the* political Sovereign, whose laws are the basis of our political existence – “In the Year of our Lord,” 1776, 1892, 1989, etc.

The U.S. framers had acquired this precept from the renowned Dutch lawyer and theologian, Hugo Grotius (1583-1645). Grotius is regarded as the ‘father’ of international law and was called the “father of the modern code of nations” by James Madison. After exhaustive research of the laws and guiding texts of all civilizations, including the Bible, Grotius postulated that God’s Divine laws governed nations as well as individuals. Grotius’ classic treatise, *The Rights of War and Peace* (1625) was utilized by many members of the Continental Congress in 1776 and also by those who assembled to draft the U.S. Constitution, in reality the bylaws to our charter, 11 years later.

It is clear that the United States of America, by the wording of its own Declaration of Independence, established and proclaimed its ultimate dependency upon God, Sovereign Ruler of the universe. The Declaration is the legal document that invokes the Divine right of God over the citizenry and their elected officials. Under international law, and

under Divine law, the United States legally existed as a separate political power and a nation under God from the date of the Declaration – July 4, 1776.

Today, however, Congress and many scholars are confused and refer to the U.S. Constitution (bylaws) as the founding and guiding document. In actuality, the Declaration of Independence is the charter, the higher and seminal document, one that cannot be violated by the whims of men.

Our political existence stems from God's sovereign political initiative. For lasting freedom, security and prosperity, we need to again look to the Lord and his law word. We must all reaffirm, as our forefathers initially declared two centuries ago, that these United States are still *dependent on Him*, the Creator, political Sovereign and Redeemer King of every nation.

(Attorney John W. Brabner-Smith has specialized in constitutional, corporate and international law and was director of the *Institute of Jurisprudence* in Washington, D.C. He received his LLB from *Yale University* and his JSD from *Northwestern University*. Mr. Brabner-Smith also founded the *International School of Law*, now the George Mason University School of Law.)