

FREDERICK WILLIAM DAME

THAT GOVERNMENT IS BEST WHICH GOVERNS LEAST

INTRODUCTORY REMARKS

The *Constitution for the United States of America* is the document that established the constitutional republic known as the United States of America. The original powers always come from *We The People*. The word *democracy* is never stated in the document. The word *republican* and thus the political form of a republic is stated only once in the document, namely in Article IV, Section 3, which contains the following statement. "The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence."

The terminology *limited government* is not discussed in the *Constitution* in this exact phrase. The concept of *limited government* is established in the *Constitution* by the republican form of government being separated into the executive branch (the President), the legislative branch (the Congress), and the judicial branch (the Supreme Court). Each of these branches has its own defined powers. This construct means that each of these branches has specified responsibilities and that each branch has specified powers. These branches of government are not allowed to exceed their delineated responsibilities and powers. Neither can these responsibilities and powers be transferred to another branch, nor can they be usurped by another branch. In essence, the *Constitution for the United States of America* delineates what the government is allowed to do by *We The People*. The government cannot go beyond these constitutional limitations without proper amendment by *We The People*.

The legal and natural law source of the limitation of powers in the American Constitutional Republic is explicitly stated in the *Declaration of Independence*.

"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. That, to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That, whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

The signers of the *Declaration of Independence* stated emphatically that the source of the power of governments instituted among men is the consent of the people who will be governed. If the government does not hold up to its responsibilities and duties of the social contract, then it is the source of the authority, the people, who have the legal right

and duty to abolish the failure government and to establish a new government founded on the same principles of the social contract that secures the "certain unalienable Rights, among which are the right to "Life, Liberty and the pursuit of Happiness."

The concept was further grounded in the *Preamble* to the *Constitution*, wherein it is written that the source of all power lies with "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity", because it is *We The People* who "do ordain and establish this *Constitution for the United States of America*." This legal source of law is underscored in Article V, which gives *We The People* the legal right to amend the Constitution. This means that the *Constitution for the United States of America* is limited by *We The People* as the establishing source of governmental power, as ascertained in the *Declaration of Independence* and *We The People* as the will of the governed majority as established by law in the *Constitution for the United States of America*. [1]

HISTORICAL SOURCES

There may be no single origin of the phrase *That government is best which governs least*. The first use of the saying cannot be determined. It is probably as old as the existence of social contract communities, going back to the ancient times of Egypt, Greece, Rome, China, or even the Aztec and Maya civilizations of Middle and South America, to say nothing of the tribal communities in the pre-colonial kingdoms of Africa. What is fact is that the maxim conveys a view of government which the people consider to be a foundation of their moral and just liberties: *The government is good when it leaves us alone*. Government is only present to protect the citizens from foreign and domestic dangers.

The first modern instances of the possible origin of the saying are in European literature and the early writings in the American Colonies sometime in the eighteenth century. Some sources say that the English political philosopher John Locke (1632-1704) originated it. This author is versed in the writings of John Locke. Neither the saying nor the idea can be found in his writings/treatises. The supporting argument against Locke as being the source is that John Locke did not lean toward the idea of less government.

The French philosopher Jean-Jacques Rousseau (1712-1778) writes in *Du Contrat Social*, published in Amsterdam in 1762, "... l'un veut que le meilleur Gouvernement soit le plus sévère, l'autre soutient que c'est le plus doux;" [2] ("... one regards the best government that which is most severe, the other maintains that the mildest is the best.")

In 1782, Michel Guillaume (J. Hector St. John) de Crèvecoeur (1735-12813) published *Letters from an American Farmer* in London under the *prenom de faintaisie* J. Hector St. John. With this short book de Crèvecoeur has taken his place [3] as one of the most important prose writers of the American Colonies, ranking with Benjamin Franklin (1706-1826 [1801-1809]).

Already at an early stage in *Letters from an American Farmer*, de Crèvecoeur wrote that citizens of any country will thrive in their moral freedoms when the government exercises restraint in interfering in their lives. The outcome can be no other "so long as our civil government continues to shed blessings on our (way of life)." [4] Without knowing it, de Crèvecoeur prophesied the future greatness of America.

In a passage that somewhat previews a central thought of good government in the *Constitution for the United States of America*, succinctly: that all matters not forbidden and not regulated by the constitution of the nation and the individual states, are the rights and privileges of the citizens, de Crèvecoeur argues that pride will step in amongst the people, and that if the insular government of England emanates this wisdom (that all matters not forbidden and not regulated by the constitution of the nation and the individual states, are the rights and privileges of the citizens), the subjects will "with heartfelt gratitude" live under the "wings and protection" of that government. [5] That type of government is good and so much in opposition to the bad governments of Europe that exist because they exploit their populace, [6] such as the patriarch government of Great Britain. [7] No king or government should have claim over a person's future property. [8] A government that protects its citizenry and demands little from its citizens for its protection is a good government. This is a political statement of the social contract by de Crèvecoeur that previews a dominant political thought that will occur in the nineteenth-century United States of America. This political principle is: *That government is best which governs least.*

Although there are numerous reference works that give Thomas Jefferson (1743-1826) the credit of coining the phrase, there is no documented source. After investigating the complete writings of Thomas Jefferson, this present author can unequivocally state that the saying does not appear in his collected writings edited by Paul Leicester Ford. [9] In his *First Inaugural Address* on 4 March 1801, Thomas Jefferson uses collective arguments that reflect the thinking of least government as being the best government, but he does not state the motto. [10]

Some sources, particularly Internet sites ascribe the saying to the American revolutionary pamphleteer Thomas Paine (1736-1809). This author has not been able to find the exact wording in the writings of Thomas Paine. There is one similar statement by him in *Common Sense* (1776) where his theme is *Of the Origin and Design of Government in General, with Concise Remarks on the English Constitution*. The entire passage is as follows with the *italicized* emphasis on the relevant wording that reflects the sense of *That government is best which governs least*. "Some writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness POSITIVELY by uniting our affections, the latter NEGATIVELY by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron, the last a punisher. *Society in every state is a blessing, but Government, even in its best state, is but a necessary evil; in its worst state an intolerable one.*" [11]

In the first issue of *The United States Magazine and Democratic Review* in an article by John L. O'Sullivan (1813-1895), entitled *The Democratic Principle*, Mr. O'Sullivan writes: "The best government is that which governs least." [12] It should also be noted that John L. O'Sullivan also coined the term *manifest destiny*. [13]

The *least government* motto has also been ascribed to the American essayist, minister, naturalist, seer, and philosopher Ralph Waldo Emerson (1803-1882). He used a similar sentence in his essay on *Politics* (1844), where he writes: "The less government we have the better – the fewer laws, and the less confided power." [14] In a lecture Ralph Waldo Emerson read before The (American Anti-Slavery) Society in Amory Hall, Boston, Massachusetts on Sunday, March 3, 1844, titled *New England Reformers*, he states that he believes in the motto of the *Boston Globe* newspaper: "The world is governed too much." [15] Emerson had previously philosophized this attitude in his essay *Self-Reliance*, published in 1841.

When the American, author, naturalist, philosopher and transcendentalist Henry David Thoreau (1817-1862) presented a lecture titled *On the Relation of the Individual to the State*, [16] which is often referred to as *Civil Disobedience*, to the Concord Lyceum in Concord, Massachusetts on January 26, 1848, he provided the world with a vindication of himself for not having paid his Massachusetts state taxes between the years 1842 and 1846. (His aunt paid the taxes for him.) In this very eloquent vindication Henry David Thoreau protests against the Mexican War of 1846-1848, the system of slavery in the United States, and the political intrigues of the American free-state and slave-state politicians.

The main theme which runs through Thoreau's lecture/essay is the contempt for the existing immoral aspects of the Government of the United States and the supreme importance of the individual's own moral worth and moral values. Therefore, according to Thoreau, the highest moral law, which is interpreted by the individual's conscience, must prevail against the unjust laws of government. Thoreau's contention that the individual is bound to obey a higher moral law pits the individual against the state as a moral antagonist.

Thoreau begins his essay by saying that he agrees with the motto "That government is best which governs least.", which when carried to its fullest extreme means that the most perfect government is one which does not govern at all, i.e., it does not exist. [17] He explains that "government is an expedient by which men would fain succeed in letting one another alone; and, when it is most expedient, the governed are most let alone by it." [18] At the same time, however, Thoreau realizes that government can exist only "when men are prepared for it.", [19] for "the existence of no government is not practical" [20] and the case being such, he adds, "unlike those who call themselves no-government men, I ask for, not at once no government, but *at once* a better government." [21]

Henry David Thoreau, as with the majority of the transcendentalists, believed that there exists a right of moral conscience. This right supersedes, when the situation is urgent enough, the rights of law and government. "Can there not be a government in which majorities do not virtually decide right or wrong, but conscience? – in which majorities decide the question to which the rule of expedience is applicable?" [22] "Is it not possible that an individual may be right and a government be wrong?" [23] Thoreau asks and pleads for a *wise minority*. In present-day America, this *wise minority* is being established by the Tea Party Movement that is anti-big government and anti-Barack Hussein Obama.

We are not only reminded of what Plato says in his work *The Seventh Letter*, that if one's country "should appear to ... be following a policy which is not a good one, (the *wise man*) should say so, provided that his words are not likely to fall on deaf ears." We can readily see that in this sense Thoreau is the nineteenth-century personification of Plato's and Rousseau's *wise man* who is somewhat withdrawn from society. This is the *true genius* and his happiness is the pursuit of the truth for the *honor of humanity* and thereby he leads the noblest life for man. This is Jean-Jacques Rousseau's true *legislator*. [24]

Henry David Thoreau sees the need for minority rights and the fallacies and injustices of majority rule in a democracy. In a constitutional republic there are controls on the rule-by-democracy mob. His argument is that a majority rules in a democracy "not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest. (We might also add electorally and monetarily the strongest.) "But a government in which the majority rules in all cases cannot be based on justice, even as far as men intend it." [25] Under this type of rule the position of the individual should be such that he should "not resign his conscience to the legislator." [26] "The individual should be a man first and a subject to the government second." [27] The surely desirable attitude for the individual to take is to cultivate a respect for that which is morally right, not for that which is just a law, or which is a circumvention of the law, for under the majority rule in a mob democracy, law, by definition, cannot always be that which is morally right.

Thoreau holds that when the individual identifies with the class of politicians, the individual loses his esteem, since "most legislators, politicians, lawyers, ministers, and office holders, serve the state chiefly with their heads". Thoreau remarks further that "as they rarely make any moral distinctions," (they cannot necessarily, since because of their group identity they lose their moral objectivity), "they are as likely to serve the Devil (Read and comprehend Barack Hussein Obama!), without **intending** it" as they would serve God without intending it. [28] Those few who "serve the state with their consciences", the "heroes, patriots, martyrs, and reformers in the great sense, and **men** ... are commonly treated as enemies by it" [29] because they, in their moral conscience, resist the state's collective evils. It is the true duty of the moral citizen, who in present-day America is symbolized by the Tea Party Movement and upright constitutionalists, to fight and protect against evil as it is practiced by the state. (Read and comprehend the Barack Hussein Obama regime!) The moral citizen should not only be prepared to face the country's foes, but have "the courage to face his/her country him/herself when the

country is wrong." [30] Thoreau proclaims that he cannot "for an instant recognize that political organization as (**his**) government which is the **government by the usurper** also." [31] "The only government (the individual should) recognize – and it matters not how few are at the head of it, or how (large or) small its army – is that power that establishes justice in the land, never that which establishes injustice." [32] Governments built upon injustice are immoral and deserve to be overthrown. This is what true constitutionalists and the Tea Party Movement believe.

MEANING

The meaning of *That government is best which governs least* can be stated in two words: *limited government*. This description is a principle of American political philosophy. The key word of this principle is the word *limited*. The government is limited in its powers in order to secure Liberty. This is exactly what is meant in the *Declaration of Independence* by the phrase "to secure these (unalienable) rights" via a written constitution wherein the rights are listed and will never change in meaning, except by *We The People* in any manner we so decide.

This principle is executed by the rule of law of the *Constitution*. It is not rule by a person. This situation would constitute a dictatorship. The effects of the federal government are limited so that the federal government cannot be a threat to individual, citizen liberties. The federal government cannot have powers or responsibilities that are not granted by *We The People*. The first ten amendments to the *Constitution*, the Bill of Rights, are limitations on the federal government in order to secure the liberties of *We The People*. The usurpation of any authority other than the authority made law by the *Constitution* is a violation of the *Constitution*.

A most effective control the Founding Fathers constitutionalized was to make sure that the divisions of federal and state government, the executive branch, the legislative branch and the judicial branch, would be separate with a system of checks and balances so that each branch would be able to restrain the other in order that total power would not be misused or usurped.

The characteristic that distinguishes a Republic from a democracy is the fact that the government's powers are limited by a written constitution, the power of which resides in *We The People*. Therefore, the correct definition and meaning behind the motto *That government is best which governs least* is "a constitutionally limited government of the representative type, created by a written constitution, adopted by the people and changeable (from its original meaning) by them only via ... amendment, with its powers divided between three separate branches: Executive, Legislative, and Judicial." [33] Since the same system is guaranteed to each of the individual states, the Republic of the United States of America is really a federated system of republics. The *Constitution for the United States of America* that established this federated system of republics was formulated by a Constitutional Convention, chosen by the people, in Philadelphia, Pennsylvania Colony in 1787, and eventually adopted by the thirteen original colonies between 1787 and 1788. Upon the colonies ratifying the Constitution, the colonies

became states. It is interesting to note that Rhode Island Colony ratified the *Constitution* on May 29, 1790. The *Constitution* was already in effect because the necessary three-fourths of the original thirteen colonies had ratified it by the end of July 1788.

The central government in this federated system of republics has limited powers and only a few matters of concern: war, peace, negotiation, and foreign commerce. The individual states in the federated system of republics have full power as described by the individual state constitutions, which, in turn are subject to the federal constitution as the Supreme Law of the Land. Consequently, neither the central government nor the state governments possess absolute sovereignty. The people's sovereignty is limited to the preserving of the natural laws of the God-given, unalienable rights by placing the original power in *We The People*.

PRACTICE

The opposite of the familiar phrase *That government is best which governs least* is *That government is best which governs the most*. No patriotic American in his/her right mind would adhere to the latter motto. The people who do believe that the government which governs most is the best form of government are leftists, Obots, Barack Hussein Obama, socialists, communists, and Islamists – dictators!

Government does have a special purpose. Yet, that purpose is intentionally limited by the *Constitution for the United States of America*. Since the ratification of that *Constitution* between September of 1787 and July of 1788, the federal government has steadily tried, and often succeeded in governing too much. Too much government, like the present Barack Hussein Obama regime, has as its goal the governing of everything and everyone, body and soul, from the cradle to the grave, and the sooner one is in the grave, the best job of regime governing Barack Hussein Obama and his Obatons will claim they have accomplished. The scenario even now with ObamaCare and the Department of Education's *Common Core Curriculum* undoubtedly asserts that their regime policies must be followed because the regimers are doing it for the good of all.

The English humorist, independent Member of the British Parliament, law reform activist, novelist, and playwright, Sir Alan Patrick Herbert (1890-1971), once wrote the following lines of caustic irony:

Well, fancy giving money to the Government!
Might as well have put it down the drain.
Fancy giving money to the Government!
Nobody will see the stuff again.
Well, they've no idea what money's for --
Ten to one they'll start another war.
I've heard a lot of silly things, but, Lor'!
Fancy giving money to the Government! [34]

Of course, Sir Alan Patrick Herbert is saying that no one gives money freely to the government. The government has to impose it. The last great imposing on the American citizen was when the national withholding tax on wages was introduced in 1943. It increased the number of American tax payers to 60 million. Tax collections increased to \$43 billion by 1945. [35]

The Holy Bible (The Gospel of Saint Matthew 19:24) says that it is more difficult for a wealthy man to enter the heavenly kingdom than for a camel to walk through the eye of a needle. The adage is one of the facets of the Protestant emphasis on the ethic of being thrifty. How that has changed! The United States of America has become a spending nation for the dole because harebrained politicians who want to govern the most.

This author remembers that when he was a young boy, American farmers worked ten to twelve hours a day, seven days a week and sometimes one hundred weeks (!) a year in order to make financial ends meet. If there were youngsters in the family, some farmers even had two jobs: one on the farm and one in a factory. These farmers never felt that they gave money to the government via taxes, but every time there was a rise in taxes, they felt that the government was stealing from them. In American governments that are led and controlled by the we-know-better-than-you demagogues, taxes have always been raised and they were always paid with some spite by the American taxpayer. When the national debt is as large as it is today, 14,000,000,000,000 dollars and growing, and more taxes, like raising the amount of tax on "the amount of wages on which companies must pay unemployment taxes to \$15,000, more than double the \$7,000 in place since 1983," [36] the people will someday lose their patience. Who knows what impositions there will be on the people to help lower the national debt? That will be a ripe time for the dissolution of the Barack Hussein Obama government, oops ... regime!

There is a saying that the best things in life are free. However, none of the so-called give-aways of the present regime, like the institution of more federal programs that are not needed i.e., ObamaCare and the Department of Education's *Common Core Curriculum*, are free.

In 1776, Benjamin Franklin suggested that *Rebellion to tyrants is obedience to God* be placed as a motto on the seal of the United States of America. Thomas Jefferson liked it so well that he placed it on his personal seal. [37] The motto is as important today as it was in 1776. Federal officials, or single persons who usurp unauthorized power, like Barack Hussein Obama has done, violate and place in grave danger the God-given, unalienable rights of *We The People*. Such persons are demagogues, usurpers, oppressors, tyrants, and criminals, in short, evil, because they are undertaking their machinations outside of the Supreme Law of The Land. In such situations it is necessary, indeed, it is mandatory that *We The People* rise up and oppose the rule by man, Barack Hussein Obama, and defend rule by law, which will guarantee that the

Constitution for the United States of America is a viable document of the natural law of the God-given freedoms and unalienable rights.

Nothing that any government does is free. Liberty is not free! The cost is high, especially when a usurper to the Oval Office is attempting to destroy the liberties guaranteed by the *Bill of Rights* and the *Constitution* every day, because as Barack Hussein Obama argues, it will be for the socialistic, communistic, Islamite good of every citizen. The sooner *We The People* implement the maxim *That government is best which governs least*, the sooner Americans will have their country back!

CLOSING REMARKS

Summa summarum: *That government is best which governs least* is the meaning of limited government as it is established by the political theory of limited government formed into the Law of the Land, the *Constitution for the United States of America*. The concept of limited government is, therefore, not illogical because it has its source in *We The People*. Moreover, although the terminology limited government is not actually stated in the *Constitution*, it is more than just implied, since the separation of powers doctrine and the process of amending the constitution are regulated.

The thought of the least government being the best government is not anarchy, the non-existence of government. As a dictum of good government, the principle of least government was prevalent in America to some extent from the time of de Crèvecoeur. In Henry David Thoreau's view of *That government is best which governs least*, the private citizen has a duty to resist all of the evils of the state, even if such resistance will demand disobedience, public or private, of its laws. The immediate consequences are irrelevant. The long-term consequences will be the destruction of the rule of man and the regaining of moral freedoms and the rule of law.

Whatever its origin(s), *That government is best which governs least* certainly captured a feeling which runs through Jeffersonian and later Jacksonian democracy and which was present in the United States from its independence up till the Civil War and is still with us again under the usurped, dictatorial policies of Barack Hussein Obama, who desires to extend government control of American citizens in all aspects of their lives. Possessing individual liberty means that government is limited. Therefore, the Republic of the United States of America is limited for liberty!

Frederick William Dame
Patriotic, Steadfast, and True
March 14, 2011

Sources:

1. The real title of the document is *Constitution for the United States of America*. It is not *Constitution of the United States of America*. The emphasis is on **for** and not on **of**. The title *Constitution for the United States of America* underscores the fact that the authority comes from the people who give some of their rights set forth in the *Constitution* to the United States of America so that the new governing body can act for the people. The source of power is from the people **for** the United States of America and not **of** the United States of America for the people! That is the problem of education in the United States of America. The youth and the so-called students do not know or understand the difference; perhaps they really do not care to know. So-called leftist academicians (That is a contradiction in terms.) have dumbed down the populace beginning with school children and continuing to professors and deans of law schools who do not comprehend the difference in the meanings between **for** and **of**. To make the perspective clear, it must be understood that the *Constitution for the United States of America* has established a republic with a system of dual laws: the citizens in their exercise of life follow the Laws of Nature (the Laws of God). The Laws of Nature apply to individuals! The government in its exercise of political life follows the law of constitutional regulation according to the law or nations, which emanate from the citizens.

2. Jean-Jacques Rousseau, *Du Contrat Social* in *Œuvres Complètes*, 4 vols., Bernard Gagnebin and Marcel Raymond, Bibliothèque de la Pléiade (Gallimard), Paris: 1959-1960, P, III, p. 419.

3. Michael Guillaume (J. Hector Saint John) de Crèvecoeur was so respected during his life that the people of Saint Johnsbury, Vermont named their community after him. From Wikipedia: "The town was originally granted in 1760 as part of the New Hampshire Grants and named Bessborough. It was regranted by Vermont in 1786 as Dunmore, and settled the same year. An early settler was Dr. Jonathan Arnold (no dates), a member of the Continental Congress and author of Rhode Island's act of secession from the United Kingdom in May of 1776. Arnold left Rhode Island in 1787 and, with six other families, built homes at what is now the town center.

By 1790, the village had grown to 143 inhabitants, and the first town meeting took place in Arnold's home that year, where the name St. Johnsbury was adopted. According to local lore, Vermont founder Ethan Allen (1738-1789) himself proposed naming the town St. John in honor of his friend Jean de Crèvecoeur, a French-born author and agriculturist and a friend of Benjamin Franklin. According to this account, de Crèvecoeur, who was known in the United States as J. Hector St. John, suggested instead the unusual St. Johnsbury to differentiate it from Saint John, New Brunswick", with which he had no connection.

4. Michael Guillaume (J. Hector Saint John) de Crèvecoeur, *Letters From An American Farmer*, J. M. Dent, Sons, Ltd., London: 1945, p. 47. Hereafter *Letters*. This author has

substituted *our way of life* for *husbandry*, which de Crèvecoeur uses. The way of life in the American Colonies during his age was mainly husbandry.

5. *Letters*, pp. 79-80.

6. *Letters*, p. 80.

7. *Letters*, p. 105.

8. *Letters*, p. 111.

9. Paul Leicester Ford, *The Writings of Thomas Jefferson*, Federal Edition, G. P. Putnam's Sons, New York: 1904.

10. Thomas Jefferson, *First Inaugural Address, 4 March 1801* in *The Annals of America*, The University of Chicago Press and Encyclopaedia Britannica, Chicago: 1976, Vol. IV, pp. 143-146.

11. Thomas Paine, *Common Sense* at <http://manybooks.net/titles/painethoetext03comsn10a.html>.

12. *The Democratic Principle* in *The Annals of America*, The University of Chicago Press and Encyclopaedia Britannica, Chicago: 1976, Vol. VI, p. 337.

13. See his articles *The Course of Civilization* and *The Great Nation of Futurity* in *The Annals of America*, The University of Chicago Press and Encyclopaedia Britannica, Chicago: 1976, Vol. IV, pp. 502-511.

14. Consult Brooks Atkinson, editor, *The Complete Essays and Other Writings of Ralph Waldo Emerson*, Random House, New York: 1940, p. 431.

15. *Ibid.*, p. 451.

16. When Henry David Thoreau gave the essay as a lecture to the Concord Lyceum on January 26, 1848, it was titled *On the Relationship of the Individual to the State*, according to Professor Walter Harding in *The Variorum Civil Disobedience*, Irvington Publications, New York: 1967, p. 59. In *Familiar Letters of Henry David Thoreau*, edited by Franklin B. Sanborn, AMS (American Museum Science Books), Boston: 1894, p. 185, Thoreau refers to his lecture under the title of *The Rights and Duties of the Individual in Relation to Government*. A compatriot transcendentalist, Elisabeth Peabody (1804-1894), first published the essay in *Aesthetic Papers*, (Boston: 1849), under the title *Resistance to Civil Government*. The present author's opinion is that this title is somewhat of a paradox for the simple fact that if a government is truly **civil**, then there is

no need to resist it. Maybe this is the reason why the essay came to be known since then simply as *Civil Disobedience*. It was entitled that in its first posthumous publication in 1866. Consult Walter Harding, *The Selected Works of Thoreau*, Houghton Mifflin Company, Boston: 1975, p. 772. It is interesting to note that although Thoreau is generally given credit for having coined the term *civil disobedience* (no earlier reference to the term could be found), he never used the term in his essays or lectures.

17. Henry David Thoreau, *On Civil Disobedience* in *Walden and Civil Disobedience*, edited by Michael Meyer, The Penguin American Library: 1984, p. 385

18. Ibid., p. 386.

19. Ibid., p. 385.

20. Ibid., p. 386.

21. Ibid. The reader should not let him/herself be led into thinking that Thoreau does not know what he wants. "No government at all" and "at once a better government" are diametrically opposed statements. It is more important is to understand that Thoreau's narrative tool is hyperbole. He overstates his case to get the reader's attention. Emphasis is in the original.

22. Ibid., p. 387.

23. Henry David Thoreau, *A Plea for Captain John Brown* in Walter Harding, *The Selected Works of Thoreau*, Houghton Mifflin Company, Boston: 1975, p. 844.

24. Plato (428/427-348/347 BC), Greek philosopher and pupil of Socrates (469-399BC), *The Seventh Letter* in *Great Books of the Western World*, University of Chicago Press, Chicago: 1952, Vol. 7, p. 84. Jean-Jacques Rousseau discusses his *legislator* in *Du Contrat Social*, Livre II, Chapitre 7, *Du Législateur* and Chapitre 11, *Des Divers Systèmes de Législation*

25. Henry David Thoreau, *On Civil Disobedience*, op. cit., p. 387.

26. Ibid.

27. Ibid.

28. Ibid., p. 388. The emphasis is Thoreau's. The statement in the parentheses is by the present author.

29. Ibid. The emphasis is Thoreau's.

30. Thoreau, *A Plea for Captain John Brown*, op. cit., p. 829. The statement in the preceding parentheses is by the present author.
31. Thoreau, *On Civil Disobedience*, op. cit., p. 389. The emphasis is Thoreau's, the parentheses are by the present author. Thoreau's original statement is "which is the **slave's** government also."
32. Henry David Thoreau, *A Plea for Captain John Brown*, op. cit., p. 840. The parentheses changes are by the present author.
33. <http://www.lexrex.com/enlightened/AmericanIdeal/yardstick/pr5.html>. More detailed information can be found at: <http://www.grandfathersfamilybible.com/tap07.html>.
34. Quoted at <http://www.famousquotes.com/show/1027915/>.
35. <http://www.infoplease.com/ipa/A0005921.html>.
36. http://www.americanthinker.com/blog/2011/02/obama_wants_to_raise_the_tax_o.html.
37. <http://www.greatseal.com/committees/firstcomm/reverse.html>.