

AMERICAN INDEPENDENCE

and the Community Rights Movement

American Revolutionary Sam Adams, delegate to the First Continental Congress, wanted to roll his eyes as his fellow delegate from Pennsylvania, Joseph Galloway, addressed Congress. He knew, however, that such an act would only reinforce the reputation of the Massachusetts delegates as being “too radical.”

Galloway, known for his ardent opposition to American independence, was asking the Congress to adopt his proposal to create a federal union between the American colonies and Great Britain – one in which the colonies would remain colonies, and the British Parliament would continue to have almost full dominion over them.

Adams, along with his cousin, John Adams, also a delegate from Massachusetts, wanted nothing of it. Massachusetts, which had borne the brunt of English military and political power over the past twenty years – most recently through the forced closure of the port of Boston and the scattering of its colonial assembly – had begun talking openly of the need for independence. Although joined at the first Congress with supporters like Richard Henry Lee of Virginia, the delegations from the two colonies were still overpowered by delegates from mid-Atlantic colonies, such as Galloway of Pennsylvania, who had, thus far, experienced little of what was being felt directly by the Bostonians.

Discussed by Congress on September 28, 1774, Galloway’s proposal was introduced a mere six months before the first shots of the Revolutionary War were fired at Lexington and Concord, and close to ten long years after the first eruption of American opposition to English control in response to Parliament’s infamous Stamp Act.

It was a sobering fact to the Adams’s that even after a decade of English insults to American self-determination – ranging from the taxation of everything from stamps to tea, and punctuated by events like the Boston Massacre – that most members of Congress still considered themselves to be loyal (albeit complaining) English subjects horrified by the specter of colonial independence. Led by

Galloway, they believed that the impending crisis could be resolved by negotiating a federal plan of union – in which the colonies would remain colonies loyal to the king, and Parliament would continue to control most of their affairs.

Resolved . . .

Knowing that congressional agreement on the plan of union would slow the movement toward independence, the Adams cousins worked to draft a competing vision for the future of the colonies – a series of resolutions known as the “Suffolk Resolves.” Adopted by the Committee of Correspondence of Suffolk County, Massachusetts, the Resolves demanded the forced resignation of English officials, a ban on all commercial trading with Great Britain, and the creation of an independent Massachusetts Bay Colony governing assembly. The delegates from Massachusetts formally presented the Resolves to the Continental Congress – as a foil of sorts to Galloway’s plan.

It was on that ground that the two factions of Congress clashed – with Galloway and his ilk on one side, and the Adams/Lee contingent on the other. Both factions clearly understood what was at stake. Galloway went so far as to charge Samuel Adams with “sedition” and “deluding the people” to “throw their governments into anarchy.” Further, he accused the Massachusetts and Virginia delegates of treason, and of ignoring the job of the Congress, which was to pursue “lawful” and “constitutional” measures to avert the impending crisis between the colonies and Great Britain.

Despite having the numbers to pass the proposal at the beginning of the debate, Galloway’s proposal – to have the American colonies remain united with Great Britain – failed by the slimmest of votes. Five colonies voted for it, six colonies voted against, and one colony’s delegates were so divided that they failed to cast a vote at all. In addition, rather than rejecting outright the radical proposals of the Suffolk Resolves, the Congress instead expressed its sympathies to the people of

Suffolk County and called for all of the colonies to “alleviate the distresses of our brethren at Boston.” Days after the defeat of Galloway’s proposal, Congress took the extraordinary step of officially expunging Galloway’s plan from the congressional record.

Independence Movement – a Community Rights Movement

While other events in the American independence movement have been touted as more momentous, these congressional votes stand on their own. They reflect the first subtle change in the collective voice of the assembled colonies – a shift away from a belief that the interests of Great Britain and the American colonies could be harmonized, and towards a flat rejection by the Congress of their colonial status.

As explained by Professor Barry Shain in his seminal work tracing the foundations of the Declaration of Independence, these votes would never have occurred without the decade-long efforts of a small band of colonists who moved opinion “ever so slowly and carefully, away from the announced end of a constitutional reconciliation with Britain – the position favored by a large majority of congressional delegates – and towards American independence.”

And the rest, as they say, is history.

Today’s nascent, but rapidly growing movement for community rights in the United States – a loose assembly of the people of close to two hundred cities, towns, and counties across the country which are directly challenging corporate and state power over them – has a lot in common with the American independence movement. **That’s because the movement for independence was a community rights movement.** The primary discontent of the colonists was the lack of self-governing authority within their own communities, whether that “community” was defined as their towns, counties, or the colonies themselves.

The independence movement thus sought not only to remove English governing authority over the colonists, but to lay down a new vision of government which sought to permanently guarantee that no other authority – including their own governments – could ever act in the same way. In each state constitution, and through the Declaration of Independence, they cast that vision into stone – by recognizing the right of people to alter or abolish any government which denied the people’s right of self-government.

Today, while the speeches of politicians are rich with the imagery of self-governance and independence, the actual structure of our government bears little resemblance to that rhetoric.

When the federal government approves new gas pipelines to transport fracked gas, for example, communities find they are legally prevented from saying “no” to them. When state agencies approve corporate projects such as factory farms, toxic waste landfills, or corporate water withdrawals, communities are left powerless to reject them. In spite of these obstacles, when communities decide to seize and assert power to stop such projects, they find that affected corporations will resort to the courts – wielding their corporate constitutional “rights” – to sue communities to overturn local, democratic decision making.

Recognizing the Need for Systemic Change

It’s time we accept what our communities already know – we have a governmental system that has been utterly corporatized. And contrary to what the pundits say, it’s not that corporations have undue influence over how the system operates, it’s that they own the system itself.

And yet we act otherwise. The American Revolutionaries – despite decades of English repression – were faced with colonial leaders who hadn’t given a thought toward independence. Activists today face the same hurdle – despite a massive escalation and centralization of state and corporate power over the past hundred years, little thought has been given toward actually changing the system so that our communities possess the legal authority to determine their own futures.

In other words, **many colonists assumed that the English structure of law could be**

made to work for them; today, environmental and labor organizations make the same mistake – they assume that our corporate structure of law can somehow be made to work for us. And so, those groups continue to sponsor letter writing campaigns and protest marches, and urge communities to appeal state and federal permits. They urge us to follow the “rule of law,” and to keep our dissent orderly, even if compliance with those rules guarantees that we will lose our water, our property will be seized, and our land will be fracked.

They believe that social change only occurs by organizing to influence the opinions of a relatively small number of corporate and government decision makers – decision makers who, under the current system of law, do indeed possess the authority to decide our collective fates. They can’t even imagine a system in which community majorities – not a corporation or state official – decide whether pipelines are laid, frack wells are drilled, or their communities will become dumping grounds for toxic waste.

Thus, the challenge faced by the community rights movement is akin to the challenge faced by the independence movement – proving to people and communities that the future they want (and need) cannot be realized under the system in which they currently live; and then helping them to help themselves – to use their own municipal governments to break the grip in which corporations and centralized governments hold them.

Like the American independence movement’s “make or break” congressional moment in 1774, razor-thin majorities are now beginning to turn away from the belief that the kind of world they yearn for can exist within the current governmental system. Many communities, backed by those majorities, are now beginning to embrace a new kind of activism, one which makes the communities themselves into lawmakers, and **one which dares the unholy alliance of corporations and governments to dismantle those communities in ways which reveal to millions that we don’t live in a democracy.**

Lead, Follow, or Get Out of the Way

Close to two hundred communities from Oregon to Ohio to New Hampshire are picking

up where their radical colonial forebears left off. They are asserting their right of self-government to ban fossil fuel pipelines, fracking, frack wastewater injection wells, waste dumping, the planting of genetically modified crops, and other threats. Realizing that the natural environment deserves the highest protections of the law, they’re also elevating the rights of rivers, forests, aquifers, and other ecosystems over the claimed “rights” of corporations to destroy them.

Most importantly, **they are not apologizing for what they’re doing.** They know that there’s no other option. They understand that for the community rights movement to become real, tens of thousands of communities must follow their lead, building a movement that hasn’t been seen in this country since the Populist farmers emerged out of Texas over a hundred years ago demanding a just economic system. **They understand that the lawmaking of their community is merely the first step of a long journey, one in which state constitutions will need to be changed, and the federal constitution as well, to recognize that “we the people” have the authority – and the right – to stop that which harms us.** They understand that these first municipal steps are necessary to leverage the seismic ones that must come down the road.

In the process, they’re flushing out the Joseph Galloways of our era – who, in the interest of stability, render stillborn the hopes and dreams of true democracy. It is those apologists for the system which divert our energies, siphon our resources, and deflect community will – all the while arguing for obedience, “lawful” and “orderly” change, and a return to the same activist strategies that have so utterly failed over the past several decades.

To them, the community rights movement says, “Either lead, follow, or get out of the way.” For Joseph Galloway, “getting out of the way” ultimately meant working for the British army and revealing his true colors.

Today’s community rights movement is beginning to learn what the movement for independence had to learn a long time ago, that many who talk about the issues that concern us – who present themselves as allies – can in fact be the biggest obstacles to change; and that sometimes daring to aspire grandly is the only way to save ourselves.