

Liberal Roadmap for Political Change? A South African Perspective on the US Declaration of Independence

by Martin van Staden

Classical liberals and libertarians around the world, particularly in the past century, have had a difficult time acclimatizing to the political realities that they played a part in bringing about.

Virtually everywhere today, with exceptions like Argentina and Liechtenstein, classical liberals find themselves thoroughly excluded from the halls of power. This was not always the case.

The Liberal Party once governed the United Kingdom, successive Republican and Democratic administrations in the United States could be classed as ideologically liberal, and even in my native South Africa, open classical liberals once held positions as prestigious as Deputy Prime Minister and Minister of Finance during the United Party era.

That all occurred during a time when democracy – appropriately – was limited, and responsibility still more or less vested at the individual, familial, and communal levels. This allowed liberals the room to do the unpopular, though necessary, work of public administration.

Since then, however, liberals have errantly accepted the principle of democracy (to be understood as distinct from the principle of liberty) wholesale, even though that has meant their near total political irrelevance.

Democratic Grave

As liberals helped to extend democracy into ever more fields of society, they realized that their own power hinged on playing the rent-seeking game necessitated by democratic logic, and this they could and did partake in up to a point. Upon reaching that point, some liberals who still lusted for power shed their liberalism and became social democrats (or “progressives”), while others resigned themselves to electoral insignificance.

This is the political grave of liberalism that it partly dug with its own hands. And how unnecessary it was.

The liberal social contract⁴ was never premised on majoritarian consent. It is premised on *universal (presumed) consent at the individual level* under these defined circumstances: when government recognizes and protects the life, liberty, and property of each individual, and the associational freedom of self-defining communities, only then is it legitimate.

Liberals once understood that when a government did not satisfy these conditions, it had no claim to legitimacy, *even* if it bore the stamp of democratic approval.

This occurred as recently as Hitler’s Germany. The Nazis thundered to power in a way entirely consistent with the aspirationally democratic ambitions of the Weimar Constitution, and for a significant duration of their tenure governed in line with the (very lax) law as enacted by the democratic parliament of that country. At least with hindsight, liberals did not allow formalistic appeals to “democracy” to neutralize their substantive criticism of Nazi policy.

⁴ Van Staden, Martin. 2023. “Liberalism: A Universalist Restatement.” *Isonomia Quarterly* 1(3).
<https://isonomiaquarterly.com/archive/volume-1-issue-3/liberalism-a-universalist-restatement/>.

Stories such as this abound throughout history, with liberals not hesitating to call such regimes out for their illegitimacy despite their democratic character.

This has become rare.

Even with the recent ouster of Nicolás Maduro in Venezuela, liberals appeared preoccupied with “democracy”, or even the “international law” created in part by the tyrants themselves, rather than “liberty”. If Maduro turns out to be a democratic leader, then the United States-led removal of him from office was immoral. If he turns out to be a dictator, then while the removal might be “illegal” it could well be moral. Others hope that recent developments in Iran lead to the establishment of a merely democratic dispensation.

Placing this much emphasis on the outcome of a popularity pageant rather than the substance of governance is wrongheaded, especially for liberals or libertarians, to be engaging in.

The Declaration of Independence

The United States Declaration of Independence, as that integral part of the corpus of liberal literature, can help us find our way back from this muck, for it

sets out a roadmap for liberal political change without falling into the democratic (or legalistic) trap.

Patrick Henry provided the basis in 1775:

Sir, we have done everything that could be done to avert the storm which is now coming. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and we have implored its interposition to arrest the tyrannical hands of the ministry and Parliament.

Our petitions have been slighted; our remonstrances have produced additional violence and insults; our supplications have been disregarded and we have been spurned, with contempt, from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation.⁵

The mechanisms that today would be associated with democracy were exhausted, but to Henry and his fellows that did not mean the end of the matter.

⁵ As quoted in Trewhella MJ. *The Doctrine of the Lesser Magistrates: A proper resistance to tyranny and a repudiation of unlimited obedience to civil government.* (2013). Matthew J Trewhella. 9-10.

That the institutions of Parliament, public participation, and petition failed to yield to the in-principle righteousness of their cause did not lead them to declare, “Well, we lost, folks,” but instead motivated their moving on to the next thing, though cautiously and reasonably.

The first paragraph of the Declaration that later followed embodies the principle that there must be reasons for a significant decision (*ratio decidendi*), a foundation stone of the common law tradition. The American revolutionaries understood they could not rely on platitudes and mere populism to bring about the now violent change that they sought – they needed to provide a firm, intellectually defensible basis for it.

This then leads into the second paragraph that contains a clause that has been celebrated and invoked by liberals throughout history since:

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.

It is not “from the consent of The Majority of the governed”, but all the governed. And it is not that governments ought to be abolished when they “become destructive” of democracy, but of the allowance of ordinary people, families, and communities to pursue their own happiness on their terms and on their property.

The Declaration then goes on to recognize – in true liberal spirit – that such revolutions should not be undertaken “for light and transient causes”. Only when a “long train of abuses and usurpations” aimed at bringing the people “under absolute Despotism” (in Thomas Jefferson’s original draft: “arbitrary power”) has occurred is it the right *and duty* of the people to “throw off such Government”.

The revolutionaries list the abuses they were responding to, among them an unaccountable

bureaucracy that harassed and became a financial burden on the people; restrictions on international trade; the imposition of taxes; and interference in the local government of the Thirteen Colonies.

Calling back to Henry's sentiment, the Declaration notes that the revolutionaries "Petitioned for Redress in the most humble terms", which were "answered only by repeated injury".

"A Prince", it goes on, "whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people".

The American revolutionaries explain that they spoke frankly to their "British brethren", informing them of the iniquities that their government was imposing on the Thirteen Colonies. "They too have been deaf" to the plight of their fellows.

Having, then...

- Acknowledged that they need to justify their decision to declare independence;
- Set out the fundamental philosophical basis informing their decision;

- Explained that they did not take the decision lightly but were moved to action by certain unacceptable conduct;
- Listed that conduct;
- Accounted for the fact that they sought to resolve the grievances with the imperial authority in a less dramatic fashion; and
- That they also sought the ear of the civilians and their institutions in Britain,

... the American revolutionaries declared the independence of their homeland.

Notice what did not happen:

The revolutionaries did not reject the sovereignty of King George III because he was unelected and that democracy was what they were after. They did not call for an election to decide the matter. Anything other than freedom was an unacceptable outcome, no matter what some arbitrarily defined “majority” might believe.

The Declaration of Independence is a piece of liberal, not democratic, theory.

Liberal Revolution

Liberals are by nature in a certain sense anti-revolutionary. This does not diminish the revolutionary character of the American Revolution, of the Declaration of Independence, or of the American experiment in constitutionalism.

But this is a revolution of a certain kind. Liberalism is not revolutionary in the sense unearthed by the French Revolution, which would in time devolve into radicalism and revolutionary socialism.

Liberalism is *ideologically* revolutionary: it alone, as an outgrowth of Western civilization, holds that the individual and their freedom is of primary political importance. No other ideology or civilization has spawned a similar notion, which would go on to be the very engine of Western global hegemony and prosperity.

But liberalism is not by nature a revolutionary *movement*: it does not, as a rule, protest in the streets, nor does it resort easily to violence. Whereas the later radicals and socialists would resort to violence as a matter of first resort – something with which we remain all too familiar today – liberals exhaust the less dramatic mediums

to achieve their ends, and they pursue those ends with near total deference to the interests and rights of those around them.

However, as the Declaration and the American Revolution shows, classical liberals held violence in reserve, yes as a last, *though a certainly applicable resort*. This is the key ingredient in the Declaration – as a liberal roadmap for political change – that liberals today are missing.

This is the rub: Sometime during the past century and the dawn of the so-called international rules-based order, liberals abandoned the very conceptual possibility of resorting to violence, and replaced it with absolute reliance upon and faith in democratic institutions.

This is manifested, firstly and perhaps as a result, in the total refusal of liberals to consider taking up arms against a democratic government in particular. The very notion offends some bizarre new liberal sensibility that if injustice is countenanced by a popularity pageant, it is beyond reproach. And secondly, it is found in the manifestation, particularly among American libertarians, of an “antiwar” position that approximates obsequious

pacifism and is increasingly implicitly relied upon by the tyrants and dictators of the world.

The liberals of the revolutionary era were prepared to arrive at the need for violence, if necessary, if their reasonable petitions and constructive engagement was met with indifference or contempt.

The Principles of Locke

We can trace the logic of the Declaration to John Locke, the English philosopher who wrote in the first volume of his *Two Treatises of Government*⁶ that the people specifically have the *right to abolish the legislative power* if the legislature has acted contrary to its inherent mandate to preserve the liberty of society (chapter 3). No legislature, Locke reminds us,⁷ has the power to deprive man of their life, liberty, or property, because man himself never

⁶ Locke, John. 1689. Second Treatise, “Right of Revolution.” <https://press-pubs.uchicago.edu/founders/documents/v1ch3s2.html>

⁷ Locke, John. 1689. *Second Treatise*, “Constitutional Government.” <https://press-pubs.uchicago.edu/founders/documents/v1ch17s5.html>

had this right⁸ in the first place to hand over (chapter 17).

Locke envisioned no “democratic” or “international law” exception to this principle. If a tyrant aggresses (in a way that is not “light and transient”, the Declaration reminds us) against the life, liberty, or property of those under his jurisdiction, he may – arguably, he must – be forcefully deposed, regardless of whether his authority is democratically bestowed or legally recognized.

This principle forms an undeniable part of the social contract – the agreement made at the level of natural law – and as such overrides any codified positive law to the contrary. As American founding father James Wilson explained:

I go farther; and now proceed to show, that in peculiar instances, in which those [natural] rights can receive neither protection nor reparation from civil government, they are, notwithstanding its institution, entitled still to that defence, and to those methods of recovery, which are

⁸ Van Staden, Martin. 2023. “Nemo plus iuris: The universal law statisticians don’t want you to think about.” *Daily Friend*. <https://dailyfriend.co.za/2023/11/16/nemo-plus-iuris-the-universal-law-statistics-dont-want-you-to-think-about/>.

justified and demanded in a state of nature. The defence of one's self, justly called the primary law of nature, is not, nor can it be, abrogated by any regulation of municipal law.⁹

That liberals and libertarians seem to have lost sight of this in recent times is unfortunate, and they cannot hide behind a particularly perverse understanding of nationalism either.

The Americans sought assistance during their revolution from the French, just as the Iranians and Venezuelans have sought assistance during their revolutions of the 2020s from the Americans. The Declaration of Independence does not represent the odd, illiberal national chauvinism of the sort invoked when contemporary American libertarians ask, "Why must Americans bring freedom to Venezuela or Iran?"

The founding fathers were, necessarily of course, American nationalists, but their (classically) liberal nationalism should never be equated with what passes for nationalism today. And, it should be

⁹ Andrews JD. *The Works of James Wilson*. (1896). Chicago: Callaghan and Company. 335. As quoted in Barnett RE. *Restoring the Lost Constitution: The presumption of liberty*. (2013). Princeton: Princeton University Press. 56.

noted, the United States Declaration of Independence is a part of the global corpus of liberal literature, not merely (though it is also) an American national symbol.

A South African Perspective

My native South Africa has featured more prominently in the international news cycle since January 2025, and was also the host of the G20 Summit in November of that year.

This rise back to prominence has come particularly as a result of the Donald Trump administration shedding light – for the world’s benefit – on what has been happening for many years in the world’s “miracle democracy”:

Property confiscation without compensation,¹⁰ arguably the world’s most sophisticated and wide-ranging system of racial legislation¹¹ (yes, still), and politicians openly calling for racial genocide¹² (though no such genocide is taking place

¹⁰ International Property Rights Index. 2025. <https://freemarketfoundation.com/international-property-rights-index-2025/>

¹¹ Index of Race Law. <https://racelaw.co.za/index-of-race-law/>

¹² Van Staden, Martin. 2025. ““Kill the Boer”: Marco Rubio, the Supreme Court of Appeal, and the rule of law.” *Daily*

at the time of writing) without any repercussions from law enforcement institutions.

American dissatisfaction with South Africa transcends Donald Trump and the Republican Party. Already during the administration of Joe Biden did the federal government express its deep displeasure at South Africa's close relationship with the Russian Federation.

But of specific interest is the reaction of the South African government to the Solidarity Movement, which is largely (and commendably) responsible for bringing the truth to the attention of the Americans.

The South African regime responded to the Trump administration's reasonable demands – that property confiscation be suspended, American companies be exempted from racial policies, genocidal rhetoric be condemned, and rural violence be prioritized – by condemning Solidarity for straying outside the circle and not working with the government to

Friend.

<https://dailyfriend.co.za/2025/03/27/kill-the-boer-marco-rubio-the-supreme-court-of-appeal-and-the-rule-of-law/>.

resolve the dispute domestically. There have even been spurious accusations of “high treason.”¹³

The problem, of course, to borrow from Henry, is that Solidarity has in fact “done everything that could be done to avert the storm which is now coming”. It has petitioned, remonstrated, supplicated, and prostrated itself before the South African state. These petitions have been slighted, the remonstrances produced additional violence and insults, the supplications have been disregarded, and the government has spurned it, with contempt, from the table.

Solidarity, with its over half a million members, among many other civil groups, have exhausted, repeatedly, the internal mechanisms for reform.

This was exactly the treatment the African National Congress (ANC) received from the old South African regime during the Apartheid era. Today, the ANC does the same to its own people. And like the ANC escalated their resistance, among other things by lobbying foreign governments, so too are the victims of its own policies today lobbying foreign

¹³ Katzenellenbogen, Jonathan. 2025. “The four US demands.” *Daily Friend*.
<https://dailyfriend.co.za/2025/07/09/the-four-us-demands/>

governments. Amidst this, empty appeals to “democracy” are worthless.

Conclusion

There is an argument to be made that liberals and liberalism became ideologically fat and temperamentally lazy after the supposed final victory of liberty. As the global forces of authoritarianism regroup – even in the West – liberals continue to seek shelter in the arms of democracy where liberalism has never truly been welcome.

Per se liberalism has been chased from the halls of power, and rather than regroup ourselves and come back with renewed confidence in the philosophy of liberty, we pray at the secular altar of democracy in the naïve hope that populism of some polite variety will deliver the world from tyranny. Perhaps we do not merely “pray” – but those strongly-worded letters do not cut it either.

Witnessing this pathetic performance, our ideological forebearers are no doubt turning in their graves.

Locke told us, and the Declaration of Independence manifested its workability in practice, that there is a polite, liberal, route to reform. To satisfy our non-violent, non-revolutionary conscience, we must go through the motions of request, of constructive discourse, of patiently waiting. But there is, and must be, an endpoint, before we need to move on to the next thing, on a justified, firm philosophical basis.

This will not always mean Molotov cocktails and tanks. Sometimes it will mean bringing implicitly coercive foreign pressure to bear. Other times it will mean cheating (yes!) in the democratic game. But it will always necessitate a (rediscovered) willingness on our part to apply some elbow grease.

Liberty is worth *fighting* for, and “fighting” should not always be used figuratively. Liberals and non-liberals in Venezuela and Iran seem to get it. What is holding Western liberals back?

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