

Constitutional Conversations: “Otis, Paine, and Adams: Surging Momentum Toward July 4, 1776”

by David Adler

Americans’ deep interest in our nation’s history, super-charged by the fast-approaching 250th anniversary of the Declaration of Independence, has brought renewed focus on the early controversies, personalities and events that launched the American Revolution. The founders, themselves, were quick to identify intellectual influences that shook the tectonic plates of history and triggered the earthquake that produced a republic.

John Adams, who, with Thomas Jefferson and Benjamin Franklin, constituted the “Holy Trinity” of the revolutionary Enlightenment Period, was at the epicenter of the political earthquake. In 1761, Adams was a spectator in a crowded Boston courtroom, drawn by the growing reputation of the brilliant, young firebrand attorney, James Otis, Jr., who was there to argue in what has become immortalized as



the “Writs of Assistance Case,” on behalf of outraged, local merchants against the parliamentary statute that authorized sweeping searches and seizures—fishing expeditions—of private property. In a losing cause, Otis had sounded a bold and unprecedented trumpet call: not only was the law unconstitutional, but that it was the duty of the courts to pass such a law into disuse. Otis’s conception of the embryonic doctrine of judicial review, introduced at that juncture for political, constitutional and, indeed, revolutionary purposes, fired the imagination of Adams, who grasped,

not only the legal, but the strategic implications of the argument. For a nascent movement in search of intellectual tools to battle British imperialism and somehow strip England of its all-powerful sovereignty, Otis’s radical contentions made him the man for the moment. Adams wrote, rather romantically, “then and there the child independence was born.”

If not in a Boston courtroom in 1761, then perhaps the match was lit with the publication on January 9, 1776, of Thomas Paine’s little pamphlet, “Common Sense,” which wielded a stunning impact on the

Continental Congress and the minds of colonists, up and down the eastern seaboard. When Adams returned to Congress a month later, the pamphlet was already in its third printing, having exceeded 100,000 copies, and having ignited a fever for independence. In Common Sense, Paine attacked the very concept of hereditary monarchy, burned its intellectual scaffolding to the ground, named King George III a “royal brute,” and unleashed a call to arms and American Independence. Paine ripped away the mask from indecision and asked, “Why is it that we hesitate? The birthday of a new world is at hand.” Paine sensed the universal appeal of American independence. “The cause of America,” he wrote, “is in a great measure the cause of all mankind.” Adams agreed. He wrote to his wife, Abigail, that he expected Common Sense to become the “common faith.”

Adams’s great revolutionary work, which

would change the face of the nation, lay ahead. On May 10, in the confines of Congress, he introduced the bold recommendation that every colony should draft a new constitution to replace the existing British charters of governance. Five days later, he stepped forward to introduce a preface to his resolution. On May 15, Adams set forth a list of grievances, which documented King George III’s failure to answer the colonists’ petitions for reconciliation. In conclusion, it was the king who had effectively abandoned, that is, declared the independence of his former American subjects. Accordingly, he called upon the “Assemblies and Conventions of the United Colonies” in which no government sufficient to meet the exigencies had been established, “to adopt such Governments” to promote that happiness and safety of their constituents.

With an author’s pride, Adams immediately described to a friend that

his resolution was “the most important Resolution that ever was taken in America.” Until the end of his days, Adams did not waver from that belief. In his view, the call for the creation of state governments constituted the ultimate act of American independence. It was a completely natural and logical response to the fact that the King had repudiated the colonists.

In the annals of history, it is true that Thomas Jefferson’s draft of the Declaration of Independence has worn the crown of achievement in the minds and imagination of Americans. It is also true that Jefferson’s majestic writing rode the surging tides of voices—from Otis to Paine to Adams—that demanded separation, independence and revolution. In a plea to the world, the “United Colonies” gave birth to a new idea, a republic, in which the people, not a king, would govern.

This column is provided in part through NDNA.



I was surprised to see the press release that Agriculture Commissioner Doug Goehring issued a warning to producers not to respond to an open records request filed by Dakota Resource Council with the North Dakota Department of Environmental Quality. I was even more surprised that Goehring described DRC as an organization “generally opposed to typical agriculture operations.”

As a farmer/rancher in Warwick, ND and a member of DRC I want to set the record straight.

We are not opposed to agriculture. We are opposed to the consolidation of the industry in ways that harm rural communities, strain local environments, and leave everyday people holding the bag while

a handful of corporations collect the profits. Farms that consolidate into 12,500 and 25,000 head operations is not normal.

DRC members are farmers and ranchers. We are not opposed to agriculture.

Our politicians spend years telling the public how hard the state regulates these entities, and then introduce bills to remove those same regulations with a machete. We refuse to normalize what is happening to agriculture in this state, because it is not normal.

DRC filed a public records request to know how many animal agriculture sites are registered in the state. We would never ask a farming operation directly for manure records. Commissioner Goehring is using his office to

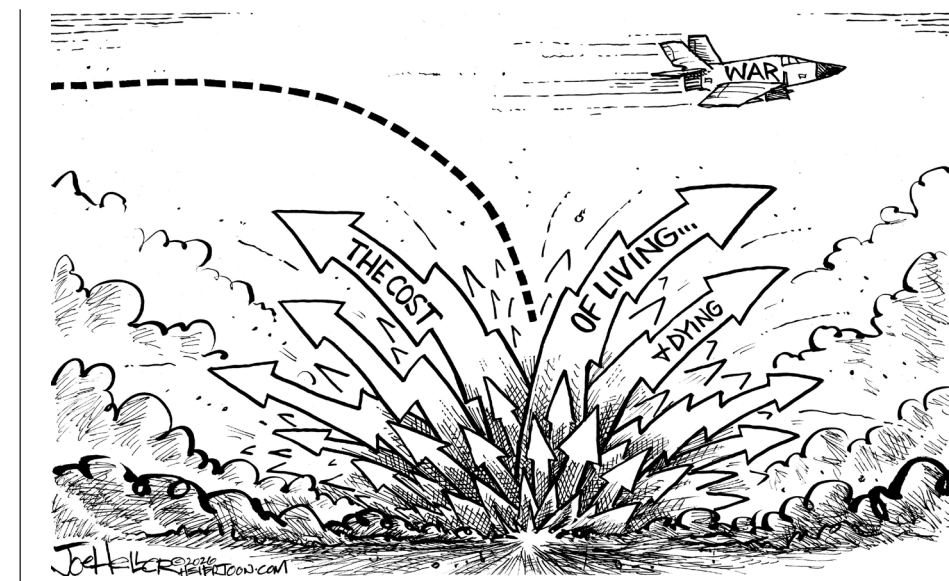
discourage people from engaging with a public process and a nonprofit organization asking questions. That is putting his thumb on the scale.

We oppose entities that damage the environment for personal and political gain at the expense of rural communities. Most agricultural operations do not act in that way. DRC will not stay quiet if operations threaten our landscape or our rights to property.

They hate that we are watching. We are going to keep watching.

Karen Anderson, farmer/rancher and DRC member, Warwick, ND

Verified by telephone - March 19, 2026: LAO, DLJ Editor Emeritus.



Contact List for Politicians

There are some ways the general public are able to express their views and concerns to elected officials.

5 Calls

One way that North Dakotans have found easy to use is called the Five Calls app - available at <https://5calls.org/> online. A number of local people have used this app to express their concerns and opinions to elected officials.

On the 5calls page it lists several issues - as of this printing there

are 46 issues listed, for example: The War With Iran, Demand Full Epstein Case File Release and Public Hearings (updated March 10), etc.

5 Calls Civic Action is a 501(c)4 non-profit that helps the public make their voices heard.

Other ways to contact those who represent us in congress:

North Dakota Senate

www.hoeven.senate.gov/contact
www.cramer.senate.gov/contact/newsletter-sign-up

www.klobuchar.senate.gov/public/index.cfm/email-amy

Minnesota Senate

www.smith.senate.gov/share-your-opinion/

If there is someone you would like to contact personally, please send that name to

mrobinson@cmpapers.com or loleson@cmpapers.com and we will try to obtain the contact information for that individual, if it is available.

Opinion submissions policy at the Devils Lake Journal

Devils Lake Journal Opinion Policy:

The Devils Lake Journal welcomes letters to the editor and guest columns (preferably on issues of interest to our readers, like local concerns). The writer’s full name, signature, home address and telephone number must be included with the submission so we can verify it. Letters with multiple signatures are discouraged. Address and telephone numbers are not

published in the paper. We reserve the right to edit all submissions for potentially libelous content, good taste, grammar, punctuation, length and spelling. Please, no more than one submission per month! We have limited space in our print edition. Due to space limitations, we request letters to be 300 words or less and guest columns 800 words or less. Submissions should be sent to the Devils Lake Journal by e-mail

to loleson@cmpapers.com or mrobinson@cmpapers.com

The First Amendment: Congress shall make no law respecting an 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.




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