

The Story of the Declaration of Independence

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The approaching 250th anniversary of the signing of the Declaration of Independence is an occasion to reflect and ponder. What unites us is our common commitment to the Constitution and the Declaration, those moral and political principles that animate our minds and link our hearts. We have never been perfect, but what always gave us hope was the primacy of the maxim “all men are created equal,” the standards of justice it represented, and the aspirational and ongoing invitation it issued. If we were to reject the principles of the Declaration, no longer guided by reason and principle, the “better angels of our nature” would signal defeat and our institutions would be left to be ruled by a “favored class.”

[A]ll men are created free and equal...

That's a hard mystery of Jefferson's.

What did he mean? Of course the easy way

Is to decide it simply isn't true.

It may not be. I heard a fellow say so.

But never mind, the Welshman got it planted

Where it will trouble us a thousand years.

Each age will have to reconsider it.

—Robert Frost, “The Black Cottage”¹

The Declaration of Independence is America’s essential document.² Why is that the case? What are the concepts it espouses and the purpose it fulfills? Do its principles still trouble us, lingering as profound thoughts that define us tend to do? Or have we taken the easy way, against which Robert Frost warned us, of simply deciding it isn’t true?

The Declaration of Independence is both theoretical and concrete, eternal and rooted in history. Behind the Declaration is a story of a people coming together, deliberating, and dedicating themselves to each other and a set of principles. Determining whether that story will continue is up to each generation of Americans, including our own.

Historical Context

Dual lanterns shone through the window of the old North Church tower, sending a secret signal. The British were coming! And they would arrive by sea. Paul Revere mounted his horse and charged ahead, his task to warn the Massachusetts citizens who would face British muskets at the battles of Lexington and Concord. Those farmers took their stand as revolutionaries, animated by a defiant spirit.³ What events inspired such resolve? Why were the tillers of Massachusetts and their fellow colonists who would join them willing to risk “so costly a sacrifice on the altar of freedom?”⁴

Tensions between the American colonies and the British began over the question of taxes. Britain had been at war with France for seven years. With the help of a young Colonel George Washington, England emerged victorious but had accumulated substantial debts as a consequence of its triumph. Raising revenue by taxing the American colonies seemed like the ideal solution to this problem, and Parliament began by imposing the Sugar and Stamp Acts.

American forms of communication—newspapers, almanacs, pamphlets, and other official documents as well as commercial materials like playing cards—would need an official stamp before they could be circulated.⁵ Such a measure imposed a heavy cost on many of the colonists, as Americans were remarkably literate and politically engaged. As John Adams once quipped, “A native American who cannot read or write is...as rare as a comet or an earthquake.”⁶ The colonists had also been governing themselves for about 150 years with their own institutions and charters such as the Mayflower Compact of 1620, which established a local government on the basis of the colonists’ own authority. The Stamp Act, as it particularly impacted newspapers, impeded deliberation and was passed without the approval of elected colonial assemblies. In short, Parliament’s precipitous actions proved incompatible with the American spirit.

On May 29, 1765—coincidentally his 29th birthday—firebrand Patrick Henry stood up in the Virginia House of Burgesses and challenged the very notion that the British Parliament had the authority to tax the colonists. Only the people or the people’s chosen representatives could legitimately levy taxes. Henry dramatically declared, “Caesar had his Brutus; Charles the First his Cromwell; and George the Third...” When he named the current king, Henry was interrupted, as Thomas Jefferson recalled, with cries of “treason.”⁷ But Henry persisted: “George the Third,” he said, “may profit by their example. If *this* be treason, make the most of it!” The young Virginian introduced seven resolutions that would be reprinted in newspapers throughout the colonies, presumably stamped pursuant to the very tax he despised.

Perhaps most important, those resolutions reached Massachusetts, where John and Abigail Adams, James Otis, Paul Revere, and Samuel Adams leveled arguments against the British notion of virtual representation undergirded by the claim that a select number of individuals in Parliament thousands of miles away could know and uphold the common good of the colonies.⁸ Consent of the governed required substantive participation by the people, who ought to have the right to select their own legislators. Thus, the conflict was not simply about tax policy; it also involved fundamental political principles.

The back-and-forth between the colonies and Great Britain continued with moves and countermoves, rising rhetoric, and emerging patriots. Tensions grew following the Boston Massacre of 1770, when British soldiers fired on a group of protestors, wounding 11 and killing five.

In December 1773, protesting a new tax that had been imposed on tea, the colonists, many wearing disguises, boarded a ship and dumped an entire shipment of tea into Boston Harbor, and the British responded with the Intolerable Acts. Among other measures, the Intolerable Acts closed the port of Boston, forced the quartering of soldiers, and replaced elected officials with ones appointed by the royal governor. American principles were at stake, and Paul Revere was ready.

Revere rode for five days from his native Boston to Carpenters’ Hall in Philadelphia, America’s largest city. When he arrived on September 16, 1774, in his possession were the Suffolk Resolves, a series of 19 resolutions adopted by defiant Massachusetts colonists from several counties calling on the colonies to arm local militias and form new governmental institutions, which prompted a question: Would the other colonies unite with Massachusetts against Great Britain? The answer was swift. In just one day, the first Continental Congress, led by Virginia’s Peyton Randolph,

unanimously endorsed the Suffolk Resolves, one of the most comprehensive and articulate statements of resistance coming from localities throughout the colonies. George Washington, Patrick Henry, John Adams, and Sam Adams, all delegates to the Continental Congress, were there, uniting Virginia and Massachusetts, in Pennsylvania.

Behind the American Mind

The Declaration of Independence was a response to contemporaneous historical events, but those events in themselves do not explain the decision to separate from Great Britain. England's treatment of the colonists was not significantly worse than its treatment of other peoples under British oversight. In addition, Americans were wealthier than common people almost anywhere in Europe: If want is often the spur of revolution, that spur was missing in America.

Something about Americans in particular caused them to rebel against being relegated to the status of "subjects." Through their own practical experience of self-governance and careful engagement with many of the classics of the Western political tradition, the Founding generation came to believe certain things about human beings and crafted a vision of a free nation. The British Constitution; ancient, medieval, and Enlightenment thinkers; and Christianity provided philosophical groundwork for the Declaration.

American colonists were disposed by fortune, shared history and principles, and reasoned deliberation to unite. As John Jay would write in *Federalist* No. 2, Americans were "a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs..."⁹ Most colonists were from Great Britain and retained adherence to and admiration for key aspects of English common law. Tenets like the rule of law, due process, and trial by jury, not necessarily respected in other parts of the world, could be taken for granted as important. Such commonalities proved useful and beneficial, albeit not entirely sufficient, in defining America.

In addition, most of the signers of the Declaration studied the classics, and works on natural law by Aristotle, Cicero, and Saint Thomas Aquinas influenced the Founding generations.¹⁰ Republican Enlightenment writers like John Locke and Algernon Sidney, who opposed the divine right of kings in favor of limited government, put forth the notion that individuals form a social compact to protect themselves. They willingly establish a government and enter into a community that will be freer than the state of nature in which force and chaos are commonplace.

Such ideas, combined with the comprehensive morality of Christianity, gave the colonists a common starting point upon which they could build. Christianity, which teaches that all are made in the image of God and equal in His eyes, had laid much of the groundwork for the recognition of the principle that “all men are created equal.” The religious revival known as the Great Awakening swept through America in the 1730s and 1740s, and the most referenced work of the Founding generation between 1760 and 1805 was the Bible.¹¹ Liberty and independence were the subject of sermons, reaching the approximately 70–80 percent of the colonists who attended church on a regular basis.¹² For example, in a 1638 sermon, Reverend Thomas Hooker, founder of the colony of Connecticut, declared that “the foundation of authority is laid, firstly, in the free consent of the people.”¹³

Deliberation

The remarkably literate American colonists read and imbibed these sources, drawing on traditions and ideas of the Western world. But they still had to choose and refine which principles would underwrite the new nation they were founding. That was a widespread deliberative process, undergone through media like newspapers and public documents, that culminated in the Declaration of Independence.

The Suffolk Resolves of 1774 contended that infringements of the right of representation were not merely violations of positive, or manmade, law. Extending their reasoning back to first principles, the colonists argued that the British Parliament had committed “gross Infractions of those Rights to which we are justly entitled by the Laws of Nature, the British Constitution, and the Charter of the Province.”¹⁴ Such language anticipated the Declaration of Independence, as Americans were emphasizing the importance of consent of the governed and tracing the appeal of the rights of Englishmen to the very source of those rights: natural law. It was the violation of those laws that ultimately would justify separation.

On June 12, 1776, the Virginia Constitutional Convention issued the Virginia Declaration of Rights, authored by George Mason. Much of the language is instantly recognizable, having been duplicated and paraphrased in the Declaration of Independence. The first section asserts that:

[A]ll men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.¹⁵

As Founding scholar Dr. Thomas West has demonstrated, in nine of the early state constitutions, “the equality idea is restated in different words, always with the same basic meaning.”¹⁶

Establishing America was an act of choice and will that respected widespread public opinion, the sovereignty of the people, and the contours of the American mind. The American people were determined to unite not based on exclusive religions or ethnicities, which were the traditional means of establishing a society, but voluntarily. Later, through the Constitution, they would establish a government on that basis. Alexander Hamilton summarized the remarkableness of that occasion:

[I]t seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.¹⁷

Through deliberation and commitment, Americans at the time of the Founding decided that certain principles were so worthy as to justify pledges of their sacred honor. That conversation spread up and down the Atlantic coast among public servants and future citizens, through newspapers and pamphlets, and in church pews and from pulpits. By the time a committee was formed and Thomas Jefferson was tasked with drafting the Declaration, so many of its ideas had been deliberated and had won subscription through the force of truth that Jefferson remarked that the Declaration was “an expression of the american mind,” and its “authority rest[ed]...on the harmonising sentiments of the day, whether expressed in... letters, printed essays or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, Etc....”¹⁸

Natural Law

The Declaration of Independence is both a culmination and a commencement. In the decades leading up to the Revolution, the American colonists formed themselves into a people committed to self-government. The Declaration recognized that reality, urged its continued refinement, and set the standards that must be met for the experiment in self-government to be successful.

America’s separation from Britain was justified by an appeal to “the Laws of Nature and of Nature’s God.”¹⁹ Such laws are transcendent, immutable,

and eternal. Natural law is a standard of justice that is independent of human will.²⁰ As Founder James Otis succinctly noted: “The law of nature, was not of man’s making.... He can only perform and keep, or disobey and break it.”²¹ Murder, for example, is not wrong because people say it is or because we pass laws against it. It is wrong in and of itself and would remain so even if everyone came together and declared it permissible. Condoning murder would contradict justice, violate human dignity, and debase society.

Natural law appropriately places human beings, as a species, within a broader hierarchy. As John Adams wrote:

[The equality of human nature] really means little more than that We are all of the same Species: made by the same God: possessed of Minds and Bodies alike in Essence: having all the same Reason, Passions, Affections and appetites. All Men are Men and not Beasts.... The blind are Men, and not Insects, the deaf are Men and not reptiles, the dumb are Men and not Trees. All these are Men and not Angells.²²

Natural law directs men toward the good and places limits on human beings, who are not beasts, enslaved to their passions, or gods who determine morality.²³

The choices of human beings are governed by the laws of nature because human beings themselves are not the authors of such laws. As Founder James Wilson wrote, “to direct the more important parts of our conduct, the bountiful Governour of the universe has been graciously pleased to provide us with a law,” and “to direct the less important parts of it, he has made us capable of providing a law for ourselves.”²⁴ Faculties like reason and observation endow human beings with the capacity to discern the natural law, and to thrive as human beings is to conduct ourselves according to those laws.

The colonists strove to do so, both as individuals and as a society. They united as a people through their commitment to the common cause of freedom and self-government, a commitment enshrined in the Declaration of Independence. Together, these principles create a timeless promise and perpetual challenge. Since the Founding era, the appeal to natural law has formed part of the American tradition. In resolving questions of justice, we can invoke the principle that “all men are created equal,” setting right rather than might as the standard of America. Each generation of Americans shares in the obligation to move toward a more perfect recognition of that great and enduring principle.

“All Men Are Created Equal” and Self-Government

What does “all men are created equal” mean?²⁵ By our very nature as human beings, we are equal in dignity and capable of reason. Through reason, individuals can discern right from wrong, and this, along with free will, raises their actions above mere instinct and makes them responsible for their decisions. When the Founders used the term “nature” in the Declaration, they referred to standards of human conduct that follow from what it means to be a physical being with intelligence and free will. Also typical for that time, the term “men” was synonymous with all human beings.

The focus of the Declaration is what people have in common; the emphasis is not on what separates us from each other, but on what distinguishes mankind from both beasts and God. In a letter, Jefferson reiterated the understanding that “the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of god.”²⁶ Physical and other nonessential distinctions—including, but not limited to, ethnicity, sex, social status, and levels of intelligence—are not marks indicating that any single human being has been born to rule over others without their consent. The differences in such qualities among people are not so fundamental as to justify despotism. “Any man is by nature the ruler (actual or potential) of any dog,” explained preeminent Lincoln scholar Dr. Harry Jaffa. “The government of man over other species is rooted in natural differences, but political government cannot be traced to any such difference.”²⁷

In turn, the principle of human equality directs and sets bounds for human behavior and government. There are ways individuals can act toward one another that assert inappropriate superiority, ways a government can preside over its citizens as subjects, and even ways an individual can conduct himself that are not consistent with human equality. Examples include slavery, tyranny, and a soul overcome by disordered addictions or passions. The principle that “all men are created equal” is at the root of self-government—of the activities of individuals and of nation that are respectful of the inherent dignity of human beings.

This relationship is reciprocal.²⁸ Because America is a self-governing nation, the sovereign people rule its political institutions by selecting their representatives, determining the structures of government, and breathing life into the Constitution. But the right to self-government also comes with a corresponding duty. The Founders believed that America would not endure without a virtuous people. Corrupt citizens will make corrupt laws. For America to be a truly self-governing nation, individuals must also govern

themselves with their reason prevailing over their passions and impulses (the Constitution itself aids in this work).²⁹ Both of these conditions are difficult to obtain and maintain, but they must be met in equal measure for our experiment in self-government to be successful. “A nation, as a society,” wrote Jefferson, “forms a moral person, and every member of it is personally responsible for his society.”³⁰

Self-government is not about unfettered and morally neutral choices. Citizens have the right of self-government, but they also are obligated to govern themselves accordingly. They have the ability to elect their representatives and deserve equality before the law, but they also have the responsibility to hold their representatives accountable and pass just laws that are consistent with the principle of human equality.³¹ True freedom therefore encompasses both rights and duties.

Inalienable Rights and the Pursuit of Happiness

Because human beings are equal, they have natural, or inalienable, rights. Natural rights are not granted through citizen consent or by the government. They are intrinsic to being human and reflect the conditions that are necessary for individuals to flourish. Freedom of the mind, which includes the ability to develop one’s own opinions and religious beliefs, is one example. The right of conscience, according to James Madison, “is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men: It is unalienable also, because what is here a right towards men, is a duty towards the Creator.”³²

The Declaration also points to the inalienable rights of “Life, liberty, and the pursuit of happiness.” The phrase “pursuit of happiness” is often misunderstood today. Some note that the phrase “life, liberty, and the pursuit of property” was first written by philosopher John Locke and so contend that “happiness” and “property” are interchangeable. There is some insight to this observation when coupled with an understanding of what the Founders meant by “property.” “In its larger and juster meaning,” wrote James Madison, “it embraces every thing to which a man may attach a value and have a right; and *which leaves to every one else the like advantage....* In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights.”³³

To the Founders, property was more encompassing and substantive than mere physical wealth; according to Madison, it includes an individual’s “opinions and the free communication of them,” his “religious opinions”

and “the profession and practice dictated by them,” the “safety and liberty of his person,” and “the free use of his faculties and free choice of the objects on which to employ them.”³⁴ Protecting property was about ensuring the freedom of the person and mind as well as the tangible goods accumulated by the exercise of our physical and mental talents.

The pursuit of happiness is also not a license for individuals to do whatever brings them subjective pleasure and psychological satisfaction. Such a definition of happiness would have seemed absurd to the Founding generation that promoted liberty, restricted by the laws of nature, over license. Like the Suffolk Resolves, the 1776 Proclamation to the General Court of Massachusetts, authored by John Adams and others, is a precursor to the Declaration. The Proclamation contends that “[a]s the Happiness of the People...is the sole End of Government, So the Consent of the People is the only Foundation of it, in Reason, Morality, and the natural Fitness of things.”³⁵

Happiness is about well-being or flourishing, not simply pleasure, and is based in objective standards of virtue and what is good for us as human beings. At that time, and in the context of the Declaration, pursuit meant a “practice or vocation” like the pursuit of medicine, something an individual inculcates in himself or herself with a view toward mastery and excellence. Fused together, the right to the pursuit of happiness is the right to live the good life, the necessary concomitant of our natural law obligations.³⁶

Consent of the Governed

The Declaration of Independence is America’s first act of collective consent as a new nation, covenanting Americans as a people. Americans voluntarily dedicated themselves to each other and to the common cause of liberty. As the need for consent is ongoing, and to secure their rights, they then established a government that derives its “just powers from the consent of the governed.”³⁷

Public opinion must be aggregated and measured in some manner, often through voting, representation, and majority rule.³⁸ As Madison wrote in *Federalist* No. 39, America is a “government which derives all its powers directly or indirectly from the great body of the people” rather than an “inconsiderable portion, or a favored class of it.”³⁹ The people’s belief in consent of the governed determined that America would be a republic.

Government by informed consent is consistent with the character of the American people, the habits of the heart and mind that constitute the people as a unified body committed to the credal principles of the Declaration.⁴⁰

As Madison put it, only a republican form of government is “reconcilable with the genius of the people of America.”⁴¹ The consistency between the government and the ethos of the American people is a powerful expression of consent of the governed, one that is more solid and less changeable.

Consent of the governed is not about the fleeting whims of a majority of the people at any given moment; rather, it is about the informed and reasoned consensus of the people over time. “All, too,” as Jefferson stated in his Second Inaugural Address, “will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.”⁴²

The interplay between an informed people and the government also becomes continuous and reciprocal. As articulated by Madison scholar Dr. Colleen Sheehan:

The spirit of republicanism, Madison emphatically pronounced, requires that the will of the government be dependent on, “or rather the same with,” the will of the society, and that the will of the society be subject to “the reason of society.” The process of subjecting the public will to the precepts of reason directs popular government toward the ends of justice and the general good. In turn, the resulting laws inform the citizens’ understanding and influence their perception of the public interest.⁴³

This refining process is essential because, while it may occur in practice, in principle, the majority is never justified in doing wrong. Natural rights are not granted by the government or through the consent of a citizen majority: They are intrinsic to being human. A majority condoning violations of human dignity would run contrary to the very principle from which majority rule is derived: that “all men are created equal.”

The Declaration of Independence is not a perfect description of what people were actually experiencing at the time. Lamentably, the Founders’ recognition of the truth that all human beings are equal did not suddenly make them self-governing in reality. Slavery was, of course, the most egregious violation of the principle that “all men are created equal.” But the existence of that horrific institution did not disprove the principle of human equality; it pointedly demonstrated the need to strive ever toward the fulfillment of that ideal.

Making the principle of human equality the foundation of the Declaration of Independence nevertheless served as a hopeful promise and a call for slavery’s eventual extinction. As Abraham Lincoln wrote:

[T]he authors of that notable instrument...meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere.⁴⁴

The Declaration of Independence provides direction, an objective truth toward which Americans aspire. While respecting majority rule may sometimes result in the adoption of unfair laws and institutions, the enshrining of natural rights and human equality in the Declaration puts justice on the side of those in the minority whose rights are violated in a system of majority rule. They can appeal to “all men are created equal” as a promise made as much to themselves as the majority. Simultaneously, that principle continues to work on and form the American mind, informing and directing its conscience to stand against violations of human liberty.

Right of Revolution

Taken as a whole, the Declaration of Independence is an appeal to the right of revolution. Its opening asserts that America will be separating from Great Britain, and the body of the text provides the justification for that course of action. The right of revolution is at its core the right of the people to sever existing political ties to form a new people and construct their own political institutions.

Curiously, the Declaration also describes the revolutionary act not just as a right, but as a duty. A duty to whom? In the Suffolk Resolves, the authors further explained that:

[I]t is an indispensable Duty which we owe to GOD, our Country, Ourselves and Posterity, by all lawful Ways and Means in our Power, to maintain, defend and preserve those civil and religious Rights and Liberties for which many of our Fathers fought—bled—and died; and to hand them down entire to future Generations.⁴⁵

Each new generation of Americans owes a debt of gratitude to the previous generation for their very character. The institutions and principles established by the Founding generation and maintained and fought for by subsequent generations encourage citizens to be resilient, spirited, and dutiful. They form the character of the individual, an indispensable gift, and encourage habits that support an ethos and way of life. Out of a sense

of honor and for the sake of our posterity, citizens must watchfully protect that character so that it will reemerge in our sons and daughters. This continuous chain of gratitude and obligation establishes and fortifies a unified people.

Grievances Against the King: Affirming “the Obligations of Government”

Why does the Declaration contain a list of “repeated injuries and usurpations”? Is it because “Those who do not complain are never pitied”?⁴⁶ If so, this portion of the Declaration has become rather ironic because it is often met with confusion, glossed over, or treated as unserious rhetoric.

In reality, the grievances provide another revealing portrait of the American mind: Many call for protections that later found their way into the Constitution. As scholar Dr. William B. Allen has explained, “[e]ach of the charges against the King can be converted into a positive affirmation of the obligations of government.”⁴⁷

Some of the justifications for inclusion of the grievances are provided in the text of the Declaration itself. Out of “a decent respect to the opinions of mankind,” the revolutionaries gave the reasons for their separation, citing actions that they believed had been frequent and egregious enough to satisfy their standard “that Governments long established should not be changed for light and transient causes.”

Like the opening paragraphs of the Declaration, the list of grievances had already been identified by the American people; “all but four of the charges are taken from state constitutions,” as historian Dr. Donald Lutz has observed, and many were regular features in colonial newspapers.⁴⁸

England had repeatedly interfered with (often effectively negating) laws that the colonists themselves had passed, thereby infringing on their right to self-government. First on the list is that the king “has refused his Assent to Laws, the most wholesome and necessary for the public good.”⁴⁹ New Hampshire, for example, had been prevented from enacting any restrictions on the importation of slaves. Jefferson articulated this objective more explicitly in the original draft of the Declaration (though the delegates from Georgia and South Carolina successfully insisted that the provision be stricken):

[The king] has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere

or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of INFIDEL powers, is the warfare of the CHRISTIAN king of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative effort to prohibit or to restrain this execrable commerce.⁵⁰

The second grievance is that the king “has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.”⁵¹ Typically, under British law, the governor could not enact certain laws without a clause that suspended their implementation until the monarch could approve or dismiss them. Not only was England interfering with and delaying laws fairly passed by the people’s representatives, but the colonists particularly objected to this measure “because they said it crippled and impaired the full freedom of debate, decision and enactment in their assemblies.”⁵² The sixth grievance likewise complained that the colonists’ ability to assemble and petition peacefully had been undermined.⁵³

In such grievances, we recognize the freedoms of speech, assembly, and petition that are enshrined in the Bill of Rights. The list of grievances against the king is in many respects the inverse of the Constitution.

As a whole, the Constitution and the Declaration complement one another, both helping to promote self-government in its dual understanding. On a spare scrap of parchment, Abraham Lincoln captured the symbiotic nature of this relationship:

There is something...entwining itself...about the human heart. That something, is the principle of “Liberty to all”—the principle that clears the *path* for all—gives *hope* to all—and, by consequence, *enterprize*, and *industry* to all.

The *assertion* of that *principle*, at *that time*, was *the word*, “*fitly spoken*” which has proved an “apple of gold” to us. The *Union*, and the *Constitution*, are the *picture* of *silver*, subsequently framed around it. The picture was made, not to *conceal*, or *destroy* the apple; but to *adorn*, and *preserve* it. The *picture* was made *for* the apple—not the apple for the picture.⁵⁴

The Constitution finds its purpose in the Declaration of Independence, just as a ship is constructed to carry cargo. Without the ship, the cargo is adrift and vulnerable. The ship is the vessel that contains the cargo, providing shelter and safety, just as the Constitution contains and protects

the principles of the Declaration.⁵⁵ In turn, the Declaration describes what *constitutes* the American people, what it is that truly makes us Americans. Without that ethos underlying the Constitution, the true meaning of the Constitution can be misinterpreted, ignored, or rejected. Taken together, they ensure that America remains America.

Following the Declaration

Just as the Declaration was formed by the American people as a whole, it was disseminated and proclaimed to the general public. By 1776, the Revolutionary War was already underway. Upon its issuance, General Washington had the Declaration read to the New York troops as a reminder of the republican principles they were fighting to establish for themselves and their posterity. Such public readings were repeated hundreds if not thousands of times throughout the colonies, and the text was printed in at least 30 local newspapers.⁵⁶

In the decades and centuries following its release, the Declaration of Independence foretold and prompted unfolding changes in America: changes in laws and institutions, the family, and society as a whole. As historian Gordon Wood explains, after the Revolution, “[f]ar from remaining monarchical, hierarchy-ridden subjects on the margin of civilization, Americans had become, almost overnight, the most liberal, the most democratic, the most commercially minded, and the most modern people in the world.”⁵⁷ The protection of property rights and the rejection of a class-based system unleashed American ingenuity and enterprise. Many states abolished primogeniture and entail laws, which decreed that estates pass in their entirety to a male heir.

The family became more democratic with relationships between wives and husbands, fathers and children, based more in affection and free choice than in rule, custom, and authority.⁵⁸ Such shifts were even reflected in colonial art; after 1776, family members were depicted on the same level instead of with fathers standing over their wives and children.⁵⁹ Married women enjoyed greater legal rights in America than in England, and most states strengthened women’s ability to own and control property.⁶⁰

But history rarely moves in a straight line. There are sputters and stops, disruptions and improvements, evolutions and devolutions.

While the Founders viewed slavery as a necessary evil and believed optimistically that abolishing the slave trade would set it on the course of ultimate extinction, that prospect was diminished by the invention of the cotton gin and the work of a rising new generation of southerners led

by John C. Calhoun.⁶¹ While in Congress, Calhoun would “procure interviews with young men, and instill into their minds the seeds of secession, nullification, and treason.”⁶² As a result of his tireless efforts, “[t]he unapologetic defenders of slavery and state sovereignty were rising,” and “[t]hose who assimilated to the earlier slaveholding abolitionist archetype were dwindling and gradually becoming extinct.”⁶³ Calhoun and his adherents saw slavery as a positive good and read the Constitution as a pro-slavery document, rejecting the Founders’ vision. James Madison, often labelled the Father of the Constitution, was still alive during Calhoun’s time and explicitly denounced Calhoun’s “preposterous” theories.⁶⁴ But Madison was getting on in years. It would take Abraham Lincoln re-entering the political stage, resuming Madison’s work, to counteract Calhoun’s influence.⁶⁵

The Declaration Throughout American History

The Declaration of Independence expounds eternal truth toward which individuals and America continue to aspire. For this reason, its indispensability is not confined to the Founding era; the Declaration must continually inform the conversation about what it means to be an American. The arc of American history reveals that our disputes and inflection points have often revolved around the meaning and implications of the principle that “all men are created equal.” As renowned American poet Robert Frost exhorted us, let us turn to how various ages have considered the Declaration.

Seneca Falls Convention. On July 19 and 20, 1848, in the Wesleyan Chapel of Seneca Falls, New York, a group of Americans gathered to discuss the rights of women. Elizabeth Cady Stanton and Lucretia Mott were in attendance along with Frederick Douglass, who was named the convention’s secretary. While it was the first women’s rights convention, the work of the attendees had not begun on that day. The Declaration of Sentiments that was issued at Seneca Falls is modeled after the Declaration of Independence.

Those assembled were the intellectual successors of Abigail Adams, who had written to her husband in 1776 that he should remember the ladies, contending that American women “will not hold ourselves bound by any Laws in which we have no voice, or Representation.”⁶⁶ Abigail was appealing to the American principles that animated her own character as well as that of her husband. So too were the men and women of Seneca Falls.

The Declaration of Independence espoused the principle of consent of the governed, but determining how best to aggregate and measure that consent would be the work of generations. The Declaration prompted questions that had previously been anathema in human history:

- Should women be able to vote?
- What about universal suffrage?

Though universal suffrage would take several more years to come to fruition and would spark contentious battles along the way, Seneca Falls was a notable step forward. Frederick Douglass, with his characteristic exceptional eloquence and understanding, spoke in favor of including women's suffrage in the resolutions put forth by the convention, turning the tide in favor of the vote; when Elizabeth Cady Stanton moved that the resolution calling for women's suffrage be adopted, Douglass was there to second the motion.⁶⁷

Alexander Stephens: Cornerstone Speech. Plenty of bad actors throughout American history have tried to distort the meaning of the Declaration of Independence. The attempted establishment of the Confederacy during the Civil War was not merely a misunderstanding; it was a deliberate rejection of the Declaration and the principle of human equality. In 1861, Vice President of the Confederacy Alexander H. Stephens argued that the ideas and government of the Founders “were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the government built upon it fell when the ‘storm came and the wind blew.’”⁶⁸

The confederacy that Stephens and others sought to establish would be a new nation that would be governed by old and ugly prejudices:

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth.⁶⁹

Abraham Lincoln: Electric Cord Speech. Standing against Stephens was Abraham Lincoln, backed by the Founders. In his Electric Cord speech commemorating the Fourth of July, Lincoln reflected on the fact that the memory of the Revolution was weakening. As would continue to be the case, more and more Americans were not direct descendants of those soldiers, statesmen, and citizens who founded the nation. Would the unity of America fade with the last of the revolutionaries? Lincoln was hopeful:

[When] men that have come from Europe themselves, or whose ancestors have come hither and settled here...look through that old Declaration of Independence they find that those old men say that “We hold these truths to be self-evident, that all men are created equal,” and then they feel that that moral sentiment taught in that day evidences their relation to those men, that it is the father of all moral principle in them, and that they have a right to claim it as though they were blood of the blood, and flesh of the flesh of the men who wrote that Declaration, and so they are. That is the electric cord in that Declaration that links the hearts of patriotic and liberty-loving men together, that will link those patriotic hearts as long as the love of freedom exists in the minds of men throughout the world.⁷⁰

Unlike most other nations, America is based on a set of principles and a culture that those principles help to establish and support. Individuals become Americans in a manner that is generally not possible in other countries: by subscribing to those principles and the American way of life. Similarly, while Americans can disagree over all sorts of policy questions, what we cannot ignore is the central principle that “all men are created equal.” It is what unites us and gives hope for reconciliation when the disagreements are substantive and the injustices are real. If we cease to give fidelity to the Declaration of Independence, we cease to be Americans.

Calvin Coolidge: Address at the Celebration of the 150th Anniversary of the Declaration of Independence. Some years later, President Calvin Coolidge was tasked with commemorating the 150th anniversary of the Declaration. In a momentous and beautiful speech, he delved into America’s archives, demonstrating that the Declaration of Independence was “supported by the force of general opinion” and proving that it was indeed an expression of the American mind.⁷¹ In the present day, “[a]mid all the clash of conflicting interests,” Americans could find solace in the Declaration and the Constitution:

About the Declaration there is a finality that is exceedingly restful. It is often asserted that the world has made a great deal of progress since 1776, that we have had new thoughts and new experiences which have given us a great advance over the people of that day, and that we may therefore very well discard their conclusions for something more modern. But that reasoning can not be applied to this great charter. If all men are created equal, that is final. If they are endowed with inalienable rights, that is final. If governments derive their just powers from the consent of the governed, that is final. No advance, no progress can be made beyond these propositions.⁷²

Coolidge warned against notions that Americans have somehow evolved and that their ideas are superior to those of the Founding generation. Dispensing with the Declaration of Independence would be a degradation, not an advancement. With no principled means of settling controversies, Americans become tempted to appeal to force, to consolidate tribal coalitions united by resentment. And resentment has never made individuals or nations strong, just, or admirable.

Martin Luther King, Jr.: “I Have a Dream.” On August 28, 1963, Martin Luther King, Jr., delivered his most famous speech. As he noted on the steps of the Lincoln Memorial, 1963 was “five score years” after Lincoln had signed the Emancipation Proclamation. That Proclamation had been a momentous step toward a better realization of the principle that “all men are created equal,” but the work was not complete, and the full promise of the Declaration remained unfulfilled.

The legitimacy of King’s call for that fulfillment was undeniable. “When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence,” he explained, “they were signing a promissory note to which every American was to fall heir. This note was a promise that all men...would be guaranteed the ‘unalienable Rights’ of ‘Life, Liberty, and the pursuit of Happiness.’”⁷³

The American story did not end at the Founding, nor is it resolved today. That note of promise is ever ongoing, replete with the continuous opportunity—and obligation—to demonstrate the human capacity for self-government and the remarkable ability of a society to unite on such a basis.

Barack Obama: Second Inaugural. President Barack Obama began his Second Inaugural Address by appealing to the maxim “all men are created equal,” stating that Americans were continuing “a never-ending journey to bridge the meaning of those words with the realities of our time” and that “we have always understood that when times change, so must we; that fidelity to our founding principles requires new responses to new challenges; that preserving our individual freedoms ultimately requires collective action.”⁷⁴

The meaning of the Declaration of Independence, according to President Obama, would need to be expanded to include “tolerance and opportunity, human dignity and justice” and be grounded in collectivism. This was a notable shift away from individual ingenuity and responsible citizenship toward dependence and division. As Dr. Allen explains:

More recently, social progress tends to be identified with the comfort of the least, which is a dumbing down of the idea of freedom. As a result, our

government has turned away from relying on creative and productive individuals to advance society; instead, it looks upon citizens first of all as wards of the state (the disadvantaged) and second as lucky (the advantaged). The problem is that a society can care for the least of its members only when it fosters the productivity of the best of its citizens.⁷⁵

For Obama, fulfilling the principle of equality entails adopting a host of progressive projects such as the “right” to health care and combatting global warming. When an idea is so expanded to mean everything, it loses its original meaning. It becomes fragile, and fragile ideas are more easily replaced with new notions and loyalties. In Lincoln’s time, the regime invented to displace the Founders’ vision was the Confederacy. In ours, it is the world of identity politics.

The 1619 Project. *The 1619 Project: A New Origin Story*, originally a journalistic endeavor by *The New York Times*, aims to replace 1776 with 1619, the date the first slaves allegedly were brought to America. Now promulgated in schools, the curriculum egregiously contends that the Founders fought the Revolution to protect slavery. As leading historians have noted, this is simply false, as are other assertions of the 1619 Project.⁷⁶

As indicated by the second part of the title, the overall aim of the 1619 Project is to provide a new story of America’s Founding. On the one hand, the revolutionaries fought for elected representation, consent of the governed, and human equality. Following the dedication of America to the principle that “all men are created equal,” the American story has been one of laboring and looking toward that principle despite notable injustices, setbacks, and imperfections.⁷⁷ According to the 1619 Project and adherents of Critical Race Theory, however, America is irrevocably and irredeemably racist: Slavery is not only our original sin, but also our origin and continuing legacy.⁷⁸ It is a replacement narrative that finds its intellectual roots in John C. Calhoun rather than in the Founders.

Distorting the American story is about tainting our principles, creating the opportunity to supplant them with something else and fundamentally transform America. America, for example, could become a place where groups vie for power based on race or ethnicity, or where elites rule over others as subjects, rather than a nation in which citizens govern themselves. Such a turn would move us away from the principles of the Declaration.

Conclusion

We are approaching the 250th anniversary of the signing of the Declaration of Independence. Anniversaries are occasions to reflect and ponder.

Will our public servants affirm the “moral sentiment” of America? Will they call for progress beyond that old Declaration of Independence? Or will they, as Frost worried, simply decide that the principle “all men are created equal” isn’t true? How will we answer such questions?

What unites us as a people is our common commitment to the Constitution and the Declaration, those moral and political principles that animate our minds and link our hearts. We have never been perfect, but what always gave us hope was the primacy that the maxim “all men are created equal” rightly held, the standards of justice it represented, and the aspirational and ongoing invitation it issued. If we reject that invitation, what will we become?

We might well find that rejecting our dedication to self-government would be a turn toward viciousness, both for us as individuals and for us as a people. If we were to reject the principles of the Declaration, “the only direction in which [we] can proceed historically is not forward, but backward toward the time when there was no equality, no rights of the individual, no rule of the people.”⁷⁹ No longer guided by reason and principle, the “better angels of our nature” would signal defeat, and our institutions would be left to be ruled by a “favored class.”⁸⁰

Were that to happen, we would no longer recognize ourselves. For the study of the Founding is a study of the American character: the principles, spirited habits, and shared sacrifices and obligations that those revolutionaries undertook and that we have the good fortune to adopt as our own. We see that ennobling character in the Suffolk Resolves and the Declaration of Independence, in the midnight ride of Paul Revere, in those Massachusetts farmers who fought at Lexington and Concord, in the rigid courage and uprightness of George Washington, and in the Adamses of Boston who rebelled against virtual representation.

America’s continued existence depends on our maintaining that national character, on enough of us being willing to care about what we always cared about, to turn to gratitude over resentment, and to be “restful” in our “finality” while moving with courage to declare that “I, too, am America.”⁸¹

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Endnotes

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