The Declaration of Independence: Changing Interpretations and a New Hypothesis

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"Nothing important merely happens—it develops," wrote Albert Beveridge in 1926 when he discussed the Declaration of Independence on its 150th anniversary. Few documents in history have indeed developed in so many directions as the Declaration. Americans over the past two centuries have argued over it as a sacred text, much as believers and doubters debate the correct interpretation and authoritative status of the Bible. The Declaration's interpreters may be grouped into four categories: (1) the Founding Fathers and the Revolutionary generation; (2) the radical/reform tradition; (3) the conservative critique; and (4) the scholarly debate over origins and the meaning of terms such as equality, liberty, and natural rights. The logical semiotic conclusion is that there is no Declaration of Independence but only a symbol representing the aspirations of the various interpreters. In fact, almost everything popularly accepted as true about the Declaration is a myth—that it was adopted unanimously (John Dickinson refused to sign and the New York delegates were forbidden by instruction to vote); that it was either signed or promulgated on July 4 (independence was approved July 2, proclaimed on July 8, and the document signed by everyone except John Hancock after July 4); and even that it is a "Declaration of Independence"—the real title is "A Declaration By the Representatives of the United States in General Congress Assembled."2

Nevertheless, I argue that only the radical/reform tradition reads the Declaration at all: the other interpreters have respectively celebrated, denied, or dissected it. Only those who have sought to use the Declaration to change society in the direction of greater liberty and equality have considered both parts of the document—not merely the philosophical introduction or the list of practical grievances—and situated it in a context which gives both sections meaning.

First, consider what the Declaration meant to the generation of the American Revolution. Congress contemplated a Declaration of Independence for two practical military reasons: to enlist foreign support and to increase enthusiasm for the struggle at home. Not only is the Declaration addressed to "a candid world," but Jefferson's notes on Congress' deliberations stress that "a declaration of independence alone could render it consistent with European delicacy, for European powers to treat with us ... and receive our vessels," therefore enabling the new nation "to enter into alliance with France."3 Within the newly proclaimed nation, the Declaration provoked official and unofficial
demonstrations and "had a glorious effect." It "has made these colonies all alive" in the words of New Hampshire signer William Whipple. In Sussex County, New Jersey, Joseph Barton noted that "we have had great numbers who could do nothing until we were declared a free state, who are now ready to spend their lives and fortunes in defense of our country." It also spurred George Washington's hopes "that this important event will act as a fresh incentive to every officer and soldier to act with fidelity and courage." 

In terms of stimulating support for the American cause at home and abroad, the Declaration was a success. Its aim was to promote patriotic loyalty, not philosophical inquiry. As such, most Americans then and subsequently celebrated the Fourth of July rather than the Declaration itself. John Adams hoped they would celebrate the Second, the day Congress voted for independence, "as the Great Anniversary Festival . . . as the day of deliverance, by solemn acts of devotion to God Almighty, solemnized with pomp and parade, shows, games, sports, balls, bonfires, and illuminations, from one end of the continent to the other." When the people learned of the Declaration, they immediately burned, buried, or otherwise destroyed effigies or statues of King George or British coats of arms, illuminated their houses, drank numerous toasts, and otherwise celebrated the great event uncritically.

Such joyous displays of public spirit troubled more thoughtful souls as time went on. Preparing for the fiftieth anniversary celebrations in 1826, the National Intelligencer asked "whether we are to have [the celebration] in the usual way, that is, by frying chickens, firing away damaged powder, or fuddling our noses over tavern wine? Or shall we do something, of which we may say in the language of the father of the poets, 'Let future ages hear it and admire'". Four decades later, Abraham Lincoln voiced the same thought—that to be true to the greatness and spirit of the Founders required further effort on behalf of their ideals rather than mindless praise of what they had accomplished:

When we were the political slaves of King George, and wanted to be free, we called the maxim that "all men are created equal" a self-evident truth, but now when we have grown fat, and have lost all dread of becoming slaves ourselves, we have become so greedy to be masters that we call the same maxim a self-evident lie. The Fourth of July is not quite dwindled away: it is still a great day—for burning firecrackers!

Even during the debates over the Declaration, the delegates were troubled by the awareness that the new republic could only justify its existence to a "candid world" if it promised more than the tyranny it denounced. Jefferson's famous denunciation of the slave trade, omitted from the final draft, termed it a "cruel war against human nature itself, violating it's [sic] most sacred rights of life & liberty. . . ." Tories were quick to pounce on the inconsistency between the
Americans' loud insistence on human equality and the fact that they held slaves—a practice declared unconstitutional in the British Isles in Somerset's Case in 1772. As exiled Massachusetts Governor Thomas Hutchinson asked the delegates in his critique of the Declaration, "how [do] their constituents justify the deprivation of more than a hundred thousand of their rights to liberty, the pursuit of happiness, and in some degree of their lives, if these rights were absolutely inalienable." One sign the Founding Fathers were troubled by this inconsistency is that the beginnings of the abolitionist movement in the United States date from the time of the Revolution. This culminated in gradual emancipation in the North and numerous individual manumissions in the South, and indicates that while Americans did not always subordinate economics to idealism, contradictions between the two seriously troubled the Revolutionary generation.

Nor did contemporaries limit their concern with domestic inequalities to slavery. Remarking on his hopes for the Declaration, the document's only Roman Catholic signer, Charles Carroll of Maryland, "had in view not only our independence of England, but the toleration of all equal rights. The late eighteenth century in fact witnessed the disestablishment of churches and the provision for equal political rights regardless of religion in most states. Similarly, the new states rectified complaints in the second half of the Declaration that royal policy denied newly settled regions proper representation in
colonial legislatures. State assemblies increased in size, voting qualifications were lowered and eventually eliminated, and state capitals shifted westward to permit easier access for frontiersmen.¹⁵

The revolutionary generation thus clearly intended the rights of life, liberty, and the pursuit of happiness to be more than either mere rhetoric, or the minimal statement that America possessed the same right of self-government as other nations. Efforts to reform internal institutions show that the revolutionaries were sufficiently moved by their own principles, their opponents’ jibes, the need to recruit as many people for the Revolution as possible, or some combination of all three, to support Abraham Lincoln’s interpretation of their intentions:

They meant to set up a standard maxim for a 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.... Its authors meant it to be a stumbling block to all those who in after times might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant when such should appear in this fair land and commence their vocation, they should find left for them at least one hard nut to crack.¹⁶

Hence, one reaches the radical/reform view of the Declaration. Throughout American history, groups claiming that the United States has denied equal rights to “life, liberty, and the pursuit of happiness,” have held up the Declaration as a standard. As did Lincoln and the Founding Fathers themselves, they regard “the United States” as a community testing the workability of the hypotheses of equality and freedom rather than its identification with the economic and political arrangements prevailing at any given time. Frequently they have penned alternative Declarations of Independence, incorporating much of the original phraseology while substituting different instances where violations of principles have occurred. Not surprisingly, alternative declarations have emanated from three main sources: the labor movement, beginning with Robert Owen’s fiftieth anniversary manifesto in 1826; the black civil rights movement, which issued manifestos in 1870 and 1966; and the women’s rights’ movement, notably the Seneca Falls Declaration of 1848.¹⁷ Even though not writing counter-declarations individuals including Abigail Adams (in her 1776 rebuke to John to “remember the ladies”), David Walker (who appealed for black revolution in 1829), Abraham Lincoln in 1865, and Martin Luther King, Jr. at Washington in 1963 have based their arguments on the contradiction between America’s principles as stated in the Declaration and its practices.¹⁸
In addition to prodding a community to live up to its own principles in the United States, the Declaration has served as a model for revolutionaries in other nations. Thomas Jefferson's fiftieth anniversary testimonial, penned two weeks before his death on July 4, 1826 regarded the Declaration as an inspiration to the world:

May it be to the world, what I believe it will be (to some parts sooner, to others later, but finally to all), the signal of arousing men to burst their chains, under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings of the security of self-government. The form which we have substituted restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened or opening to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, 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. These are grounds for hope for others; for ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them.19

Thoughts similar to Jefferson's have inspired emerging nations since 1776 to "declare" independence from imperial powers, using the same format of principles followed by grievances. Perhaps most ironically, in 1946 Ho Chi Minh declared the independence of Vietnam from the French, using as a model copies of the Declaration flown in by United States military intelligence.20 The Declaration has also been used to criticize United States foreign policy by those upset with American expansionism. Three such examples include Abraham Lincoln's opposition to the Mexican War,21 William Graham Sumner's memorable 1899 pamphlet "The Conquest of the United States by Spain" (which insisted American greatness lay in providing for the domestic happiness of its people rather than in acquiring power overseas),22 and contemporary Central American peace activists' insistence that revolutionaries against United States-supported tyrannies are following the Declaration's principles.23 Also noteworthy is the "Declaration of Interdependence" framed by historian Henry Steele Commager in 1976. It proclaims that "all peoples and nations of the globe should acknowledge their interdependence and join together ... to establish a new world order of compassion, peace, justice, and security."24 Commager thus explicitly articulated the logical conclusion of a Declaration intended as a universal example.

The third group of interpreters consists of critics of the Declaration's principles. If the Declaration has inspired a tradition of dedication to its principles of correcting injustices and inequalities throughout the world, it has...
also generated a counter-tradition denying its validity. Supporters of England during the Revolution articulated the three crucial points at the outset. First, the ideas of human equality and that men have inalienable rights are false: "All men, they tell us, are created equal. This is surely a new discovery; now, for the first time, we learn, that a child, at the moment of his birth, has the same quantity of natural power as the parent, and the same quantity of political power as the magistrate," John Lind wrote in his "Answer to the Declaration." As for "life, liberty, and the pursuit of happiness" being rights, Lind argued that "nothing which can be called government ever was, or ever could be, in any instance, exercised, but at the expense of one or the other of those rights." Second, even assuming such principles were valid, the Americans violated them themselves, not only through owning slaves, as Thomas Hutchinson noted, but by invading Canada in the hopes of conquering ethnically French subjects of England who had no desire to exchange masters. Hutchinson provided the third critique: the Declaration put the cart before the horse. Far from being goaded to arms by British oppression, the colonists brought on themselves "the acts of a justly incensed sovereign, for suppression of a most unnatural, unprovoked rebellion." Revolutions are the products of propaganda put out by disgruntled minorities, usually of intellectuals, not of tyranny. So Thomas Hutchinson believed.

At the very beginning of the "Age of the Democratic Revolution" which Alexis de Tocqueville predicted would become the dominant force of the
modern world, the Tories presented the essentials of all future critiques of revolution and democracy. Since human equality is impossible, and all governments (revolutionary ones more than most) must abridge some “inalienable” rights to guarantee others, it is best each nation works things out in accordance with its own needs and traditions. Revolutions are efforts to realize a false Utopia—or would be were revolutionaries sincere rather than power-hungry.

American conservatives’ felt need to deny or modify the Declaration led to two different responses. First, some have insisted that the Declaration’s principles do not apply at all. John C. Calhoun, speaking for a South committed to both slavery and its extension, termed human equality “the most false and dangerous of all political errors” and insisted that men acquired rights not naturally, but as they became civilized. The American Revolution was “formed of old materials and on practical and well-established principles, borrowed for the most part from our experience and that of the country from which we sprang.” The refusal of many Southerners to celebrate July 4 as the Civil War approached and in its aftermath confirmed this denial. On the other hand, some conservatives have maintained that the Declaration primarily argues for limited government and the rights of individuals to “pursue happiness” in an unregulated environment. In the words of Woodrow Wilson, the Declaration proclaimed “there can be no liberty if the individual is not free; there is no such thing as corporate liberty. There is no other possible formula for a free government than this: that the law must deal with individuals, allowing them to choose their own lives ... and that government must regulate not as a superintendent does, but as a judge does.”

I would argue that the conservative denial of the Declaration represents a serious distortion. Also, I submit that the conservative revision ignores both the list of grievances appended to the preamble and historical evidence of what government actually did in early America. First, it is unrealistic to suppose Jefferson and his co-conspirators ever entertained the idea men were equal in every conceivable respect, such as wealth or ability. If we plausibly assume “all men are created equal” is explained by what follows immediately—that is to say, equal with respect to the right to “life, liberty, and the pursuit of happiness”—the absurdity vanishes. Furthermore, unlike those who have used the Declaration as a model to advocate social change, conservatives stop reading with the preamble. But it is the list of grievances which explains the manner in which government may in fact trespass on man’s inalienable rights. No scholar I know of has tried to use the grievances to help explain the principles’ political theory.

Four general points underlie the grievances against George III: a) “he has refused to assent to laws, the most wholesome and necessary for the public good,” for the most part denying representation to newly settled regions or forbidding further settlement; b) through denial of representation he has abridged the popular right of self-government; c) he has corrupted justice by interfering with fair trials; and d) he has made war against the people, both
directly and by inflicting upon them "swarms of new officers to harass them" and "eat out their substance."

The Declaration therefore implies there are four conditions any government must fulfill to guarantee to the populace their equal rights to life, liberty, and the pursuit of happiness: a) pass laws necessary for the public good. This I should stress is a positive injunction, not one insisting on non-interference with states rights or private property, for example. Government in colonial America did not hesitate to regulate prices, distribute charity, or foster economic development as it perceived the public welfare dictated;\(^{32}\) b) no group of people within a polity ought to be denied adequate representation of its collective interest—reference to frontier settlements again makes clear the Founders were not thinking only in terms of individual rights. They were thinking of the collective rights of underprivileged minorities to gain access to equal individual rights; c) justice must be administered impartially (one of the Intolerable Acts had created trials for Americans before unrepresentative British juries) and therefore by true representatives of the real community to which an individual belongs; and d) people should not be robbed, murdered, or harassed by their government. The Declaration's insistence that George III has denied frontier settlement and representation is especially significant. It indicates the signers envisioned an expanding polity in which the same rights enjoyed by the original settlers would be opened to new groups of people. As their own reforms in the
direction of greater equality (such as extending the franchise and disestablishing the churches) indicate, they cared deeply that the new nation live up to its principles domestically in order that its international example not strike a hollow note. In light of the foregoing analysis, two auxiliary criticisms—that at any given time the United States has realized a fairly optimal equality ("under the law") or that the Declaration was never intended to apply to "unfit" people—fall by the wayside.  

Finally, the scholar-explicators. Strangely, the scholarly approach to the Declaration is subject to the same criticism as the conservative misreading. Scholars have been primarily concerned with the Declaration’s “origins.” Concepts of equality and happiness have been traced to sources as diverse as classical antiquity, British constitutional law, John Locke, the Scottish Enlightenment, and Protestant-Puritan Christianity. More immediate suggested antecedents include Thomas Paine, some farmers in Mecklenburg County, North Carolina, and most important colonial documents of the 1760s. Like the conservatives, the scholars deal with the preamble rather than with the grievances. In this case, however, I guess the reason is the grievances are either extremely obvious or extremely controversial. Superficial knowledge of the events from 1760-1776 is all that is required to know what Jefferson is talking about. On the other hand, to enquire into the validity of the grievances is to ask who is to blame for the Revolution. This is the sort of value-judgment modern scholarship shuns, at least explicitly. But doing so renders it impossible to do justice to the whole Declaration. Only Peter Hoffer, to my knowledge, who has imaginatively interpreted the entire document as an adaptation of the form of the traditional Bill in Equity—which justified an appeal to higher law when specific grievances could not be subsumed under statute—has regarded the grievances as equally “real” with the philosophy preceding them.

Ironically, public opinion in the late twentieth century both denies the Declaration’s principles and yet celebrates the document itself. A Miami Herald reporter nearly found himself arrested for suggesting fifty people randomly selected affix their signatures to a copy of the Declaration. Only one would. The rest not only failed to recognize it, but dismissed it as “rubbish” or “Commie junk,” and its author as “a hippie,” a “raver,” or a “red-neck revolutionist.” The public which celebrated a Bicentennial rather than a Revolution is thus paradoxically true to the public of 1776 in its uncritical patriotism.

However, my guess is that the Founding Fathers would be less than pleased with the conservative and scholarly interpretations of the Declaration which also hold current sway. The former dissects the principles which begin the Declaration while ignoring the text which explains them. The latter tends to derive rights from an intellectual tradition rather than from a life-or-death revolutionary struggle. The Founding Fathers and their radical heirs, by writing and reading the Declaration as an expression of concrete grievances and of the minimal
courtesies a government owes its population as well as a statement of political theory, interpreted it as an action intended to initiate an ongoing, world-wide community striving for equality, justice, and freedom. To be sure, in differing degrees the Fathers disagreed over specific institutional arrangements which would prevent this striving from deteriorating into social disorder. Nor could they anticipate the various contexts in which their ideas would prove relevant over the ensuing two centuries. But the internal reform accompanying the War for Independence demonstrates that only reformers and radicals have read the document correctly—as a continuing inspiration in the United States and throughout the world to eliminate oppression and to ensure that all groups of people enjoy adequate self-government and representation of both their collective interests and their personal freedom.

Notes

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6. Deshler as cited in n. 4.


16. Quoted in Henry Steele Commager, "The
26. Ibid., 120.