DOES THE DECLARATION OF INDEPENDENCE STILL SPEAK TO US TODAY?

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The Continental Congress voted on July 2, 1776 to declare independence from Great Britain and approved the final wording of the Declaration on July 4. John Adams, one of the drafters of the document, wrote to his wife Abigail that the Second Day of July 1776 will be the most memorable *Epocha* in the History of America. He believed that future generations will celebrate with pomp and parade and shows and games. The lighthearted celebrations continue to this day, though on the fourth of July, but the ideas, principles, and philosophical underpinnings of the document have taken on a deep significance for more than two centuries. The Declaration not only served as the foundation of a new nation, but in subsequent years has been a rallying cry for some and a reminder of promises not kept for others. I pose two questions: Why have the words and themes of the Declaration remained at the heart of American discourse? and Does the Declaration of Independence speak to us today?[1]

To respond to the first question, Why have the words and themes of the Declaration remained at the heart of American discourse? I will discuss the content of the document and draw on examples from different generations of Americans who praise the Declaration, use it to advance arguments and principles, and to spur action. Excerpts from the Declaration as well as the six readings that I reference are on the handout. (See Appendix.) These include the commemorative speeches of former Presidents John Quincy Adams and Calvin Coolidge; the Declarations drafted by the Anti-Slavery Society and the Woman's Rights Convention; and Frederick Douglass and the Reverend Dr. Martin Luther King, Jr. who used the Declaration of Independence as a means to hold America to her stated ideals.

First, a few words about the events leading up to the declaring of independence and the drafting of the Declaration. Nearly two hundred years prior to declaring independence from Britain, multiple European nations sponsored exploration, settlement, and trade in America. This

made for diverse experiences in what eventually came to be the British colonies. Grants of authority from the British Crown to those establishing commerce and colonies laid a foundation of legitimacy. The relations were generally mutually beneficial due to the vast resources on American soil, markets, and settlement opportunities. Interactions with various native tribes in America ranged from friendly to hostile. There were local governing structures present in the colonies, but they remained under the control of the British Parliament. Relations between the Americans and the British became increasingly strained as costs to defend America rose. Also, maintaining a colony separated by an ocean gave rise to fundamental questions about governance, taxation, and the future paths of both countries. The reach over the ocean remained just that, a reach, and so the colonies developed and grew independently.

While conflicts arose, the colonies remained remarkably independent of one another as well; their relationship was with Britain, and not necessarily with each other. The first substantial change in this posture came in response to the Stamp Act and the Sugar Act, which the British used to levy taxes on the colonists. James Otis of Massachusetts, who had been advancing arguments invoking the natural rights of the colonists, suggested an intercolonial conference. The Stamp Act Congress convened in New York in 1765. Representatives from nine of the thirteen colonies met and subsequently issued the Stamp Act Resolves. While boycotts had greater impact on ending British taxation, this initial intercolonial meeting was significant because it was a first attempt at providing a coordinated response to the British. Committees of Correspondence between the colonial governing bodies also served to develop ongoing intercolonial communication. They informed both private citizens and legislators.[2]

Two more notable Congresses convened to discuss responses to British actions. The First Continental Congress met in September 1774 in Philadelphia to address what the colonists called

the Intolerable Acts (dubbed the Coercive Acts by the British), which were aimed at punishing Massachusetts for their rebellion (dumping tea in the Boston Harbor and other actions). All colonies except Georgia sent representatives. The Congress issued The Declaration and Resolves to the British government and instituted a boycott. The ensuing hostilities at Lexington and Concord and other matters led to the convening of the Second Continental Congress less than a year later in May, 1775.[3]

Debate loomed large in the Second Continental Congress regarding the posture to be adopted toward the British. Two documents summed up the poles of debate: The Olive Branch Petition, which sought reconciliation with Britain, and the Declaration on the Causes and Necessity of Taking up Arms, which gave reasons why the colonists were fighting the British. The British rejected the Olive Branch Petition and they continued their attempts to quell the rebellious colonists by force. On the heels of the Continental Congress's authorization to the colonies to form provincial governments, the first of the resolutions to declare independence from Britain was issued on June 7, 1776. There was no unanimity in Congress on whether to remain under the British colonial structure or declare independence from the British so a decision was postponed until July 1. In spite of the disagreement, a committee of five was appointed to draft a declaration: Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. Jefferson took the lead in drafting the document, with Adams, Franklin, and the Congress making changes. As mentioned above, the resolution of independence was adopted on July 2, 1776 and on July 4 the Congress agreed to the written declaration.[4]

John Quincy Adams, son of John and Abigail Adams, in his July 4th, 1821 Address described the period leading up to declaring independence: "The connexion between different portions of the same people and between a people and their government, is a connexion of duties

as well as of rights. In the long conflict of twelve years which had preceded and led to the Declaration of Independence, our fathers had been not less faithful to their duties, than tenacious of their rights. Their resistance had not been rebellion. It was not a restive and ungovernable spirit of ambition, bursting from the bonds of colonial subjection; it was the deep and wounded sense of successive wrongs, upon which complaint had been only answered by aggravation, and petition repelled with contumely, which had driven them to their last stand upon the adamantine rock of human rights."[5] Adams spoke of duties and rights, which provides a window into the tension that the colonists experienced. Most had been dutiful British subjects who complied with the demands of the Crown, but concurrent with this was the development of a concept of rights that they believed should be acknowledged and did not have to be in conflict with their duties. The Americans increasingly perceived that their rights were not recognized by the British.

This brief foray into the events that led up to declaring independence sets the stage; I'll explain in due course why their significance goes beyond historical interest.

The content of the Declaration couples two very different features: the foundation of universal principles that begins the document and the very specific list of grievances that takes up more than half of the document. We'll discuss both.

What have come to be some of the most famous words in public discourse begin the Declaration: *When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation*.[6]

The people are referenced ten times in the Declaration, beginning with this first reference to the *people dissolve[ing] the political bands which have connected them with one another*. The next mention of people is the recognition of their right to alter, or abolish, and institute a new government. The remaining references to the people are in the list of abuses and usurpations. Coolidge in his speech on the 150th anniversary of the Declaration of Independence stated that the act of declaring independence "represented the movement of a people." He explained further: "It was not, of course, a movement from the top. Revolutions do not come from that direction. It was not without the support of many of the most respectable people in the Colonies, who were entitled to all the consideration that is given to breeding, education, and possessions….The American Revolution represented the informed and mature convictions of a great mass of independent, liberty-loving, God-fearing people who knew their rights, and possessed the courage to dare to maintain them." Coolidge's observation about the people is consistent with what John Adams wrote to his wife Abigail 150 years prior in 1776 during the period leading up to declaring independence: "Time has been given for the whole People, maturely to consider the great Question of Independence and to ripen their judgments, dissipate their Fears, and allure their Hopes, by discussing it in News Papers and Pamphletts, by debating it, in Assemblies, Conventions, Committees of Safety and Inspection, in Town and County Meetings, as well as in private Conversations, so that the whole People in every Colony of the 13, have now adopted it, as their own Act." [7] Invoking the people in the first line of the Declaration was not simply a rhetorical flourish or a dramatic overture, the former British subjects, now American citizens, were actively involved in severing ties and forming a new nation.

The political bands that united the colonists and the British for 150 years varied from colony to colony. They ranged from chartered corporations that encouraged trade, exploration,

and settlement (the Massachusetts Bay for example) to proprietary charters granted to an individual (William Penn for Pennsylvania), to Royal Colonies (New York was one). The governing structures varied dramatically, but a constant was oversight and control by the British King and Parliament. The political bands that the Americans dissolved ended all involvement by the British in the governing of those now former colonies; each state drafted or amended their existing constitutions for governance and the Articles of Confederation united the states into "a firm league of friendship with each other."[8]

The extraordinary phrase in the middle of the first sentence, *To assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them* recognized a universal standard independent of man-made governments and institutions. America was no longer subordinate to the British and assumed an equal station. The authority invoked was the laws of nature and of nature's God. Elizabeth Cady Stanton in the Woman's Rights Declaration of Sentiments invoked Blackstone, author of *Commentaries on the Laws of England* to explain this standard: "Blackstone in his Commentaries remarks that this law of nature, being coeval with mankind and dictated by God himself, is, of course, superior in obligation to any other. It is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this, and such of them as are valid derive all their force, and all their validity, and all their authority, mediately and immediately, from this original"[9] The coupling of God and Nature is comprehensive. It includes that which is human and of this world and that which is created by God and universal. Adams coupled the laws of nature with the dictates of justice and proclaimed, "In the annals of the human race, then, for the first time, did one People announce themselves as a member of that great community of the powers of the earth, acknowledging the obligations and claiming the rights of the Laws of Nature and of

Nature's God. The earth was made to bring forth in one day! A Nation was born at once!"[10] The emphasis on creation will become clearer in a moment.

After asserting the new posture of the nation, the Declaration declared that *a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.* The causes are presented in two parts: truths about the human condition and facts about the conduct and behavior of the British toward the colonists. First, the truths: *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.* The rights of life, liberty, and the pursuit of happiness are comprehensive in the lives of men and women though it is important to note that the document says "among these rights," which suggests that this list is not exclusive. Also, it was not sufficient to simply acknowledge them, but as Adams explains, "by the affirmation that the principal natural rights of mankind are unalienable, it placed them beyond the reach of organized human power." William Garrison, in the Declaration of Sentiments of the American Anti-Slavery Convention, asserted that being created equal and the assertion of rights served as "the corner-stone upon which they [the American founders] founded the Temple of Freedom."[11] This allows us to understand more fully the phrase laws of nature and nature's God; we are created equal, created by God, we are beings who are by nature equal. Further growth and development may bring distinguishing features such as one becoming stronger, another developing a particular talent, and still another experiencing an arrested development. The emphasis is on the recognition that we are created equal. Another feature of this assertion of "created equal" is further evidence of America's break with the past as explained by a scholar of the American Founding: "the principle of equality in the *Declaration* was a direct response to the earlier recognition of distinctions in men respecting titles to rule."

Britain was a hereditary monarchy with a landed aristocracy that drew distinctions based upon one's birth. That principle is being rejected with the assertion that *all men are created equal* as the new principle and "no one man was constituted by nature the ruler of any other."[12]

Once the foundation of rights was established and the rights delineated, what must be done to ensure that these rights are respected? The next part of the Declaration addresses this: *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 was not sufficient to simply acknowledge the rights, but as Adams explains, "by affirming that governments are instituted to secure them, and may and ought to be abolished if they become destructive of those ends, they made all government subordinate to the moral supremacy of the People."[13] These rights are inherent, not granted by government, but secured by government. The moral supremacy of the people gives a standard by which to judge: it is not force or violence, it is a moral foundation that can be discerned by reason and used as a basis for forming judgements.

The consent of the governed suggests an active participation in agreeing to a government and one that will secure the unalienable rights of the citizenry. Adams looked to the earliest settlers for an example of consent: "The first settlers of the Plymouth colony, at the eve of landing from their ship, therefore, bound themselves together by a written covenant [the Mayflower Compact]; . . . a social compact formed upon the elementary principles of civil society, in which conquest and servitude had no part. The slough of brutal force was entirely cast

off; all was voluntary; all was unbiased consent; all was the agreement of soul with soul."[14] The shared root of the words consent and consensus is from the Latin *consentire* to be in agreement, in harmony. The Plymouth settlers drafted a compact that bound them into a body politick for better ordering and preservation, to enact and frame just and equal laws, acts, and constitutions for the general good of the colony.[15] These same settlers were also colonists who were governed by the British and it is their descendants who severed ties with the British. The British King and government were not recognizing the rights that the colonists believed were inalienable and therefore believed that they had the legitimate right to separate and to withdraw consent from being governed further by the British.

Prudence, indeed, will dictate that Governments long established should not be changed for light and transient cause … But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government.

The colonists acted on the right to abolish in severing ties with the British and subsequently instituted a new form of government. Their actions were revolutionary, but the Declaration makes no mention of the word revolution. The transition to submitting to the world the candid facts of the "history of repeated injuries and usurpations" by the King begins with the word prudence. The virtue of prudence is counseled. Coolidge remarked about the events: "It had about it nothing of the lawless and disordered nature of a riotous insurrection. It was maintained on a plane which rises above the ordinary conception of rebellion."[16] The exercise of prudence requires a thoughtful consideration of the state of affairs, articulating reasons why it should be

changed, and deciding which actions should be taken. In addition to the call for prudence, the Declaration also recognized that the causes for dissatisfaction not be for *light and transient causes*, which suggests a grave set of circumstances must exist before this action can even be contemplated.

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

A brief colonial history can be sketched from the list of twenty-six entries that chronicle the injuries and usurpations. For example the charge of *taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments* referred to the British mandated Massachusetts Government Act of 1774 that removed any semblance of self-governance in the colony that had been practiced since the time of their original charter in 1629. The charge of *imposing taxes on [the colonists] without their consent* brings to mind the earlier efforts by the colonists to craft non-importation agreements in the Carolinas, boycotts of tea drinking, and the most famous of all, the Boston Tea Party which saw containers of tea dumped into the harbor, but all to no avail. Another abuse listed was Britain's deprivation of the *benefits of Trial by Jury* to the colonists. This right was subsequently acknowledged and protected in both state government constitutions and eventually the United States Constitution, (Article 3, section 2), as well as the 6th Amendment in the Bill of Rights. The listing of these grievances and others against the King satisfied one of the requirements that the drafters of the Declaration set out for themselves, *declar[ing] the causes which impel them to the separation*. It also informed those who were responsible for securing the rights announced in the Declaration as they drafted state constitutions, the Articles of Confederation, and eventually the U. S. Constitution, and the Bill of

Rights. Many in the colonies had suffered the abuses and were mindful of drafting constitutions that would protect against usurpation by those empowered to govern.

Not content with simply listing the injuries and usurpations, the drafters of the Declaration also acknowledged their past efforts to resolve differences with both the British King and those whom they refer to as their British brethren. *In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.* A tyrant does not recognize the liberty of those he rules, nor would he acknowledge the assertion at the beginning of the Declaration that all men are created equal. While there may be differences in ability, no one can be deprived of life or liberty without due process of law. The abuses by the King were challenged, but to no avail. The appeal to their British brethren was a look to their common ties of heritage and shared past, though distant. Yet these ties were not sufficient to supply a remedy to the sufferings of the colonists and thus they claim: *They too* [our British brethren] *have been deaf to the voice of justice and of consanguinity.* The conclusion they draw is separation from the British: *We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.*

The final assertion that they are now free and independent states is made clear: *We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; . . . And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we*

mutually pledge to each other our Lives, our Fortunes and our sacred Honor. The former individual colonies, now acting as united colonies, dissolved the political bands that had connected them to the British and they assumed an equal station. They were no longer subjects of the British crown, they were citizens of these United States.

Fifty-six representatives from these new states signed the Declaration. They committed treason in the eyes of the British crown, but their mutual pledge of their lives, fortunes and sacred honor bound them to each other. The new nation was already fighting the British, a war that was to last for seven years, until 1783. George Washington, now General Washington's diary entry for July 9, 1776 reads as follows: "The Honorable the Continental Congress, impelled by the dictates of duty, policy and necessity, having been pleased to dissolve the Connection which subsisted between this Country, and Great Britain, and to declare the United Colonies of North America, free and independent STATES: The several brigades are to be drawn up this evening on their respective Parades, at six OClock, when the declaration of Congress, shewing the grounds & reasons of this measure, is to be read with an audible voice. The General hopes this important Event will serve as a fresh incentive to every officer, and soldier, to act with Fidelity and Courage, as knowing that now the peace and safety of his Country depends (under God) solely on the success of our arms: And that he is now in the service of a State, possessed of sufficient power to reward his merit, and advance him to the highest Honors of a free Country." It was noted that the reading of the Declaration of Independence on this date "was received by three Huzzas from the Troops."[17]

There were several actions immediately taken after independence was declared. In a letter written by Thomas Jefferson to John Adams in 1813, he recalled the following: "at the first session of our legislature after the Declaration of Independance, we passed a law abolishing

entails. and this was followed by one abolishing the privilege of Primogeniture, and dividing the lands of intestates equally among all their children, or other representatives. these laws, drawn by myself, laid the axe to the root of Pseudo-aristocracy."[18] The recognition that there was a new form of government required that the nation be put on a new footing. Entails, the practice of limiting the passage of property to a specified line of heirs, and primogeniture, the practice of limiting the inheritance to the first born, were hallmarks of aristocratic governments that perpetuated a landed aristocracy. These are just two examples of how the United States broke decisively with the past and with the aristocratic traditions of the British.

The now citizens of the United States of America, were not just severing ties with their colonial British past, nor were they simply forming a new government, the foundation laid by the Declaration of Independence articulated truths that had never been used as the foundation of government. Adams saw the Declaration as announcing "in practical form to the world the transcendent truth of the unalienable sovereignty of the people. It proved that the social compact was no figment of the imagination; but a real, solid, and sacred bond of the social union."[19] Coolidge looked upon the Declaration as having a finality: "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."[20] Adams and Coolidge both observed that the people of these United States had a responsibility to themselves and others to act in a capacity that was consistent with the foundational principles.

One of the primary means of acting on these principles was to constitute republican forms of government in the states and the new nation. All was founded on consent, which required an exercise of judgment and reason on the part of the citizenry. Republican principles were also embraced as Adams explains: "Our manners, our habits, our feelings, are all republican; and if

our principles had been, when first proclaimed, doubtful to the ear of reason or the sense of humanity, they would have been reconciled to our understanding and endeared to our hearts by their practical operation."[21] The government that was instituted could not be any form of authoritarian government; it had to be a form of government that acknowledged the sovereignty of the people and was consistent with securing the safety, that which secured the body, and happiness, that which permitted higher aspirations of fulfillment, as stated in the Declaration. It also had to secure the inalienable rights of life, liberty, and the pursuit of happiness.

Frederick Douglass described those who drafted the Declaration as "peace men." He explains further: "they preferred revolution to peaceful submission to bondage. They were quiet men; but they did not shrink from agitating against oppression. They showed forbearance; but that they knew its limits. They believed in order; but not in the order of tyranny. With them, nothing was 'settled' that was not right. With them, justice, liberty and humanity were 'final;' not slavery and oppression. You may well cherish the memory of such men. They were great in their day and generation. Their solid manhood stands out the more as we contrast it with these degenerate times."[22]

Before I continue with my remarks, I would like to say that what is about to take place is a jarring transition. We've reached a high point with our reading of the Declaration of Independence and efforts to understand its meaning, but in the passage that I just quoted from Frederick Douglass, the mention of slavery interjects a note of discord. Let me read it again: "With them, [those who drafted the Declaration] justice, liberty and humanity were 'final;' not slavery and oppression." Douglass was talking about the slavery that they, the colonists, were suffering in light of the actions of the British. It is his mention of "these degenerate times" that makes for the jarring transition.[23]

These degenerate times that Douglass mentioned were alluded to by others prior to his speech in 1852. Adams made the following observation: "The inconsistency of the institution of domestic slavery with the principles of the Declaration of Independence, was seen and lamented by all the southern patriots of the Revolution; by no one with deeper and more unalterable conviction, than by the author of the Declaration himself. No charge of insincerity or hypocrisy can be fairly laid to their charge. Never from their lips was heard one syllable of attempt to justify the institution of slavery. They universally considered it as a reproach fastened upon them by the unnatural step-mother country, and they saw that before the principles of the Declaration of Independence, slavery, in common with every other mode of oppressor, was destined sooner or later to be banished from the earth. Such was the undoubting conviction of Jefferson to his dying day. … My countrymen! it is written in a better volume than the book of fate; it is written in the laws of Nature and of Nature's God."[24] Adams included these sentiments in his 1837 Speech on Independence Day, sixty-one years after the Declaration was drafted. The nation was deeply divided and on the brink of civil war, yet there was no resolution in sight.

Returning to Frederick Douglass, the degenerate times of which he spoke were among the darkest in the history of the United States. The Declaration recognized that all men are created equal and they possessed inalienable rights of life, liberty, and the pursuit of happiness, but slavery was still present in the southern states. Douglass condemned the recently passed Fugitive Slave Law, which required that slaves in free states be returned to their bondage. He delivered a speech entitled, "What to the Slave Is the Fourth of July?" on July 5, 1852 in Rochester, New York before the Rochester Ladies Anti-Slavery Society. Douglass was a freed slave who was active in the abolitionist movement. He intentionally spoke on July 5 and pointedly included in his remarks about the 4th of July, "it is the birthday of your National Independence." He posed

questions to his audience, “Fellow-citizens, pardon me, allow me to ask, why am I called upon to speak here to-day? What have I, or those I represent, to do with your national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us? and am I, therefore, called upon to bring our humble offering to the national altar, and to confess the benefits and express devout gratitude for the blessings resulting from your independence to us?” He continues, “What, to the American slave, is your 4th of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim.”[25]

Douglass was blunt. He questioned how the country could declare the self-evident truths of the Declaration, but “you hold securely, in a bondage which, according to your own Thomas Jefferson, ‘is worse than ages of that which your fathers rose in rebellion to oppose,’ a seventh part of the inhabitants of your country.” Not only were those in the south who held slaves denying them fundamental rights, they were also masters of them in direct contradiction to the principles of the Declaration.[26]

It was not just the slaves who suffered, according to Douglass, but the nation as a whole. He offered this stark image: “a horrible reptile is coiled up in your nation’s bosom; the venomous creature is nursing at the tender breast of your youthful republic.” He condemned the practice of slavery: “The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretence, and your Christianity as a lie. It destroys your moral power abroad; it corrupts your politicians at home. It saps the foundation of religion; it makes your name a hissing, and a by word to a mocking earth. It is the antagonistic force in your government, the only thing that seriously disturbs and endangers your Union. It fetters your progress; it is the enemy of improvement, the deadly foe of education; it fosters pride; it breeds insolence; it

promotes vice; it shelters crime; it is a curse to the earth that supports it; and yet, you cling to it, as if it were the sheet anchor of all your hopes."[27]

Douglass spoke these words in 1852, but he ended his speech on a note of hope: "Allow me to say, in conclusion, notwithstanding the dark picture I have this day presented of the state of the nation, I do not despair of this country. There are forces in operation, which must inevitably work the downfall of slavery. 'The arm of the Lord is not shortened,' and the doom of slavery is certain. I, therefore, leave off where I began, with hope. While drawing encouragement from the Declaration of Independence, the great principles it contains, and the genius of American Institutions, my spirit is also cheered by the obvious tendencies of the age."[28] Douglass lived to see the passage of the thirteenth Amendment in 1865, which abolished slavery, and the fourteenth and fifteenth Amendments which secured equal protection under the laws and voting rights. Yet this was not an end to the injustices suffered by those who were now freed slaves.

One hundred eleven years later, Dr. Martin Luther King was jailed after a march in the streets of Birmingham, Alabama in 1963. In his letter from his jail cell, he wrote: "We have waited for more than 340 years for our constitutional and God-given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse-and-buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, 'Wait.'"[29] Just like the colonists before them who had experienced "the deep and wounded sense of successive wrongs,"[30] those living in south, could wait no longer.

King continued, "One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American

dream and for the most sacred values in our Judaeo-Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence." The American dream that King mentions can be linked to the rights listed in the Declaration. The progression of life, liberty, and the pursuit of happiness provides the foundation by which dreams can be realized yet parts of America were obstructing and intentionally thwarting many who wished to achieve their dreams. When criticized for being an outsider coming to Birmingham to protest, King responded it was the most segregated city in America, moreover he was there because injustice was there. King explained, "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial 'outside agitator' idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds."[31]

Douglass and King both invoked the Declaration of Independence in their writings. They shared the sentiment that Coolidge expressed in his speech: "Ours is a government of the people. It represents their will. Its officers may sometimes go astray, but that is not a reason for criticizing the principles of our institutions." Douglass criticized those who believed that "the right to hold and to hunt slaves is a part of that Constitution framed by the illustrious Fathers of this Republic." He proclaimed "… I differ from those who charge this baseness on the framers of the Constitution of the United States. It is a slander upon their memory, at least, so I believe." King, while critical of segregation and discrimination, was hopeful because of what America represented: "We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands."[32]

The Declaration was not only held up as a beacon of hope by Douglass and King who were separated by a century, but it served as a template for others. Two organizations that spawned significant movements in the United States modeled their Declarations after the document: the American Anti-Slavery Convention in 1833 in Philadelphia, Pennsylvania and the Woman's Rights Convention in 1848 in Seneca Falls, New York. Both acknowledged the rights in the 1776 Declaration, but the Anti-Slavery advocates sought to complete the recognition of those rights and the Woman's Rights advocates sought to expand those rights.

The National Anti-Slavery Society convened to address "the enslavement of one-sixth portion of the American people." They looked back fifty-seven years to 1776 and acknowledged the effort to deliver America "from a foreign yoke" and stated that the Temple of Freedom was founded on the belief "that all men are created equal" and "that they are endowed by the Creator with certain inalienable rights." They declared that the "conviction that Truth, Justice and Right were on their side, made them invincible." They drew out a contrast between their efforts to rely on the spiritual and through God and to oppose moral purity to moral corruption, and the efforts of the Founders who were forced to wage war and marshal arms. Throughout their Declaration, they alluded to what had been advanced in 1776 including acknowledging the slave's inalienable right to liberty and that laws admitting the right of slavery infringed on the law of nature and were thus an overthrow of the social compact.[33]

The Woman's Rights Convention met some fifteen years later. In the Seneca Falls Keynote Address, Elizabeth Cady Stanton explained their reasons for convening: "… we are assembled to protest against a form of government existing without the consent of the governed … It is to protest against … unjust laws … that we are assembled today, and to have them, if possible, forever erased from our statute books, deeming them a shame and a disgrace to a

Christian republic in the nineteenth century. We have met to uplift woman's fallen divinity upon an even pedestal with man's. And, strange as it may seem to many, we now demand our right to vote according to the declaration of the government under which we live." The Declaration that was signed by 68 women and 32 men and paralleled the 1776 Declaration with changes of phrases to reflect their initiatives. Their list of abuses and usurpations were specific to the interaction between men and women.[34]

These two organizations and movements launched significant social initiatives that drew inspiration from the Declaration. While they were advancing causes particular to slaves and to women, their means to make their voices heard overlapped. The National Anti-Slavery Society concluded their declaration with their "designs and measures." They saw their first task as organizing Anti-Slavery Societies "if possible, in every city, town and village in our land." Their efforts also included sending forth agents, circulating anti-slavery tracts, enlisting the pulpit, purifying churches from the practice of participation in slavery, encouraging the labor of freemen, and sparing no means to bring the nation to "speedy repentance."[35] The Women's Rights Declaration included a similar plan to action: "In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the state and national legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of conventions embracing every part of the country."[36]

Previously, I quoted Coolidge's assessment and observation that the act of declaring independence "represented the movement of a people" that "it was not, of course, a movement from the top. Revolutions do not come from that direction."[37] Had Coolidge in 1926 chosen to

include examples similar to that which the people of 1776 advanced, he needed to look no further than the National Anti-Slavery Society and The Women's Rights Convention.

We can begin to discern a pattern that has been woven into the fabric of America. The Declaration of Independence made mention of the colonists' repeated petitions to the British for redress of their grievances. After the brief historical review to recall the circumstances surrounding the drafting and subsequent passage of the Declaration that I gave at the beginning of my remarks, I said that I would explain why their significance goes beyond historical interest. The practice that began as early as 1765 when a group of representatives from the colonies issued the Stamp Act Resolves and repeated in various ways until declaring independence from the British, was a practice that was aimed at articulating grievances and presenting arguments about why a different position or practice should prevail. The tradition of convening groups of people to discuss problems or resolve disputes, appointing representatives from the various colonies to meet on behalf of the people, and establishing a "national" or "united" response after debate was a long standing tradition in America that preceded the formation of the states and the nation. Coolidge made the following observation about this practice as it specifically related to declaring independence: "This obedience of the delegates to the wishes of their constituents, which in some cases caused them to modify their previous positions, is a matter of great significance. It reveals an orderly process of government in the first place; but more than that, it demonstrates that the Declaration of Independence was the result of the seasoned and deliberate thought of the dominant portion of the people of the Colonies. Adopted after long discussion and as the result of the duly authorized expression of the preponderance of public opinion ... It was in no sense a radical movement ... It was conservative and represented the action of the colonists to

maintain their constitutional rights which from time immemorial had been guaranteed to them under the law of the land." [38]

Coolidge's mention of an orderly process is one that has become a hallmark in America, but it goes beyond the elected representatives carrying out the wishes of the electorate. The examples previously given of the Anti-Slavery Society and the Woman's Rights Convention where both explained how they intended to disseminate their arguments and persuade the citizenry and their elected representatives is consistent with the orderly process that was followed by the colonists and then citizens of the newly formed United States as Coolidge described. I've shared the words from Frederick Douglass's great speech "What to the Slave Is the Fourth of July?" In addition to his speeches, when he became a free man, he moved to Rochester, New York and helped people reach freedom on the Underground Railroad, supported anti-slavery political parties, bought a printing press, and published his own newspaper, *The North Star*, an antislavery newspaper.[39] These are actions that are consistent with the longstanding tradition of shaping political debate through the written and spoken word and presenting arguments aimed to persuade the citizenry.

Among the finest examples in the twentieth century of moving people and influencing debate through an orderly process consistent with that which started with the colonists was King's non-violent protests. In his "Letter from Birmingham City Jail," he explained the steps he took to achieve full recognition of those rights articulated in the Declaration of Independence. He was in Birmingham because it was the most segregated city in the United States, it had in King's words an "ugly record of brutality," and there was no justice to be had in the courts, but the city fathers refused to engage in "good-faith negotiation." Requests to the Birmingham economic community to "remove the stores humiliating racial signs" also failed. Like the colonists some

two centuries previously whose efforts at negotiation with the British failed, King's efforts failed. He saw himself standing between the forces of complacency and those who called for violence. It became clear to him that other methods had to be tried; he decided on a course of direct action.

King wrote, "We would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self-purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: 'Are you able to accept blows without retaliating?' 'Are you able to endure the ordeal of jail?'" King prepared the protesters, in an orderly manner, for a non-violent protest with a specific aim: "The purpose of our direct-action program is to create a situation so crisis-packed that it will inevitably open the door to negotiation."[40] This is one example of the colonists' experiences differing from King's efforts: in spite of repeated efforts, the British refused to negotiate; King fared better though not before grave trials and sufferings.

While many were critical of King's efforts, he responded: "Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue…. I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half-truths to the unfettered realm of creative analysis and objective appraisal, we must see the need for nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood."[41] Similar to the efforts of the colonists who declared independence and

proclaimed that they were *To assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them*, King used various means to achieve an equal station for those living in Birmingham and all other places that continued to suffer the gross injustices that festered in those places that previously denied life, liberty, and the pursuit of happiness.

Frederick Douglass and the Anti-Slavery Society and the Women's Rights Convention acted in a similar fashion to King and the colonists; they raised the tension by bringing to the forefront matters that needed debate. There were disagreements, but the goal was to achieve a remedy or a resolution to the tension. The practices that date back to the colonists of acting in concert to right wrongs, to do so without violence, and to advance reasoned discourse in order to persuade have been used repeatedly throughout the nation's history. These actions, in part, allow us to begin to respond to the questions posed at the beginning: Why have the words and themes of the Declaration remained at the heart of American discourse? And Does the Declaration of Independence speak to us today?

Conclusion

The eternal and universal principles used to craft an argument for severing ties with the British and laying the foundation for a new nation were successful in 1776, but their relevance did not end once America became an independent nation. The principles used as justification and explanation speak to all, as much today as they did 242 years ago. The Declaration is a measure that serves as a reference point, regardless of the time or particular set of circumstances. That we are created equal is not dependent upon our being American, or male or female, or our economic condition. It is a universal truth. That we have inalienable rights to life, liberty, and the pursuit of happiness is not dependent upon the government that is in power. That we have the right to alter

or abolish our government if it becomes destructive of these rights is as true today as it was in 1776. That government is intended to secure our rights and derives its just powers from the consent of the governed reminds us that foundation of the sovereignty of the people requires participation and vigilance. Consent is given on an ongoing basis and the judgment of whether the government is securing the rights of American citizens or thwarting them is a constant exercise. The words and themes of the Declaration have remained at the heart of American discourse because they provide a guide that is timeless. I can think of no greater differences between the likes of John Quincy Adams, Calvin Coolidge, William Garrison, Elizabeth Cady Stanton, Frederick Douglass, and Martin Luther King, those whom I invoked to assist in my presentation today, yet they all read the Declaration because it spoke to them and it spoke to the America they lived in, but it also spoke to the America that they wanted it to become.

Does the Declaration of Independence still speak to us today? I respond in the affirmative. To give a nod to my St. John's audience, we can change the question to, does the Declaration initiate a dialogue today? The answer is also yes and that may well be its strength: it initiates dialogue. When we are forced to ponder all of the assertions and truths in the Declaration, what I just listed above, we must engage in a dialogue with our fellow citizens. To quote another great work from the period of the Declaration, *The Federalist Papers*, we are asked to determine whether we can establish good government from reflection and choice or by accident and force.[42] The Declaration provides the parameters of the discussion that lead to reflection and choice. As America becomes more fragmented, the current word is tribalistic, as monuments to historical figures are being toppled, questions about how America's past should be honored or erased, or whether we stand or take a knee during the National Anthem, such parameters and the principles that we have been discussing are necessary. The annual

remembrance of the ideals and recitation of the words, a deliberation and reflection upon the meaning and applicability of the words must be an occurrence that goes beyond the 4th of July.

Notes

1. Letter from John Adams to Abigail Adams, 3 July 1776, “Your Favour of June 17...” [electronic edition].

2. “James Otis;” “Stamp Act Congress;” “Committees of Correspondence.”

3. “First Continental Congress;” “Declaration and Resolves of the First Continental Congress;” “Prelude to Revolution;” “American Revolution.”

4. “American Revolution;” Malone, *Jefferson the Virginian*, 219-229.

5. John Quincy Adams, “Address.”

6. Declaration of Independence. All excerpts from the Declaration are in italics.

7. Letter from John Adams to Abigail Adams, 3 July 1776, "Had a Declaration ..." [electronic edition].

8. Eastman, “Political Development: Colonial America.”

9. “Laws of Nature;” Stanton, “Declaration.”

10. John Quincy Adams, “Oration.”

11. Garrison, “Declaration.”

12. Allen, “Discursus,” p. 7.

13. John Quincy Adams, “Oration.”

14. John Quincy Adams, “Address.”

15. Mayflower Compact, 1620.

16. Coolidge, “Speech.”

17. Washington Papers General Orders, 9 July, 1776. The original text has a footnote: The reading of the Declaration of Independence on this date, Samuel Blachley Webb says, “was received by three Huzzas from the Troops” (Ford, *Webb Correspondence and Journals*, 1:153).

18. Jefferson Papers, Thomas Jefferson to John Adams, 28 October 1813.

19. John Quincy Adams, “Address.”

20. Coolidge, “Speech.”

21. John Quincy Adams, “Address.”

22. Douglass, “Speech.”

23. Douglass, “Speech.”

24. John Quincy Adams, “Oration.”

25. Douglass, “Speech.”

26. Douglass, “Speech.”

27. Douglass, “Speech.”

28. Douglass, “Speech.”

29. King, “Letter.”

30. John Quincy Adams, “Address.”

31. King, “Letter.”

32. Coolidge, “Speech;” Douglass, “Speech;” King, “Letter.”

33. Garrison, “Declaration.”

34. Stanton, “Declaration;” Stanton, “Address.”

35. Garrison, “Declaration.”

36. Stanton, “Declaration.”

37. Coolidge, “Speech.”

38. Coolidge, “Speech.”

39. National Park Service, “Frederick Douglass.”

40. King, “Letter.”

41. King, “Letter.”

42. *Federalist Papers*, #1.

Bibliography

"American Revolution." The History Place. http://www.historyplace.com/unitedstates/revolution/revwar-75.htm.

"Committees of Correspondence." U.S. History. http://www.ushistory.org/US/10c.asp.

"Declaration and Resolves of the First Continental Congress, October 1774." The History Place. http://www.historyplace.com/unitedstates/revolution/resolves.htm.

Declaration of Independence. National Archives: America's Founding Documents, "Declaration of Independence: A Transcription," https://www.archives.gov/founding-docs/declaration-transcript.

Federalist Papers. The Avalon Project: Documents in Law, History, and Diplomacy. http://avalon.law.yale.edu/18th_century/fed01.asp

"First Continental Congress." U.S. History. http://www.ushistory.org/us/10d.asp.

"James Otis." United States History. http://www.u-s-history.com/pages/h1204.html.

"Laws of Nature." Founding.com. http://founding.com/the-declaration/founding-principles/laws-of-nature/.

Mayflower Compact: 1620. The Avalon Project: Documents in Law, History, and Diplomacy. http://avalon.law.yale.edu/17th_century/mayflower.asp.

"Prelude to Revolution." The History Place. http://www.historyplace.com/unitedstates/revolution/rev-prel.htm.

"Stamp Act Congress." U.S. History. http://www.ushistory.org/us/10a.asp.

Adams, John. *Adams Family Papers: An Electronic Archive.* Massachusetts Historical Society. http://www.masshist.org/digitaladams/.

Adams, John Quincy. "An address, delivered at the request of the committee of arrangements for celebrating the anniversary of Independence, at the City of Washington on the Fourth of July 1821 upon the occasion of reading The Declaration of Independence." http://teachingamericanhistory.org/library/document/speech-on-independence-day/.

Adams, John Quincy. "An oration delivered before the inhabitants of the town of Newburyport, at their request: on the sixty-first anniversary of the Declaration of Independence, July 4th, 1837." http://teachingamericanhistory.org/library/document/speech-on-independence-day-2/; See also https://archive.org/stream/orationdelivered00adam/orationdelivered00adam_djvu.txt.

Allen, William B., "A Discursus on the Sources of the American Founding." Symposium on "The Intellectual Sources of the American Constitution, Williamsburg, VA, October 4-7, 1984.

Coolidge, Calvin. "Speech on the Occasion of the 150th Anniversary of the Declaration of Independence, Philadelphia, Pennsylvania, July 5, 1926." http://teachingamericanhistory.org/library/document/speech-on-the-occasion-of-the-one-hundred-and-fiftieth-anniversary-of-the-declaration-of-independence-2/.

Douglass, Frederick. "What to the slave is the fourth of July?" Speech delivered to the Rochester Ladies Anti-Slavery Society, Rochester, New York, July 5, 1852. http://americainclass.org/wp-content/uploads/2011/04/Douglass-FullText.pdf.

Eastman, Elizabeth. "Political Development: Colonial America," Powerpoint, Chapman University, HIST 328, January, 2013.

"Frederick Douglass." National Park Service. https://www.nps.gov/frdo/learn/historyculture/frederickdouglass.htm.

Garrison, William Lloyd. "Declaration of Sentiments of the Anti-Slavery Convention." Philadelphia, December 6th, A. D. 1833. http://utc.iath.virginia.edu/abolitn/abeswlgct.html.

Jefferson, Thomas. *Jefferson Papers*, Thomas Jefferson to John Adams, 28 October 1813, https://founders.archives.gov/documents/Jefferson/03-06-02-0446.

King, Reverend Dr. Martin Luther. "Letter from Birmingham Jail." Birmingham, Alabama, 1963. http://teachingamericanhistory.org/library/document/letter-from-birmingham-city-jail/; http://www.newseum.org/wp-content/uploads/2014/08/education_resources_letterfrombirminghamjail.pdf.

Malone, Dumas. *Jefferson the Virginian*. vol. 1. Boston: Little, Brown and Company, 1948.

Stanton, Elizabeth Cady and Lucretia Mott. "Declaration of Sentiments, Woman's Rights Convention." Seneca Falls, New York, July 20, 1848. https://www.greatamericandocuments.com/documents/declaration-sentiments/.

Stanton, Elizabeth Cady. "Seneca Falls Keynote Address." Seneca Falls, New York, July 19, 1848. https://www.greatamericandocuments.com/speeches/stanton-seneca-falls/.

Washington, George. *Washington Papers*. General Orders, 9 July, 1776. https://founders.archives.gov/?q=%22Declaration%20of%20Independence%22%20Author%3A%22Washington%2C%20George%22&s=1111311111&r=10#GEWN-03-05-02-0176-fn-0004.

Appendix: Lecture Handout

St. John's College Graduate Institute Summer Lecture Series, July 4th, 2018

"Does the Declaration of Independence Still Speak to Us Today?" - Elizabeth C' de Baca Eastman

Excerpts from the Declaration of Independence

-When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

-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.

-Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes … But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government.

-The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

-In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

-They too [our British brethren] *have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.*

-We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States … And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

John Quincy Adams, "An address, delivered at the request of the committee of arrangements for celebrating the anniversary of Independence, at the City of Washington on the Fourth of July 1821 upon the occasion of reading The Declaration of Independence"

John Quincy Adams, "An oration delivered before the inhabitants of the town of Newburyport, at their request: on the sixty-first anniversary of the Declaration of Independence, July 4th, 1837"

Calvin Coolidge, "Speech on the Occasion of the 150th Anniversary of the Declaration of Independence, Philadelphia, PA, July 5, 1926"

"Declaration of Sentiments of the Anti-Slavery Convention" Philadelphia, PA December 6th, A. D. 1833 (founded in 1833 under the leadership of William Lloyd Garrison)

"Declaration of Sentiments, Woman's Rights Convention" Seneca Falls, NY, July 20, 1848 (led by Elizabeth Cady Stanton and Lucretia Mott)

Frederick Douglass, "What to the slave is the fourth of July?" Rochester, NY, July 5, 1852

Reverend Dr. Martin Luther King, Jr., "Letter from Birmingham City Jail" Birmingham, AL, 1963