

## INTRODUCTION

*Mary E. Stuckey*

The US Declaration of Independence was both radically local and determinedly universal.<sup>1</sup> Over its history, the Declaration has served as a warrant for arguments both in the United States and globally; it has been used to advocate for social justice and as a justification for the maintenance of inequitable social hierarchies, and has served as a model for justifying revolutions in other nations and to declare independence from the US federal union. As it turns 250 years old, there are important questions about its history and its continuing relevance. Thinking about its history, we might ask if the Declaration has mostly been used in the cause of freedom or if it has a murkier past, also legitimating injustice.<sup>2</sup> We might also ask if it is still relevant or if the complicated history of US democracy as it has been practiced both at home and overseas has led to a lessening of its rhetorical power. This book addresses these questions while leaving room for readers to answer them for themselves.

The easy version of the role of the Declaration in US political history begins with claims about its importance as the North American British colonies united around a set of universal ideological principles, including natural rights, political equality, and a specific view of republicanism.<sup>3</sup> But it is also true that the nation was built around a set of important exclusions, which are either announced in the Declaration (as in its treatment of Indigenous people) or avoided (as in its treatment of slavery).<sup>4</sup> As Nikole Hannah-Jones writes, “The United States was founded on both an ideal and a lie.”<sup>5</sup> Like the Declaration, the US revolution was complicated, and these complexities have continued throughout the history of the nation.

Even after 250 years, the Declaration of Independence remains important. For better or worse, it has long pervaded political discourse in the United States. Not especially important in the immediate aftermath of the revolution,

the Declaration gained currency in later years as a definitive statement of US national values. When it is used as a warrant for political belief and a justification for political action, it is also reimagined. While most speakers argue that they (and sometimes they alone) are revealing the “true” meaning and the “original” purpose of the Declaration, this commitment to originalism is often a disguise for relying on specific (and sometimes absurd) renditions of “what the founders really meant.” As with many other elements of the nation’s founding, people tend to read into that moment what they most want to see. The Declaration is thus an important but not a particularly stable source of political legitimacy.

As the following chapters show, the Declaration is a remarkably flexible document, combining as it does justifications for conflicting and even contradictory arguments about liberty and equality.<sup>6</sup> It was used to justify Southern secession and civil war. It was used to authorize arguments for women’s suffrage. It was used during the long civil rights movement to support claims for political equality. It is one of the inspirations for the United Nations’ Universal Declaration of Human Rights, passed in 1948. It has been used to legitimate both liberatory and repressive policies.<sup>7</sup> Its signal importance within the United States is reflected in the ways it is mobilized for overtly political purposes such as these but also in its centrality as an icon in popular culture.

The Declaration also has a long global history.<sup>8</sup> It influenced the French Declaration of the Rights of Man in 1789, for example. It was used as a model for early independence movements in places such as Haiti (1804) and Venezuela (1811), as well as other nations. It has been used by Indigenous and other colonized peoples to declare their independence from colonizers (New Zealand, 1835; Vietnam, 1945; Liberia, 1947). It has been an exemplar for those declaring new states on ancient homelands (Israel, 1948; Palestine, 1988). And it has served white minorities seeking independence to maintain their power (Southern Rhodesia, 1965). More recently, the Declaration has provided a generic template for those declaring their independence from the Soviet Union (Ukraine and Belarus, 1991) and was referenced in the Tunisian Constitution (2014).

The gaps in this long history are also important. While in the Western Hemisphere the Declaration’s reach has been long and deep, it is less clear that it has had the same impact in other regions, such as Asia, Africa, and the Middle East. Demands for both liberty and equality are increasingly made in terms that center local and Indigenous rhetorical histories, on the one hand, and emphasize global and transnational ideas, on the other. It is not clear, in other words, that the universals that have often been considered reasons for the Declaration’s staying power are as universal as its advocates have argued.

Finally, there are questions about whether the Declaration continues to have the power it once enjoyed. As the institutions associated with US democracy are increasingly threatened and appear increasingly fragile, it is possible that new institutions and processes, with different kinds of ideological and rhetorical justifications, will arise. It is also possible that new institutions and processes will require a reinvigorated Declaration. The authors of the following chapters have their own perspectives on these important questions; we invite you to think along with us as you read the various chapters. Before we get to that, however, I want first to offer a bit of history and a quick reading of the meaning of the Declaration, setting the table, so to speak, for the feast to follow.

### Declaring Independence

The actual writing of the Declaration has been the subject of significant scholarly discussion and debate—questions about its primary authorship, its editing, and its production have all been well researched and explained.<sup>9</sup> While there were many different documents that authorized, demanded, or discussed independence prior to 1776, the one that emerged then spoke for what would become the entire nation.<sup>10</sup> The actual crafting of the document that would become the Declaration of Independence began in June 1776, when Richard Henry Lee, a delegate to the Second Continental Congress from the colony of Virginia, proposed that the colonies actively declare their independence from Great Britain. The Lee Resolution forced a commitment on the question of independence, asking Congress to make a final and irrevocable decision on the matter. Congress responded by endorsing the proposal and appointed a “Committee of Five” to draft such a document.

The Committee of Five, which included John Adams, Benjamin Franklin, Thomas Jefferson, Robert Livingston, and Robert Sherman, delegated the drafting to Jefferson, known even then for his eloquent pen. Jefferson spent the next weeks, in consultation with his committee, on the draft, which was presented to Congress for debate and discussion on June 28, 1776.<sup>11</sup> It is notable that Jefferson, generally credited as the Declaration’s primary author, was accompanied to Philadelphia and attended there by one of those he enslaved, Robert Hemings. The person who penned the words declaring universal human equality was himself a slaver, whose labor on the document was eased by Hemings’s invisible work.<sup>12</sup>

Between them, the committee and the Continental Congress made eighty-six total changes to Jefferson’s initial draft.<sup>13</sup> The most important of these

was the deletion of a 168-word condemnation of the slave trade, which the original draft blamed on King George. This was the first, but by no means the last, time that the tension between the ideals justifying the Revolution and the necessity of protecting slavery in order to preserve unity among the colonies and states would be decided in favor of unity rather than principle.

Practical action was increasingly urgent, as the British fleet sailed into New York harbor on July 2, 1776. Congress responded by adopting the Declaration on July 4, 1776; only John Hancock and Charles Thomson, president and secretary of the Continental Congress, signed it on that day. The Declaration was printed and publicly distributed over the next two days.<sup>14</sup> George Washington ordered it read to the troops on July 9, 1776, and ten days later, Congress ordered it signed by all members of the Continental Congress. It was sent to King George III and to Parliament, arriving in Great Britain in August, and was reprinted and circulated around Europe.<sup>15</sup> It was also circulated throughout the several states of which the United States was now comprised.

Since independence, the original Declaration has wandered around the nation, finding temporary homes in the State, War, and Navy Building, and then the Library of Congress, until it was housed in the National Archives Building in 1952, where more than a million people visit it every year.<sup>16</sup> Considered one of the nation's most sacred texts, it is one of the most read and most quoted documents in US history.

## Reading the Declaration

As many scholars have noted, the Declaration has several important elements: it justifies separation from England to the world; it claims that there are self-evident truths; it offers a list of injuries and usurpations; it provides an argument that these have gone unredressed; and it declares independence.<sup>17</sup> My understanding of the document is a little more granular than this, as I want to explain here for your consideration as you engage with the chapters to come.

The Declaration begins with the words “When in the course of human events,” an opening that reflects the Enlightenment belief that history is neither given nor inevitable but depends on the actions of those who participate in it. This claim is immediately followed by an assertion that political bonds are dissolvable—and that it is sometimes necessary to do so. This means that politics, unlike “peoplehood,” is artificial: political communities are made

by humans and can be constructed, destroyed, or reconstructed, as humans deem necessary. Peoplehood, however, the sense of community that underlies these political communities, is not artificial and therefore temporary but is somehow more natural and potentially, at least, more enduring.

Political communities are fictions, human constructions, and as such they are separate and equal. They share something like a station, a place in a hierarchy; which, regardless of the realities of political, economic, and military power, requires that they be equally respected. National rights to equality and respect are in some ways analogous to individual rights, which the Declaration claims are divinely ordained. The “Laws of Nature and Nature’s God” provide rights as well as, importantly, the wherewithal to defend them. This equality in turn requires a “decent respect for the opinions of mankind,” which also requires that independence be both openly declared and publicly justified, actions that had not been thought necessary in any previous revolution or rebellion but would be, as we shall see throughout this volume, frequently repeated.

Having given human action considerable power, the Declaration then claims that this power is also divinely ordained: “all men are created equal,” it states, with equal and unalienable rights. These rights exist prior to government and, because they are God given, are more important than loyalty to government, a human creation. Indeed, governments are legitimate only to the extent that they protect these rights. This passage, is, of course, the most quoted and also the most contentious part of the Declaration. There have been and will continue to be arguments over who, exactly, is included in the phrase “all men.” Manifestly, if that term is interpreted in the most expansive way, there is an enormous gap between the theory expressed here and its application in the colonies, where many people were enslaved, where women’s rights were severely restricted, and where Indigenous peoples were enmeshed in a variety of complicated sets of relationships, very few of which admitted of even the possibility of equality. If, however, the phrase was meant to refer only to white men above a certain age who owned sufficient property, those admitted to full membership in the polity, then the power of the claim is as restricted as its application—a conundrum indeed.

Equally problematic is the list of rights provided. Undoubtedly it is meant to be illustrative rather than complete, yet only some rights were thought worth mentioning—namely, life, liberty, and the pursuit of happiness. Governments, then, were charged with protecting the lives, the liberty, and the opportunity for material success (which is what the signers understood the pursuit of happiness to mean) and were legitimate only to the extent that

they did so. That legitimacy rested on the popular will: the people alone had the right to determine whether governments so constituted were doing their duty. And if they failed in that duty, the people were obligated to take action—even violent action—to protect those rights.

Then, follows a long list of misdeeds perpetrated by the British king (notably, by the king, not the British people). The details of this list are less important here than the fact of the list: it constitutes a claim that even though political communities are temporary, they shouldn't be changed on a whim but only for good and sufficient reasons.

The appeal of this document is easy to see. It sets forth, in eloquent language, claims that allowed for various understandings of divinely ordained human rights. It gave agency to that mysterious entity, "the people," and it provided them with rights as well as both the capacity and the obligation to defend them. In theory, this seems so very simple; in practice, it has proven to be anything but.

### The Complicated Declaration

The Declaration of Independence is fraught with a number of notable tensions, many of which have animated political debates throughout US national history. First and most obviously, the Declaration, endorsed by a collection of slaveholders and those willing to allow the continuation of slavery, announces as a self-evident truth the fact of human equality. This most famous element of the document has been used to justify appeals for policies and practices that bring the nation closer to the ideal, as we see in the eloquent prose of speakers such as Abraham Lincoln and Martin Luther King Jr. It has also been used to opposite ends, of course, as in the language of secessionists and the contemporary Alt-Right, those who advocate white supremacy and oppose gender, religious, and racial equality. But it is not clear who exactly is included in the phrase "all men." Certainly, if we read the document in terms of its immediate context, the exclusions of the enslaved, women, many immigrants, and Indigenous peoples is stark. We can read the document, as Lincoln and King chose to, as offering what the latter called a "promissory note," of more equality to come, or we can read it as secessionists did, as offering intended and eternal exclusions. Its prose proved to be something of a bind for members of Indigenous nations, for example, who sought to maintain their sovereignty within an increasingly colonized context. The Declaration has proven to be unevenly useful in arguments for

more equal treatment among American citizens made by workers, women, and African Americans, and to claims for human rights in places like Eastern Europe.

Other tensions appear when we move between the general and the specific. There is a question about whether and how these universals apply to members of the international community, especially to non-European nations. Many of those who signed the Declaration governed a nation with imperial ambitions. And while other nations, such as the French and the Haitians, took inspiration from the document, and it helped inspire revolutions in Latin America, it is not necessarily clear that the signers would have endorsed all of these causes with equal fervor. And it is not clear, as the case of Syria indicates, that these universal claims have power in all cultural and political contexts.

This points to yet another tension, one that mediates between claims to unity and justifications for division and separation. It is not clear what exactly makes a group of humans “a people.” Nor is it obvious how long “peoplehood” endures or exactly how these transient political bonds are to be maintained. Some of these ambiguities are clear in the rhetorical contortions that characterized arguments for southern secession; others are apparent at other moments and in other contexts, including both Indigenous and Alt-Right claims to sovereignty.

There is also a tension between how the Declaration might have been understood in its own time and across time. It is not clear if contemporary citizens are obligated to the document’s original meaning and context, and if so, what the nature of that obligation might be. Knowing the original meaning is complicated enough; translating it into a contemporary context is even more so. Viewing its meaning through the lens of popular culture, examining it in light of how it is fragmented, reconstructed, and repurposed as a matter of cultural practice and public policy, illuminates this tension. The signers tend to be treated as whoever various advocates need them to be.

And finally, there is a tension between the needs that were reflected in the original document and the needs of the contemporary political world. Specifically, the notions of grievance and injustice that motivated the Declaration may now be echoed in ways that harm rather than nurture the nation and the world. It is possible that reorienting ourselves to the Declaration, aiming at an ethical politics of care, would help ease some of the political tensions in the nation and point toward more ethical global possibilities.

The chapters that follow tease out these tensions by presenting a set of overlapping conversations about the Declaration. We begin with the document’s

early history, with chapters from Jelte Olthof, Stephen Howard Browne, and Anna Young. Olthof starts us off by discussing the immediate audiences and reception of the document. Then Browne details the intrinsic tensions within the Declaration, which both caused consternation and conflict in the immediate moment and allowed for various interpretations of it over time. Young adds to those observations by putting the Declaration in conversation with the Constitution, focusing on questions of style and pointing toward ways that the Declaration, as an example of masculine style, has contoured national politics, not always in beneficial ways.

The second section focuses on how the Declaration influences interpretations of appropriate civic action, especially regarding relations between the states and the federal government. Mary Stuckey begins that conversation by attending to the arguments used by antebellum Americans to justify their very different views on slavery and its abolition, secession, and war. This chapter marks secession as justified in the service of protecting slavery and thus antithetical to the Declaration's values. Jason Edward Black complicates this view by focusing his attention on the question of sovereignty and Indigenous nations in the United States. Stephen Heidt makes a similar move, attending to the use of the Declaration in Latin America. Scott Varda contributes to this conversation through a discussion of how claims to national sovereignty are used to justify individual claims to sovereignty.

The third section concentrates on some of the ways the Declaration is used to argue for imperative moral action, especially in terms of human rights. Mary Anne Trasciatti begins this section by examining how the Declaration was used to justify radical arguments in the early twentieth century. Davis Houck adds to that discussion with attention to the arguments used throughout the long civil rights movement. The focus then shifts to the international arena, as Noor Ghazal Aswad casts some doubt on the international power of the Declaration, arguing that contemporary Syrians find more leverage in other sources, and Rebecca Oliver analyzes the Velvet Revolution in Czechoslovakia, which centered the Declaration.

The final section brings the conversation back to where it began, focusing again on questions of the tensions and contradictions the document has always contained. Christopher Wernecke and Ann Burnette underline the contemporary relevance of the Declaration by analyzing its prevalence and meaning in popular culture. Leslie Hahner shows how the Declaration has been fragmented and repurposed to serve specific ideological ends, and Mark Hlavacik notes its usefulness in arguments about public education and the "culture wars." Brandon Inabinet concludes by focusing on the question of what kinds of "abuses and usurpations" the Declaration prepares us to

tolerate and what kinds to resist, as well as how we might rely on the Declaration to create a different kind of politics in the future.

All of these chapters are motivated by efforts to understand the Declaration, both in its time and in ours. They unite to illustrate its continuing power and the limits on that power. It is easy to celebrate the Declaration as fundamental to individual human rights. It is worth remembering, however, that it is also open to deliberation, to contention, and to interpretations that serve undemocratic ends. Like the United States, it has a rich, textured, and complicated history.

#### NOTES

1. A number of books address the processes of writing and signing the Declaration. See, for example, Becker, *Declaration of Independence*; Grafton, *Declaration of Independence*; Maier, *American Scripture*; Skousen, *How to Read the Constitution*.

2. The Constitution is equally complicated and equally pliable. See Goldstein, *Real Americans*.

3. For an insightful analysis of the document's political, historical, and rhetorical antecedents, see Lucas, "Rhetorical Ancestry."

4. For a discussion of these exclusions, see Parkinson, *Thirteen Clocks*.

5. Hannah-Jones, "America Was Not a Democracy," 11.

6. Allen, *Our Declaration*.

7. And sometimes even liberatory efforts have dangerous contradictions. See, for example, Greene, "Social Argumentation."

8. See, for example, Armitage, *Declaration of Independence*.

9. Becker, *Declaration of Independence*; Grafton, *Declaration of Independence*; Maier, *American Scripture*.

10. Pauline Maier found over eighty such documents; see Maier, *American Scripture*.

11. A fragment of the original draft was discovered in 1947, indicating that Jefferson worked and reworked the prose. That fragment is now held by the Library of Congress.

12. Hannah-Jones, "America Was Not a Democracy."

13. See the Library of Congress's timeline: <https://www.loc.gov/exhibits/jefferson/jeffdec.html>.

14. These versions were printed by John Dunlap and are now known as the "Dunlap Broad-sides"; fewer than thirty of them exist today.

15. This circulation was somewhat limited, as the Declaration was written in English and the language of diplomacy at the time was French.

16. Ritzenthaler and Nicholson, "Declaration of Independence."

17. Scholars differ on the number of parts; I've chosen these as the most extensive. See Armitage, *Declaration of Independence*, 26–28.

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