

Life, Liberty, and the Pursuit of Happiness

By Eric Slauter

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In America's revolutionary history, no document is more iconic than the Declaration of Independence, the short but sweeping statement issued by Congress on July 4, 1776, severing bonds with Britain and launching the Colonies on their path to independence.

But what does the Declaration of Independence actually declare? For most Americans today, the answer is embodied in the opening sentence of the second paragraph: "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."

Perhaps no sentence in American history is better known or has had a greater impact than these powerful words about equality and rights. It is no wonder then that schoolchildren memorize this sentence, that adults consider it the founding creed of America's civil religion, or that this and other newspapers will highlight these words on their editorial pages tomorrow.

During the March on Washington in 1963, Martin Luther King Jr. recited these words and said it was time for the nation to make good on this "promissory note" and to rise up and live out the true meaning of its creed. One hundred years earlier, in his Gettysburg address, President Abraham Lincoln insisted that the nation had been founded upon the proposition that all men are created equal.

But in 1776, that's not how most Americans would have seen the Declaration. The entirety of the now-famous second paragraph was little more than the "minor premise" in the argument over independence, historian David Armitage has observed in his study of the Declaration's original meaning and global history. Americans at the time rarely discussed these words, instead focusing on the long list of charges against King George III that dominated the body of the text, or the bold capital letters in the document's final section, declaring the Colonies to be "FREE AND INDEPENDENT STATES."

So why did we come to focus on the message that we did? How and when did Americans turn a diplomatic severance note into a declaration of individual rights and a philosophical statement about the natural equality of all people?

With the help of newly digitized 18th-century American newspapers and other publications, we can now more precisely trace how people wrote about the Declaration in its own time, and can begin to tell a more nuanced story about how - and who - gave us the Declaration we celebrate this week.

While most observers at the time were focusing on other parts of the document, one set of people saw this sentence as its most important statement: opponents of slavery. The story of how they read the Declaration can be traced, in part, back to Massachusetts, where in the summer of 1776 a young man of mixed racial identity named Lemuel Haynes invoked the Declaration's self-evident truths of equality and rights in a manuscript essay on the "illegality of Slave-keeping."

Haynes and other Revolutionary-era abolitionists constituted a minority of the Declaration's early readers. But years later, it would be their reading that helped transform an instrument of international law into a founding document of domestic politics.

In watching how those early Americans read the Declaration, and what they paid attention to, we get a powerful lesson in how a seemingly clear founding document can shift meaning over the years and even hold multiple meanings in its own time. We also see how a state paper designed to dissolve the political bands between Britain and the Colonies slowly and surprisingly came to be recognized as a founding document of American equality and as a distinctly American contribution to political systems around the world.

Though it now seems hard to believe, the Declaration of Independence - drafted by a committee of five congressmen, including John Adams, Benjamin Franklin, and Thomas Jefferson - was probably not considered the most important document Congress commissioned in the early summer of 1776. Other committees drafted a plan for alliances with other nations, which would be a crucial component for a successful war, and the Articles of Confederation, the first attempt to create a centralized national government. As multilateral agreements between the states and with foreign powers, these other documents required more legislative care and attention than the Declaration - which was, after all, more concerned with dissolving connections than with building them. Jefferson may very well have written the first draft of the Declaration committee report because better-known political writers were tied up with this other work.

The Declaration was clearly important at the time: Among other things, it was the first document to use the phrase "united States of America," and several weeks before the signing of the now-iconic handwritten copy on parchment, the text was reproduced in a flurry of printings in newspapers. But many in and out of Congress did not see it as the founding text we now commonly take it to be, and once it was signed, the document largely disappeared from public notice. As historian Pauline Maier has recounted in her study of the making and sacralization of the Declaration, for many years even the parchment copy languished in the State Department, rolled up and out of sight.

But one group of Americans was determined to keep part of it before the public. The Declaration's rhetoric of freedom, equality, and rights entered a world in which chattel slavery was a social reality for a fifth of the population. Indeed, the first newspaper announcement, printed in Philadelphia on July 2, 1776, that Congress had declared the Colonies "FREE AND INDEPENDENT STATES" sat next to a runaway notice offering a reward for the return an enslaved black man named Ishmael.

To members of the small antislavery movement of the time, the language of the Declaration must have arrived as a blessing - a national document, signed by some of America's leading citizens, that included a claim that "all Men are created equal." Almost immediately, it seems, antislavery activists such as Lemuel Haynes of Massachusetts incorporated those words into their arguments against slavery. Haynes had a black father and a white mother and called himself a "Mollato." He had experienced life as an indentured servant and as a soldier, but never as a slave, and he embraced the key sentence as an epigraph for a manuscript he had been working on with the characteristically lengthy (and loosely spelled) 18th-century title of "Liberty Further Extended; or Free thoughts on the illegality of Slave-keeping; Wherein those arguments that Are used in its vindication Are plainly Confuted. Together with an humble Address to such as are Concerned in the practise."

There, in unedited prose on the title page, he cited the words of Congress: "We hold these truths to Be self-Evident, that all men are created Equal, that they are Endowed By their Creator with Ceertain unalienable rights, that among these are Life, Liberty, and the pursuit of happyness."

Haynes's essay was not published in his lifetime, but he was part of a bigger social and political movement, and other similar uses of the phrase did see print. In a sermon given in 1778, a white antislavery minister from Hanover, N.J., asked his listeners and later his readers "if 'tis self-evident, i.e. so clear that it needs not proof, how unjust, how inhuman, for Britons, or Americans, not only to attempt, but actually to violate this right?" That same year, a Quaker from Pennsylvania named Anthony Benezet suggested that a nation that made the public declarations of equality and rights present in the Declaration while simultaneously supporting slavery risked divine punishment during wartime. In 1783, David Cooper of New Jersey published an address directed to "the Rulers of America" in the Continental Congress on the inconsistency of slavery in a land of liberty, using the second paragraph of the Declaration to hold them to account. Could Congress, he asked, have truly meant only "the rights of whitemen" and not of "all men"?

Invoking the language of the Declaration became a powerful part of abolitionist rhetoric. Indeed, a search for the phrase "all Men are created equal" in digitized newspapers and nonperiodical publications reveals that a majority of the citations in the 15 years after 1776 were by opponents of the slave trade. Formal abolitionist societies in Pennsylvania in 1788, in Maryland in 1791, and New Jersey in 1793 all worked the sentence into the constitutions of their organizations. Abolitionist sympathizers in Congress invoked the sentence on the floor of the new House of Representatives in 1790, even though the Constitution itself denied Congress the power to prohibit the migration and importation of slaves before 1808.

And long before abolitionism became a potent political force in America, the Declaration's language of rights became a linchpin of the move away from slavery. In writing it, Jefferson and Congress built on intellectual foundations from John Locke and others and had followed the sweeping language of Virginia's Declaration of Rights, a draft of which circulated in June of 1776 and enumerated the natural rights of life and liberty as well as the right to pursue happiness. Vermont's Declaration of Rights of 1777 opened with similar language, but followed these abstractions with a specific prohibition on slavery. In Massachusetts, the constitution adopted in 1780 began with a Declaration of Rights, which held that "All men are born free and equal and have certain natural, essential, and unalienable rights," including life, liberty, "safety and happiness." In 1783, citing that article, the Massachusetts Supreme Court declared slavery unconstitutional, forestalling the necessarily difficult political wrangling and costs that might have ensued with a direct legislative solution for emancipation. As the Revolutionary War ended in 1783, legislators in Rhode Island prefaced an Act for the Gradual Abolition of Slavery with a direct citation of the claims of rights and equality from the Declaration's second paragraph.

By 1792, when almanac maker Benjamin Banneker, an African-American, quoted the "true and invaluable doctrine . . . 'that all men are created equal'" back to Secretary of State Thomas Jefferson in an exchange of letters reprinted in papers across the new nation, abolitionists had been working for a decade and a half to make Americans identify the Declaration of Independence with the cause of enslaved peoples.

The Declaration itself began to take on its iconic status in the early 19th century, as the nation emerged from a second war with Britain and as revolutions in Latin America led to the creation of new declarations of independence. Early in the 1820s, Congress authorized the production of a facsimile of the engrossed parchment copy, and by the time of the Declaration's jubilee in 1826 it was not just abolitionists who were invoking the self-evident truths of the second paragraph as a founding creed of the nation.

As the Declaration began to assume greater prominence, these powerful words about equality and rights spread beyond the abolitionist movement, inspiring groups of men and women to draft declarations of their own. Workingmen called for greater protections of the inalienable rights of workers in the 1820s. More famously, advocates for women's rights in Seneca Falls in 1848 declared that "all men and women are created equal."

On the eve of the Civil War, many free Americans seemed to agree on the growing centrality of the second paragraph - for better or worse. In 1848 the proslavery South Carolina Senator John C. Calhoun described the claim of equality in the Declaration as a politically unnecessary "error." Independence could have been announced without this "false and dangerous" idea, which "lay dormant" for many years but was now germinating and beginning to produce "poisonous fruits."

Abraham Lincoln acknowledged in 1857 that the claim that all men are created equal was "of no practical use" in dissolving ties with Britain - but when he looked at it, he saw a bold claim that had been placed by the Founding Fathers "for future use." Frederick Douglass, the former slave and prominent abolitionist, agreed about the importance of the phrase but saw things differently: America, he said, was "false to the past," and its current conduct was clearly at odds with the revolutionary heritage embodied in the Declaration. To a slave's ears, Douglass explained in 1852, the "shouts of liberty and equality" that now routinely accompanied celebrations of the Declaration were nothing but "hollow mockery."

By the time Southern states began seceding from the Union, issuing declarations of secession and independence rooted in the Declaration of the Continental Congress, many more Americans had taken the interpretive turn that Calhoun dreaded, that Lincoln longed for, and that Douglass found hypocritical. In doing so, they had discovered in the Declaration's second paragraph a radical commitment to equality and rights that most of its framers and early readers could not have anticipated.

In the 235 years since it was signed, the claims of equality and rights in the second paragraph of the Declaration of Independence have come to be seen a major contribution to world politics, imported sometimes wholesale into documents such as the declarations of other nation-states or the Universal Declaration of Human Rights of the United Nations. The French Declaration of the Rights of Man and Citizen of 1789 - drafted while Jefferson was in Paris - was the first to follow in the Declaration's wake. It began with the claim that men are born free and remain equal in rights.

But at the time, very few in the newly United States besides a small contingent of black and white antislavery activists would have seen the Declaration as a document of radical egalitarianism or even as a founding document. That we do so now is a testament in part to their efforts, and to generations of readers since who have pressed the United States to live up to those words. It is truly their Declaration, rather than Jefferson's or Congress's, that we celebrate today.

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