

Making The Declaration of Independence

By PAULINE MAIER

As Americans' political system developed, so did their reverence for the nation's founding document as an eloquent, enduring statement of human rights and the purpose of government.

John Adams thought Americans would commemorate their Independence Day on the second of July. Future generations, he confidently predicted, would remember July 2, 1776, as “the most memorable Epocha, in the History of America” and celebrate it as their “Day of Deliverance by solemn Acts of Devotion to God Almighty. It ought to be solemnized with Pomp and Parade, with Shows, Games, Sports, Guns, Bells, Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more.”

His proposal, however odd it seems today, was perfectly reasonable when he made it in a letter to his wife, Abigail. On the previous day, July 2, 1776, the Second Continental Congress had finally resolved “That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.” The thought that Americans might instead commemorate July 4, the day Congress adopted a “decla-

Conor Park, 8, and his sister, Ripley, 7, in Phoenix, Arizona, view one of the 200 original copies of the Declaration of Independence that were printed on July 4, 1776. Only 25 original copies remain, and this one was bought at auction in 2000 for a reported \$8 million by television producer Norman Lear, who sent it on a national tour.



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ration on Independency” that he had helped prepare, did not apparently occur to Adams in 1776. The Declaration of Independence was one of those congressional statements that he later described as “dress and ornament rather than Body, Soul or Substance,” a way of announcing to the world the fact of American independence, which was for Adams the thing worth celebrating.

In fact, holding our great national festival on the Fourth makes no sense at all—unless we are actually celebrating not just independence but the Declaration of Independence. And the declaration we celebrate, what Abraham Lincoln called “the charter of our liberties,” is a document whose meaning and function today are different from what they were in 1776. In short, during the 19th century the Declaration of Independence became not just a way of announcing and justifying the end of Britain’s power over the Thirteen Colonies and the emergence of the United States as an independent nation but a statement of principles to guide stable, established governments. How did that happen, and why?

According to notes kept by Thomas Jefferson, the Second Continental Congress did not discuss the resolution on independence when it was first proposed by Virginia’s Richard Henry Lee, on Friday, June 7, 1776, because it was “obliged to attend at that time to some other business.” However, on June 8, Congress resolved itself into a Committee of the Whole and “passed that day & Monday the 10th in debating on the subject.” By then all contenders admitted that it had become impossible for the colonies ever again to be united with Britain. The issue was one of timing.

John and Samuel Adams, along with others...wanted Congress to declare independence right away and start negotiating foreign alliances and forming a more lasting confederation (which Lee also proposed). Others, including...Robert R. Livingston of New York, argued for delay. They noted that the delegates of several colonies, including Maryland, Pennsylvania, Delaware, New Jersey and New York, had not been “impowered” by their home governments to vote for independence. If a vote was taken immediately, those delegates would have to “retire” from Congress, and their states might secede from the union, which would seriously weaken the Americans’ chance of realizing their independence. In the past, they said, members of Congress had followed the “wise & proper” policy of putting off major decisions “till the voice of the people drove us into it,” since “they were our power, & without them our declarations could not be carried into effect.” Moreover, opinion on independence in the critical middle colonies was “fast ripening & in a short time,” they predicted, the people there would “join in the general voice of America.”

Congress decided to give the laggard colonies time and so delayed its decision for three weeks. But it also appointed a Committee of Five to draft a declaration of independence so that such a document could be issued quickly once Lee’s motion passed. The committee’s members included Jefferson, Livingston, John Adams, Roger Sherman of Connecticut, and Pennsylvania’s Benjamin Franklin. The drafting committee met, decided what the declaration should say and how it would be

organized, then asked Jefferson to prepare a draft.

Meanwhile, Adams—who did more to win Congress’ consent to independence than any other delegate—worked feverishly to bring popular pressure on the governments of recalcitrant colonies so they would change the instructions issued to their congressional delegates. By June 28, when the Committee of Five submitted to Congress a draft declaration, only Maryland and New York had failed to allow their delegates to vote for independence. That night Maryland fell into line.

Even so, when the Committee of the Whole again took up Lee’s resolution, on July 1, only nine colonies voted in favor.

South Carolina and Pennsylvania opposed the proposition, Delaware’s two delegates split, and New York’s abstained because their 12-month-old instructions precluded them from approving anything that impeded reconciliation with the mother country. Edward Rutledge now asked that Congress put off its decision until the next day, since he thought that the South Carolina delegation would then vote in favor “for the sake of unanimity.” When Congress took its final tally on July 2, the nine affirmative votes of the day before had grown to 12: Not only South Carolina voted in favor, but so did Pennsylvania and Delaware—the arrival of Caesar Rodney broke the tie in that delegation’s vote. Only New York held out. (Later, on July 9 it also allowed its delegates to add their approval to that of delegates from the other 12 colonies, lamenting still the “cruel necessity” that made independence “unavoidable.”)

Once independence had been adopted, Congress...spent the better part of two days editing the draft declaration submitted by its Committee of Five, rewriting or chopping off large sections of text. Finally, on July 4, Congress approved the revised Declaration and ordered it to be printed and sent to the several states and to the commanding officers of the Continental Army. By formally announcing and justifying the end of British rule, that document, as letters from Congress’ president, John Hancock, explained, laid “the Ground & Foundation” of American self-government. As a result, it had to be proclaimed not only before American troops in the hope that it would inspire them to fight more ardently for what was now the cause of both liberty and national independence but throughout the country, and “in such a Manner, that the People may be universally informed of it.”

As copies of the Declaration spread through the states and were publicly read at town meetings, religious services, court days, or wherever else people assembled, Americans marked the occasion with appropriate rituals. They lit great bonfires, “illuminated” their windows with candles, fired guns, rang bells, tore down and destroyed the symbols of monarchy on public buildings, churches or tavern signs, and “fixed up” on the walls of their homes broadside or newspaper copies of the Declaration of Independence.

But what exactly were they celebrating? The news, not the vehicle that brought it; independence and the assumption of self-government, not the document that announced Congress’ decision to break with Britain. Considering how revered a position the Declaration of Independence later won in the minds and



This painting by John Trumbull was part of a series commissioned by the U.S. Congress in 1817 for display in the Rotunda of the U.S. Capitol building. It shows the drafters of the Declaration of Independence—John Adams, Roger Sherman, Thomas Jefferson, Benjamin Franklin and Philip Livingston—presenting the document to John Hancock, president of the Continental Congress, which approved it on July 4, 1776, in what is now Independence Hall, in Philadelphia. Trumbull had sketched the scene from life. His 12-by-18-foot [3.66-by-5.49-meter] painting, includes portraits of 42 of the 56 men who signed the Declaration and five other patriots.

hearts of the people, Americans' disregard for it in the first years of the new nation verges on the unbelievable. One colonial newspaper dismissed the Declaration's extensive charges against the king as just another "recapitulation of injuries."

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Citations of the Declaration were usually drawn from its final paragraph, which said that the united colonies "are and of Right ought to be Free and Independent states" and were "Absolved of all Allegiance to the British Crown"—words from the Lee resolution that Congress had inserted into the committee draft. Independence was new; the rest of the Declaration seemed all too familiar to Americans.

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The adoption of independence was, however, from the beginning confused with its declaration. Differences in the meaning of the word *declare* contributed to the confusion. Before the Declaration of Independence was issued—while, in fact, Congress was still editing Jefferson's draft—Pennsylvania newspapers announced that on July 2 the Continental Congress had "declared the United Colonies Free and Independent States," by which it meant simply that it had officially accepted that status. Newspapers in other colonies repeated the story. In later years the "Anniversary of the United States of America" came to be celebrated on the date Congress had approved the Declaration of Independence. That began, it seems, by accident. In 1777 no member of Congress thought of marking the anniversary of independence at all until July 3, when it was too late to honor July 2. As a result, the celebration took place on the Fourth. In the late 1770s and 1780s, the Fourth of July was not regularly celebrated; indeed, the holiday seems to have declined in popularity once the Revolutionary War ended. When it was remembered, however, festivities seldom, if ever—to judge by newspaper accounts—involved a public reading of the Declaration of Independence. It was as if that document had done its work in carrying news of independence to

the people, and it neither needed nor deserved further commemoration. No mention was made of Thomas Jefferson's role in composing the document, since that was not yet public knowledge, and no suggestion appeared that the Declaration itself was, as posterity would have it, unusually eloquent or powerful.

All that began to change in the 1790s, when, in the midst of bitter partisan conflict, the modern understanding and reputation of the Declaration of Independence first emerged. Until that time celebrations of the Fourth were controlled by nationalists who found a home in the Federalist party, and their earlier inattention to the Declaration hardened into a rigid hostility after 1790. The document's anti-British character was an embarrassment to Federalists who sought economic and diplomatic rapprochement with Britain. The language of equality and rights in the Declaration was different from that of the Declaration of the Rights of Man issued by the French National Assembly in 1789, but it still seemed too "French" for the comfort of Federalists, who, after the execution of Louis XVI and the onset of the Terror, lost whatever sympathy for the French Revolution they had once felt. Moreover, they understandably found it best to say as little as possible about a fundamental American text that had been drafted by a leader of the opposing Republican party.

It was, then, the Republicans who began to celebrate the Declaration of Independence as a "deathless instrument" written by "the immortal Jefferson." The Republicans saw themselves as the defenders of the American Republic of 1776 against subversion by pro-British "monarchists," and they hoped that by recalling the causes of independence, they would make their countrymen wary of further dealings with Great Britain. They were also delighted to identify the founding principles of the American Revolution with those of America's sister republic in France. At their Fourth of July celebrations, Republicans read the Declaration of Independence, and their newspapers reprinted it.

Moreover, in their hands the attention that had at first focused on the last part of the Declaration shifted toward its opening paragraphs and the “self-evident truths” they stated. The Declaration, as a Republican newspaper said on July 7, 1792, was not to be celebrated merely “as affecting the separation of one country from the jurisdiction of another”; it had an enduring significance for established governments because it provided a “definition of the rights of man, and the end (or purpose) of civil government.”

The Federalists responded that Jefferson had not written the Declaration alone. The drafting committee—including John Adams, a Federalist—had also contributed to its creation. Federalists rediscovered similarities between the Declaration and John Locke’s *Second Treatise of Government*...and used them to argue that even the “small part of that memorable instrument” that could be attributed to Jefferson “he stole from Locke’s *Essays*.” But after the War of 1812, the Federalist party slipped from sight, and with it, efforts to disparage the Declaration of Independence.

When a new party system formed in the late 1820s and 1830s, both Whigs and Jacksonians claimed descent from Jefferson and his party and so accepted the old Republican position on the Declaration and Jefferson’s glorious role in its creation. By then, too, a new generation of Americans had come of age and made preservation of the nation’s revolutionary history its particular mission. Its efforts, and its reverential attitude toward the revolutionaries and their works, also helped establish the Declaration of Independence as an important icon of American identity.

The change came suddenly. As late as January 1817 John Adams said that his country had no interest in its past. “I see no disposition to celebrate or remember, or even Curiosity to enquire into the Characters, Actions, or Events of the Revolution,” he wrote the artist John Trumbull. But a little more than a month later Congress commissioned Trumbull to produce four large paintings commemorating the Revolution, which were to hang in the rotunda of the new American Capitol. For Trumbull, the most important of the series, and the one to which he first turned, was the Declaration of Independence. He based that work on a smaller painting he had done between 1786 and 1793 that showed the drafting committee presenting its work to Congress. When the new 3.66-by-5.49-meter canvas was completed in 1818, Trumbull exhibited it to large crowds in Boston, Philadelphia and Baltimore before delivering it to Washington; indeed, The Declaration of Independence was the most popular of all the paintings Trumbull did for the Capitol.

Soon copies of the document were being published and sold briskly, which perhaps was what inspired Secretary of State John Quincy Adams to have an exact facsimile of the Declaration, the only one ever produced, made in 1823. Congress had it distributed throughout the country.

In the early 1820s, John Adams and Thomas Jefferson were still alive, and as the only surviving members of the committee that had drafted the Declaration of Independence, they attracted an extraordinary outpouring of attention. Pilgrims, invited and uninvited, flocked particularly to Jefferson’s home, hoping to



The Declaration's Painful Birth

Independence Day is regarded as the birthday of the United States as a free and independent nation. Most Americans simply call it the “Fourth of July,” recalling the signing of the Declaration of Independence on July 4, 1776. At that time, the people of the 13 British colonies located along the eastern coast of North America were involved in an armed revolt over what they considered unjust treatment by the king and Parliament in England. Many colonists still considered themselves British citizens and subjects of the king. Their elected repre-

sentatives—delegates from each colony, or state—met in September, 1774 at the First Continental Congress to draw up a list of grievances such as: lack of representation in Parliament, unfair taxation, confiscation of the colonists’ resources and mistreatment by the king’s soldiers. The grievances were ignored. In 1775, George Washington took command of the Continental Army and began fighting the British in Massachusetts, the beginning of the Revolutionary War. Gradually, and painfully, the colonists realized that they were fighting not just for better treatment, but freedom from rule by England and its king.

On July 2, 1776, in Philadelphia, Pennsylvania, the Second Continental Congress presented and debated a second draft of the list of grievances, called the Declaration of Independence. During the next month, the document was read publicly and people celebrated whenever they heard it. On the first anniversary, in Philadelphia bells rang and ships fired guns, candles and firecrackers were lighted. But the war dragged on until 1783, the year Independence Day was made an official holiday. In 1941 the U.S. Congress declared it a national holiday. —L.K.L.



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The committee chosen to draft a declaration of independence for the 13 American colonies is shown at work in this 19th-century engraving.

catch a glimpse of the author of the Declaration and making nuisances of themselves. One woman, it is said, even smashed a window to get a better view of the old man. As a eulogist noted after the deaths of both Adams and Jefferson on, miraculously, July 4, 1826, the world had not waited for death to “sanctify” their names. Even while they remained alive, their homes became “shrines” to which lovers of liberty and admirers of genius flocked “from every land.” □

About the Author: *Pauline Maier is the William Rand Kenan, Jr. Professor of American History at the Massachusetts Institute of Technology. This article is adapted from her book American Scripture: Making the Declaration of Independence, published by Knopf.*