

# **The Genesis of the Declaration of Independence**

**Difficulties Drafting the Human Rights Claims of  
“Life, Liberty and Pursuit of Happiness”**

Vorwissenschaftliche Arbeit

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## Abstract

The thesis of my extended paper deals with the difficulties drafting the Declaration of Independence and its Preamble regarding the Human Rights claims of “Life, Liberty and the pursuit of Happiness”<sup>1</sup>. It stands to reason that the colonies of the 18<sup>th</sup> century agreed upon these principles in the Declaration of Independence only to claim sovereignty from the Crown and not to guarantee equality of rights to every human being. Against all odds, the genesis of this historical document was effective for the cause of American independence. Never before had the thirteen colonies united in forming a political body with common goals. This achievement is remarkable considering that this was the alliance of two different and largely incompatible societies: the agrarian and slaveholding South, the other the industrial and non-slaveholding North. Thus, agreeing on a drafter and the contents of a document of its kind, never written before, was an astonishing feat. With war raging in its first year against the mighty British military forces, drafting a document of that magnitude turned into a race against the clock. To think that the young Thomas Jefferson from Virginia succeeded in seventeen days comes close to a miracle. In the end, the biggest obstacle to the ratification of the document was the issue of slavery. Although the Preamble did not immediately pave the way for the equality of all men, it mirrored the ideals of the age of Enlightenment, leaving a mark on world history forever.

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<sup>1</sup> Appendix, 7 – 8.

## Preface

During an English lesson in early September almost a year before “the 50<sup>th</sup> anniversary of the March on Washington”<sup>2</sup>, we were studying and listening to Martin Luther King’s immortal “I have a dream”<sup>3</sup> speech. I was aware of the fact that African-Americans had been enslaved and segregated in the past but I never actually knew how it all started. I researched this subject for a couple of weeks as part of my homework and, to my surprise, I found out that slavery could have been abolished if the Declaration of Independence had not been ratified out of personal interest. I also found out that the well-known line “Life, Liberty and the pursuit of Happiness”<sup>4</sup> applied to white men only, whereas African-Americans, Native Americans and women, irrespective of skin color, were excluded from enjoying these rights not only in 1776 but also for centuries to come. This was the moment that triggered my real interest in the topic. How did this document come about, how would a new enlightened society deal with slavery and many other concerns? The difficulties in drafting its famous Preamble would undoubtedly provide the answer to all the questions that appeared along the way of the early stages of my research.

To clarify some of these points, I later sent a questionnaire to our American exchange partners, aged between 12 and 65 at Episcopal High School in Alexandria, Virginia. The answers I got made me realize how shrouded in myth the origins, the drafting and ratification process of the Declaration of Independence actually are, even to some Americans. Henceforth, I was committed to exploring the protagonists and the background stories behind this influential founding document of the United States of America.

I often wondered how the current situation of African-Americans in the U.S. would look like today if that only sentence, the abolition of slavery, had not been excluded. It may forever remain a mystery, however, throughout my readings I learned much about the obstacles that stood in the way of drafting the Human Rights claims of “Life, Liberty and the pursuit of Happiness”<sup>5</sup>.

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<sup>2</sup> Time: “One dream,” accessed February 5, 2015, <http://content.time.com/time/onedream/>.

<sup>3</sup> Ibid.

<sup>4</sup> Appendix, 7 – 8.

<sup>5</sup> Ibid.

I am forever grateful for all the motivational support I have received so far from my family and friends, and my inspiring tutor Mag. Gottfried Oehl, who helped me along the way with his vast knowledge of this topic. Hopefully, those who read my work in the near future will gain an insight into the fascinating period of Enlightenment in America, which led to the founding of a nation, as well as to the War of Independence, deeds and ideology that were to be repeated with an everlasting effect around the world we know today.

Vienna, Feb. 5<sup>th</sup> 2015

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# 1. Introduction

The purpose of this extended paper is to analyze the challenges met by the Founding Fathers drafting the Declaration of Independence with the inclusion of the Human Rights claims of “Life, Liberty and the pursuit of Happiness”<sup>6</sup>.

Well into the 18<sup>th</sup> century, the thirteen British colonies had grown together despite their differences in society, religion, economic pursuit and the issue of slavery. What united them more than anything else was the joint rejection of the “Sugar Act”<sup>7</sup>, the “Currency Act”<sup>8</sup> and the “Stamp Act”<sup>9</sup> passed by British Parliament to offset the debt brought on by the French and Indian War”<sup>10</sup> (1754-63) and pay for the British military organization. The issue of foreign political interference and control of tax money exercised by the Crown by the late 1760s led to the first assembly of representatives from all the colonies at the “Stamp Act Congress”<sup>11</sup> in New York. With the outbreak of rebellion in and around Boston and the British navy blocking ports and harbors in the North, it fell upon Virginia to lead procedures in the preparation of a congress that would draft and ratify a document of separation from the motherland, which would explain their breakaway and justify and explain the rightfulness of going to war against the king. As a result, a new powerful document was born: The Declaration of Independence. But which template would one use to draft such a unique document? Who would be chosen to take on this challenge? And most importantly, which obstacles would appear along the way? Would everyone agree to the principles stated in it?

Interestingly enough, the young slaveholding plantation owner, Thomas Jefferson would be elected from all the members of the “Continental Congress”<sup>12</sup> to write the Declaration of Independence with the aid of senior delegates John Adams and Benjamin Franklin and chair the committee in charge of preparing this document. Despite his tender age, his contribution to the cause of American independence was vital. Taking into account his personal interests in abolishing slavery, it was not surprising that he was hindered by Congress to include this particular idea. It was essential to have a unified vote in the very tense climate of a country at war, persevering with these thoughts

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<sup>6</sup> Appendix, 7 – 8.

<sup>7</sup> Sautter, Geschichte der Vereinigten Staaten von Amerika, p. 76.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Herrmann Wellenreuther, Geschichte der USA, p. 25.

<sup>11</sup> Ibid., p. 28.

<sup>12</sup> Tibor R. Machan, Individual Rights Reconsidered, p. 1.

would only lead to the rejection of the Declaration of Independence by the economically dependent Southern colonies on the free labor of their slaves. In this respect, the period from 1<sup>st</sup> to 4<sup>th</sup> of July is of great importance as this is when the ratification process took place. In the years that followed the Declaration of Independence, the antagonistic principles of equality that can be found in its Preamble would be largely felt throughout the domestic and foreign influence it had, with societies interpreting its universal values in more than one political context.

With this historical outline and the areas of discussion referred to above, my paper will first deal with the background that necessitated a secession document of such magnitude before highlighting the drafter and the details of the Declaration of Independence. A special emphasis will be put on the Human Rights claims of the Preamble. Finally, the far-reaching influence will be dealt with. Deciding to ground my research on literary sources, I consulted the “Austrian National Library” and the “American Reference Library” in Vienna and the “Embassy Library of the United States of America” in Bucharest. Finding online material on the drafting of the document was easy, separating useful from meaningless information, however, made writing this extended paper an exciting task.

## **2. Prerequisites for the Declaration of Independence**

In the disturbing circumstances of the first year of a revolutionary war, the making of the Declaration of Independence and the implementation of the Preamble was surely a difficult task. The colonies were not only facing a tyrant who was stripping them of their rights, obliging them to follow laws they were not in agreement with but also the spirit of individualization, which rose as a result of the Enlightenment period. Hence, the colonies needed a justification to explain why it was necessary to be separated from the motherland and form a new nation. Which document could one use as a template, who would be the right person to draft the document, a representative from the South or the North? Why would the young Jefferson, a slaveholding plantation owner from Virginia, be the right choice in the end to lead this committee in charge of drafting a document of such vital importance? And why were so many alterations ultimately needed?

### **2.1. Reasons for the drafting of a document: The path to the War of Independence (1660 – 1775)**

On the exceptional day of 4<sup>th</sup> of July lays the beginning of the War of Independence. The Americans had officially declared independence from the British Empire. Only after a long series of events, which led to tensions with the Kingdom and ultimately to the separation of the colonies from the motherland, could the United States of America be the independent nation it is today.<sup>13</sup> As John Adams once stated: “The Revolution was effected before the war commenced. The Revolution was in the hearts and minds of people.”<sup>14</sup> These wise words can be very well exemplified throughout the time frame of 1660 – 1775, especially by the achievements accomplished during 1765 – 1775, which were not only meant to be forms of

“Resistance to specific obnoxious acts of the British government but also key stages in the development of a continental revolutionary consciousness and impulse toward self-government, as well as the creation of the rudimentary instruments to carry out those purposes.”<sup>15</sup>

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<sup>13</sup> Cf. Hays Steilberg and Thomas Flemming, *Chronik Handbuch Amerika*, pp. 93 – 96.

<sup>14</sup> *Outline of U.S.*, (Washington, DC: U.S. Department of State), p. 52.

<sup>15</sup> Roger W. Wilkins, *Jefferson’s Pillow*, p. 35.



As early as the 17<sup>th</sup> century the settlement of the American colonies developed in two completely different ways. The varying climate in the North and the South would prove beneficial to some and disadvantageous to others, resulting in the development of two economies, two mentalities and in turn two societies, which would value contrasting ideals.<sup>16</sup> With the British King James I's establishment of the first trading corporation called the Virginia-Company in 1606, appeared the first colony Jamestown, Virginia. The interests of the investors were purely secular, only to gain profit.<sup>17</sup> To their advantage, the southern climate had allowed them to benefit from the rich farmland all year round, leading the typical life of the British landed gentry with big plantation homes and an economic wealth almost exclusively derived from the use of slave labor. Not the same can be said for the populous protestant Northern colonists who lived off their land only during the summer, becoming thus a predominantly hard working, slave free, family centered and industrial driven society.<sup>18</sup> Nevertheless, in the following 100 years the newly established thirteen British colonies will have learned to put their differences aside for a greater cause: self-government.

As time went by people came to realize that they needed a separate nation, one not linked to Great Britain. The idea of individualism, greatly influenced by the Enlightenment period, began to spread throughout the colonies, inspiring them to take responsibilities into their own hands. These were the first steps, which steered the colonies to seek political independence from the British Empire in order to achieve their own identity as a nation.<sup>19</sup> This feeling of independence was particularly felt within the colonies when the British Parliament passed the "Sugar Act"<sup>20</sup>, the "Currency Act"<sup>21</sup> and the "Stamp Act"<sup>22</sup> in 1764/1765 to impose tax revenue among their subjects in order to offset the great debt brought on by the "French and Indian War"<sup>23</sup> (1756 – 1763) and to support the British military. Consequently, these acts led to protests against political

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<sup>16</sup> Cf. APUSHistoryCase: "Economic Differences between the North and the South colonies," accessed January 20, 2015, <http://apushistorycase.wikispaces.com/Economic+Differences+between+the+North+and+the+South+colonies/>.

<sup>17</sup> Cf. 123HelpMe.com: "Differences in Northern and Southern Colonies Prior to Revolutionary War," accessed January 20, 2015, <http://www.123helpme.com/differences-in-northern-and-southern-colonies-prior-to-revolutionary-war-view.asp?id=156743>.

<sup>18</sup> Cf. Udo Sautter, *Geschichte der Vereinigten Staaten von Amerika*, pp. 58 – 59.

<sup>19</sup> Cf. Steilberg and Flemming, *Chronik Handbuch Amerika*, pp. 93 – 96.

<sup>20</sup> Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 76.

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*, p. 25.

interference and control of tax money. The colonies were of the belief that as a group they must have the right to decide how to be taxed, believing that no representative was needed unless they elected members from the House of Commons. This idea disagreed with the principle of the British “virtual representation”<sup>24</sup>, the colonies arguing that Parliament had no right to pass any laws for the colonies without their consent. Here, also came in the well-known battle cry “No taxation without representation”<sup>25</sup>, which perfectly outlines the main grievance of the British. This slogan was used in the late 1760s, when colonies began to assemble on a large scale, the first being the “Stamp Act Congress”<sup>26</sup> in New York City, where representatives from nine colonies wrote a resolution to be sent to King George III. and Parliament. It claimed that only colonial legislatures could tax colonial residents and that taxation without representation violated the colonists' basic civil rights.<sup>27</sup>

Furthermore, another event that led to transcontinental disputes was the stationing of the British troops on colonial soil, which on March 5, 1770, resulted in an armed conflict between a few “Sons of Liberty”<sup>28</sup> patriots and British soldiers. This occurrence was named the “Boston Massacre”<sup>29</sup> and ended in the killing of five Americans, becoming, thus, a symbol of the English oppression.<sup>30</sup> The despotism of the British did not stop there, as three years later the Crown granted the East India Company monopoly on all tea exports, an action that meant the loss of the tea trade business for the colonies. To combat this situation Samuel Adams led on the night of December 16<sup>th</sup>, 1773, a group of radicals dressed as Mohawk Indians throwing over board the content of the ship into Boston harbor, to prevent the colonists from paying any taxes for the tea purchased. Of course, this action could not have been left unpunished by the British, as it would have shown the world a sign of weakness and its incapability to control their colonies.<sup>31</sup> Therefore, in 1774 the “Intolerable Acts”<sup>32</sup> were passed to punish those involved in the Boston Tea party, which, unlike other legislations, endangered the colonies from an economic, political and legislative perspective. Having these acts later enforced by Gen-

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<sup>24</sup> Outline of U.S, (Washington, DC: U.S. Department of State), p. 54.

<sup>25</sup> United States History: “No Taxation without Representation,” accessed April 27, 2014, <http://www.u-s-history.com/pages/h546.html>.

<sup>26</sup> Wellenreuther, *Geschichte der USA*, p. 28.

<sup>27</sup> Cf. Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 77 – 78.

<sup>28</sup> *Ibid.*, p. 28.

<sup>29</sup> *Ibid.*, p. 29.

<sup>30</sup> Cf. Steilberg and Flemming, *Chronik Handbuch Amerika*, pp. 93 – 96.

<sup>31</sup> Cf. Outline of U.S, (Washington, DC: U.S. Department of State), pp. 52 – 61.

<sup>32</sup> Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 80.

General Gage in April 1775 would ultimately lead to a chain-reaction in the grievances done by the British Empire.<sup>33</sup>

The situation got out of hand when on the 18<sup>th</sup> April 1775 an unfortunate encounter occurred between the British troops and a group of American militia also called Minutemen. In the skirmishes at Concord the first British soldier was killed. News of the events at “Lexington and Concord”<sup>34</sup> spread fast throughout the colonies. This first British casualty would be later remembered in history as “the shot that was heard round the world”<sup>35</sup>. This event led to the first major battle at “Bunker Hill”<sup>36</sup> in Boston in 1775, a point of no return had been reached, as any attempts of reconciliation, such as John Dickinson’s “Olive Branch Petition”<sup>37</sup>, which professed loyalty to King George III. were brushed away by the king himself.<sup>38</sup> Seeing that any hope for reconciliation was lost, more and more colonists strived for independence. Regardless of the unfavorable situation for independence at first sight, with a two-thirds majority among nationals, the loyalists, in favor of restoring the former cordial relationships with Britain and only one-third, the patriots, against it, it was still believed that a revolution was needed in order to preserve the rights and liberties of the Americans.<sup>39</sup> It is to be considered that the denial of the king for reconciliation was one of the many mistakes the king has made not to take advantage of the instable situation of the colonies to guarantee his power.

The colonies were fortunate to have Thomas Paine as a major player in the struggle for independence. He convinced those still wishing for reconciliation to abandon this goal, stressing the immense importance of independence with his January pamphlet “Common Sense”<sup>40</sup>. He underlined the fact that the colonies have each and every right to be a self-sufficient independent republic; free from a corrupt regime led by a tyrannical king, where its subjects are brutalized.<sup>41</sup> With ideas circulating throughout the colonies emphasizing the intention of separating, the timing of this document was perfect,

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<sup>33</sup> Cf. Outline of U.S, (Washington, DC: U.S. Department of State), pp. 59 – 60.

<sup>34</sup> Sautter, Geschichte der Vereinigten Staaten von Amerika, p. 82.

<sup>35</sup> ConstitutionFacts.com: “The Shot Heard Round the Word: The Battles of Lexington and Concord,” accessed January 21, 2014, <http://www.constitutionfacts.com/us-declaration-of-independence/the-shot-heard-round-the-world/>.

<sup>36</sup> Outline of U.S, (Washington, DC: U.S. Department of State), p. 60.

<sup>37</sup> Sautter, Geschichte der Vereinigten Staaten von Amerika, p. 83.

<sup>38</sup> Cf. Outline of U.S, (Washington, DC: U.S. Department of State), pp. 52 – 61.

<sup>39</sup> Cf. America in Class: “Declaring Independence,” accessed January 31, 2014, <http://americainclass.org/sources/makingrevolution/rebellion/text8/text8.htm>.

<sup>40</sup> Sautter, Geschichte der Vereinigten Staaten von Amerika, Geschichte der USA, p. 83.

<sup>41</sup> Cf. Steilberg and Flemming, Chronik Handbuch Amerika, pp. 93 – 96.

with only one year between the “Battle of Lexington and Concord”<sup>42</sup> and the endorsement of the document of independence by Congress, he was able to win the hearts and minds of a majority of people in the American colonies.<sup>43</sup> Luckily, by July 4<sup>th</sup>, 1776, the aspiration for liberty prevailed at the “Continental Congress”<sup>44</sup> announcing on this symbolic day the birth of a new nation: the United States of America.<sup>45</sup> Both bullet and document would leave a permanent mark on the history of mankind to this day.

## 2.2. The process of the making

The signatories were aware of the magnitude of their actions. Benjamin Franklin said that “We must, indeed, all hang together, or most assuredly we shall all hang separately.”<sup>46</sup> By that, he meant that he who is not able to establish a document based on a set of principles is nothing more but a traitor. The founders had to be united in their rebellion in order not to be executed for treason.

Within a year of the fatalities at “Lexington and Concord”<sup>47</sup>, a second “Continental Congress”<sup>48</sup> was held in Philadelphia.<sup>49</sup> In the very tense climate of 1776, due to the many political and military uncertainties, a committee was set up and composed of “John Adams, Benjamin Franklin, Thomas Jefferson, Robert R. Livingston, and Roger Sherman.”<sup>50</sup>

However, to make and later adopt the future Declaration of Independence, which would explain the reasons why thirteen colonies considered themselves no longer part of the British Empire was indeed a lengthy and complicated process. The opinions of the committee needed to reflect principles held by the thirteen colonies so proceedings were complicated and difficult. A fast move for the leaders of the colonies would have meant the exclusion of some states from voting for independence. For this, the delegates

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<sup>42</sup> Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 82.

<sup>43</sup> Cf. Robert A. Ferguson and George Edward, *America in Class: “Thomas Paine’s Common Sense, 1776,”* accessed December 20, 2014, <http://americainclass.org/thomas-paine-common-sense-1776/>.

<sup>44</sup> Machan, *Individual Rights Reconsidered*, p. 1.

<sup>45</sup> Cf. Steilberg and Flemming, *Chronik Handbuch Amerika*, pp. 93 – 96.

<sup>46</sup> Historic Valley Forge: “Franklin’s Contributions to the American Revolution as a Diplomat in France,” accessed February 5, 2015, <http://www.ushistory.org/valleyforge/history/franklin.html>.

<sup>47</sup> Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 82.

<sup>48</sup> Machan, *Individual Rights Reconsidered*, p. 1.

<sup>49</sup> Cf. Steilberg and Flemming, *Chronik Handbuch Amerika*, pp. 93 – 96.

<sup>50</sup> “No Taxation without Representation,” accessed April 27, 2014.

at the second “Continental Congress”<sup>51</sup> did not have the right to vote, not being able to declare independence unless they were instructed to do so.<sup>52</sup>

It is rather uncertain how the drafting process was really conducted, as there are not many reliable sources but the contradicting accounts of Thomas Jefferson and John Adams. The committee later entrusted the young 33-year-old Virginian, Thomas Jefferson to write the declaration.<sup>53</sup> In this committee Jefferson could later on draw on the ideas from excellent minds. Above all it is Benjamin Franklin who provides him with a template for the Declaration of Independence in pointing out a Dutch document, written almost 200 years earlier, “De Plakkaat van Verlatingh”<sup>54</sup> of 1581. Regardless of their separation “by time, place, and cultural influences”<sup>55</sup>, these documents were strikingly similar in terms of phrasing and argumentation. As in the Declaration of Independence, the Plakkaat lists a lengthy catalog of grievances committed by the Spanish ruler Philip II, who neither knew the language of his people nor had any respect for his subjects, the multiple attempts to seek reconciliation and the statement that no other options are left but breaking the bond from the king.<sup>56</sup>

It was surprising that he was given this task considering that individuals like George Mason, a fellow Virginian and far more experienced than him, was not given the task. On the other hand Mason had a reputation for not making any compromises.<sup>57</sup> This said, Jefferson was happy to begin his work as of June 11 writing a number of drafts that drew on Mason’s expertise and enlightenment thoughts, especially those embodied in his “Virginia Declaration of Rights”<sup>58</sup> for the American colonies’ legitimacy to fight a war of independence.<sup>59</sup>

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<sup>51</sup> Machan, *Individual Rights Reconsidered*, p. 1.

<sup>52</sup> Cf. HistoryToday: “The American Declaration of Independence of July 4th,” accessed January 15, 2015, <http://www.historytoday.com/robert-hole/american-declaration-independence-july-4th-1776>.

<sup>53</sup> Cf. EyeWitness to History.com: “Writing the Declaration of Independence,” accessed October 20, 2014, <http://www.eyewitnesstohistory.com/jefferson.htm>.

<sup>54</sup> The Flemish American: “The Flemish Contribution to the U.S. Declaration of Independence,” accessed December 12, 2014, last modified July 4, 2013, <http://flemishamerican.blogspot.co.at/2013/07/the-flemish-contribution-to-us.html>.

<sup>55</sup> Ibid.

<sup>56</sup> Cf. Ibid.

<sup>57</sup> Cf. Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 84.

<sup>58</sup> Machan, *Individual Rights Reconsidered*, p. 18.

<sup>59</sup> Cf. Stephan A. Schwartz, Smithsonian.com: “George Mason: Forgotten Founder, He Conceived the Bill of Rights,” accessed January 20, 2015, last modified April 30, 2000, <http://www.smithsonianmag.com/history/george-mason-forgotten-founder-he-conceived-the-bill-of-rights-64408583/?no-ist>.

Just seventeen days later, on June 28, Jefferson's final draft titled "Unanimous Declaration of the United States of America"<sup>60</sup> was ready to be presented to Congress, with minor changes concerning the style made by Adams and Franklin. Further, the document was modified to the extent that certain words and points, which were outside the general agreement, were removed. Congress nearly deleted fourth of the document, which most notably included a passage regarding the slave trade.<sup>61</sup> Hence, the difficulties drafting the Declaration of Independence had hinged on the human rights claims of "Freedom, Liberty and pursuit of Happiness"<sup>62</sup> and the question of abolishing slavery from the very beginning. However, it was more important to have a document, everyone agreed on, especially in the southern states, where equal rights were interpreted by court as not applicable to Africans. What is more, their abolition would have meant the end of their agrarian economy. For this reason, Congress formally endorsed Jefferson's Declaration on July 4<sup>th</sup> and ordered its wide distribution within the colonies. As the president of the Congress, John Hancock had the honor to be the first to sign. As such the Preamble was approved on this day as a declaration of principles.<sup>63</sup>

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<sup>60</sup> Wellenreuther, *Geschichte der USA*, p. 32.

<sup>61</sup> Cf. Jim Allison, *The Constitutional Principle: Separation of Church and State: "Jefferson's Original Declaration of Independence Did Not Use the Word 'Creator,'"* accessed January 15, 2014, <http://candst.tripod.com/doi1j.htm>.

<sup>62</sup> Appendix, 7 – 8.

<sup>63</sup> Cf. "No Taxation without Representation," accessed April 27, 2014.

### 2.3. Thomas Jefferson, the author

The present American society owes much to its Founding Fathers, above all to Thomas Jefferson, the author of the Declaration of Independence.

Thomas Jefferson was born on a prosperous plantation of a Virginia gentry stock in Albemarle County on 13 April 1743 as the son of Peter Jefferson.<sup>64</sup> Jefferson had an outstanding education, starting at the “College of William and Mary”<sup>65</sup> in the state of Virginia. There, he made “the acquaintance of three of the Virginia capital’s leading intellectual lights”<sup>66</sup>: William Small, George Wythe, and Francis Fauquier. These gentlemen contributed to Jefferson’s becoming in broadest outlines, “a republican in politics, a deist in religion, and a classicist in his tastes.”<sup>67</sup> It is not certain whether by the time he left the “College of William and Mary”<sup>68</sup> these men or the books he owned strengthened his views. Nevertheless, one cannot argue with the fact that his education largely benefited Thomas Jefferson as society benefited in turn from him.

Jefferson is further known for his career and the paradox that came with it. Being a lawyer and a planter against unconstitutional Parliamentary taxes, he fought for the abolition of the aristocratic privileges and wanted to separate church from state.<sup>69</sup> Nevertheless, the title of “Defender of Liberty”<sup>70</sup> that he carried was greatly ironic and paradoxical as his wealth and property were relying on the hard work of his slaves. Regardless of this, he consistently opposed slavery believing that it was a great threat to the continuity of the newly established nation and in contradiction with the principles of personal liberty.<sup>71</sup> However, he and other planters with the same views did not see slaves equal to free men, Jefferson himself stressing that “whites were smarter and better developed than blacks”<sup>72</sup>. In this case Jefferson played two roles throughout his life

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<sup>64</sup> Cf. bio.: “Thomas Jefferson Biography,” accessed December 30, 2014, <http://www.biography.com/people/thomas-jefferson-9353715#early-life>.

<sup>65</sup> Alan Pell Crawford, *Twilight at Monticello*, p. 14

<sup>66</sup> Crawford, *Twilight at Monticello*, p. 15.

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*, p. 14.

<sup>69</sup> Cf. “Thomas Jefferson Biography”, accessed December 30, 2014.

<sup>70</sup> Clarence B. Carson, Foundation for Economic Education: “Thomas Jefferson Liberty and Power,” accessed December 30, 2014, last modified April 1, 1993, <http://fee.org/freeman/detail/thomas-jefferson-liberty-and-power>.

<sup>71</sup> Cf. Monticello: “Thomas Jefferson and Slavery” accessed December 30, 2014, <http://www.monticello.org/site/plantation-and-slavery/thomas-jefferson-and-slavery>.

<sup>72</sup> shmoop: “Thomas Jefferson: Declaration of Independence,” accessed January 20, 2015, <http://www.shmoop.com/thomas-jefferson/declaration-of-independence.html>.

as he saw his slaves both as humans and as property.<sup>73</sup> All in all, he tried taking several measures to abolish this institution. For instance, he managed to implement laws to prohibit the importation of slaves in order to weaken the “Trans-Atlantic slave trade”<sup>74</sup>. He also proposed an approval to ban slavery in the Northwestern territories or even contained his thoughts about this devilish business in the Declaration of Independence, only to be excluded by Congress. He soon realized that these actions would not be very effective on this slavery, since the single and most practical way of abolition was on a national basis.<sup>75</sup> Due to many factors including the enormous debts he had, the fear of them not surviving by themselves or revolting against the whites for equal rights and the dependency on their labor there was no possible way even for Jefferson to free his slaves.<sup>76</sup> Even if his ultimate goal to put an end to slavery only seemed to be a mere dream he still tried to improve their living conditions as a way to end it, discouraging the heavily dependent planters on the labor of their slaves.<sup>77</sup>

Thomas Jefferson was convinced that the British only wanted to reorganize the empire after 1763 to keep the colonies under its tyrannical rule. For this reason, in his work “Summary View of the Rights of British America”<sup>78</sup>, he denied any British authority over the colonies, stating that only the king deserved their loyalty. His theories about self-governance led him to participate as a delegate to the “Continental Congress”<sup>79</sup> in 1775.<sup>80</sup> A lot of questions have arisen since then, regarding his age and lack of experience compared to delegates such as John Adams, who were active contributors to the fight for independence. It can be said that the primary reason was that Jefferson was a Virginian. This was of great importance for the delegates, as they needed the support of one of the oldest and finest colonies for the independence movement. Moreover his reputation for literature, science and a happy talent for composition played an essen-

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<sup>73</sup> Cf. Lucia Stanton, *Those Who Labor for My Happiness: Slavery at Thomas Jefferson's Monticello*, pp. 3 – 26.

<sup>74</sup> BlackPast.org: “The Deleted Passage of the Declaration of Independence (1776),” accessed January 20, 2015, <http://www.blackpast.org/primary/declaration-independence-and-debate-over-slavery#sthash.mQzyt6ik.dpuf>.

<sup>75</sup> Cf. Eyer Robert Coates, “The Jeffersonian Perspective,” accessed January 25, 2015, last modified 1999, <http://eyer.freesevers.com/JeffPers/jefpn005.htm>.

<sup>76</sup> Stanton, *Those Who Labor for My Happiness*, pp. 3 – 26.

<sup>77</sup> Cf. “Thomas Jefferson and Slavery,” accessed December 30, 2014.

<sup>78</sup> *Crawford, Twilight at Monticello*, p. 19.

<sup>79</sup> Machan, *Individual Rights Reconsidered*, p. 1.

<sup>80</sup> Cf. Library of Congress: “Declaration of Independence: Rights to Institute a new government,” accessed February 1, 2015, <http://www.loc.gov/exhibits/jefferson/jeffdec.html>.



tial role. All these reasons can be found in the letter John Adams wrote to his friend Timothy Pickering, where he states the following:

“Reason first, you are a Virginian, and a Virginian ought to appear at the head of this business. Reason second, I am obnoxious, suspected, and unpopular. You are very much otherwise. Reason third, you can write ten times better than I can.”<sup>81</sup>

Adams truly considered Jefferson to be an excellent writer, an even better writer than himself. He would later recall that it was essential for a Southerner to create a national declaration “so that independence would seem the project of the entire nation, not just that of the zealous New England.”<sup>82</sup> As such, being the head of the committee and the drafter of the Declaration of Independence a very promising career would await Jefferson in the years to come, soon to be elected as the third president of the United States of America.<sup>83</sup>

One could conclude that this man was one of, if not the most influential individual for the War of Revolution, being the author of the America Declaration of Independence and a “great champion of the rights of man.”<sup>84</sup> Scholars should understand his contradictory life regarding slavery as the antagonism of the Declaration of the Independence in the 18<sup>th</sup> century. Notwithstanding, his actions as well as his much-acclaimed document have marked a step forward towards human liberty.

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<sup>81</sup> “Writing the Declaration of Independence,” accessed October 20, 2014.

<sup>82</sup> Wilkins, *Jefferson’s Pillow*, p. 46.

<sup>83</sup> Crawford, *Twilight at Monticello*, p. 33.

<sup>84</sup> “Thomas Jefferson and Slavery,” accessed December 30, 2014.

### **3. The Declaration of Independence and the equality of men**

Most of Thomas Jefferson's work, the Declaration of Independence, empowered the ideas of "Life, Liberty and the pursuit of Happiness"<sup>85</sup>. It included all the grievances done by the Crown and all the reasons for the colonies to establish a new nation. Before submission to Congress, the original draft differed from the present one since it included a passage that would have determined the abolition of slavery. Since the purpose of the colonies was not to seek equality for all men but to make clear to the British that independence was needed, this paragraph was notably taken out for the support of all the thirteen colonies. Yet, what is the ideological value and antagonism behind this document?

#### **3.1. The content of the document**

The Declaration of Independence was the first document of its kind to proclaim the creation of a nation. Jefferson wrote the declaration in two parts: in one stating the rights of the colonists and in the other describing the denial of such rights. The entire text, however, can be split into five sections: "the introduction, the preamble, the indictment of George III., the denunciation of the British people, and the conclusion."<sup>86</sup> The statements that were made were only to convince those in favor of reconciliation that this was not a feasible way to act and they should use their vote to support independence.<sup>87</sup> Although Jefferson remains the primary author, many sources are still debatable, from pieces written by contemporary British philosophers, like John Locke, to treaties and declarations from the 1200s to the 1700s, with similarities in story, demands, denunciation, principles and language. Even if the Declaration of Independence does not give an original theory about the government, it ingeniously summarizes and sets forth the ideology for the American cause of justice.<sup>88</sup>

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<sup>85</sup> Appendix, 7 – 8.

<sup>86</sup> Stephen E. Lucas, *The Charters of Freedom: "Declaration of Independence - The Stylistic Artistry,"* accessed December 30, 2014, [http://www.archives.gov/exhibits/charters/declaration\\_style.html](http://www.archives.gov/exhibits/charters/declaration_style.html).

<sup>87</sup> Cf. sparknotes: "The Declaration of Independence," accessed November 1, 2014, <http://www.sparknotes.com/history/american/declaration/section2.rhtml>.

<sup>88</sup> Cf. Machan, *Individual rights reconsidered*, p. 7.

In the very first paragraph, the introduction, Jefferson uses only one sentence to state the reasons for the document's drafting.<sup>89</sup> This rather broad sentence is mainly used to prepare the reader for the rest of the document and to make all views in favor of America. The introduction rightfully elevates the ongoing issue with England, which developed from a political dispute to a major historical event. It also asserts that the colonies are entitled to a revolution claiming moral legitimacy. The introduction further states the purpose of the document with one of its most vital words "necessary"<sup>90</sup> which suggests that a revolution was needed since all other diplomatic ways of reconciliation were not fruitful. Also Jefferson calls the Americans "one people"<sup>91</sup> and the British "another"<sup>92</sup>. The use of these words serve to point out to the reader to the ongoing conflict between these societies that was beyond political intellectual, social, moral and cultural comprehension. This notion of separation also made the claiming of a revolution easier, as it gave justification for Congress to support the American cause.<sup>93</sup>

The next section, the Preamble, explains the ideology of the revolution.<sup>94</sup> Echoing Locke's principles, Jefferson stressed that only "a government based on popular consent (...) could secure natural rights to life, liberty and pursuit of happiness."<sup>95</sup> By listing these truths, out of which the most important was the equality of men, he made the recognition that one's life is in one's own hands. This is indeed a brief statement of high rhetorical value and of great powerful sense and structural unity.<sup>96</sup>

After this followed a list of abuses of the British Crown from which it did not seem that there was any possible way to repair the grievances of the past. Everything expressed in this part indicates the rights, which had been gradually destroyed since the end of the "French and Indian War"<sup>97</sup> in 1763. Many of the actions taken by the King and Parliament were only intended to gain power over the colonies. In total, the colonies suffered twenty-seven different abuses led by the tyrannical King George III.<sup>98</sup> The first twelve abuses were solely directed against King George III. who implemented a tyrannical government instead of a representative one, which would have given people

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<sup>89</sup> Cf. Appendix, 1 – 5.

<sup>90</sup> Appendix, 1.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

<sup>93</sup> Cf. "Declaration of Independence - The Stylistic Artistry," accessed December 30, 2014.

<sup>94</sup> Cf. Appendix, 6 – 23.

<sup>95</sup> Outline of U.S, (Washington, DC: U.S. Department of State), p. 61.

<sup>96</sup> Cf. Machan, Individual rights reconsidered, p.13.

<sup>97</sup> Wellenreuther, Geschichte der USA, p. 25.

<sup>98</sup> Cf. Appendix, 24 – 85.

the right to make laws beneficial to them. Nevertheless, the king did not allow the colonies to propose new legislations or to have representative bodies. Instead, he replaced colonial governments with his selected ministers. The king also interfered with the civil rights of the colonies and did not let the organization of judicial powers take place by threatening judges with their jobs and salaries. Moreover, he even had full control over the military by making them stay in the colonies, even in times of peace. These colonies were also obligated to support their presence by increasing taxes. The next nine abuses criticized Parliament for not letting the colonies impose self-rule. It was unsettling that legislation was passed, making trade impossible with the other part of the world, increasing taxes and making trials for colonies possible only in England. Furthermore, colonial governments had no authority any longer to pass legislations. The last five abuses highlighted the horrific actions made by King George III. Not only did he use means of violence to stop the colonies from revolting but he also destroyed the life and property of many individuals. What is more, he also failed in protecting the colonies and even used foreign fighters to act against them.<sup>99</sup>

The denunciation of the British people is marked by a idiomatic change in pronouns from “He has”<sup>100</sup> to “We have”<sup>101</sup> meaning that continuous unsuccessful attempts have been made to cooperate for a peaceful resolution but being ignored no hopes remained proclaiming thus war to the Empire.<sup>102</sup> The excessive use of “he”<sup>103</sup>, “them”<sup>104</sup>, “us”<sup>105</sup>, “our”<sup>106</sup>, “we”<sup>107</sup> and “they”<sup>108</sup> is to distinguish the British from the American people, which are now a unity, separated from the motherland.<sup>109</sup> The dramatic conclusion is finally connected with the repetitive pronoun “We”<sup>110</sup>. It states that, under the given conditions, a structural change is needed both in government and policy.<sup>111</sup>

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<sup>99</sup> Cf. “The Declaration of Independence,” accessed November 1, 2014.

<sup>100</sup> Appendix, 83.

<sup>101</sup> Ibid., 86.

<sup>102</sup> Ibid., 86 – 97.

<sup>103</sup> Ibid., 24.

<sup>104</sup> Ibid., 58.

<sup>105</sup> Ibid., 51.

<sup>106</sup> Ibid., 60.

<sup>107</sup> Ibid., 86.

<sup>108</sup> Ibid., 57.

<sup>109</sup> Cf. “Declaration of Independence - The Stylistic Artistry,” accessed December 30, 2014.

<sup>110</sup> Cf. Appendix, 98 – 108.

<sup>111</sup> Cf. Surfnetkids: “Summary of the Declaration of Independence,” accessed January 31, 2015, <http://www.surfnetkids.com/independenceday/263/summary-of-the-declaration-of-independence/>.

The Declaration of Independence is perhaps the most excellent document ever written in Western civilization. Not only it is brilliant throughout its stylistic value but it also embodies the principles of human liberty from various documents of history. It is truly worthy of being in the following centuries an example for nations around the globe to take from, which share a common wish, to break free from their suppressors.<sup>112</sup>

### **3.2. The differences between the new and the old document**

Since the completion of the original draft, its submission and its final adoption by Congress, Jefferson's Preamble suffered a series of changes: 47 alterations to be exact. Noteworthy is that most of the stylistic alterations influenced only a small portion of the document's unity.<sup>113</sup> In fact, the evolution of the document was a lengthy process that had to pass through many amendments for it to be accepted by all representatives present at the "Continental Congress"<sup>114</sup> as a concluding document. In order to fully understand the changes that occurred to the document, it is essential to look at the timeline between the writing of the rough draft and its approval by Congress on July 4, 1776, together with the numerous revisions that were made.<sup>115</sup>

The key stages in the alterations of this document are: the first corrections made by Adams and Franklin before the meeting with the Committee, its announcement by the "Committee of Five"<sup>116</sup> to Congress and the series of alterations by Congress. Most changes were verbal, such as the change from "the equal & independent"<sup>117</sup> to "the separate and equal"<sup>118</sup> or from "sacred & undeniable"<sup>119</sup> to "self-evident"<sup>120</sup>. Many corrections were actually performed by individuals like Adams, Franklin and even Jefferson himself, correction that are hard to trace, especially because of the handwriting that cannot be reliable. Fortunately, the added corrections and suggestions can be found in

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<sup>112</sup> Cf. "Declaration of Independence - The Stylistic Artistry," accessed December 30, 2014.

<sup>113</sup> Cf. Machan, *Individual Rights Reconsidered*, p. 31.

<sup>114</sup> Machan, *Individual Rights Reconsidered*, p. 1.

<sup>115</sup> Cf. Alex Peak: "The Changes Made to Jefferson's Original Rough Draught," accessed January 20, 2015, <http://alexpeak.com/twr/doi/change/>.

<sup>116</sup> "Jefferson's Original Declaration of Independence Did Not Use the Word 'Creator'," accessed January 15, 2014.

<sup>117</sup> *Ibid.*

<sup>118</sup> Appendix, 3.

<sup>119</sup> "Jefferson's Original Declaration of Independence Did Not Use the Word 'Creator'," accessed January 15, 2014.

<sup>120</sup> Appendix, 6.

many copies, most notably the one of Adams, which gives us an approximation of the document at its conception.<sup>121</sup>

Apart from the stylistic alterations, there are some elements that influenced the philosophical content of the Document. The first change can be seen in its timeless 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.”<sup>122</sup>

In the reconstructed original version, before submission to Congress, Jefferson stated:

“We hold these truths to be sacred and undeniable, that all men are created equal and independent; that from that equal creation they derive in rights inherent and unalienable, among which are the preservation of life, and liberty and the pursuit of happiness.”<sup>123</sup>

Many scholars suggest that by including of the word ‘Creator’, Thomas Jefferson intended to create a “Christian nation”<sup>124</sup>, however, there is no evidence in the original draft to support such.

Another interesting alteration was “the change from ‘ends’ to ‘rights’”<sup>125</sup> referring to the purpose of government and suggesting that governments are instituted to secure certain rights and not to attain certain ends. This questions the real objective of government: whether it is to secure certain rights or to encourage its people to exercise them.<sup>126</sup>

The biggest alteration still remains the section concerning slavery, which was taken out, as the southern delegates who were present at the Congress were not content with its inclusion. Jefferson listed the abuses of the King who kept slaves within the colonies and only granted them freedom to fight alongside Great Britain. Even if the “Committee of Five”<sup>127</sup> was carrying this accusation, the “Committee of the Whole”<sup>128</sup> could not be stopped from removing it, since the southern states’ support for independ-

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<sup>121</sup> Cf. “Jefferson's Original Declaration of Independence Did Not Use the Word ‘Creator’,” accessed January 15, 2014.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> Machan, *Individual Rights Reconsidered*, p. 21.

<sup>126</sup> Cf. Morton Gabriel White, *Philosophy of American Revolution*, pp 252 – 255.

<sup>127</sup> “Jefferson's Original Declaration of Independence Did Not Use the Word ‘Creator’,” accessed January 15, 2014.

<sup>128</sup> Ibid.

ence was of greater importance.<sup>129</sup> This paragraph listed the grievances of the king for determining the slave to rise against the colonies, attributing this institution to the colonization period of the Englishmen that was only designed for economic gain.<sup>130</sup> This was later rephrased with the more ambiguous “domestic insurrections among us”<sup>131</sup>.

Finally, the last major change was the deletion of the final paragraph, which accused the British electorate for its involvement in the series of abuses carried out by the British government in the colonies.<sup>132</sup>

Jefferson was relatively offended by the amendments made by Congress. It struck out major points that were vital for the American cause and even more so for humanity’s struggle to achieve freedom from a suppressor. No one knows how the events would have unfolded if these points had been included. However, it should be remembered that the amendments had the sole purpose of pleasing all delegates present at the Congress setting grounds of a document suitable to be voted upon, that would have led to independence from the British Empire.

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<sup>129</sup> Cf. “The Changes Made to Jefferson’s Original Rough Draught,” accessed January 15, 2015.

<sup>130</sup> Cf. Thomas Lannon, New York Public Library: “A Closer Look at Jefferson’s Declaration,” accessed January 25, 2015, last modified July 2, 2012, <http://www.nypl.org/blog/2012/07/02/closer-look-jeffersons-declaration>.

<sup>131</sup> “The Deleted Passage of the Declaration of Independence (1776),” accessed January 20, 2015.

<sup>132</sup> Cf. Machan, *Individual Rights Reconsidered*, p. 31.

### 3.3. The antagonism behind the sentence referring to the universal rights

It is certain that the Declaration of Independence is one of the most empowering pieces ever written by man to support a political cause. Before examining the content of this document, it is important to acknowledge that rights were understood differently in the past, especially by the revolutionaries.<sup>133</sup> Nowadays, it is widely believed that the well-known phrase “Life, Liberty and the pursuit of Happiness”<sup>134</sup> is in contradiction with the “universal rights” proclaimed in 1776. These only applied to white men, whereas African-Americans, Native-Americans and women were stripped of the same rights in the colonial society of the 18<sup>th</sup> century. This notion of human inequality is very much exemplified in the official response Great Britain gave in its pamphlet titled “Answer to the Declaration of the American Congress”<sup>135</sup> that presents different sides of the Declaration. The pamphlet is equally asking Congress how it is possible to “proclaim that ‘all men are created equal’ without freeing their own slaves.”<sup>136</sup> This may only be a propagandistic method to dismiss the document as trivial and refute the complaints of the colonists. However, it does rightfully point out the antagonism behind it: an existing paradox dating back to the American Revolution and the founding of a new nation.<sup>137</sup>

Some people may argue that the principles declared by the Founding Fathers are false being only the result of an ideological movement that allowed the upper class to gain power in the society at the expense of others. However, their sole intention was to show the world that they are taking action instead of addressing the question of individual rights. The individual rights in the declaration are false as it is impossible for everyone to be equal in achieving anything. The kind of equality that is needed is the one suggested by classical liberalism that in order for one to enjoy the right to individual

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<sup>133</sup> Ibid.

<sup>134</sup> Appendix, 7 – 8.

<sup>135</sup> Maps of World: “Impact of Declaration of Independence,” accessed December 20, 2014, <http://www.mapsofworld.com/usa/american-revolution/declaration-impact.html>.

<sup>136</sup> David Armitage, The Gilder Lehrman Institute of American History, “The Declaration of Independence in Global Perspective,” accessed December 20, 2014, <http://www.gilderlehrman.org/history-by-era/road-revolution/essays/declaration-independence-global-perspective>.

<sup>137</sup> Cf. Wilkins, Jefferson’s Pillow, pp. 1 – 25.



liberties, everyone should respect and treat the other as a creative, productive, freely choosing kind of being rather than a tool for others to use at their discretion.<sup>138</sup>

It is furthermore truly extraordinary to suggest that mankind has universal access to a right, which only exists due to the merit of ones humanity.<sup>139</sup> As Jefferson, Mason may have meant the same in his “Virginia Declaration of Rights”<sup>140</sup>: no to be equal to those whom he, as a slaver-owner, exercised power over but equal to those who exercised power over him, namely the Crown. This idea is centered on Locke’s principle that in order to be a citizen one should own property, alluding therefore that slaves could not be seen equal since they did not own property and were as a matter of fact property themselves.<sup>141</sup>

Another point worth mentioning is the term of “pursuit of Happiness”<sup>142</sup>. Regardless of the power and importance behind this principle, the term happiness is rather ambiguous in the Declaration. Unlike Locke, who writes about property, Jefferson uses instead the notion of “pursuit of Happiness”<sup>143</sup>, declaring that people have specific rights which we are entitled to pursue and that government has the sole purpose to help individuals find their way in pursuing and freely exercising their own happiness, since everyone has different goals and aspirations.<sup>144</sup>

As one can notice, the content of this document is very debatable from a philosophical standpoint on individual rights, abolition of slaves and the pursuit of happiness as the main purpose of this document was to give a statement of independence to Great Britain and have their equality to them be recognized rather than to emphasize philosophically ones natural rights. As a whole, the Declaration of Independence and its fundamentals should be understood as a product of its time.<sup>145</sup>

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<sup>138</sup> Cf. Machan, *Individual Rights Reconsidered*, pp. 19 – 21.

<sup>139</sup> Cf. “The American Declaration of Independence of July 4<sup>th</sup>,” accessed 20 December 2015.

<sup>140</sup> Machan, *Individual Rights Reconsidered*, p. 18.

<sup>141</sup> Cf. Wilkins, *Jefferson’s Pillow*, pp. 13 – 33.

<sup>142</sup> Appendix, 7 – 8.

<sup>143</sup> *Ibid.*

<sup>144</sup> Cf. Machan, *Individual Rights Reconsidered*, pp. 19 – 21.

<sup>145</sup> Cf. “The American Declaration of Independence of July 4<sup>th</sup>,” accessed 20 December 2015.

## **4. The international reaction to the Declaration of Independence**

The document was not generally accepted as Congress hoped. A majority of nationalists were still loyal to the king regardless of what has been done to them. It was fortunate enough that Thomas Paine changed their mind by stating in his work “Common Sense”<sup>146</sup>, the exact issue the colonies were confronting. The document was positively embraced by other countries, France being one of them. Even though their revolution was not a successful but in fact a failed one, the modern French Declaration relies on principles of the past. This declaration was to be considered later as a worldwide model, becoming a universal document on human equality.

### **4.1. The French Revolution as an example for European Reception**

The Declaration of Independence had a huge impact, gaining wide support nationally and beyond its borders.<sup>147</sup> As announced in the last paragraph of the Declaration “the United States of America is now available for alliances and open for business.”<sup>148</sup> One of the main purposes of this document was to achieve recognition from the European powers as a legal sovereign country.<sup>149</sup> If they remained under the rule of the empire, they would be nothing more than rebels. Only through a strong cooperation with other powers would the colonies have a chance to effectively combat this international conflict. One very strong ally in the colonial struggle was France, which proved its commitment with the “Franco-American Treaty of Amity and Commerce”<sup>150</sup> in February 1778. This treaty acknowledged its independence and its assistance involving further countries such as Spain and the Dutch Republic in this global conflict, extending thus the political spheres between the European countries and the newly established nation. This resulted also in the influence of the above mentioned countries, which needed the principles stipulated in the Declaration of Independence to free themselves

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<sup>146</sup> Sautter, *Geschichte der Vereinigten Staaten von Amerika*, p. 83.

<sup>147</sup> Cf. “Impact of Declaration of Independence,” accessed December 20, 2014.

<sup>148</sup> “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

<sup>149</sup> Cf. Gilbert W. Fairholm, “Exceptional Leadership: Lessons from the Founding Leaders”, p. 77.

<sup>150</sup> “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

from the chains of the monarchical rule in which they were held.<sup>151</sup> However, a notable fact remains the effect it had on the French Revolution, one of the most important events in Western history. Regardless of it being more violent than the American Revolution, it is still considered to have had a global importance during its time.<sup>152</sup> The occurrences in the American Revolution happened in an already fundamental liberal society, thus explaining the more moderate chain of abuses in the case of the French Revolution.<sup>153</sup>

In 1778, the first French translation under the name “Recueil des loix constitutives des colonies”<sup>154</sup> and was published in Philadelphia.<sup>155</sup> The French felt similar to the colonies, as they were mistreated by their ruler to the extent that only the privileged were entitled to certain rights and freedoms. This situation escalated into a rebellion, as a result of the poor treatment King Louis XVI. administrated to his people; taxing them unfairly and unequally. A constitutional monarchy was later established by the “National Assembly” abolishing thus a system that only privileged the noble. “The Declaration of the Rights of Men and Citizen”<sup>156</sup> was therefore drafted in 1789 taking an example from the U.S. Declaration of Independence. It included principles of the Enlightenment period and ideas of the Genevan philosopher Jean-Jacques Rousseau from his “Social Contract”<sup>157</sup> expressing that law should promote equal rights and forbid harmful actions to the society.<sup>158</sup>

Ironically enough the French Revolution was a least successful revolution, quickly descending its principles “Liberté, Egalité, and Fraternité”<sup>159</sup> as a result of Robespierre and his Reign of Terror. During this period many were executed, including nobles and revolutionaries who were considered to be “enemies of the revolution.”<sup>160</sup> Thousands of individuals, including King Louis XVI. were victims of the guillotine.

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<sup>151</sup> Cf. Ibid.

<sup>152</sup> Cf. Richard Geib’s Personal Website: “The French Revolution,” accessed December 20, 2014, <http://www.rjgeib.com/thoughts/french/french.html>.

<sup>153</sup> Cf. Outline of U.S, (Washington, DC: U.S. Department of State), p. 65.

<sup>154</sup> “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

<sup>155</sup> Cf. “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

<sup>156</sup> Human Rights in the US and the International Community: “The French Revolution and the Declaration of the Rights of Man and the Citizen,” accessed December 20, 2014, [http://www.unlhumanrights.org/01/0102/0102\\_09.htm](http://www.unlhumanrights.org/01/0102/0102_09.htm).

<sup>157</sup> Ibid.

<sup>158</sup> Cf. “The French Revolution and the Declaration of the Rights of Man and the Citizen,” accessed December 20, 2014.

<sup>159</sup> Ibid.

<sup>160</sup> Ibid.

These actions were intended by the newly instigated tyrants to control society rather than bring justice to those, who were once mistreated.<sup>161</sup>

Finally, even though the influence this revolution had on its nation was rather negative as the government that replaced the “ancien regime”<sup>162</sup> was as bad or worse than its predecessor, the liberal principles of the French Declaration can be found today in the French constitutional law, emphasizing universal values “of innocence, freedom of speech, freedom of the press, freedom of religion, and the right to property.”<sup>163</sup>

## **4.2. The contribution of the Declaration of Independence to the idea of human equality**

Undoubtedly the Declaration of Independence had an immense international impact, being the first of its kind in the entire history to associate sovereignty with independence. Beyond the influence it had on the French Revolution, many others expressed their interest in the fundamentals of these documents.<sup>164</sup>

As of 1776 many translations and copies started to emerge being “spread first to the Low Countries and then to the Caribbean, Spanish America, the Balkans, Africa and Central Europe in the decades up to 1848.”<sup>165</sup> With the “shot heard round the world”<sup>166</sup> it seemed that the sovereignty of the colonies had reached its global recognition, providing a framework for many nations willing to translate from empires to states, whenever it was necessary.<sup>167</sup> Most of the countries that exist today were once abandoned territories, part of them were empires or once existing confederations, such as Spanish America, the Soviet Union and the former Yugoslavia. These were a few of many countries

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<sup>161</sup> Cf. “The French Revolution,” accessed December 20, 2014.

<sup>162</sup> “The French Revolution and the Declaration of the Rights of Man and the Citizen,” accessed December 20, 2014.

<sup>163</sup> Ibid.

<sup>164</sup> Cf. David Armitage, *The Wall Street Journal*: “The Declaration of Independence: The Words Heard around the World,” accessed January 25, 2015, <http://www.wsj.com/articles/the-declaration-of-independence-the-words-heard-around-the-world-1404415089>.

<sup>165</sup> David Armitage, *International Seminar on the History of the Atlantic World 1500 – 1825*: “The Contagion of Sovereignty: Declarations of Independence in the Atlantic World and Beyond,” accessed December 26, 2014. <http://www.fas.harvard.edu/~atlantic/Conferences/conferenceanniversaryabstracts.html>

<sup>166</sup> “The Shot Heard Round the Word: The Battles of Lexington and Concord,” accessed January 21, 2014.

<sup>167</sup> Cf. “The Contagion of Sovereignty: Declarations of Independence in the Atlantic World and Beyond,” accessed December 26, 2014.

that put forward to the world their sovereignty and independence, revealing thus the true revolutionary force this document withholds in the centuries that followed.<sup>168</sup>

Today the core principles of this document are present in the United States of America and many nations around the world.<sup>169</sup> Unintentionally, this document led to further freedoms in the U.S., such as the emancipation of black slaves. This was a major step towards human equality throughout the first century since its adoption, which the document was never set to accomplish.<sup>170</sup> By 1855, Lincoln wanted to abolish slavery by re-adopting the Declaration of 1776. Opposing southern extremist, he sustained the idea that this declaration had endless possibilities to be put and interpreted in different social and historical contexts.<sup>171</sup> This concept can be summarized with his thoughts that: “The truths of the Declaration of Independence are eternally relevant, a perpetual call to honor liberty and the dignity of the individual.”<sup>172</sup>

Lincoln believed that “this renewal is exactly the purpose for which the Declaration had been intended.”<sup>173</sup> This can be very well exemplified in his speech of 1857 on “The Dred Scott Decision”<sup>174</sup> where he pointed out that the assertion of human equality had no effect on the separation from the Crown, having thus the single purpose to be placed for future use.<sup>175</sup> Indeed, almost a decade later, Lincoln managed with his 1863 speech “The Gettysburg Address”<sup>176</sup> to abolish slavery once and for all.<sup>177</sup> Also in the following years, when inequality was still perpetrated, the timeless principles the Declaration of Independence were put into practice. In August 1963 Martin Luther King al-

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<sup>168</sup> Cf. “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

<sup>169</sup> Cf. Surfnetkids: “The Effects of the Declaration of Independence,” accessed January 25, 2015, <http://www.surfnetkids.com/independenceday/268/effects-of-the-declaration-of-independence/>.

<sup>170</sup> Ibid.

<sup>171</sup> Cf. Rich Lowry, Fox News: “What Abraham Lincoln thought about the Declaration of Independence,” accessed January 25, 2015, last modified February 12, 2014, <http://www.foxnews.com/opinion/2013/07/03/what-abraham-lincoln-thought-about-fourth-july-declaration-independence/>.

<sup>172</sup> Ibid.

<sup>173</sup> Ibid.

<sup>174</sup> TeachingAmericanHistory.org: “Speech on the Dred Scott Decision,” accessed January 21, 2015, <http://teachingamericanhistory.org/library/document/speech-on-the-dred-scott-decision/>.

<sup>175</sup> Cf. “Speech on the Dred Scott Decision,” accessed January 21, 2015.

<sup>176</sup> Nacel Open Door: “American Independence Day: The 4<sup>th</sup> of July,” accessed January 25, 2015, [nacelpsp.wordpress.com/2014/07/07/3503/](http://nacelpsp.wordpress.com/2014/07/07/3503/).

<sup>177</sup> Cf. Ibid.

luded in his very memorable and powerful speech “I have a dream”<sup>178</sup> the core principles of equality of calling for action to stop the racial injustice.<sup>179</sup>

Even though an endless series of inequalities have committed since then, the Declaration of Independence was truly the first step to a gradual humanization of individuals towards the others, allowing them to be equal in all right, being therefore not merely a narration of theoretical individual rights but in fact an ingenious immortal example of struggle for the idea of human equality.<sup>180</sup>

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<sup>178</sup> Stevie Edwards, presentation magazine: “Analysis of Martin Luther King’s I Have a Dream speech,” accessed January 21, 2015, <http://www.presentationmagazine.com/analysis-of-martin-luther-kings-i-have-a-dream-speech-8059.htm>.

<sup>179</sup> Cf. “Analysis of Martin Luther King’s I Have a Dream speech,” accessed January 21, 2015.

<sup>180</sup> Cf. “The Declaration of Independence in Global Perspective,” accessed December 20, 2014.

## 5. Conclusion

In conclusion, the Declaration of Independence truly performed a long journey in support of the Human Rights Claims of “Freedom, Liberty and pursuit of Happiness”<sup>181</sup>. The lack of appropriate sources the document took inspiration from until its completion and national acceptance, undoubtedly proved that it was not an easy task to claim such rights. Two distinct parts of the country had to put their differences aside and unite for the cause of independence. It was in the hands of one individual to draft a document of this magnitude. His responsibility was to manage to incorporate all the colonies’ frames of mind and to put forward the idea that the call for independence would be beneficial for an entire nation and dissolve the misconception of it being just the wish of some rebels to separate from the motherland. Anything included in this declaration had to be equally pleasing for both the colonies and foreign nations who would acknowledge their wish of being open for alliances. Hence, aspects that would harm the economy of the Southerners, like the abolition of slavery had to be excluded. Moreover, a shift in national opinion was needed for those still loyal to the king. As such, seeing that all diplomatic actions of reconciliation and independence were unfruitful, a War of Independence seemed the only way to achieving the ultimate goal of sovereignty.

Many people today, especially those living in fundamentally liberal societies, might argue that claiming such rights for everyone could have been easy to uphold in the 18th century, if only the paragraph concerning slavery had not been omitted. It is rather difficult to understand what the Founding Fathers meant with the phrase “all men are created equal”<sup>182</sup> and which were the true challenges in asserting this. Regardless of the antagonism the genesis of this document caused in the past, it is to be understood that its topicality and universal value can be used for the cause of human equality in various contexts all around the world.

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<sup>181</sup> Appendix, 7 – 8

<sup>182</sup> Ibid. 6.

## Reference list

### Primary literature

1. Bureau of International Information program. *Outline of U.S History (1776-2004)*. Washington: Create Space. 2013.
2. Caward, Alan Pell. *Twilight at Monticello*. New York: Random House Trade Paperbacks. 2008.
3. Dahms, Helmuth Günther. *Grundzüge der Geschichte der vereinigten Staaten*. Darmstadt: Wiss Buchges. 1997.
4. Fairholm, Gilbert W. *Exceptional Leadership: Lessons from the Founding Leaders*. Lanham: Lexington Books. 2013.
5. Machan, Tibor. *Individual Rights Reconsidered*. Washington: Hoover Institution Press. 2001.
6. Sautter, Udo. *Geschichte der Vereinigten Staaten von Amerika*. Stuttgart: Kröner. 1994.
7. Stanton, Lucia. *Those Who Labor for My Happiness in Slavery at Thomas Jefferson's Monticello*. Charlottesville: University of Virginia Press. 2012.
8. Steilberg, Hays and Flemming, Thomas. *Chronik Handbuch Amerika*. München: Chronik Verlag. 1998. Wellenreuther, Herrmann. *Geschichte der USA*. Stuttgart: W.Kohlhammer GmbH, 1975.
9. White, Morton Gabriel. *Philosophy of American Revolution*. Oxford: Oxford University Press. 2009.
10. Wilkins, Roger. *Jefferson's Pillow: The Founding Fathers & the Dilemma of Black Patriotism*. Boston: Beacon Book. 2002.

### Internet sources

1. Alex Peak: "The Changes Made to Jefferson's Original Rough Draught." Accessed January 20, 2015. <http://alexpeak.com/twr/doi/change/>.
2. Allison, Jim, The Constitutional Principle: Separation of Church and State: "Jefferson's Original Declaration of Independence Did Not Use the Word 'Creator'." Accessed January 15, 2014. <http://candst.tripod.com/doi.htm>.
3. America in Class: "Declaring Independence." Accessed January 31, 2014, <http://americainclass.org/sources/makingrevolution/rebellion/text8/text8.htm>.
4. APUSHistoryCase: "Economic Differences between the North and the South colonies." Accessed January 20, 2015.
5. Nacel Open Door: "American Independence Day: The 4<sup>th</sup> of July." Accessed January 25, 2015. <https://nacelpsp.wordpress.com/2014/07/07/3503/>.
6. Edwards, Stevie, presentation magazine: "Analysis of Martin Luther King's I Have a Dream speech." Accessed January 1, 2015.



<http://www.presentationmagazine.com/analysis-of-martin-luther-kings-i-have-a-dream-speech-8059.htm>.

7. Armitage, David, International Seminar on the History of the Atlantic World 1500 – 1825: “The Contagion of Sovereignty: Declarations of Independence in the Atlantic World and Beyond.” Accessed December 26, 2014. <http://www.fas.harvard.edu/~atlantic/Conferences/conferenceanniversaryabstracts.html>

8. Armitage, David, The Gilder Lehrman Institute of American History: “The Declaration of Independence in Global Perspective.” Accessed December 20, 2014. <http://www.gilderlehrman.org/history-by-era/road-revolution/essays/declaration-independence-global-perspective>.

9. Armitage, David, The Wall Street Journal: “The Declaration of Independence: The Words Heard Around the World.” Accessed January 25, 2015. <http://www.wsj.com/articles/the-declaration-of-independence-the-words-heard-around-the-world-1404415089>.

10. A. Schwartz, Stephan, Smithsonian.com: “George Mason: Forgotten Founder, He Conceived the Bill of Rights.” Accessed January 20, 2015. Last modified April 30, 2000. <http://www.smithsonianmag.com/history/george-mason-forgotten-founder-he-conceived-the-bill-of-rights-64408583/?no-ist>.

11. B. Carson, Clarence, Foundation for Economic Education: “Thomas Jefferson Liberty and Power.” Accessed December 30, 2014. Last modified April 1, 1993. <http://fee.org/freeman/detail/thomas-jefferson-liberty-and-power>.

12. bio.: “Thomas Jefferson Biography.” Accessed December 30, 2014. <http://www.biography.com/people/thomas-jefferson-9353715#early-life>.

13. BlackPast.org: “The Deleted Passage of the Declaration of Independence (1776).” Accessed January 20, 2015. <http://www.blackpast.org/primary/declaration-independence-and-debate-over-slavery#sthash.mQzyt6ik.dpuf>.

14. Coates, Eyley Robert, “The Jeffersonian Perspective.” Accessed January 25, 2015. Last modified 1999. <http://eyley.freeservers.com/JeffPers/jefpn005.htm>.

15. ConstitutionFacts.com: “The Shot Heard Round the Word: The Battles of Lexington and Concord accessed.” Accessed January 21, 2014. <http://www.constitutionfacts.com/us-declaration-of-independence/the-shot-heard-round-the-world/>.

16. E. Lucas, Stephen, The Charters of Freedom: “Declaration of Independence - The Stylistic Artistry.” Accessed December 30, 2014, [http://www.archives.gov/exhibits/charters/declaration\\_style.html](http://www.archives.gov/exhibits/charters/declaration_style.html).

17. Ferguson, Robert A. and Edward, George, America in Class: “Thomas Paine’s Common Sense, 1776.” Accessed December 20, 2014. <http://americainclass.org/thomas-paine-common-sense-1776/>.

18. EyeWitness to History.com: “Writing the Declaration of Independence.” Accessed October 20, 2014. <http://www.eyewitnesstohistory.com/jefferson.htm>.

19. HistoryToday: "The American Declaration of Independence of July 4th." Accessed November 10, 2014. <http://www.historytoday.com/robert-hole/american-declaration-independence-july-4th-1776>.
20. Historic Valley Forge: "Franklin's Contributions to the American Revolution as a Diplomat in France." Accessed February 5, 2015. <http://www.ushistory.org/valleyforge/history/franklin.html>.
21. Human Rights in the US and the International Community: "The French Revolution and the Declaration of the Rights of Man and the Citizen." Accessed December 20, 2014. [http://www.unhumanrights.org/01/0102/0102\\_09.htm](http://www.unhumanrights.org/01/0102/0102_09.htm).
22. Lannon, Thomas, New York Public Library: "A Closer Look at Jefferson's Declaration." Accessed January 25, 2015. Last modified July 2, 2012. <http://www.nypl.org/blog/2012/07/02/closer-look-jeffersons-declaration>.
23. Library of Congress: "Declaration of Independence: Rights to Institute a new government." Accessed February 1, 2015. <http://www.loc.gov/exhibits/jefferson/jeffdec.html>.
24. Maps of World: "Impact of Declaration of Independence." Accessed December 20, 2014. <http://www.mapsofworld.com/usa/american-revolution/declaration-impact.html>.
25. Monticello: "Thomas Jefferson and Slavery." Accessed December 30, 2014. <http://www.monticello.org/site/plantation-and-slavery/thomas-jefferson-and-slavery>.
26. Richard Geib's Personal Website "The French Revolution." Accessed December 20, 2014. <http://www.rjgeib.com/thoughts/french/french.html>.
27. Rich Lowry, Fox News: "What Abraham Lincoln thought about the Declaration of Independence." Accessed January 25, 2015. Last modified February 12, 2014. <http://www.foxnews.com/opinion/2013/07/03/what-abraham-lincoln-thought-about-fourth-july-declaration-independence/>.
28. shmoop: "Thomas Jefferson: Declaration of Independence." Accessed January 20, 2015. <http://www.shmoop.com/thomas-jefferson/declaration-of-independence.htm>.
29. sparknotes: "The Declaration of Independence." Accessed November 1, 2014. <http://www.sparknotes.com/history/american/declaration/section2.rhtml>.
30. Surfnetkids: "Summary of the Declaration of Independence." Accessed January 31, 2015. <http://www.surfnetkids.com/independenceday/263/summary-of-the-declaration-of-independence/>.
31. Surfnetkids: "The Effects of the Declaration of Independence." Accessed January 25, 2015. <http://www.surfnetkids.com/independenceday/268/effects-of-the-declaration-of-independence/>.
32. TeachingAmericanHistory.org: "Speech on the Dred Scott Decision." Accessed December 29, 2014. <http://teachingamericanhistory.org/library/document/speech-on-the-dred-scott-decision/>.
33. The Flemish American: "The Flemish Contribution to the U.S. Declaration of Independence." Accessed December 12, 2014. Last modified July 4,

2013. <http://flemishamerican.blogspot.co.at/2013/07/the-flemish-contribution-to-us.html>.

34. Time: "One dream." Accessed February 5, 2015.  
<http://content.time.com/time/onedream/>.

35. US History. "Signers of the Declaration of Independence." Accessed October 20, 2014. <http://www.ushistory.org/declaration/signers/jefferson.htm>.

36. United States History: "No Taxation without Representation." Accessed April 27 2014. <http://www.u-s-history.com/pages/h546.html>.

37. 123HelpMe.com: "Differences in Northern and Southern Colonies Prior to Revolutionary War." Accessed January 20, 2015.

<http://www.123helpme.com/differences-in-northern-and-southern-colonies-prior-to-revolutionary-war-view.asp?id=156743>.

## Appendix

**“IN CONGRESS, July 4, 1776.**

### **The unanimous Declaration of the thirteen united States of America,**

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; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. 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.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their pub

Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.” (Continental Congress, 2<sup>nd</sup> Cong., July 4, 1776.)

“He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.” (Continental Congress, 2<sup>nd</sup> Cong., July 4, 1776.)

“He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

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.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too 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; 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; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. 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.” (Continental Congress, 2<sup>nd</sup> Cong., July 4, 1776.)