

America's revolutionary founding document

For Liberty and Equality: The Life and Times of the Declaration of Independence

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For Liberty and Equality: The Life and Times of the Declaration of Independence

Alexander Tsesis

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A book that seriously considers the impact the Declaration of Independence is most welcome reading in 2013, a year which has seen the Obama administration's assault on the most basic principles of America's founding document.

On February 4 of this year, a State Department memo came to light claiming the right of the president to order the extrajudicial assassination of American citizens. Then on April 19 came the lockdown of Boston, the very cradle of the American Revolution, in search of a teenager accused of carrying out the April 15 Boston Marathon bombings. For precedent in US history we must look back to the imposition of the Intolerable Acts of 1774 by the British Crown which, ironically, singled out the city of Boston for exemplary punishment on the cusp of the revolution.

In these times, the Declaration's words take on new and greater force. Thomas Jefferson's document, which opens with the "self-evident" assertion of universal human equality, spells out as the first "inalienable right" that to "life, liberty, and the pursuit of happiness." Governments have a right to exist only insofar as they meet these basic rights, and, "whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it."

So as to leave no doubt, Jefferson, who was only 33 when he wrote the Declaration while serving on a committee of three that included John Adams and Benjamin Franklin, forcefully reasserted the right to revolution: "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."

The specific transgressions of the British crown read like an indictment of the Obama administration's foreign and domestic policies: "He has...sent hither swarms of Officers to harrass our people... He has kept among us, in times of peace, Standing Armies... He has affected to render the Military independent of and superior to the Civil power.... Quartering large bodies of armed troops among us... For depriving us in many cases, of the benefits of Trial by Jury."

Alexander Tsesis' 2012 work *For Liberty and Equality: The Life*

and Times of the Declaration of Independence, is indeed timely. Tsesis studies the Declaration's impact on US history from the Revolution to the 20th century. (A previous study, David Armitage's 2008 *The Declaration of Independence: A Global History*, examined its immense international impact.)

Tsesis, a professor of law at Loyola University in Chicago, notes that while the meaning of certain formulations in the Declaration may be disputed, "what is steadfast is [its] statement of human equality... The framers' decision to incorporate universal statements about humanity gave birth to an instrument that transcends the ancient conflict between the British Empire and one of its colonial satellites."

The book makes several important contributions to our understanding of the Declaration of Independence and American history.

Tsesis weighs in against scholars who have sought to reduce the Declaration to a mere statement of national independence or, even more narrowly, as a legal brief for revolution. As Tsesis notes, the Continental Congress had actually declared independence on July 2. "It did not need the Declaration of Independence to separate from Great Britain."

It is not a mere historical mistake, as is often supposed, that Americans celebrate Independence Day on July 4 and not July 2, when independence was formally declared. As Tsesis shows, July 4 was chosen because contemporaries perceived the Continental Congress's ratification of the Declaration to be the more important event.

The Declaration fed off of, and fed into, a revolution. The path had been cleared in part by Tom Paine's *Common Sense*, which after its January 1776 release sold 300,000 copies within six months. This was out of a colonial population of some 2.5 million in which only perhaps 50 percent-60 percent of free white adults could read. The document saturated the population with revolutionary ideas of equality and natural rights.

The Declaration of Independence had a meteoric impact, "transforming a civil war into a revolution," in Tsesis' words. Up and down the colonies it was read aloud in public to huzzahs and volleys of gun and cannon fire. Washington ordered it read to the soldiers of the Continental Army. The Declaration augured a "shift of support from Tories (who supported imperial policies) and moderate factions toward the revolutionaries," helping to propel an

exodus of Loyalists from the colonies.

Much criticism has been leveled at the revolutionists of '76 in general, and Jefferson in particular, for their assertion of universal human equality when African Americans remained enslaved. A shameful opinion column in the *New York Times* this past fall, written by legal scholar Paul Finkelman, went so far as to call Jefferson a “monster” and a “creepy, brutal, hypocrite.”

Jefferson’s assailants such as Finkelman represent a privileged layer beholden to the Obama administration and its class-war policies that benefit the rich. They despise Jefferson and the Declaration of Independence not because of the Founders’ alleged “hypocrisy,” but precisely because of the revolutionary patrimony they have left the working class. It is this they wish to smear and obfuscate.

Though Tsesis does not directly refute such “scholarship,” he does show that the Declaration was viewed by opponents of slavery in the 19th century not as hypocrisy but as the most powerful weapon against human bondage.

Abolitionists such as William Lloyd Garrison repeatedly insisted that the Declaration of Independence was the basis of the American republic, and not the US Constitution, which until 1865 and passage of the Thirteenth Amendment upheld slavery. In the words of the anti-slavery Senator Charles Sumner of Boston, the Declaration “supplies the principles giving character and motion to the machine... The powers under the Constitution are no more than the hand to the body; the Declaration is the very soul itself.”

Lincoln, who once said he “never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence,” noted that the inclusion of the statement of human equality “was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, not for that, but for future use.” The Emancipation Proclamation did just that, as Tsesis notes. “In the words of Union Gen. Carl Schurz, it was the ‘true sister of the Declaration of Independence; it is the supplementary act; it is the Declaration of Independence translated from universal principle into universal fact.’”

Lincoln came to view the Civil War as a titanic struggle over the principles of the Declaration, a position he spelled out in the Gettysburg address: “Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure.”

Just as the Declaration became “the touchstone, the sacred scripture for later American abolitionists,” in the words of historian David Brion Davis, so it became the *bête noir* for the advocates of the slaveholding elite in the antebellum. During the Civil War, the pro-slavery *Richmond Dispatch* ridiculed the Declaration along with Jefferson’s last letter, written in 1826 shortly before his death: “Men are not born entitled to equal rights. It would be far nearer the truth to say, that ‘some were born with saddles on their backs, and others booted and spurred to ride them—and the riding does them good.’ ‘They need the reins, the bit and the spur.’ ‘Life and Liberty are not inalienable.’ The Declaration of Independence is exuberantly false, and aborescently

[*sic*] fallacious.”

The best chapters of this book are its first nine, which span the period lasting from the American Revolution to the Civil War. The struggle for equality from the first revolution to what historian James McPherson calls the “Second American Revolution” provides a powerful narrative.

Subsequent chapters deal with the period lasting from Reconstruction to the 1950s and 1960s, during which the Declaration of Independence and its assertion of human equality was invoked again and again by social movements including those for women’s suffrage, trade unionism, Filipino independence, and African American Civil Rights. (Tsesis largely bypasses the relationship of the socialist movement to the Declaration of Independence.)

Empirically rich, these latter chapters begin to read as something of a timeline. Had Tsesis examined the Declaration’s statement of human equality against the reality of the consolidation of a powerful capitalist order beginning in the late 19th century, with its yawning inequality and attendant oppression at home and imperialism abroad, this would have imparted a greater internal cohesion.

What Tsesis proves beyond a shadow of a doubt is the immense force that the Declaration’s statement of human equality has had. This force, which has breathed life into every social movement in US history, rises precisely from the contradiction between the revolutionary assertion of equality and the reality of oppression.

How powerful this contradiction has become in our own time, when the financial aristocracy that controls the American government is plundering the working population to feed its unfathomable wealth; when it is drowning in blood the people of the Middle East in order to monopolize the oil wealth of those ancient lands; and when, now operating through the Obama administration, it is tearing to shreds the democratic rights spelled out in the Declaration of Independence and the Bill of Rights!

None of this will be lost on readers of *For Liberty and Equality*. Alexander Tsesis’ work deserves a broad audience.



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