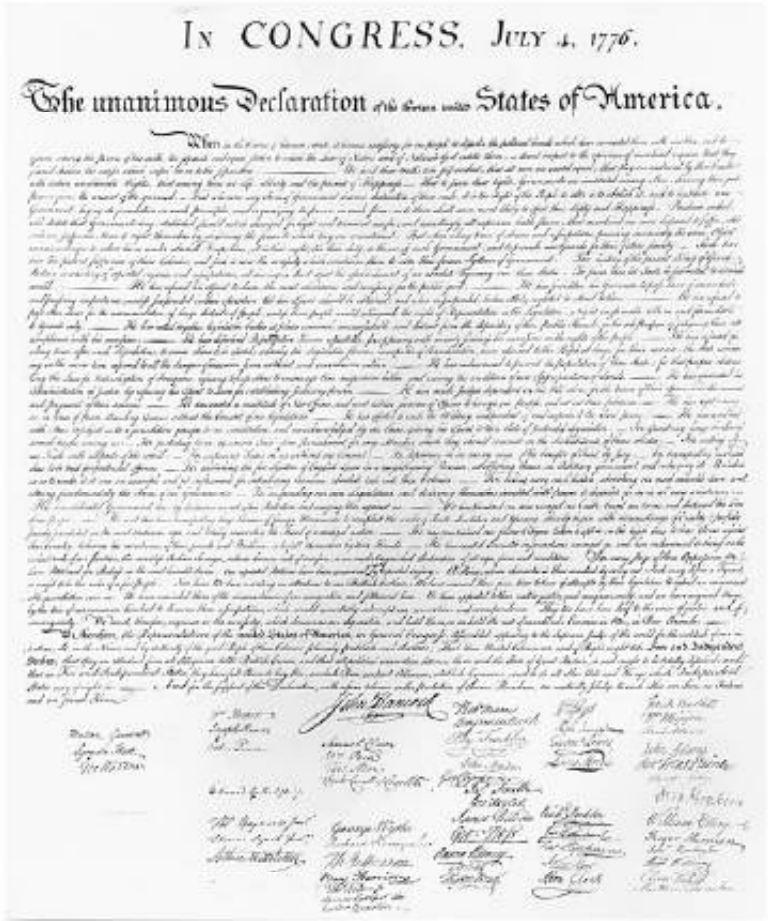
CHAPTER 2

DREAM CHARTER: THE DECLARATION OF INDEPENDENCE

THE WIGS, THE BREECHES, the unsmiling faces in formal portraits: for those of us who drink coffee at Starbucks, surf the World Wide Web, or stand at automatic teller machines that give us currency featuring those portraits, the American Revolution might well have occurred on another planet. There are places—for many Americans, they're thousands of miles away—that preserve battlefields and remind tourists what actually happened in the 1770s and 1780s. But even for those who visit them, the Revolutionary past is compartmentalized, an interlude in another time and place more likely to be accessed via resort hotels and interstate highways than classrooms or textbooks.

This isn't quite as true of other eras in American history. As already suggested, the Puritans remain vivid precisely because they're so irritating. And the Civil War, though it began a mere seventy-eight years after the Revolution—a lifetime for a hardy soul of those days—seems much more recent. There are a number of reasons why this would be so. The Civil War covered a much larger geographic territory, from the mountains of eastern to the deserts of western North America. Moreover, the documentary record is much fuller, particularly with regard to photography. The personalities of the Civil War era are more familiar; Ulysses S. Grant's unkempt candor seems decisively more familiar than



SELF-EVIDENT APPEAL *The William Stone engraving (1823) of the Declaration of Independence. Though the original document has faded, most of us have "life, liberty, and the pursuit of happiness" wired into our consciousness as the source code of the American Dream. (Courtesy of the National Archives and Records Administration)*

George Washington's Olympian detachment, even if Washington's detachment was difficult for him to maintain. (We have a hard time understanding why someone would even *want* to be that formal.) Most of us know Abraham Lincoln had a sense of humor, even if his portraits are unsmiling, and his expressive face and words attest to an inner life that seems oddly absent in the public visage of Thomas Jefferson. (One can sympathize with those twentieth-century historians who had a hard time believing that the mature Jefferson fathered children with one of his slaves: it was hard to imagine him having sex with *anybody*.)

But the Civil War seems more recent than the Revolution mostly because its legacy is so much more apparent. The Civil War's outcome not only made places like Starbucks possible but also determined who *went* there—a much more varied demographic mix than would have been likely had the Confederacy won the conflict. Nor would the national highway system, assuming it was built, have been as expansive in the event of a Confederate victory. But the Civil War lives on not so much in what has been resolved but in questions and issues that continue to have currency in our national life, particularly in regard to the role of the federal government and the temper of American race relations.

For the most part, the Revolution lacks this relevance. As far as I can tell, there is little nostalgia on either side of the Atlantic for the time when England's thirteen American colonies were part of Great Britain. Most of us walk around with some sense of the grievances that sparked the conflict—taxes on tea, something about stamps—but the list is hard to keep straight because it is essentially trivial. To be sure, taxation remains a hot button in American life, and conservatives are fond of invoking colonial resistance as a principled precedent for their own hostility to government spending. But this seems like a bit of a stretch for most of us, if not in logic, then across a chasm of time.

There is one aspect of the Revolution, however, that is anything but remote: the Declaration of Independence. Far more than simply the centerpiece of any notion of American historical and cultural literacy, the kind of document virtually all of us are taught in school, the Declaration actually shapes the way we live our lives—not always well or consciously, mind you, but powerfully nonetheless.

Maybe saying that the Declaration of Independence is central in contemporary American life seems odd, since few of us have actually

read the entire document. And those of us who have can't help but notice that this manifesto, like so much else about the American Revolution, is remote, even tedious. Most of the Declaration is a long list of grievances that only some familiarity with late eighteenth-century Anglo-American history could make intelligible—complaints about royal administration of the colonial courts, the quartering of British troops, etc. This is mostly the latter part of the Declaration. Its opening is a very different affair; indeed, virtually all of us can recite at least part of it from memory before trailing off into forgetfulness and ignorance: "When in the course of human events . . ."

The key to the Declaration, the part that survives in collective memory and which underwrites the American Dream, is the opening clauses of the second paragraph: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness." These words speak to us. It's not only that they laid the foundations for sweeping social movements like the struggle to end slavery, and thus created a recognizably modern United States. These words actually structure the minutiae of everyday existence: where we go to school, who we marry, what we buy. In other times and places, people have made such decisions on the basis of the greater glory of God, the security of their nation, or obligations to their ancestors. We usually don't, and on those relatively rare occasions when we do, there is a powerful perception that such decisions are atypical, even foolish. (The literature of immigration, for example, is animated by precisely such tensions over schooling, marriage, and consumerism.) The fact that we have such an explicit basis for our actions—most vividly "the pursuit of happiness," a phrase that more than any other defines the American Dream, treating happiness as a concrete and realizable objective—obscures the degree to which, in the larger scheme of history, our notion of common sense would have been viewed as neither especially common nor sensible, even by earlier Americans like the Puritans.

Of course, not all of us *do* view the Declaration as common sense, exactly. We recognize, even if we haven't subjected them to close scrutiny, that the grandiloquent phrases of the Declaration can seem pretty threadbare. What's more than a little surprising is how the ways even less privileged and more jaded Americans take it for granted far

beyond the confines of bucolic college campuses, and the way people who might not have anything else in common—the self-satisfied business executive, the desperately poor urban athlete, the angry activist for gay rights—will nevertheless embrace it instinctively even as they differ on just what it means.

Nowhere is the immediacy of the Declaration—and its relationship to the American Dream—more obvious than in contemporary advertising. I don't mean that the very concept of advertising emphasizes individual agency and personal fulfillment, just as the Declaration and the American Dream do. I mean that the Declaration is implicitly and explicitly invoked all the time—"life, liberty, and as much entertainment as is digitally possible," in the words of one recent radio advertisement. Such invocations are significant because advertisers are not in the business of questioning existing social and political arrangements; they accept the status quo and try to align what they sell with what they think their audience already believes. They wouldn't use patriotic rhetoric if they didn't think it would work. As a look through any general-interest magazine will readily show, however, the appeal of such rhetoric is, well, self-evident.

The Declaration can be manipulated in these and other ways because it rests on premises with which we all (sometimes unthinkingly) agree. And yet what we agree *to* can become slippery, if not depressing. "Life" once seemed clear enough, at least until debates about abortion, genetic engineering, and cloning muddied those waters.

The meaning of liberty, by contrast, sometimes seems all too clear: a celebration of the right to buy—if you've got the cash or credit. And the pursuit of happiness—is it simply the acquisition of creature comforts? Even advertisers would say surely not. ("There are some things that money can't buy," goes one slogan, acknowledging the limits of corporate power as the prelude for the key assertion: "For everything else, there's MasterCard.") Yet we Americans often act as if we believe there really *isn't* anything money can't buy.

The very prestige of the Declaration and its rhetoric, a sense that there's something high-minded and timeless about it, makes account executives, political candidates, and real estate agents so apt to borrow its power. Ironically, though, such invocations increasingly engender cynicism even as Americans succumb, in ever greater numbers, to a notion that life, liberty, and the pursuit of happiness are a matter of individual fulfillment and ease, not striving and hard work.

Many Americans, disappointed if not appalled by such hucksterism and laziness, fear that the once-grandiloquent cadences of the Declaration are now empty slogans and that the American Dream has lost its luster and may even be dying. In this view, the Founding Fathers who framed the Declaration and waged the Revolution were men of principle who would be appalled by the way their ideals have been unthinkingly taken for granted and trivialized. Actually, I *do* think the Founders would not be entirely happy about what had become of their country by 2000. But then, many weren't entirely happy about what had become of their country by 1800, and obituaries for the American Dream date back to the mid-seventeenth century, when ministers regularly lamented in their jeremiads that the latter-day Puritans were not the men their fathers were. Modern-day market capitalism has certainly put a distinctive spin on the Declaration of Independence, but dismay or even disgust with the state of the nation is often at least as much a psychological phenomenon as it is a historical one.

Indeed, the flip side to the sense of hope that goes to the core of the Declaration and the Dream is a sense of fear that its promises are on the verge of being, or actually have been, lost. To return for a moment to the Civil War: one way to understand the white southern decision to secede from the Union is to see it as motivated by dread—that an American Dream based on a particular way of life was being eroded by growing northern power, and the only way to preserve that way of life was to pull out while there was still at least a chance to do so. Whether or not this assessment was correct—the outcome of the war suggests the South left too late to secede successfully—white southern hopes for independence were inextricably bound up in fears of losing freedom (including the freedom to buy and sell slaves).

The American Revolution, and the Declaration of Independence that is its living legacy, were marked by a similar sense of hope and fear, of dreams for the future rooted in the conditions of the past. They are also marked by deep ambiguities, ambiguities that are perhaps the only real constant in the centuries they have been remembered (and forgotten). If we are today less than wholly satisfied with the state of the Declaration as it is commonly understood, we are likely to be even less satisfied by how it was understood by the men who created it. Actually, a sense of dissatisfaction, a belief that the nation we inhabit isn't quite right—but *could* be—represents its most important legacy.

Objects of the most stupendous magnitude, measures in which the lives and liberties of millions, born and unborn are most essentially interested, are now before us.

—John Adams, arguing for American independence, July 1, 1776

Simply put, the American Dream of the Founding Fathers was freedom. But to put it simply is also to put it a little misleadingly. For one thing, these people did not understand the term in quite the way the Puritans, for instance, did. For another, it took them a very long time to realize that achieving freedom *was* their dream, because in some important respects freedom was not a dream at all but rather a living reality.

To begin with that reality: by the time the Declaration of Independence was introduced in Congress in 1776, much of what would become the United States had already been inhabited by British and other European colonists for well over 150 years. This long strip of land running from modern-day Maine to Georgia was a land of enormous contrasts. While New England was a region of small towns and farms, the South was dominated by large plantations. The middle colonies, particularly the commercial centers of New York and Philadelphia, were relatively densely populated places of enormous racial and ethnic diversity. Yet such differences were ultimately less important than some crucial similarities. Though not universal, Protestant religion was one. The English language was another.

The most important similarity of all, though, is that these were among the most lightly governed people on earth. To some extent, this was a matter of simple logistics: given the global span of the British empire, it simply wasn't possible to micromanage people three thousand or more miles away, particularly when it took weeks, if not months, for imperial communication to cross the Atlantic. That's not to say Britain didn't try to supervise her North American possessions, and even succeeded, to some extent: a thick bureaucracy managed maritime trade and traffic, and in cultural and economic terms, the colonies were more oriented toward London than they were to each other. But even in England, the relative lack of supervision was viewed as less a necessary evil than a positive good. A relatively minimalist

approach to the colonies had proved cheap and profitable; by some estimates they accounted for about a third of Britain's economy on the eve of the Revolution, principally as a source of raw materials and a market for finished products. Hence British prime minister Robert Walpole's maxim "*quieta non movere,*" which in an American context boiled down to a policy of benign neglect.

By the mid-eighteenth century, however, such a policy was becoming increasingly difficult to maintain. International jockeying with France and Spain for global supremacy led to a series of wars fought across the globe. In North America, the most important of these was the Seven Years' War of 1755–63, which, after a series of losses, culminated in a resounding British victory. Given the choice during protracted peace negotiations between pursuing extremely profitable slave plantations in the Caribbean or evicting the French entirely from North America, the British finally opted for, and got, the latter. In waging and winning a global war, they gained supremacy over a continent—and were saddled with gargantuan bills.

This is where the standard narratives of the American Revolution typically begin. The British, laboring under a mountain of debt, thought it only natural that the colonists help bear the cost of the war and their future protection. This is why, beginning in 1764, Parliament placed a series of taxes on commodities and began enforcing old taxes, like a 1733 duty on molasses, that had been honored more in the breach than the observance. To each of these acts, the colonists reacted with growing concern, hostility, and resistance, leading the British to back down on most of the particulars even as they became increasingly determined to insist on their right to collect such revenue in the first place. The colonists, in turn, became increasingly determined to deny Parliament had that right.

That's a rather abbreviated summary of how the American Revolution came about. Like all such summaries, it omits a lot in the name of other objectives. The main thing it omits is confusion: the uncertainties and even contradictions that surrounded a decade-long process that led to a desire for political independence only at the very last stages of that process. The colonists were virtually unanimous that having to buy stamps to prove they paid a tax for everything from tea to newspapers was wrong. But the *basis* of that opposition, the reason *why* it was wrong, remained varied and murky for a very long time—even after war was actually under way.

The struggle to justify resistance to British rule was conducted in one of the primary forms of popular culture in the eighteenth century: political pamphlets. In a blizzard of paper that blew back and forth as well as up and down the Anglo-American world, late eighteenth-century writers like John Adams, Thomas Jefferson, Alexander Hamilton, and others sought to galvanize intercolonial support. Was Britain wrong because Parliament, which had the right to regulate trade between the colonies *as a whole* and the mother country, didn't have the right to impose taxes *on individual* colonies, which had always handled that themselves? Or was it because Parliament, which could impose taxes to regulate trade, could not do so simply to make money for the government? Or was the problem more fundamental—that there could be no taxation without American representation in Parliament? But did Parliament have any business governing the colonies in the first place?

One did not have to be a member of Britain's House of Lords to look upon some of these questions with skepticism; many Britons responded to them, often with questions of their own. Can you really distinguish between an internal and external tax, or gauge whether its motivation is for regulation or revenue? they asked. Other questions were answered more decisively: No, the colonies are not represented in Parliament, but then neither are some parts of England. Parliament, in any case, governs the whole empire, and the colonies in particular are "virtually" represented, just as Englishmen in many other places are.

See: that's the point, still other voices responded. We *are* Englishmen, and as such share the legacy of the Magna Carta of 1215, the Civil War of 1642–46, and (especially) the Glorious Revolution of 1688. Englishmen at home wouldn't allow a standing army. So why, given that the French are now gone, is one being stationed in the colonies—at our expense? Maybe you wouldn't *need* to tax us so heavily if you didn't saddle us with things we don't want in the first place!

Well, maybe if you didn't do stupid things like aggravate the Indians in the West, riot in the streets of Boston, or throw tea in that city's harbor, the army wouldn't be as necessary. Honestly, given all we've done for you in creating and defending the colonies, one might think you children of the Empire would be more grateful—

Children! Grateful for what? Why do you think we came here in the first place—because everything was wonderful at home? And just who was defending whom in that last war? *You're* the ones who are dependent, and you don't even realize it! Well, you're about to learn the hard

way when we refuse to buy the goods you're so anxious to sell your "children . . ."[*]

You get the idea: multiple arguments and multiple responses, often talking past each other and shifting ground rather than boring in on one specific point. In any event, whatever the particular issue or principle in question, the colonists almost always couched their arguments in precedents: this is the way it was before, so this is the way it should be now. To which the British government essentially replied: no, *this* is the way it was before, and that's why what you're worried about isn't really some big change. Not until the publication of Thomas Paine's *Common Sense* in January of 1776 did any leading figure seriously consider anything like a rejection of history as a guide and simply say: let's leave. Until then, freedom was not a goal to be *gained*; it was a cherished possession the colonists wanted to prevent being *lost*.

Were they right to be so anxious, so militant? Even after reading multiple accounts of the Revolution, it's hard to know. Perhaps more to the point, it may be hard to *care*. Here again, the Civil War furnishes a useful comparison. Although it wasn't the only or even primary cause, the slavery issue—however garbled *that* debate—has always led me to identify with the Northern states fighting to preserve the Union. At the same time, many Americans, invoking a variety of justifications, continue to have strong Confederate sympathies. Slavery was a matter of some moment in the Revolution, too. But it was never at issue to the same extent; a collective agreement was reached that for the moment, at least, "freedom" was to be a relative and racially limited term. Moreover, there was no other controversy in the Revolution that seemed to have the same degree of moral clarity about it. I'm glad about the way the Revolution turned out. But like a sports team that wins a game on a

[*] I am, of course, paraphrasing the arguments. But the actual exchanges weren't all that far from what I've rendered here. "Will these Americans, children planted by our care, nourished up by our indulgence until they are grown to a degree of opulence, and protected by our arms, will they grudge to contribute their mite to relieve us from under the heavy weight of that burden which we lie under?" asked Parliamentarian (and future prime minister) Charles Townshend during a debate over the much detested Stamp Act of 1765. To which French and Indian War veteran Isaac Barré replied, "Planted by *your* care? No! Your oppressions planted them in America. . . . They nourished by *your* indulgence? They grew up by your neglect of them. They protected by *your* arms? They have nobly taken up arms in your defense." The seams of division between the two sides were thus already apparent a decade before the Revolution actually began.

disputed call or technicality, I feel a twinge of unease along with relief and pleasure about the outcome.

In point of fact, that outcome was at least as much a matter of the outcome of a series of battles that were fought between 1775 and 1781 than any abstruse arguments about taxation, administration, or the social conditions of British colonists in the preceding 175 years. Indeed, the search for intellectual causation in any struggle can sometimes overlook the degree of contingency in human affairs, or the degree to which all too human impulses (like greed) motivate people more decisively than historically specific opinions (like Adam Smith's assertion, published the same year as the Declaration of Independence, that a free market economy works better than a mercantilist economy). Cutting through a Gordian knot of scholarly argument, historian Theodore Draper succinctly summarizes the Revolution in his aptly titled 1996 book *A Struggle for Power*. "In the end," Draper concludes, "the Revolution was a struggle for power—between the power the British wanted to exercise over the Americans and the power the Americans wished to exercise over themselves." Draper dutifully traces the often complicated sequence of events and controversies over sugar, stamps, tea, and the like but shows it was the British themselves who, along with a few prescient Frenchmen, recognized as early as the seventeenth century that the colonies were destined to pull away from the Mother Country. It is *this* kind of common sense, far more than the musings of Thomas Paine, that explained the Revolution. "The Declaration of Independence put it bluntly—the Americans in 1776 wanted nothing more than to assume a 'separate and equal station' among 'the powers of the earth,'" he writes, quoting the document directly.

The problem for the Founders and their heirs is that this isn't all the Declaration said. It also said a bunch of things that may well have been wishful thinking—like the equality of men, the requirement of consent on the part of the governed, above all the legitimacy of happiness as a personal objective—that nevertheless were taken seriously by a lot of people in a position to make trouble then and ever since. It's important to note here that the Declaration of Independence was by no means a work of blazing originality. As John Adams wrote forty-six years later, there was "not an idea in it, but what had been hackneyed in Congress two years before." Jefferson himself agreed. In an 1823 letter to his protégé James Madison, he explained that he "did not consider it my charge to invent new ideas altogether, and to offer no sentiment which had never

been expressed before." John Locke's invocation of "life, liberty and the pursuit of property," from his 1689 *Second Treatise on Government*, was only the most obvious example. Jefferson, of course, tweaked that locution by replacing the last phrase with "the pursuit of happiness."

Yet this phrase was not exactly new, either. Indeed, there is frequent talk of happiness in late eighteenth-century politics. Back in 1765, the New York General Assembly passed a resolution asserting that the levying of taxes "must be the grand Principle of every free State. Without such a right vested in themselves, exclusive of all others, there can be no Liberty, no Happiness, no Security." In his 1776 "Declaration of Rights for Virginia," an important source for Jefferson's Declaration, George Mason wrote of "the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety." Phrases like these made clear the true nature of Jefferson's (and his editors') accomplishment: a certain economy and zing in "life, liberty, and the pursuit of happiness" that help explain why it's so widely remembered—and cherished.

But the alchemy of such phrases was more subtle than that. Somehow, the Declaration of Independence changed the course of history—by which I mean it reversed the flow of time. *Before* July of 1776, the American Revolution had been justified in terms of preserving 150 years of relative autonomy threatened by England's need for revenue. *After* July of 1776, though, the Revolution was increasingly viewed in terms of the future changes it would justify. In the much-quoted words of Benjamin Rush, "The war is over, but this is far from being the case with the American Revolution. On the contrary, nothing but the first act of the great drama is closed." And the Declaration, which asserted presumably timeless truths, nevertheless came to function, in the words of Pauline Maier, as "a moral standard by which the day-to-day policies and practices of the nation could be judged." Freedom had been a reality; now it was a dream.

"May it be to the world what I believe it will be to some parts sooner, others later, but finally to all, the signal for arousing men to burst the chains under which monkish ignorance and superstition has persuaded them to bind themselves, and to achieve the blessings and security of self-government."

—Thomas Jefferson on the Declaration of Independence, 1826

The Founding Fathers typically defined freedom in terms of its opposite: slavery. When they used the term "slavery," however, they weren't referring to the peculiar institution whereby many of the Founding Fathers themselves bought and sold African Americans as property; they referred to what they felt Great Britain was doing to their lives and livelihoods. "Remember officers and soldiers, that you are Freemen, fighting for the blessings of Liberty—that Slavery will be your portion, and that of your posterity, if you do not acquit yourselves like men," George Washington told his troops on Long Island in July 1776.

This unself-conscious comparison between freedom and slavery was a fixture of the newspaper and pamphlet literature of the time. "We are taxed without our consent expressed by ourselves or our representatives," wrote John Dickinson in his highly influential 1765 pamphlet *Letters from a Farmer in Pennsylvania*. "We are therefore—SLAVES." Others echoed the charge. "I speak it with grief—I speak it with anguish—Britons are our oppressors: I speak it with shame—I speak it with indignation—*we are slaves,*" the Massachusetts revolutionary Josiah Quincy wrote in 1774. Another Massachusetts work from the same year bore the more pithy title *The Misery and Duty of an Enslav'd People*. The misery was slavery; the duty, revolt.

From a modern standpoint, it's difficult to take these claims and fears seriously. Relative to a lot of other people in the world, these British subjects had it pretty good, and it's almost impossible to imagine them ending up really *enslaved*—the way these colonists actually commodified those Americans with African ancestry. But you don't have to be a modern-day cynic to make such an observation: a lot of people at the time did, too. "How is it that we hear the loudest yelps for liberty among the drivers of negroes?" asked the famed British essayist Samuel Johnson in 1775.

Nor were such comments limited to critics of the rebels. "Would anyone believe that I am the master of slaves of my own purchase!" Patrick Henry—best known for his slogan "Give me liberty or give me death"—wrote in a letter of 1773. "I am drawn here by the general inconvenience of living here without them. I will not, I can not justify it." Henry hoped that "a time will come when an opportunity will be offered to abolish this lamentable evil."

As the Founding Fathers realized—some of them fearfully—the attainment of their dream could encourage others to pursue theirs. This realization that they might be opening a Pandora's Box loomed

large over the drafting and discussion of the Declaration of Independence. Certainly it was on Jefferson's mind. As a member of Virginia's House of Burgesses, Jefferson repeatedly broached abolition of the slave trade—which, given the insuperable opposition to the measure, the commercial implications of driving up the value of slaves that were already in America, and Jefferson's lifelong wish that he could simply make African Americans go away, was more a symbolic gesture than a proposal that could be expected to be taken seriously. A similar sense of mixed motives and bad faith animated Jefferson's draft of the Declaration. His bill of particulars against George III, which included accusations of "cutting off our Trade with all Parts of the World" and "imposing taxes on us without our consent," culminated in a final charge that begins as follows: "He has waged cruel war against human nature itself, violating it's [*sic*] most sacred rights of life & liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither." It takes no great leap of imagination to suspect that friends *and* foes of bondage found this indictment problematic, if not embarrassing. Most of it was cut or revised. What remains is much more oblique: "He has excited domestic Insurrections amongst us, and has endeavored to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undisguised Destruction, of all Ages, Sexes, and Conditions." The slave issue has been expanded (and diffused) to encompass racial violence generally among all people. Britain's alliances with Indians here is obvious; the reference to slavery, in case you missed it, is the "domestic insurrections." Perhaps Dr. Johnson got it wrong: it's euphemism, not patriotism, that's the last refuge of scoundrels.

One of the strongest indications that recognition of the contradictions surrounding a slaveholders' revolution for freedom was not simply a later imposition of future attitudes on past realities can be gauged by the sudden quickening interest in ending slavery that accompanied the American Revolution. The first antislavery society in the United States was established within days of the Battles of Lexington and Concord in 1775. Slavery was abolished in Vermont in 1777, Massachusetts in 1780, and New Hampshire in 1784, while Connecticut, Rhode Island, and Pennsylvania adopted plans of gradual emancipation. By 1804 every northern state had made some provision for ending slavery. More important, many *southern* states explored colonization, voluntary manu-

mission, and even outright emancipation. In the decade following the Declaration of Independence, every state but South Carolina and Georgia prohibited or heavily taxed the slave trade, which was outlawed in 1808 under the provisions of the U.S. Constitution. Indeed, undoubtedly out of shame, the word "slavery" appears nowhere in the document.

Slavery wasn't the only example of the Declaration bringing alternative dreams into focus. Students of women's history are fond of quoting Abigail Adams's admonition to her husband to "remember the ladies" while he was on the committee to draft the document. But it is John's exasperated response no less than his wife's prescience that is revealing here: "We have been told that our struggle has loosened the bonds of government everywhere; that children and apprentices were disobedient; that schools and colleges were grown turbulent; that Indians slighted their guardians, and negroes grew insolent to their masters."

Indeed, Adams himself had been stung by the very forces he was in the process of unleashing during a religious controversy at the first Continental Congress of 1774. The roots of the problem went back to 1759, when the Church of England opened a mission in Cambridge, Massachusetts. The Congregationalists (that is, the church of the Puritans, to which Adams himself belonged) objected that it was wrong for England to establish an official state religion there supported by local taxes. Yet by the 1770s a series of other churches was pointing out that the *Congregationalists* were the established church in Massachusetts, imposing taxes on Baptists, Quakers, and others. Invited by a group of Philadelphians to attend an interdenominational meeting, Adams and the Massachusetts congressional delegation found themselves ambushed by Quakers and Baptists concerned about the discrepancy between the way "in which liberty in general is now beheld" and the way Baptists were treated in Massachusetts. An embarrassed Adams, emphasizing that he had no authority to act on behalf of his church, tried to explain that Congregationalism in Massachusetts was barely established (in fact one could apply for an exemption from taxes). Thirty years later, still sore from the experience, he attributed it to the machinations of a wily Quaker—in Adams's words, an "artful Jesuit"—who was simply trying to make him look bad.

Perhaps the most significant example of the Revolution's logic being pressed against its leaders—significant because it helped convince them

to hold a convention that trimmed back some of the grand promises of the Declaration into a far more legalistic Constitution—was Shays's Rebellion. By the 1780s a combination of excessive land taxation, high legal costs, and economic depression led about a third of all male heads of households to be sued for debt. The state legislatures, dominated by mercantile interests, demanded payment in hard currency. During the spring and summer of 1786, groups of disaffected western Massachusetts farmers responded by mustering militia companies and closing down the courts that were throwing them in jail, just as they had done during the Revolution. (Were not debt and depression a denial of life, liberty, and the pursuit of happiness?) They emphasized the continuity between that struggle and this one by using liberty trees and liberty poles, the same symbols they had employed a decade before. Similar events were recorded throughout New England and were in large measure repeated in western Pennsylvania during the Whiskey Rebellion of 1794, an uprising against a deeply unpopular tax on alcohol.

The Founders did not necessarily capitulate to such challenges. (Indeed, Washington eagerly marched at the head of the militia called to crush the Whiskey Rebellion, which melted away before the troops arrived.) The process was typically more subtle, however. Even as changes in race relations and other issues continued, the pace of reform slowed, then stopped. There was not enough shame to prevent the three-fifths clause from being inserted into the Constitution, which literally made (male) slaves less than full men but allowed southern whites to count them for purposes of representation in Congress—just one of many ways slaves' bodies were used against them. Fear of insurrection, technological innovation in cotton farming, and narrow self-interest held the nation's ideals at bay. As Theodore Draper might say, it was a struggle for power, and those who had won it were not going to give it up easily.

It would be misleading, however, to simply view subsequent American history as a contest between the soaring ideals of the Founders and the cynical realities that checked them. There was, in fact, a coherent rationale at the heart of their actions, a rationale that framed the society they aspired to create: a republic. Perhaps the best way to explain what a republic was to them is to name what it wasn't: an aristocracy or democracy. On the one hand, the Founding Fathers wanted to overthrow what they regarded as a corrupt system of government run by people who had no other qualification for office than having been born

into a particular family. On the other, they were terrified of what they called "mob rule" and people governing for no other reason than crudely personifying a popular point of view. The happy medium for them was a *natural* aristocracy: people of demonstrated talent and virtue *earning* the right to represent the people.[9] No less than the natural aristocrats themselves, a republic required the masses to be sufficiently moral and wise to *recognize* talent when they saw it and to willingly invest their collective power in such people. As part of an ongoing project to earn and inculcate trust, the Founders were willing to use democratic means, like elections, to realize their republican ends—but only among people they felt confident were capable of exercising such morality and wisdom. Jefferson, for example, thought farmers with small holdings to be ideal citizens. But whether by nature or nurture, it was clear to them that many of the people who lived in the United States—slaves, women, Indians—lacked this virtue, and that is why they were excluded from what became a democratic republic.

So you see, there is *a* logic to their American Dream. It wasn't exactly *our* logic two hundred years later, but it made a kind of sense. When the Declaration of Independence proclaimed that all *men* are created equal, the writers of that document really *did* mean men, by their lights: not females, not some black- or yellow-skinned "savage," but civilized white males (a.k.a. "men"). *All* those people were created equal—an assertion notable for both its inclusiveness relative to what came before and its exclusivity relative to what followed. Whether or not others, like slaves, were also created equal in terms of a theoretical capability for republican government was a matter of some uncertainty (and less debate). It was the obvious common ground, in any case, not the ambiguity of those on the boundaries, that was their focus.

In its eighteenth-century context, "equal" worked in a similar way. The Founding Fathers would be the last to argue that all men, much less all human beings, were born equal in physical, intellectual, or legal

[9] The term "natural aristocracy" is Jefferson's; in a letter to Adams, he wrote that "I agree with you that there is a natural aristocracy among men. The grounds of this are virtue and talents." Adams, ever the skeptic, expressed discomfort with any use of the term "aristocracy," writing back to Jefferson that "your distinction between the aristoi and the pseudo aristoi will not help the matter. I trust one as soon as the other with unlimited power." Yet while it is clear that Adams distrusted elite rule as much as mob rule, he clearly believed that the United States should be led by men of morality and talent—men like himself.

terms. But they believed all men (and perhaps some others) were born with what was commonly called "the moral sense," that is, an ability to tell right from wrong, good from bad. This notion of the moral sense and its fit in the larger republican dream was aptly described in metaphorical terms by Jefferson: "State a moral case to a ploughman and a professor; the former will decide it as well, and often better than the latter, because he has not been led astray by artificial rules." For Jefferson and others, the ploughman and the professor were equal in their ability to grasp the difference between right and wrong and to apprehend what can be done in a given situation. They were not equal in terms of their talents or achievements. The professor—who, in the purest of republican worlds, was a child of ploughmen (perhaps even a former ploughman himself)—was the best equipped to advise, organize, and execute policies. But professors were not to single-handedly decide what those policies should be. Professors should guide and represent the ploughmen, but it was they, not the professors, who would have final say in the voting booth, and if absolutely necessary, in revolution.

That was the theory—or, perhaps more accurately, that was the Dream. The world had never really worked that way before, and it hasn't exactly worked that way since, either. (It's probably no accident that only one actual professor, Woodrow Wilson, has ever been president of the United States; by the end of his tenure in 1921 he had exhausted and exasperated the American public with his high-handed, moralistic approach to governance.) But at least some American revolutionaries of 1776 considered their particular version of the Dream ideal.

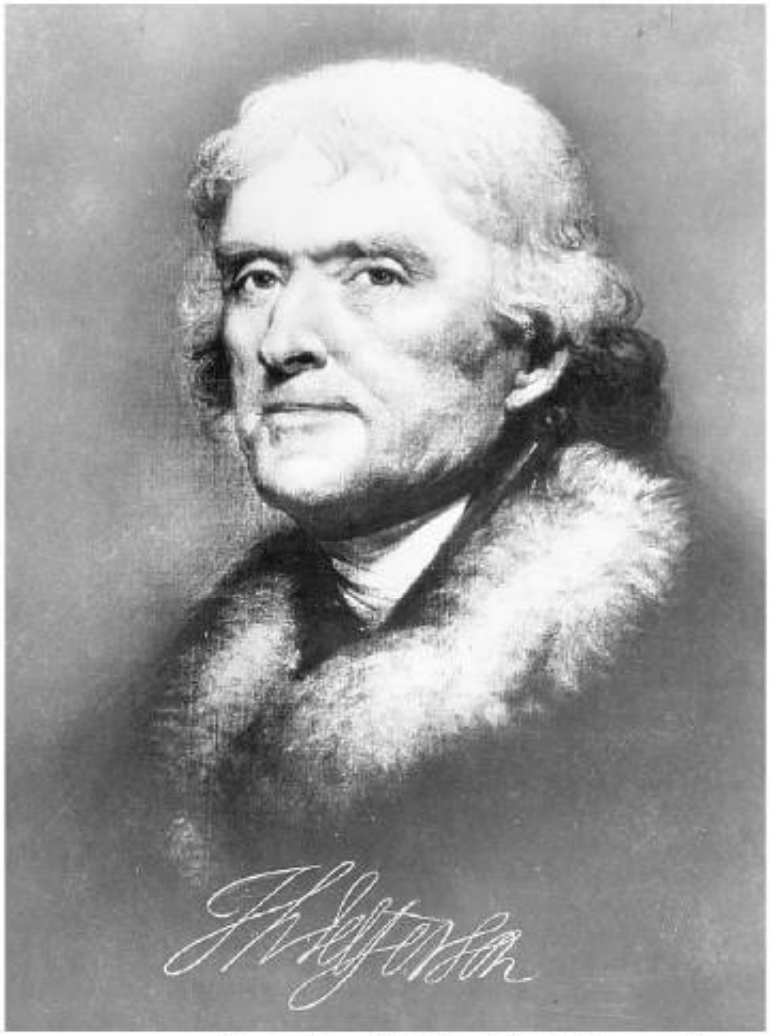
Not all of them: the Declaration notwithstanding, they did not usually speak with one voice. Thomas Paine was a good deal more democratic than Jefferson; his post-Revolutionary rival, Alexander Hamilton, would have been quite happy with an aristocratically dominated monarchy. South Carolinian and Georgian planters were suspicious of anything that might disturb the racial status quo. Moreover, individual Founders could be ambivalent or ambiguous about their American Dream. Jefferson, for example, seemed to believe that African Americans really did have a moral sense and suspected their obvious inferiority was more environmental than racial, but he never came up with a fully coherent position on slavery—or the money to pay his debts so he could free his own slaves.

Moreover, even though we speak the same language as our Revolutionary forebears, the meanings of words we use have been subject to

change and disagreement. Indeed, as a number of twentieth-century historians suggested, the very degree to which we comprehended—and were attracted to—words the Founders could obscure implications we would have found puzzling, even repugnant. Some people today, for example, might think "natural aristocracy" corresponds to what is commonly called "meritocracy." But Jefferson would probably have been confused, if not appalled, by the idea of a black woman at the University of Virginia as anything but a servant, and most of us would have found his plan for sorting and educating children—removing them from their parents, subjecting them to escalating batteries of tests, and promoting only those who show the most obvious promise—a little frightening. Other Jeffersonian ideas seem downright strange, like his and others' attempts to reduce happiness to a mathematical equation, or his suggestion, after much calculation of average life spans, that no contracts should be binding after twenty years. This was Jefferson in his "natural philosophic" or (pseudo-) scientific mode, and such opinions were by no means widespread in his time, any more than they are in ours. Instead, we associate him with more arresting propositions, like "the earth belongs to the living," which seem to extend a benevolent blessing across time. We might find his famous assertion that "the tree of liberty must be refreshed from time to time with the blood of patriots and tyrants" striking, even brave—until we consider the relative aridity, even chilliness, of such an assertion when we compare it to Patrick Henry's more passionate and engaged "Give me liberty or give me death!" (Henry, to his credit, did free his slaves by the time of his death.)

I could go on, emphasizing the gaps, flaws, or contemporary misunderstandings in the thought of Jefferson and other Founding Fathers, but the truth is that their American Dream and the suppositions that underlay it are largely beside the point. For the Dream would not unfold in quite the way they imagined. By the beginning of the new (nineteenth) century, it was unmistakably apparent that the People in whose name they secured the Revolution weren't much interested in virtue, natural aristocracy, and the rest—at least as the Founders defined them.

Some Founders wondered if they bothered to define such words at all. Shortly before his death in 1799, George Washington lamented that one of the emerging political factions could "set up a broomstick" as a candidate, call it "a true son of liberty," "Democrat," or "any other epi-



LOOSE LEGACY *Thomas Jefferson (by Rembrandt Peale). Future generations would invoke the Declaration of Independence for aims he would consider unfathomable, if not offensive. Yet Jefferson seemed to know this. "May it be to the world what I believe it will be to some parts sooner, others later, but finally to all, the signal for arousing men to burst the chains under which monkish ignorance and superstition has persuaded them to bind themselves," he wrote to planners of a fiftieth-anniversary celebration in 1826. (Photo from the collections of the Library of Congress)*

thet that will serve a purpose," and it would "command their votes in toto!" Even Jefferson, whose sunny optimism seemed to define American character, despaired for the future at the end of his life. "All, all dead," he wrote to an old friend in 1825, "and ourselves left alone amidst a new generation whom we know not, and who knows not us." This sense of neglect and mutual incomprehension was more than hyperbole or the crankiness of an old man who had lived too long. As barriers to political participation for white men dropped and opportunities for economic advancement beckoned, American ploughmen were paying less and less attention to professors. In fact, after an initial flurry of excitement when it was publicly read, the Declaration of Independence itself fell into relative obscurity in the 1780s and 1790s. "I See no disposition to celebrate or remember, or even Curiosity to enquire into the Characters, Actions, or Events of the Revolution," John Adams wrote to John Trumbull, painter of the Founding Fathers' portrait, in 1817. Actually, the Declaration and its creators were beginning a comeback even as Adams wrote, and his and Jefferson's death on the same day marked the beginnings of its ascent to a preeminence in American life. The democratizing tendencies of American life became apparent during Jefferson's two-term presidency—for which he was widely, though not always fairly, criticized by his opponents—but he, no less than the more obviously conservative John Adams, was discomfited by the raucous democratic culture typified by Andrew Jackson (who ultimately threw Adams's son out of the presidency). The Adams–Jefferson correspondence, which persisted almost to their deaths on July 4, 1826, is a document of two men awed, troubled, and finally amazed by what they had wrought.

In sum, the Declaration of Independence proved to be far bigger than the Founding Fathers. It was something they came to only fitfully, under real duress and with real reluctance, and it was a document whose ambiguities and implications they incompletely understood. Ultimately, it was the fact of the Declaration itself—the hardware, to use a twentieth-century metaphor—that proved far more important than the imperfect and perishable "software" of their particular republican dream. Its ongoing vitality and legitimacy would ultimately rest with others who inherited a machine whose circuitry would be repeatedly reconfigured and replaced for centuries to come.

Consider, for example, the following:

> We hold these truths to be self-evident: that all men and women are created equal. (Seneca Falls Declaration, 1848)

> Assembled upon the 116th anniversary of the Declaration of Independence, the People's Party of America, in their first national convention, invoking upon their action the blessing of almighty God, puts forth, in the name of the people of this country, the following preamble and declaration of principles. (American Populist Party platform, 1892)

> I still have a dream. It is a dream deeply rooted in the American dream that one day this nation will rise up and live out the true meaning of its creed—we hold these truths to be self-evident, that all men are created equal. (Martin Luther King Jr., 1963)

Each of these statements from important social movements—or, to put it another way, each of these American Dreams—rested on the language, prestige, and confidence of the Declaration of Independence. John Adams may have been present at the creation, but it was his wife Abigail who sensed the possibilities of a movement that first stirred after their deaths and finally flowered almost two centuries later. The Populist movement of the late nineteenth century grew out of conditions comparable to those that sparked Shays's Rebellion but resulted in many notable examples of peaceful economic collaboration that at its best crossed racial lines and put forth proposals—among them voting, currency, and tax reforms—that later became law. And the civil rights movement of the 1950s and 1960s made its most significant headway by calling attention to the yawning gap between the cherished ideals of the Declaration and the appalling realities of American life. Words alone could not win these battles, but they did allow them to be fought—sometimes successfully.

Sometimes. Simply invoking the Declaration has never been enough. Adams and his colleagues did not, in fact, remember the ladies. It would not be until fifty-eight years after that embarrassing meeting in Philadelphia that the Congregational Church was finally disestablished in Massachusetts. And the Shays and Whiskey rebellions were summarily put down with force. When push came to shove—and there are many examples in American history where push really *did* come to shove—frank assertions of power almost always mattered far more than lofty assertions of freedom.

But then, as now, it usually didn't have to get that far. The real reason the legacy of the Declaration of Independence isn't a seamless, triumphant narrative of Progress has more to do with the wielding of words than the wielding of weapons (or, perhaps more accurately, the wielding of words as weapons). The Founding Fathers were never able to fix the definitions of terms like "life," "liberty," and the "pursuit of happiness" to their satisfaction, and no one since has, either. Life, liberty, and happiness for whom? The answer wasn't always obvious (Do Chinese-born immigrants really count? The answer, for decades, was no.), and we always had a lot of trouble recognizing, never mind actually addressing, direct conflicts.

"Liberty" in particular continued to be a sore topic. At different points in subsequent American history, powerful interests have succeeded in persuading key people and institutions—like the U.S. Supreme Court—that liberty means:

- the right of whites to own blacks (*Dred Scott v. Sanford,* 1857);
- the prerogative of an employer to enforce a contract with workers over any government provisions made for those workers *(Lochner v. New York*, 1905);
- the ability for the national government to prosecute those whose speech it decides represents "a clear and present danger" (*Schenk v. U.S.*, 1919).

Still, this has never been the whole story. Others in American history have argued, successfully, that liberty does not mean a person can own slaves, that in fact this is the antithesis of liberty (the Thirteenth Amendment, 1865). In the 1940s Franklin Roosevelt propounded "the Four Freedoms" that were the birthright of every American: freedom of speech, freedom of worship, freedom from want, and freedom from fear. The first two elicited little comment. (It had taken two hundred years, but now virtually everyone agreed at least theoretically on religious liberty, and even Supreme Court Justice Oliver Wendell Holmes, who followed the *Schenk* decision later the following year with his dissent in *United States v. Abrams*, offered a ringing defense of freedom of speech.)

The last two of the Four Freedoms proved to be too much for some, however, particularly those whose American Dreams were premised on acquiring as much as possible without having to share it with anyone else. It was for such people that in a 1947 speech Roosevelt's successor,

Harry Truman, dropped the "freedom from want and fear" and replaced it with "freedom of enterprise." Freedom of enterprise is an American Dream that has been present from the very beginning—liberation from Britain had very profitable implications for merchants like John Hancock and real estate speculators like George Washington—and at certain points in American history (the Gilded Age, the 1920s) has enjoyed special prominence. The closing decades of the twentieth century have been particularly notable in this regard, and a vast commercial infrastructure dedicated its considerable resources to persuading Americans to understand the Declaration of Independence in such terms. And that's more or less where we remain today: life, liberty, and as much entertainment as is digitally possible. For now.

If there is one constant in the Declaration of Independence, it lies in the way no version of the status quo is ever completely acceptable. It provides us with (often imperceptibly shifting) standards by which we measure success but simultaneously calls attention to the gap between what is and what we believe should be, a gap that defines our national experience. A piece of wishful thinking composed in haste, the Declaration was born and lives as the charter of the American Dream. It constitutes us.