

Revolution and New Nation Module

Declaring Independence

The Continental Congress first met in 1774. Then disassembled, then reassembled in the spring of 1775. But did not declare independence until July of 1776. In an era before public opinion polls, these delegates had to go by their personal sense of the people via letters, via newspapers, via word of mouth. And only then, by the summer of 1776, did they feel that the people were going to back up their Declaration of Independence with the taking up of arms and with support of this cause.

What was the official status of the Continental Congress? They had none. The Continental Congress was an extra-legal or illegal assembly. The only authority they had was the authority that the people in the colonies gave them. They were not operating within the existing boundaries of the colonial charters or of any rule of law that the British government recognized.

They knew that if they declared independence without having a substantial proportion of the population supportive of them, they would hang. They were committing treason. They were not interested in leading a revolution that no one wanted to follow. It was really important that they waited as long as they did.

The stakes were very high. What people don't like to think about is that these delegates were becoming outlaws. They were operating outside the official rules that governed the legal system of Britain. They were establishing a separate nation. Looking back, we can put this patriotic halo around it. But from Britain's point of view, what the colonists were doing was disloyal, seditious, wrong, treasonable. I think because we won, Americans think it was right from the start, but it depends on your perspective. From the British point of view, it wasn't.

Who issued it? The Congress that was gathered in Philadelphia in July of 1776, the so-called Continental Congress. Who were they? They were a bunch of men who had been elected or appointed by individuals within the 13 colonies to meet together to discuss their opposition to the existing legitimate government of the colonies, the British government.

This carried the weight of an official proclamation from this new government of the United States, so it was written in a formal language and an illiterate farmer or a sailor or a farm woman would not necessarily understand the meaning of all the terms or charges. However, the fact that a lot of them would have it read to them meant that the reading of the Declaration was just the point of departure. It was the first point of a larger public debate and discussion about what was going on.

There's this very powerful language that would have an impact, an emotional impact, on an audience. And then the people would be standing around and say, "Well, what does that mean— life, liberty and the pursuit of happiness?" Or "What does it mean, he's forbidden his Governor to pass laws of immediate and pressing importance."

This was a bold experiment and a lot of people could get very excited by that. It was an important device to mobilize the people and to get them excited. The Continental Army had a hard time getting people. The Continental Congress was always short of money. The states were always very slow to

pass taxes and to send the money to the Continental Congress. So the reality fell short of the grand ideals that were expressed in the Declaration.

Richard Henry Lee of Virginia proposed the resolutions to Congress in June of 1776 that said these colonies should be free and independent. So the Continental Congress then appointed a committee of five to draft the Articles of Independence. The committee of five consisted of Robert Livingston, Roger Sherman, Benjamin Franklin, John Adams, and Thomas Jefferson. Thomas Jefferson was a very young member of the delegation. He had drafted a number of previous documents related to the Continental Congress. He was known to be a very good writer. So that's why the committee of five decided to delegate the task of writing the draft to Jefferson. He wrote the draft which was then submitted to the committee of five for editing; which was then vetted by the entire Continental Congress.

A lot of the changes that were made were basically editorial, but some of the changes were more substantial. They took out some of the exaggerated language that Jefferson was prone to use that was trying to stir up people against Great Britain. But they also took out a key paragraph where it accused the King of waging cruel war against human nature itself by enslaving people, by carrying them into slavery in another hemisphere. This whole paragraph was excised from the final Declaration because it was understood that the southern states would never support the Declaration if there was this diatribe against slavery in it. I think that's the most important editorial change that was made by the Congress in the draft that Jefferson wrote.