

# Public Domain

by Steve Krulick, Senior Civics Columnist

## Founding Facts vs. Fiction (Part 1)

*"History is the version of past events that people have decided to agree upon." – Napoleon Bonaparte*

The morning after this year's Independence Day, I was a guest on Dennis Warner's WELV radio show. Dennis wanted to begin a series of discussions on the US Constitution and Bill of Rights, and I had offered to focus on some lesser-known (even misconstrued) aspects of their creation and purpose. But to lay the groundwork, and due to the July 4<sup>th</sup> holiday, I felt a proper lead-in should include the Declaration of Independence's origins, and the personalities at the center of the Revolution, trying to keep it exciting and relevant to today's audience. Soon after, I was approached in the Ellenville Library by a listener who had greatly appreciated the discussion, and wondered if it could be preserved in written form (the audio is downloadable from <http://www.ecs.k12.ny.us/welv/audio-2007/Jul/070705-SteveKrulick.mp3>).

As you may have noticed from previous columns, I get upset when myths of convenience or ignorance replace actual history, because those can easily be twisted to promote more narrow agendas, regardless of the *real* facts. Now, some of the myths regarding the DoI may seem harmless in themselves, but, to the extent they grant the DoI near-supernatural status, its actual purposes and understandings get buried under a significance not *then* intended. Therefore, *the facts*:

– *Nothing critical happened on July 4<sup>th</sup>!* The vote by Congress in favor of Richard Henry Lee's June 7<sup>th</sup> proposal (that "these United Colonies are, and of Right ought to be, Free Independent States, and 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") was the *operative* act of treason, and it already took place two days before, on July 2<sup>nd</sup>.

Indeed, John Adams wrote to his wife Abigail on July 3<sup>rd</sup>, "Yesterday the greatest question was decided, which ever was debated in America, and a greater, perhaps, never was or will be decided among Men. A resolution was passed without one dissenting colony... You will see in a few days a declaration setting forth the causes which have impelled us to this mighty revolution and the reasons which will justify it in the sight of God and man... But the day is past. The *second* day of July, 1776, will be memorable epocha in the history of America. I am apt to believe that it will be celebrated by succeeding generations, as the great Anniversary Festival. It ought to be commemorated, as the day of deliverance by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp, shews, games, sports, guns, bells, bonfires and illuminations, from one end of the continent to the other, from this time forward forever." So, why don't *we* celebrate July 2<sup>nd</sup>? Well, in 1777, it was noticed on July 3<sup>rd</sup> that *they* forgot to, so, Congress made July 4<sup>th</sup> – the day they'd approved the detailed "declaration setting forth the causes" – the next best suitable day, under those circumstances.

– *The DoI merely acknowledged what had already happened!* Armed conflict with Britain had

been going on since 1775 (there *never* was a formal declaration of war, though), so even many who had hoped for reconciliation with England now saw the inevitability of independence. In May 1776, the Second Continental Congress passed a resolution authorizing the colonies to adopt new constitutions, the former colonial governments having, in effect, dissolved with the outbreak of war. By July, nine colonies had *already* declared independence on their own, or had instructed their delegates to vote for it; four even had newly-written constitutions in place! Obviously, those states considered themselves to be separated and independent from England before July 4, 1776! Various counties, towns, grand juries, and private or quasi-public groups had also already declared their independence from Britain between April 22<sup>nd</sup> and June 28<sup>th</sup>. Had the DoI not even been written, all this would have been in motion already.

– *The DoI didn't say anything unique or new!* Lacking unanimity on Lee's proposal, Congress decided to go into recess and give the laggard colonies three weeks to come around. On June 11<sup>th</sup>, Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston were appointed to a committee to prepare a detailed justification for "the said first resolution" (Lee's) for independence. The four pressed Jefferson to write it, believing the quiet Virginian could win over reluctant southern states better than the pugnacious Adams.

In roughly two weeks, he presented Franklin and Adams with a first draft (of which only a fragment exists, at the Library of Congress, containing minor changes made by all three), cobbled together from stock Enlightenment sentiments, existing state documents, and lists of complaints widely circulating since at least 1774. Compare with George Mason's already-written Virginia Declaration of Rights: "That all men are by nature equally free and independent, and have certain inherent rights... namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety... when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it..."

A clean, or "fair" copy, the "original Rough draught," (also now at the LoC) was reviewed by the committee and a fair copy of the committee's draft was presented to the full Congress on June 28<sup>th</sup>. (The famous Trumbull mural, in the US Capitol Rotunda, is usually mistaken to be the *July 4th signing of the DoI*, but represents *neither the signing nor that date*, and more closely represents, if *anything* factual, the June 28<sup>th</sup> committee presentation, with those five up front.)

*In Part II:* What else is wrong in the Trumbull painting? Who was the *lone* person to sign the DoI on July 4<sup>th</sup>, and *what* exactly did he sign? Who was the DoI addressed to? Why was Jefferson upset with the final edit? What did Franklin and Hancock *not* say? Were the majority of signers Masons? Which "god," if any, did Jefferson refer to? Which signers retracted their signatures? How many *original* copies of the DoI are there? Who "wrote" the DoI that's in the National Archives? Did the DoI create an American nation or government? What legal power does the DoI have today? Did the "Liberty Bell" ring to celebrate the DoI and then crack? And why all this matters...