

What Was Meant by “Independence” in the Declaration of Independence?

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WHAT DID “independence” in the context of the Declaration of Independence mean for the Americans of the Revolutionary generation and particularly for Thomas Jefferson, the principal author of the Declaration? This question occurred to me some years ago when I was translating this famous document into Japanese. Although it was not the first time for me to read through the Declaration, I had not given much attention previously to the fact that its authors used the words “state” and “colony” interchangeably.

For example, the Declaration denounces the King of Great Britain for “repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states.” The word “states” obviously refers to the colonies still under the rule of the British King. I therefore had to translate the word as *shokuminchi*, the Japanese equivalent of “colonies.” If I had translated it as *kuni* or *ho*, the equivalent of “states,” it would have looked very awkward in the context. There are several instances where the Declaration refers to the colonies as states. As the word “state” connotes an independent status, we should assume that the word in the Declaration, too, means an independent state. As a matter of fact, we find the Declaration referring to the mother country as “the state of Great Britain.” If our assump-

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tion is right, then we have to conclude that Jefferson considered the British colonies in North America really independent in some sense. Thus I began to consider the meaning of independence in the context of the Declaration.

As you are aware, many scholars had examined the legal status of the colonies and their relationship with the mother country. In the early 1920s, such scholars as Randolph G. Adams, Carl Becker, and Charles H. McIlwain produced impressive works on the structure of the British Empire. Since the end of World War II, Professors Merrill Jensen, Edmund S. Morgan, Bernard Bailyn, and Jack P. Greene have developed discussions on these problems. More recently, Garry Wills presented in his book, *Inventing America*, stimulating interpretations on the relationship between the colonies and Great Britain and also discussed Jefferson's understanding of this issue. I must caution readers that what follows makes no large claims to originality. It is based on what I have learned from the works by other scholars, particularly by those whose names I have mentioned above. My views are little more than a synthesis of theirs.

I

EXPATRIATION BY EMIGRATION AND SETTLEMENT

Toward the end of the Declaration of Independence, Jefferson introduced a paragraph of some length, which the Continental Congress shortened in its adopted version. It is the paragraph which deals with the relations of the colonists with the British people. It begins with this sentence: "Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us." Then it continues: "We have reminded them of the circumstances of our emigration and settlement here." A lengthy sentence which follows this in Jefferson's and the committee's drafts was deleted by Congress. The sentence that appears in the adopted version of the Declaration is: "We have appealed to their native justice and magnanimity. . . ." The Declaration does not explain at all what was meant by "the circumstances of our emigration and settlement." If we refer to Jefferson's draft, we find in the deleted passage the following statement: "That these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain." This statement does not explain clearly enough Jefferson's ideas on the matter.

About two years before Jefferson drafted the Declaration of In-

dependence, he wrote in July 1774 a draft for a resolution as a basis for instructions to be given to the Virginia delegates to the Continental Congress. Since he could not attend the Provincial Convention of Virginia because of illness, he handed this draft to a friend going to the Convention and asked him to submit it on his behalf. His draft resolution was not adopted. But his friend, impressed by Jefferson's vigorous defense of the American rights, arranged for the publication of Jefferson's draft as a pamphlet with the title *A Summary View of the Rights of British America*. It was in this tract that Jefferson gave a more detailed explanation of his views on the circumstances of the emigration and settlement of the first colonists. It may be summarized as follows. The ancestors of the Americans exercised their natural right of leaving their native country in quest of new habitations, and of establishing new political societies in a new land. What they did was similar to what their Saxon ancestors had done when they had left continental Europe to settle in Britain and establish there a new political society. "America was conquered," wrote Jefferson, "and her settlements made and firmly established, at the expense of individuals, and not of the British public." In other words, the colonial ancestors did not come into the colonies established by the British government; instead, they chose to exile themselves from Britain, and to emigrate to America in order to establish new political societies. Thus their colonies were not colonies subordinate to Britain, but independent states separate from it. In this tract, Jefferson used the word "states" throughout and rarely used the word "colonies."

Jefferson was consistent in applying the same approach to the matter of westward migration within America after her independence. When he drafted a plan of the Virginia Constitution in 1776, he put into it the idea that Virginians moving into the West were to establish "free and independent societies" separate from Virginia. Therefore, he advocated Virginia's cession of the Northwestern region to the Union. When Congress accepted the cession, he authored the Ordinance of 1784. Although this ordinance was never put into effect, it became the basis of the Northwest Ordinance of 1787, which stipulated that new states should be created in the several parts of the region once their population became sufficiently numerous. Thus Jefferson's formula was incorporated into the law of the land.

Next, I should like to introduce issues of non-English peoples who emigrated and settled in the British colonies in North America. Jefferson probably did not have their cases in mind when he drafted the

Declaration of Independence. There were, of course, the Native Americans, that is, the "American Indians," who had lived in America from the prehistoric era and the black slaves who had been brought from Africa against their will. For these peoples, Great Britain was by no means their fatherland. Besides, there were a sizable number of Americans of non-British stock. According to the census of 1790, English-stock Americans made up approximately 60 percent of the total white population. If we add Scots and Scotch-Irish, these three groups comprised 75 percent of the white American population. In other words, about one fourth of the white Americans were of non-British stocks. For the non-British stock Americans, Great Britain was not the land of their ancestors. Thomas Paine asserted in his *Common Sense* that "Europe, and not England, is the parent country of America." This is a rhetorical statement typical of Paine. But his assertion was certainly right at least for one fourth of the white Americans.

In this connection, I would like to mention the interesting subject of naturalization in the colonies. Because of their need for labor, the colonies welcomed immigrants from foreign countries. The colonies therefore adopted liberal naturalization policies. The colonial assemblies eagerly granted citizenship to foreign immigrants either by a general naturalization law or by case-by-case legislation. Granting citizenship is an exercise of a sovereign right of a state. But the colonies exercised this right by themselves. Foreign immigrants who settled in a certain colony in America would be given a citizenship of that colony. They would not necessarily develop a sense of identification with Great Britain or the British Empire.

II

UNION BY CHOICE AND ADOPTION

If, as Jefferson asserted, the colonists had acquired independence from Britain by their ancestors' emigration and settlement in America, it may be questioned why the leaders of the Revolution felt compelled to declare American independence from Britain. The Declaration of Independence begins with the statement that it became necessary for the Americans to "dissolve the political bands" which had connected them with the British people. What then were "the political bands"? What did Jefferson have in mind when he wrote this phrase? The nature of those political bands was the key issue on which the mother country and the colonies

held differing views. It may be correctly stated that the American Revolution as an Anglo-American conflict took place because of this dispute over the structure of the British Empire.

There were approximately three divergent views on this issue at that time. The first view was that of Britain. According to the British government, the colonies were subordinate to the mother country, and the British Parliament possessed full power and authority to make all kinds of laws to bind the colonies and the colonists. The Declaratory Act of 1766 expressed this view in unmistakable terms. The second view held that the British Parliament was the legislature of Great Britain and that each colony had its own legislature. But this view approved the exercise by the British Parliament of legislative power over the whole Empire with regard to such matters of common interest as trade and other external affairs for the convenience of both the mother country and the colonies. This was the view maintained by most Americans on the eve of the Revolution. The third view held that Great Britain and the colonies were separate countries connected only by their common loyalty to the same common sovereign. George III was the King of Virginia and other colonies as well as the King of Great Britain. The British Empire was a union of the various states, of equal status, ruled by the same king. This view was held by such Americans as John Adams, James Wilson and Benjamin Franklin. They recognized no power of the British Parliament over the colonies. But they were more or less willing to acquiesce in the actual exercise of power to regulate trade by Parliament as a matter of convenience.

What then was Jefferson's view? In his draft of the Declaration of Independence, he stated that "we had adopted one common king." By this statement, he implied that the American colonists, having formed countries separate from England, proceeded to adopt the English king as their own king and formed a permanent union with England. In his view, the British Parliament possessed no power whatsoever over the colonies since Great Britain and each of the colonies were equal and mutually independent components of the union. His idea of the American federal union was derived from his idea of the union between Great Britain and the colonies. When Americans emigrated from the old states to the western territories, they would establish new states and these new states would voluntarily join the union as equals of the old states.

What was the meaning of independence in the Declaration of Independence? In Jefferson's view, the colonies were forced to dissolve

the union which they had voluntarily entered into with Great Britain. It was not independence of the colonies that had been subordinate to the mother country, but separation of a group of states from the other state with which the former had been affiliated on equal terms. It should be noted that the Declaration of Independence uses the word "Separation," not the word "Independence" from Great Britain.

III

SEPARATION BY UNANIMITY AND INTEGRATION

It is significant that the movement for such separation or independence had begun in individual colonies considerably earlier than the adoption of the Declaration of Independence by the Continental Congress. It commenced in early 1776: in New Hampshire in January, in South Carolina in March, and in Virginia in June. These colonies proceeded to organize *de facto* independent governments. In the case of Virginia, the Provincial Convention formally declared independence and adopted a permanent constitution as an independent state. The Continental Congress encouraged these moves by resolving in May 1776 to advise each colony to establish its own government. In the preamble to the resolution, Congress declared: "[I]t is necessary that the exercise of every kind of authority under the crown [of Great Britain] should be totally suppressed, and all the powers of government exerted, under the authority of the people of the colonies. . . ." John Adams, who had drafted this preamble, was jubilant when Congress adopted the preamble resolution. "This day," he wrote, "the Congress has passed the most important resolution that ever was taken in America." He looked upon the preamble as a declaration of independence.

In this way, *de facto* independence had become a reality in the various states by July 1776. Why then was it necessary for the Continental Congress to declare independence? There were important reasons that Congress had to resolve and declare independence. It should be noted that the famous resolution submitted by Richard Henry Lee on behalf of the Virginia delegation on June 7, 1776, called not only for independence but also for foreign alliance and confederation. For the supporters of the resolution, independence, foreign alliance and confederation were intertwined issues. In order to continue the war against Britain, the colonies must obtain assistance from foreign countries. In order to obtain foreign assistance, they must declare independence. No country would

be willing to aid the colonies if they remained within the British Empire, as its aid would constitute intervention in the internal affairs of the British Empire. If they should become independent states, they must become independent jointly not individually. Otherwise it would be difficult to wage war effectively at home and to establish credibility for their independence abroad. Thus the unity of the thirteen colonies was essential.

On June 7, 1776, however, several colonies were still reluctant to commit themselves to formal independence although a majority of the colonies were ready for independence. Therefore the advocates of independence agreed to postpone any decision on the resolution, hoping that a consensus among the thirteen states would soon be formed. They were content with appointing a committee to prepare a draft of a declaration to justify their separation from Great Britain. On July 2, 1776, Congress finally voted for independence and proceeded to consider the draft of a declaration on independence prepared by Jefferson and his associates in the committee. Two days later Congress adopted the Declaration of Independence after making a number of changes in the text of the draft. The Declaration was not a mere declaration of independence. It was rather the declaration of reasons why the colonies had to seek independence. Since this feature of the Declaration is well-known, I would prefer to draw your attention to another feature of this document.

One of the points the Declaration attempted to emphasize was the unity of the thirteen colonies in the act of separation. When the document was adopted on July 4, independence had not yet really become a unanimous act of all the states. The delegates from New York were not ready to commit their colony to independence and abstained in the vote on independence. Therefore, Congress could not use the word "unanimous" in the formal title of the Declaration. Only when New York committed itself formally to independence in the following month, was Congress able to add the word to the formal title of the Declaration, making it read "The Unanimous Declaration of the Thirteen United States of America." This title stresses the unity of the thirteen colonies in establishing themselves as independent states. Incidentally, it was in the Declaration of Independence that the union of the thirteen states was first styled as the United States of America.

I would like to say a few words about the last sentence of the Declaration: ". . . we mutually pledge to each other our Lives, our Fortunes and our sacred Honor." Although this sentence has not received much at-

tion, it is worth examining in connection with the feature of the document I have pointed out above. The subject of this sentence, “we,” like other “we”s in the document, means not individual Americans but the thirteen states. This sentence means therefore that each state pledges to contribute soldiers (life) and money (fortunes) to the common cause of independence.

Lastly, I would like to comment on the signatures on the Declaration. Except for the conspicuous signature of John Hancock, President of the Continental Congress, the signatures on the Declaration appear at first glance to be written in no particular order. Actually, however, these signatures begin with those of the delegates from New Hampshire, the northernmost state, and end with those of the delegates from Georgia, following a geographical progression from the north down to the south. In other words, the delegates signed not as individuals but as members of the delegation of a particular state. I would like to add that the same mode of signing had been adopted when the first Continental Congress had organized the “Association” to enforce non-importation in 1774.

I recall a famous passage in Abraham Lincoln’s first inaugural address. “The Union is,” he said, “much older than the Constitution.” Then he went on: “It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776,” and perpetuated by the Articles of Confederation and made more perfect by the Constitution of the United States. This is, of course, a political statement. We may say, however, that Lincoln was correct in emphasizing the Declaration of Independence as a document that strengthened the union.

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The Declaration of Independence later became an object of almost fetish-like worship as the integrating symbol of the United States. I first saw the original document of the Declaration of Independence in 1950. It was then placed in the Library of Congress. I remember I found the word “enshrine” in the explanatory statement of the Declaration in the exhibition hall. I remember it clearly because I thought that it was an appropriate word to describe the way the document was exhibited in the Library of Congress. The document is now placed in the National Archives. It is my impression that the document is “enshrined” in its new home in a more solemn manner.

Jefferson may not have imagined that the Declaration of Independence would become an object of veneration as the symbol of national unity of the United States. It should be noted, however, that, when the colonies decided on separating themselves from Britain, it was essential for the new States to integrate themselves at the same time. If the Declaration of Independence was primarily a document to declare the causes of American independence from Great Britain, it was also intended as a document to strengthen the American union. From then on, the Declaration of Independence has continued to play an integrating role for the United States.