

# THE DECLARATION, THE DOCUMENT, THE SIGNING ~ A FEW "FINE POINTS"

by Martha Spiegelman

The following text is based on my earlier article in the BULLETIN (v. 5, n. 2, July 2004), but with some changes and additions.



State House, Philadelphia, 1770s, later named Independence Hall

IN SPRING AND SUMMER OF 1776 political activity, spurred by the clear reasoning of the widely read *Common Sense* (January 10, 1776), was in full bloom: *Common Sense* was rooted in the *public mind*. It was certainly a portentous time which gripped the population at large, when, “...the presence of ‘the little men’...casts the ‘great men’ in a new light. The ideas and actions of the leaders take on new dimensions when set alongside the aspirations and actions of ordinary people.” (Alfred F. Young, 2006). And so, by May, Congress advised the colonies to start writing their constitutions.

On June 7, Richard Henry Lee of Virginia proposed in Congress a Resolution for independent states and for their confederation. A vote was postponed, to gather unanimous support, and a five-member committee -- Benjamin Franklin (PA), Thomas Jefferson (VA), John Adams (MA), Roger Sherman (CT), Robert Livingston (NY) -- was assigned to draft a document to explain why “independency” should happen. (Lee was asked to head the draft committee, but he was not available, hence, Jefferson was appointed instead of Lee.) Between June 7 and July 2, some Congress members tried to side-track independence, notably with the “Olive Branch Petition”, which did not gain support.

It is on July 2 that the Lee *Resolution of Independence and Confederation* was approved by the Congress.

What remained was the document to *explain* the *reasons* for the *daring act*. Approximately one-fourth of the draft by the committee was altered into the form that was ultimately adopted on July 4, 1776. The paper---not yet a *parchment*---brought to Congress that day contained strike-outs, additions, marginal comments, and other markings. Was the scrappy paper document signed? It was, by the president of the Congress, John Hancock, and the secretary, Charles Thomson (who, by the way, is not in the “official” signers list as he was not actually a delegate). Those two signatures were almost an after-thought, with members finally seeing that the Resolution for Independence, now in the form of this document to go forth to the world, needed some formal inscription to validate it.

The bold political act---*declaring independence*---was on July 2. In 1777, a July 2 observance was planned, but was postponed to July 4; and in 1778, celebrations took place on July 5. Thereafter, almost by indirection, the observances occurred every July 4.

The signing by the delegates was a confused account until research--more than 100 years after the fateful 1776--revealed that there was no signing of the *engrossed parchment document* on July 4. On that day, there was only the marked-up slightly tattered paper form. Actually, the notion of signing the *engrossed parchment document* came up later as members saw that their signatures seemed a way to seal their final pledges. On August 2, the *engrossed parchment document* was brought into the Philadelphia State House (only later called Independence Hall). At first, it was only Hancock who signed (as a probable only signer, his signature was large and elaborate). Later, it was thought that the draft

committee members should sign as well (for one, Franklin probably wanted to put his name to it). Then it was decided that all delegates present should sign in a unanimous expression.

But the facts present a challenge. If one is to survey the 56 signatures on the *engrossed parchment document*, as we would see them in any history text, we do not know who signed on that very day, August 2, 1776. Some of the signers were not even members in Congress on July 2 or July 4, nevertheless, they signed on August 2. Others who were present for the Resolution but were no longer in Congress, thus absent on August 2, did not sign; several of the delegates of July 2 and 4 were on battlegrounds and could not sign. Over the next several months, additional members signed, some of them new delegates to Congress. The final signature was written in September. What is especially interesting, is that once “independency” was declared, the political establishment found it proper and expedient to be on the “right side”.

Memory errors as well as some artistic license promoted July 4 as the “signing day”. For instance, John Adams, who participated in these events, was certain for the rest of his life, and stated in writing, that he, and all members, signed on July 4. It was impossible: the *engrossed parchment document* was not there to sign until August 2. The famous painting by John Trumbull shows the drafting committee presenting the document to the delegates-signers. A version of the painting is even on our \$2 bill, solidifying the illusion of signing on July 4. The Journal of Congress also errs in stating the *engrossed parchment document* was signed on July 4. The text on paper presented to the delegates that day was still in revision, bearing numerous mark-ups.

Just a bit more to rile us up (or to inform us): we believe that the Independence Resolution of July 2 was unanimous. What is not usually noted is that there were 13 votes, those of the soon-to-be 13 states, no matter how many individual delegates and signers there were ultimately. Each colony, or potential state, had one vote, and the votes were equal regardless of colony size, population, wealth, number of delegates. When the Lee Resolution was approved, a majority—but not thirteen—carried. The next weeks heard discussion, urging, dispute, quarrels, votes, and, finally, agreement. In fact, New York, the last hold-out, approved the independence document on July 19, purportedly after its legislative body considered the persuasive arguments of *Common Sense*. Unanimity a fact at last.

Thinking of the title of the document, the effect was that with the Resolution and the adopted document, thirteen independent states, albeit united in struggle, were born. Hostilities with Britain were already raging, and union was crucial. But surprisingly, there were claims, counter-claims, jealousies, and rows between and among states. A confederation document, required by the Lee Resolution, was not ready for the states’ ratification until 1777. Somehow, remarkably, what were the *united States of America*—in the *Declaration*—did act as, and become, finally, the United States of America. Well after 1776, Thomas Paine still repeatedly had to urge, “The union of America is the foundation-stone of her independence: the rock on which it is built....When a multitude...scattered...in the manner we were, mutually agree to form one common centre whereupon the whole shall move to accomplish a particular purpose, all parts must act together and alike, or not at all...” (*Crisis X*, March 5, 1782); and again, “...that which must forcibly strike a thoughtful, penetrating mind....is the UNION OF THE STATES. On this our great national character depends.” (*Crisis XIII*, April 19, 1783).

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### The Signing, "Fine Points", from page 8

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## WHO URGENTLY DEMANDED AMERICAN INDEPENDENCE, THE "PEOPLE-OUT-OF-DOORS" OR THE "TOP-MEN-INDOORS"?

EXCERPTS FROM ALFRED F. YOUNG, *Liberty Tree, Ordinary People and the American Revolution: From the Introduction*

"Sometimes the presence of 'the little men'.....casts 'the great men' in a new light. The ideas and actions of the leaders take on new dimensions when set alongside the aspirations and actions of ordinary people..... The political leaders who came out on top.....were men who followed the advice that Robert R. Livingston, Jr., a landed aristocrat of the Hudson Valley in New York, gave to fellow members of his class who were confronted with rebellious tenants, politically awakened yeoman farmers, and urban mechanics with leaders of their own. Convinced of 'the propriety of Swimming with a Stream which it is impossible to stem,' he warned them that 'they should yield to the torrent if they hoped to direct its course.'

"Sometimes ordinary people have enough influence to shape the outcome of events. Add 'the people at large' to the picture and time and again the conventional picture changes..... The [John Trumbull] painting, invariably misnamed "The Signing of the Declaration of Independence, represents a 'top-down' version of the event.... There was no such scene.... Trumbull included men who voted *against* declaring independence, men who were absent at the time of the vote, and many who opposed a break with England. The painting delivers the message that the 'signers' *within doors* led the way to independence. ....[T]he "men in suits" of that day had been brought to abandon reconciliation and declare American independence by a groundswell of opinion publicly expressed 'out of doors' by the 'plough jiggers' of the countryside, who

wore homespun clothes, and the mechanics of the cities, known as 'leather apron men'. Nor would you know that war had begun and people were debating options for the country and for themselves as never before. In January 1776, *Common Sense* appeared, written.....in language that stirred ordinary people to a sense of their own capacity to effect change.... By July 1776, more than one hundred thousand people had read the pamphlet or had it read to them in army camps, taverns, and meeting houses. It was 'greedily bought up and read by all ranks of people', said the delegate from New Hampshire.

"In the spring of 1776, while Congress dithered, some eighty local meetings adopted resolutions instructing their representatives to support independence: town meetings, county conventions, militia companies. Nine state conventions did the same thing. The delegates knew it: on May 20, John Adams wrote that "Every post and every day rolls in upon us independence like a torrent.' A recent biographer of John Adams could not have been more off the mark in writing, 'It was John Adams, more than anyone, who made it happen.' .....Trumbull.....would have needed another canvas to portray the 'people out- of- doors' .

"Sometimes.....the political decisions of men at the top can be explained only by taking into account the movements from below of which they were intensely aware. ....Paine was so popular because he was the champion not only of independence but also of simple democratic government based on a broad suffrage."

Continued on page 10, *Ordinary People in the Revolution*