

Natural Rights and the Declaration of Independence

The members of the Continental Congress made only two minor changes in the opening paragraphs of Jefferson's draft declaration. In these two paragraphs, Jefferson developed some key ideas: "all men are created equal," "inalienable rights," "life, liberty, and the pursuit of happiness." Where did Jefferson get these ideas?

Jefferson was a man of the Enlightenment. This was the period during the 17th and 18th centuries when thinkers turned to reason and science to explain both the physical universe and human behavior. Those like Jefferson thought that by discovering the "laws of nature" humanity could be improved.

Jefferson did not invent the ideas that he used to justify the American Revolution. He himself said that he had adopted the "harmonizing sentiments of the day." These ideas were, so to speak, "in the air" at the time.

As a man of the Enlightenment, Jefferson was well acquainted with British history and political philosophy. He also had read the statements of independence drafted by Virginia and other colonies as well as the writings of fellow revolutionaries like Tom Paine and George Mason. In composing the declaration, Jefferson followed the format of the English Declaration of Rights, written after the Glorious Revolution of 1689.

Most scholars today believe that Jefferson derived the most famous ideas in the Declaration of Independence from the writings of English philosopher John Locke. Locke was born of strict Puritan parents and was schooled in Biblical concepts of truth, law, justice, and liberty. Locke wrote his *Second Treatise of Government* in 1689 at the time of England's Glorious Revolution, which overthrew the rule of James II.

Locke wrote that all individuals are equal in the sense that they are born with certain "inalienable" natural rights. That is, rights that are God-given and can never be taken or even given away. Among these fundamental natural rights, Locke said, are "life, liberty, and property."

Locke believed that the most basic human law of nature is the preservation of mankind. To serve that purpose, he reasoned, individuals have both a right and a duty to preserve their own lives. Murderers, however, forfeit their right to life since they act outside the law of reason.

Locke also argued that individuals should be free to make choices about how to conduct their own lives as long as they do not interfere with the liberty of others. Locke therefore believed liberty should be far-reaching.

By "property," Locke meant more than land and goods that could be sold, given away, or even confiscated by the government under certain circumstances. Property also referred to ownership of one's self, which included a right to personal well being. Jefferson, however, substituted the phrase, "pursuit of happiness," which Locke and others had used to describe freedom of opportunity as well as the duty to help those in want.

The purpose of government, Locke wrote, is to secure and protect the God-given inalienable natural rights of the people. For their part, the people must obey the laws of their rulers. Thus, a sort of contract exists between the rulers and the ruled. But, Locke concluded, if a government persecutes its people with "a long train of abuses" over an extended period, the people have the

right to resist that government, alter or abolish it, and create a new political system.

Jefferson adopted John Locke's theory of natural rights to provide a reason for revolution. He then went on to offer proof that revolution was necessary in 1776 to end King George's tyranny over the colonists.

"All Men Are Created Equal"

Since 1776, no words in the Declaration of Independence have received more attention than Jefferson's phrase, "All men are created equal." But how could Jefferson and the other signers of the declaration believe this when slavery existed in the colonies? Some slave owners argued that slaves would become equal and worthy of natural rights only when they became civilized. For Jefferson, a life-long owner of slaves, this was a much more complex issue.

At an early age, Jefferson concluded that slavery was wrong. To his credit, he attempted to denounce slavery, or at least the slave trade, in the Declaration of Independence. Some scholars believe that Jefferson agreed with the Scottish philosopher, Francis Hutcheson, that all men are born morally equal to one another and that "Nature makes none masters, none slaves." But, how does this explain that Jefferson kept most of his slaves throughout his lifetime?

It appears that while Jefferson opposed slavery in principle, he saw no obvious way to end it once it became established. If the slaves were freed all at once, Jefferson feared that white prejudice and black bitterness would result in a war of extermination that the whites would win. He fretted that if slaves were individually emancipated they would have nowhere to go and no means to survive on their own. Of course, Jefferson along with most other Southern plantation owners were also economically dependent on slave labor.

The best Jefferson could come up with was a plan to take slave children from their parents and put them in schools to be educated and taught a trade at public expense. Upon becoming adults, they would be transported to a colony somewhere and given tools and work animals to start a new life as a "free and independent people."

Nothing ever came of Jefferson's fanciful plan. Slavery in the new United States of America would last another 89 years until the end of the Civil War. But even then, the equality promised in the Declaration of Independence was denied not only to African Americans, but also to other minorities and women. Even today, Americans are still not certain what equality means in such areas as affirmative action, sex discrimination, and gay rights.

The Declaration of Independence has no legal authority. It is not part of the basic law of the United States like the Constitution and the Bill of Rights. But its words have resonated as the ideals of the United States. Abolitionists in the 19th century asked Americans to live up to the ideal of equality and eliminate slavery. The civil rights movement of the 20th century pressured America to honor the commitment made in the declaration. The document still speaks to us today about the rights of Americans, as it did in 1776.