

Author's Note:

I realize that the final project that I am submitting is a considerable departure from my original intent. Perhaps it is a fitting theme for the paper which follows. I abandoned the curriculum plan for two reasons: At the last minute I offered to pick up an orphaned elective in Anthropology this year when a teacher took another post off Cape. I have spent much time working that curriculum over. In addition, I am now on team engaged in writing the new curriculum to transition our current freshmen through U.S. History I so that they will be prepared for the MCAT administered their Junior year. The idea of working yet another curriculum, albeit a unit on Women and the American Revolution, had lost quite a bit of it's sex appeal (no pun intended). I suspect that I will return to this topic as it continues to inspire my interest, but in the past month, bound at school by the throes of curriculum development, I have gravitated towards a research paper that would allow me to both think outside the curriculum box and to explore some of the topics of my favorite lectures from this summer. When I revisited my notes and the texts we were given I was most drawn to Pauline Maier's examination in American Scripture, Richard Bernstein's approaches to the Declaration and Jefferson and Staloff's writings and lecture on The Enlightenment. As a result I have adopted one of the posed questions you offered, concerning a comparison of "The Declaration of Independence" to the "Declaration of the Rights of Man and Citizen". Rather than proceed with a formulaic analysis of the structure of the two documents, I have chosen several specific ideological and historical aspects to consider. The result has been a far more pleasing academic exercise for me at this juncture, relishing as I did the pursuit of liberty and happiness without harm, I should hope, to any other citizen.

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Evolutionary Drift: the adaptation and survival of Locke's *Two Treatises*

Before giving closer consideration to the Enlightened origins of these two documents as well as their intent and executions, it is essential for one to acknowledge the historical and cultural context in which they were penned. Through such consideration, one gains considerable insight as to how two similar documents could direct their respective nations down remarkably different political paths. The American *Declaration of Independence* was a pronouncement of intentions. Having, for all intensive purpose exhausted the channels of options for rapprochement, the colonists were prepared to sever political ties with England, but not without justification and explanation.. American patriots and activists were well read in the writings of Blackstone, Locke, Milton, Montesquieu and Cato. For decades these reasoned ideas were had nursed with ale and conversation at taverns or in the open forums of town meetings. The heritage was well established in the northern hybrid colonies where the Revolution was seated. That ultimately these ideas found a voice in the Declaration was not surprising and instead seemed a natural birthright of fermenting republicanism in the New England political distilleries. This Jefferson's pen essentially does, giving appropriate 'tone' to 'the voice' as he suggested, that was 'the American mind'. While there may have been inevitability in the French declaration, it was born out of a nascent national consciousness. Subsequently, its immediate application and intent became far more radical than its trans-Atlantic counterpart.

In Paris the Declaration was an organic political statement conceived in the foul waters of a virtually bankrupt state, abusive, negligent and absolute monarchy, over privileged nobility and clergy and overburdened peasantry(the Estates for example, had not met since 1614 and the peasants were bludgeoned by taxes such as the taille and gabelle). Like the American model, this declaration was issued in a climate of political disenfranchisement. However, the Parisian proclamation would be hijacked to establish the ideological basis for an economic and social reconstruction of society that the National Assembly and subsequent legislative bodies manipulated far beyond Lafayette, Locke or Jefferson's visions. France's application led to the dismay of many American republicans who witnessed from afar the radical and violent fate of mobocracy and oclarchcracy: a state of Hobbesean human nature. Hence the sequential imposition of the Terror, Thermidor and finally Napoleonic despotism. The new state became as John Adams had predicted. Thus despite a commonality in principle, the historical backdrops in eighteenth century American and France were considerably different. Hence the actual application of these principles was quite different, as were the results.

What also appears fascinating is the intent of these documents and their significance not as the source of ignition for the respective revolutions, for this was the kindling laid by years, in the French case, hundreds, of abusive authority but the fact that that these documents themselves were the revolution. Each established the basis for a radical departure from a previous order. The chaos, fighting, and restructuring that followed were the execution of the printed revolution that had been delivered by the people. Ultimately the French departure was far more radical in both its intent and its

execution. The upheavals, in the form of a revolutionary war and civil wars, were inevitable, and represented a second stage of the “revolution”. It was the process of birthing the New Order conceived by particular historical circumstances and enlightened ideas, especially those of John Locke and J.J. Rousseau. France’s was clearly a more traumatic experience, but both were the living affirmation of concepts conceived to create what was understood to be legitimate government. Rather than compare and contrast the documents, one longs to consider the purpose and radical departures they sanctioned. Secondly, one must consider the fundamental appearances of Lockean enlightenment as it was unfurled in the deliberate language of these sibling documents. Finally, because I cannot entirely shed my original intent, one does wonder, with so much generosity of rights issued in Locke’s words by “God, Jefferson’s “Creator” and De Lafayette’s “Supreme Being”, where one draws the distinction between men and men and women. This is clearly a political issue mired in the concrete of gender based customs, elitism and racism. For two savagely political documents they are anemic, albeit appropriately so, in these departments. After a brief examination of these factors one finds a considerable difference in the very nature of the intent despite congruity of content.

The Declaration of Independence was a profoundly edified approach to failed reconciliation, chastened tyranny, natural rights and resignation to justice. While it severed political ties with the motherland it failed to replace them. Indeed there were sound historical reasons for the cynicism around power but they would evolve into a shortsighted egress. The statement was not perfect, but it had some very sophisticated

and with careful mature pruning, roots that would grow strong. This growth would come through the process of refinement in the form of the Articles of Confederation, the Constitution, The Bill of Rights, Congress, the sage “elders” of Supreme Court and their time honored decisions. The document is saturated in colonial history enumerated in the list of grievances leading to resolution, e.g. separation. The preamble, like its French counterpart, is resonant of Locke’s *Treatises*. In the seventeenth century treatises, Locke asserted several points that would be integral to the colonists, Parisians and Frenchmen .At the risk of making a boiler plate out of profound and revolutionary ideas, Locke’s principles that are most applicable here are those concerning human nature, just government and unjust or illegitimate government. These three elemental concepts were avidly grafted onto the declaratory statements of 1776 and 1789. Locke essentially asserted that all men are born with certain rights(those given by the “ Supreme Being”).They are derived from an original condition preceding the development of society is a state in which all individuals are perfectly free and equal. This state of nature is governed by the law of nature which is that of reason. In addition, in a state of nature, all men have rights, those being life, liberty, property and happiness so long as none of these infringe upon another man. Locke saw that in a state of nature men are free but men being what they are, are constantly at risk by the “tainted” and so often can live in fear that their natural rights, any or all, will be eclipsed or obliterated by frankly, greed or evil. Civil governments are fabricated to protected the “good” from the “bad”. In an effort to protect themselves from such, good men, the majority no doubt as Locke was an optimist on human nature, consented to a surrender of some rights(the social contract) in order to ensure the integrity and protection of other “rights”. The job of civil government,

entrusted by the will of the majority of good men, was to protect their natural rights. When government violated this vested power, it had catapulted itself into the realm of unjust ergo illegitimate and as the American colonists would say, “tyrannical”. Jefferson voiced these concerns clearly in the body of the Declaration after referencing Locke’s vision of Natural Rights and the State of Nature. The American Declaration proceeded to enumerate a long list of abuses which clearly substantiates a Lockean and enlightened vision of illegitimate government not only for its “train of abuse” but also for its deliberate usurpation of the explicit will/ consent of the *majority*. (a fact that denies demographic breakdown of royalist allegiance on the eve of revolution). Jefferson’s language articulates a Lockean justification for overthrow of illegitimate authority and government, in this case the King George III and any vestiges of his royal power in colonial America. The conclusions penned and later manifested are true to Locke’s justification but curiously enough, the words republic or democracy have no place in this ideological framework.

The French revolutionaries found similar solace and justification in Locke’s Treatises, but their declaration would be far more radical when deployed, as this revolution was not simply about severing political ties. In fact it replaced the hereditary monarchy with a constitutional one, only to destroy the institution five years later. Unlike Colonial America, this was a gateway philosophy that led to far more sweeping assertions and change. The historical backdrop was a polar opposite of the colonial historical landscape, entrenched as it essentially was in a slow fading Medieval social structure wrestling with the growth of cities, dislocation and poverty, not to mention

fiscal mismanagement. France was ripe but in so many other ways, than Colonial America yet *The Declaration of the Rights of Man and Citizen* does not speak to these profoundly deep socio- economic divisions and antagonisms that were ubiquitous. Like its American counterpart it is fundamentally a political testament. Its format is more rudimentary as it offers simply a preamble that cuts to the chase by asserting what natural rights are and that an unjust government is that which infringes upon them or usurps them, as France's absolute monarch had done. These rights are in lieu of the American list of grievances but as mentioned, are not followed by a resolution statement. Unlike the American declaration, the Parisian version makes no reference to the monarch- probably because the Assembly intended to correct the authority, not to sever or annihilate it. The enumeration of these rights that follows is more in accord with the American Bill of Rights than *The Declaration of Independence*. More importantly, it is clear that both documents categorically reject the notion of Divine Right or a monarch which does not represent the will of a majority, a will which is directed by the protection of natural rights. Such government has as Locke would later write, violated a social contract. Such violations merit overthrow. Overthrow they did.

Despite common enlightened birthrights and language the American and French declarations were born in very different cultural climates. However, in the American colonies the overthrow pronounced in the Declaration and established by the War was purely political. There was no ensuing social and economic redistribution of order as followed in France's raging revolution. When John Locke penned his monumental *Two Treatises on Civil Government* he wrote in part to relieve the residual ache in the Anglo

national conscience. Reeling from the second (albeit this one was “bloodless”) overthrow of the British monarchy, Englishmen and much of the western world remained aghast at the scope of violence and upheaval that had swept through a European pillar of order for the second time in less than a century. Locke’s Treatises offered two paramount tenets concerning the origins of civil government (e.g. Natural Rights) and the justification for the overthrow of illegitimate government (one that violates the contract to protect or does not represent the will of the majority). These principles were the bud of Enlightenment thinking that would blossom in the eighteenth century and be embraced on both sides of the Atlantic during the end of century revolutions. In revisiting *The Declaration of Independence* and the *Declaration of the Rights of Man and Citizen* one cannot deny either their philosophical birthright here or their kinship. The language is self evident. This comparative exploration is also made virtually uncontestable given the fact that the French revolutionaries unhesitatingly referenced the recent historical experiences of their American brothers and in fact the man who largely composed the document, the Marquis De Lafayette, like many of his countrymen, was a veteran of the American Revolutionary experience. In addition, he was an author who frequently consulted his declaratory counterpart, Thomas Jefferson. Thus that the later document echoes, often verbatim, the language of its predecessor comes as no surprise and is in fact a rather tedious and redundant examination. Here lies the fundamental difference and point of departure in the execution of these documents. The colonists had in theirs a prescription for independence from British/ centralized authority. They had cut the political umbilical cord. They would wrestle with this shortsighted severance for another fifteen years. The Parisians on the other hand, sought to reconfigure a colossal order that reached far

beyond the absolute monarch's authority. There was a revolution sanctioned by the Declaration of Rights of man and Citizen, to re-write injustice also in the feudal social order, do away with the façade of representative government, divine right, a rich and established church, urban poverty, crushing tax burdens, a maldistribution of wealth and a plethora of other socio-economic changes. Yet both revolutions, seeded by Locke, sowed in the ideology of their declarations, and reaped in their respective national climates, found sanction in specific enlightened doctrines concerning natural rights and just government. In the end, despite the concurrency in philosophy the revolutions were radically different in their execution and intent. Ironically one ended in a small, restricted national government that gave way to a federal system, and the other a republic that wasted into despotism(as Adams astutely predicted), much to Jefferson's disappointment. In fact, Jefferson would later lament that despite his passionate support of the revolutionary cause in France, he had been proved wrong as he conceded to Adams, "your prophecies.. proved truer than mine..". It must be reiterated however, that the application of these ideas was far more wide sweeping in France than the colonies, where the vestiges of self rule, democracy, egalitarianism and social mobility had generally become a heritage.

The final point to briefly consider is the absolute neglect of citizenship concerning non white men. To twenty first century eyes, conspicuously omitted are consideration of natural given rights. In particular, women played a monumental role in patriot and revolutionary politics and war, but were not citizens or sanctioned by any enlightened rights. French women too, despite their monumental role in the Paris riots, storming and

raging against the economic machine, they were unacknowledged in the Declaration of the new republic. In western cultures women, like their non-white counterparts (male and female) were systematically overlooked as persons in the Supreme Creator's imaging. It would be historically inappropriate to suggest gender equity in the penning of these documents, but what is curious is the relative lag time for a female backlash. Indeed Abigail hemmed at John to "remember the ladies" at the Convention but in the United States no viable direct female backlash is documented until 1848 at Seneca Falls. On the other hand, in Paris, Olympe de Gouges went right ahead and penned the *Declaration of Rights Of Women*, paging women to frankly "wake up". De Gouges was executed by the Terror in 1793. Just as well perhaps, her American counterparts were more conservative in their entreaties. However, this example serves also to underscore the fact that the historical topography in France was seismically more volatile than in the American colonies.

In conclusion it is apparent that that while these documents bear a significant amount of literal, structural and ideological similarity they were grafted onto radically different circumstances. While Jefferson worked to pen the voice of the American mind his counterpart Marquis De Lafayette would later generate a Continental version.. The edited documents embrace the buds of Locke's principles of Natural Rights, just and illegitimate governments and the Social Contract: elements that would become the mainstays in modern republics. The blossoms that grew from these buds were remarkably different owing in part to the purpose of each document- one clarifies and justified the need for a severance of political ties, the other proclaimed citizens' rights with the intent

of retooling the existing socio-economic and political systems. But the French declaration was born in a climate that was saturated with grievances far beyond the political and fiscal relationship of citizen and authority. Instead it was the first of a series of upheavals designed to reconfigure not just the monarch's authority, but also the shape of representative government and the face of French feudal society. Americans would spend the next fifteen years working to effect a system that would promote their revolutionary goals. France would spend the better part of fifty years doing it. Again, the scale of the application of Locke's ideas was significantly greater in the Continental nation. Important too is the realization that American colonists planted on a clean ground, so to speak. The landed aristocracy may have crossed the Atlantic in some respects, but its title was numerically and politically limited and essentially restricted to the southern colonies. In addition, with the novelty of a mobile, democratic and educated social structure Locke's philosophy would settle easily in the New England colonies, the seat of revolutionary thinking. The similarities between the two declarations seem to end in their immediate application although as these nations matured into modern states, the original tenets have found a secure place in the constitutions of these two respective republics.