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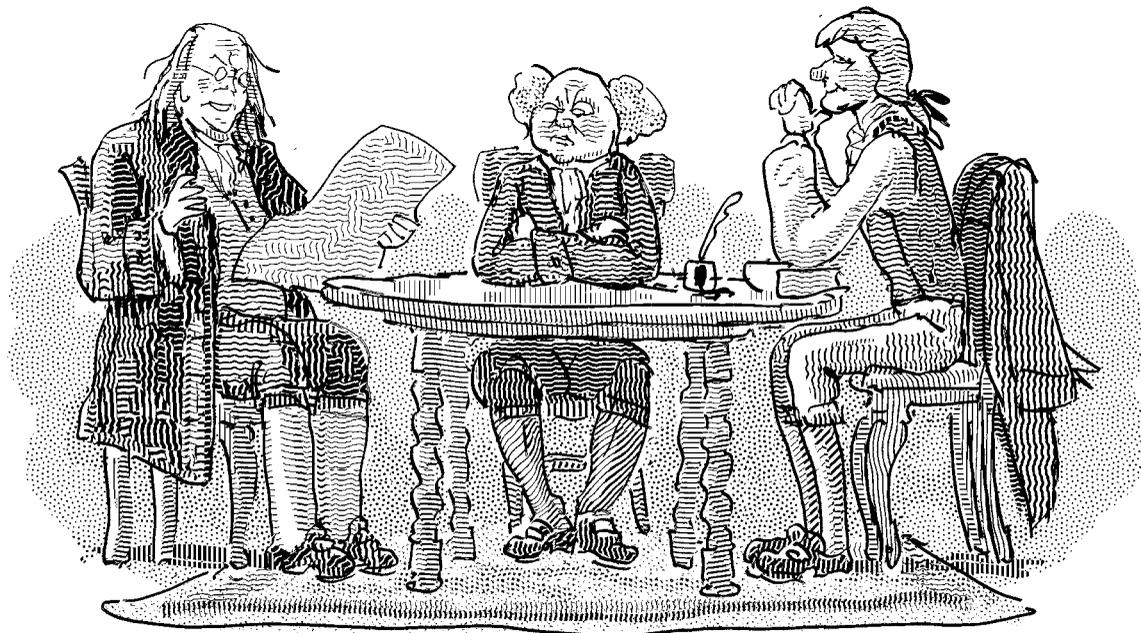
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Book Review by Diana Schaub

## EQUALITY AND LIBERTY

*Our Declaration: A Reading of the Declaration of Independence in Defense of Equality*, by Danielle Allen.  
Liveright, 320 pages, \$27.95



JUST AS THERE IS “FAST FOOD” FOR wolfing and “slow food” for savoring, there is speed reading and close reading. Obviously, faster is not always better. Danielle Allen has been practicing slow reading ever since her family read the Bible aloud, twice through, a chapter at a time, following their nightly meal. This discipline prepared her well. On the assumption that those trained in the most attentive kind of reading also practice careful writing (and in Allen’s case tremendously engaging writing), let me start with a leisurely look at just the title of her new book, *Our Declaration: A Reading of the Declaration of Independence in Defense of Equality*.

Allen’s main claim is that “The unanimous Declaration of the thirteen united States of America” is “Our Declaration.” There is no cold, scholarly distance here, nor any ideologically-driven hostility. Others on the Left might be tempted to refer dismissively to “their declaration”—the document penned long, long ago by those dead, white, European males. Think, for example, of Malcolm X’s oft-expressed view that “the American Revolution was white nationalism” and

his consequent disdain for patriotic blacks: “Imagine a Negro: ‘Our government’! I even heard one say ‘our astronauts!’” Danielle Allen isn’t having any of that false consciousness claptrap. A scholar at the Institute for Advanced Study, she lays emphatic hold of the Declaration as her rightful patrimony. Moreover, she claims the Declaration not for herself alone but for some larger collectivity. The “our” for whom Allen speaks is unclear from the title—does the Declaration belong to all Americans, some subset of Americans, or perhaps to an even larger collective like all human beings? Indeterminacy aside, the rhetorical effect of the possessive pronoun is inviting and inclusive.

Note also that she has shortened the name of the document, at least in her main title. By leaving off “of Independence,” she makes the Declaration into a credo of a somewhat different sort. She is not so interested in the fact of our national independence or how it was secured by revolutionary warfare, for that is not the heart of the document’s contemporary relevance. Her approach is reminiscent of Abraham Lincoln’s, for he also concentrated on the Declaration’s philosophic rath-

er than historical significance. If the whole import of the document had been political in the narrowest, most specific sense, well then, Lincoln says (in his 1857 *Dred Scott* speech), “that object having been effected some eighty years ago, the Declaration is of no practical use now—mere rubbish—old wadding left to rot on the battle-field after the victory is won.”

THE VITAL MEANING LODGES ELSEWHERE. In his July 1858 Chicago speech, Lincoln explains how it is that the large and growing proportion of Americans who are not direct descendants of the colonists can nonetheless fully partake in the republican experiment:

If they look back through this history to trace their connection with those days by blood, they find they have none, they cannot carry themselves back into that glorious epoch and make themselves feel that they are part of us, but when they look through that old Declaration of Independence, they find that those old men say that “We hold these truths

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to be self-evident, that all men are created equal,” and then they feel that that moral sentiment taught in that day evidences their relation to those men, that it is the father of all moral principle in them, and that they have a right to claim it as though they were blood of the blood, and flesh of the flesh, of the men who wrote that Declaration, and so they are.

The Declaration is thicker than blood. It is the wonderful paradox of American patriotism that a universal claim becomes the foundation of a particularistic allegiance. Perhaps not surprisingly, Allen’s own discovery of this arose not from pondering her mother’s European heritage or her father’s African-American heritage but from the years she spent teaching night courses to recent immigrants: “my students in fact re-gifted to me a text that should have been mine all along.” Thus was “the Declaration of Independence” transformed into “our Declaration.”

ALLEN’S BOOK HAS A SUBTITLE AS WELL: *A Reading of the Declaration of Independence in Defense of Equality*. Certain truths may be self-evident, but a text rarely is. It requires interpretation. Accordingly, Allen acknowledges that what she offers is a reading—not the only possible reading, but not one easily labeled either. Although she attaches no qualifying adjective (such as “feminist” or “postmodern” or “progressive”) to her reading, she does indicate that it has a purpose. She reads with a view to the defense of equality. That sounds unobjectionable—after all, the first of those self-evident truths refers to humanity’s equal creation. Yet, one might wonder, why not a reading in defense of liberty? It seems that the substance of human equality consists in an equal claim to liberty; certainly, the revolutionary generation was intent on vindicating that claim, to the point of violence.

What’s more, a generation later, Alexis de Tocqueville told us that our vigilance should be all for liberty because the taste for liberty is hard to sustain among a democratic people, even one that sings of “the land of the free and the home of the brave.” Equality, by contrast, is self-propagating, with the passion for it being (according to Tocqueville at any rate) “ardent, insatiable, eternal, invincible.” The defense of equality usually entails further extensions of equality, which for Tocqueville raised the specter of a leveling sameness, resulting in social conformity and, eventually, the growth of an all-pervasive administrative state. But perhaps Allen has a different, more robust un-

derstanding of equality than did Tocqueville. It’s also not altogether fair to imply that Allen shortchanges liberty, since she seeks to assure us that “we cannot have freedom *without* equality.”

Still, title and argument alike do assign priority to equality. Contra Tocqueville, she believes our national tendency is to focus on liberty to the detriment of equality; indeed, she fears that “under the general influence of libertarianism, both parties have abandoned our Declaration.” Though she is not unconcerned with the material dimensions of equality (which is to say she voices the obligatory worry about growing income inequality), she is vastly more interested in other dimensions of equality: linguistic and political.

FOR HER, EMPOWERMENT BEGINS BY understanding the power of words, especially words crafted by collective endeavor. “Group writing is not easy,” she tells us, “but, when done well, it heads the ranks of human achievement.” Without trying to strip glory from Thomas Jefferson, she wants to celebrate the “democratic art of writing.” She traces widening circles of participation: Jefferson authored the first draft of the Declaration; the Committee of Five (which included John Adams and Benjamin Franklin) made subtle emendations; the 51 members of the Continental Congress edited the document (pruning the text by 25%—to Jefferson’s great consternation); finally, the official calligrapher imposed his own punctuation and capitalization style. There were also texts that served as direct models for Jefferson’s draft, among them his own 1775 Declaration of the Causes and Necessity of Taking Up Arms, John Adams’s *Thoughts on Government*, the May 1776 Preamble and Resolution (recommending new governments in each colony) also authored by Adams, and the Virginia Declaration of Rights written by George Mason. Behind all of this redaction were the “streams of talk” that shaped, and even authorized, the written words. Nor does Allen neglect to remember the ladies—first among them, Abigail Adams—who participated in these “layers of conversation.”

Allen’s account of official and unofficial consensus supports the famous claim made by Jefferson, in his 1825 letter to Henry Lee, that the Declaration was “intended to be an expression of the American mind,” drawing upon “the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, &c.” According to Jef-

erson, the circles of influence went deep as well as broad, reaching back to the common philosophic elements in our Greco-Roman-English political inheritance. Though Allen, whom the book flap identifies as “a political philosopher,” must know her Aristotle and John Locke, she keeps her references to them to a minimum, preferring to focus on democratic breadth.

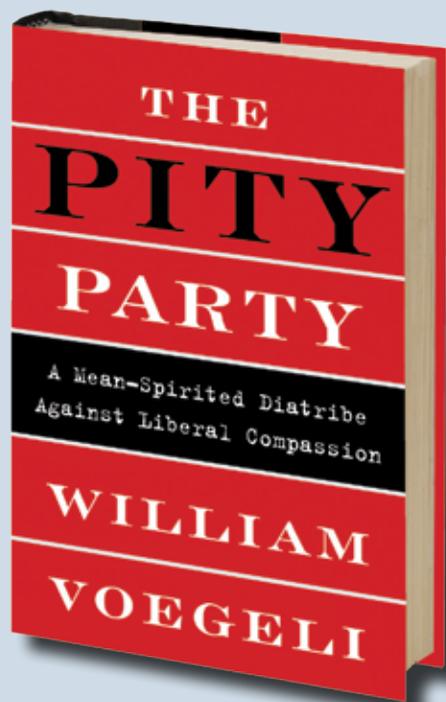
ALLEN’S DECLARATION ABOUT THE Declaration is almost as bold as the Declaration itself. “It stands,” she says, “even in front of works of individual genius, because it involves a far greater degree of difficulty.” Although her enthusiasm for “the incandescent magic of human politics” is catching, my own experience of committee work is enough to convince me that on the rare occasions when committees work well, it is because of a conspiracy of the competent. Allen herself reveals that it was John Adams who insured that Jefferson was on the Committee of Five, even arranging for Jefferson to get more votes than himself so that Jefferson would head up the committee and be tasked as the drafter. The United States had no single Lycurgus as ancient Sparta did, but we certainly had movers and shakers—who, moreover, had thought about how the enterprise of founding might be different and better under modern conditions. Despite Allen’s attempt to place the “rowdy patriot workingman clerk” who engrossed the parchment, Timothy Matlack, on a par with the well-known founders, those guiding presences—on her own telling—keep peeping out from behind the democratic curtain.

In February—when Adams and Lee seem to have begun to set their “independence” strategy in motion—Adams had drafted a to-do list for measures to be pursued in Congress that spring. It included these two items: “Government to be assumed in every Colony” and “Declaration of Independency.”

Intending no disrespect to Matlack, I doubt his “to-do list” rose to such demiurgic heights.

I’m not sure either that “degree of difficulty” should be the criterion of judgment. As Allen shows, compromises—sometimes very unfortunate ones—had to be made in order to secure the unanimous adoption of the Declaration. If, as she admits, “the differences between texts written by a group and those written by a single individual are best seen in the language criticizing slavery that was cut out of the Declaration,” then we might lament the loss of both moral consistency and rhetori-

**When liberals don't have reason, authority, or the American people on their side, they turn to the one thing they never run out of: Pity.**



Political scientist William Voegeli makes the case that “compassion” is neither the essence of personal virtue nor the ultimate purpose of government.

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cal power brought about by the requirement to accommodate those disharmonious voices. I'm not saying the Lycurgan model is better—as James Madison noted in *The Federalist*, Lycurgus had to mix “a portion of violence with the authority of superstition” in order to impose his will upon the Spartans. Madison claims that another famous founder, Solon, “indulged a more temporizing policy” with the result that his Athenians did not receive “the government best suited to their happiness,” but rather the government “most tolerable to their prejudices.” The plurality of voices characteristic of democratic procedure means that our group efforts will always be more Solon-like than Lycurgan. Temporizing with prejudice is our way. We need to understand why that is the case—and what it means for the character and limits of American statesmanship—as much as we need to celebrate it.

**A**T THE HEART OF THIS BOOK ARE LESSONS in how to read. Allen stresses attention to the kind of text (arguing persuasively that the Declaration is best understood as a memorandum), the audience for the text (every member of the “candid world”), and the structure of the text, which Allen argues, in line with a “performative” view of language, is organized by an interlocking sequence of actions: “declaring reasons or principles, presenting facts, declaring independence, and pledging solidarity.” The Declaration forms an arc—more technically known as a “practical syllogism”—that enables political beings to “connect facts with principles in order to make judgments.”

Following this arc, Allen shares her insights into specific phrases of the Declaration. There is much good stuff here, which is not to say that she always hews to original meanings. A close reading apparently need not be a perfectly faithful reading. The gap between close and faithful is most evident in her gloss on “Nature’s God” and the subsequent God-references in the document. The statement of principles in the Declaration’s second paragraph declares that “all men are created equal” and “are endowed by their Creator” with rights; in the final “pledge” paragraph, the representatives appeal “to the Supreme Judge of the world” and express their “firm reliance on the protection of divine Providence.” Both of the latter, more orthodox (without being explicitly Christian) references—positing a God who actively judges and protects—were added by Congress. Jefferson had both “created” and “equal Creation” in his draft, along with three uses of “sacred,” only the last of which, “sacred Honor,” was kept. The revisers (Franklin and Adams) were responsible for the shift from

“Creation” to “Creator.” Although these additions intensify God’s presence, the most fundamental question could still be asked even if all we had was the invocation of “the laws of Nature and of Nature’s God,” and Allen doesn’t shy from formulating it: “Does it matter whether God is in or out?”

After some struggle, she decides that He is dispensable, since the Declaration

gives us two ways of understanding the source of rights. We can see them as coming from nature and/or we can see them as coming from God. It’s like belt and suspenders.

I gather from the metaphor that one can choose how to accessorize one’s rights, going with a modern, Hobbes-influenced belt or, like the Amish, sticking with old-fashioned suspenders. Either way, Allen is not one to tolerate saggy pants; in other words, the notion of rights must be secured in some fashion. However, the Declaration does not actually contain the locution “and/or”; it says “the laws of Nature and of Nature’s God.” Now maybe “Nature’s God” is equivalent to Reason—the god of the philosophers—but the Declaration also says that we are created beings endowed by that Creator with a special standing. Further, it was the least orthodox of the founders, Jefferson himself, who was driven to ask on another occasion: “And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with his wrath?”

**A**LLEN DESPERATELY WANTS THERE TO be a solid non-religious foundation for rights. She betrays the same discomfort that I have seen in my students when they encounter Martin Luther King, Jr.’s insistence on the theistic assumptions that inform the practice of nonviolent resistance. She wants the wiggle-room of the “and/or” formulation. At the same time, she advances an exalted conception of rights that does much more than aim to secure the basic pre-political rights of individuals. She wants to achieve “a maximally strong commitment to the right of other people to survive and to govern themselves”: “One way or another, one must hold sacred the flourishing of others.” It’s hard to build this kind of political religion on the sandy soil of secular self-interest.

Her account of the connection between the Declaration’s truths seems oddly flipped. According to a straightforward reading, equality of rights is our God-given endow-



ment, with government being the humanly-instituted means to protect those rights. God gives rights to each and all; men—which is to say, groups of men—must come to the defense of rights (against other men). If I have understood her correctly, Allen, by contrast, argues that our equal status as rights-bearing creatures “flows from the fact that we are also equal in being political creatures.” We possess “an instinct for politics” which is itself “evidence that nature is organized to provide for our flourishing.” Indeed, she stresses that we can “carry out our self-protection in a non-destructive way” and that “[t]his prospect of peace is our great gift, our dowry, our endowment from our creator, nature’s God.” On her reading, nature (and/or God) blesses us with political life and we, in turn, make various beautiful forms of equality our political handiwork. Thus, she evokes equality not as a pre-political datum, but rather as a flower “only half bloomed in this land.” That still-emergent flower has five petals or facets:

The first facet...describes the kind of equality that exists when neither of two parties can dominate the other. The second facet concerns the importance to humankind of having equal access to the tool of government, the most important instrument each of us has for securing the future.... The third facet concerns the value of egalitarian approaches to the development of collective intelligence.... The fourth facet concerns egalitarian practices of reciprocity.... And the fifth facet has to do with the equality entailed in sharing ownership of public life and in co-creating our common world.

**T**HERE IS UNDENIABLY AN ELEMENT OF truth in each of these facets. Indeed, famous formulations spring to mind:

- On anti-domination: “As I would not be a slave, so I would not be a master. This expresses my idea of democracy.” (Lincoln)
- On consent: “Allow ALL the governed an equal voice in the government, and that, and that only is self government.” (Lincoln)
- On collective intelligence: Two heads are better than one.
- On reciprocity: Do unto others as you would have them do unto you.
- On co-creation: “Government is a combination of the people of a country to effect certain objects by joint effort.... The legitimate object of government is to

do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities.” (Lincoln)

Despite these canonical antecedents, Allen’s tone seems off to me. To illustrate, take what she says about collective intelligence in a chapter entitled “On Potlucks.” The metaphor of a potluck supper as an image of democratic excellence traces back to Aristotle. Though Aristotle does indeed make an argument for the superior contribution of the many as compared to the few, his defense is not without serious qualifications. By contrast, Allen’s Aristotle is radically democratized. About that potluck dinner, she says, “All the different ingredients can be organized into a menu with a clear structure.” By whom? A buffet is a success only if there is an organizer. Perhaps in recognition of this, Allen closes the chapter with a brief reference to “experts” who “have a crucial role to play within the larger democratic community.” Granted—but even that concession doesn’t go far enough, since experts are not statesmen. Aristotle’s argument for the valuable contributions of the ruled (“the potluck approach to knowledge”) only makes sense when supplemented by an argument for the ruler (and the virtue of prudence which is his special contribution). Aristotle argued for a corrected, tempered, and high-toned version of popular rule (which he calls “polity”) rather than democracy. That same preference can be seen in the American Founders, who adopted the term “republic” and spoke disparagingly of democracy.

**W**HILE BOTH ALLEN AND LINCOLN stress the need for consent to legitimize rule, their formulations are subtly different. Lincoln says: “no man is good enough to govern another man, without that other’s consent.” By casting the claim in the negative, Lincoln draws attention to human fallibility. It is considerably more optimistic—indeed naïve—to say, as Allen does, that “Each of us is capable of participating directly in politics because each of us is the best judge of her own happiness.” It might be more accurate to say that we are each such dreadful judges, often so sadly mistaken about even our own best interests, that it is a mark of wisdom to doubt one’s wisdom. Lincoln saw that tremendous harm had been wrought by overconfident democrats who believed they could do whatever they pleased in quest of their own happiness.

Allen’s unrelenting egalitarianism is also visible in small ways, such as her use of pronouns. As she explains in one of only ten substantive footnotes, her practice is to “alternate between using the female and the male for the third-person generic pronoun so that there is a fifty-fifty distribution. The first time I use the generic pronoun in any piece of writing, I always start with the female to make up for centuries of past practice.” This rule of hers led to a dilemma, however, when she apparently could not avoid writing the following sentence: “When one finally sees an enemy for who she is, can one do anything other than try to protect oneself from her?” God forbid that the reciprocating saw of equality should land a sister in such a position. Hence, the apologetic footnote: “A reader may wonder why an enemy is ‘she.’ ...[I]t’s just chance that when I got to this sentence it was time for ‘she.’” Honestly, if this is what the “damned female scribblers” (to borrow an invidious phrase) are going to do to the language—demand “equality,” then quail at the nasty results, and absurdly blame it on the “chance” of the writing process as if there were no author in charge—then the third person singular feminine pronoun *is* the enemy.

**I**T WOULDN’T BE RIGHT TO END ON THIS note of irritation. To her credit, Danielle Allen has taken seriously Jefferson’s assertion that both Aristotle and Locke were present in the American mind. She attempts to discern what such an amalgam could—or ought to—look like in our day. Deeply devoted to fostering greater civic-mindedness, she delivers a pep talk for a more demanding practice of self-government in the guise of egalitarian democracy. In the end, her aim is perhaps not so unlike Tocqueville’s. Whereas Tocqueville sought to privilege liberty in order to avoid the slough of individualistic apathy, Allen believes that the privilege-denying language of equality, if properly understood as a political desideratum, can invigorate and elevate our collective life. She wants democracy to be made lofty—not by a bracing admixture of aristocracy but by our “equal engagement...in aspiration and accountability.” It’s not my pot of ale exactly, but Allen may have a better sense of the contemporary audience—of what would be a fortifying brew for a dispirited citizenry. I hope she keeps teaching those night classes; we are all improved by the opportunity this book offers to audit them.

*Diana Schaub is professor of political science at Loyola University Maryland.*

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