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The Myth of Equality and the Quasi-constitutional Status of the Declaration of Independence

Equality seems to be an inseparable element of the American Creed and political vocabulary. As Abraham Lincoln explained in his Gettysburg Address it is a principle upon which the American nation was founded – through its founding document, the Declaration of Independence – and, at the same time, an ideal the realization of which the American nation is “dedicated” to. The main thesis of the paper is that both the unquestionable place of equality in the American Creed and the quasi-constitutional status of the Declaration of Independence (treated as a preamble to the Constitution) are both myths. On the basis of the works of Willmoore Kendall and Melvin Bradford I will present the argumentation suggesting that Lincoln’s Gettysburg Address, in fact, marks a radical redefinition of the “American experiment” which, with time, became an official and binding interpretation of the founding documents. Many decades later Lincoln’s interpretation became an axiological and ideological basis for politicians and social activists and it still influences Americans’ understanding of their political tradition.

“Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal” (Lincoln 163). The famous opening of Lincoln’s Gettysburg Address – referring to the Declaration of Independence – is today perceived as the confirmation of the commonly known truth that equality is an inherent part of the American Creed and the American political tradition from its very beginning. Hardly anyone questions the position of equality as a fundamental principle of the American government and Lincoln’s reading of the Declaration of Independence is perceived as an official and final interpretation of the document. According to a widespread apprehension the Declaration constitutes a kind of preamble to the Constitution of the United States, adopted 12 years later; a preamble comprising philosophical and axiological foundations of American regime. By the same token the conviction proclaiming that “all men are created equal” (the famous “equality clause”) is presented as one of the oldest and most durable components of American public philosophy.

The present paper offers a critical analysis of the foregoing convictions. Its main thesis is that both the unquestionable place of equality in the American Creed and quasi-constitutional status of the Declaration of Independence (treated as a preamble to the Constitution) are both myths. Those myths, however, are cherished very strongly and partly because they are closely related to the cult of the sixteenth president of the United States. Those myths are, at the same time, a perfect emanation of panegyric thinking about democracy that dominates Western civilization in the beginning of the 21st century.

On the basis of the works of Willmoore Kendall and Melvin Bradford I will present the argumentation suggesting that Lincoln's Gettysburg Address, in fact, marks a radical redefinition of the "American experiment" which, with time, became an official and binding interpretation of the founding documents. Many decades later this interpretation became an axiological and ideological basis for the actions of the Civil Rights Movement as well as for policies implemented within "affirmative action".

The present article should be read as an attempt to de-construct one of the basic and most deeply entrenched American political myths. It would be an error, however, to read it as an attempt to revise the American political tradition or to undermine the position of equality in the catalogue of American political values. Myths, as it is well known, fulfill their legitimizing function towards political institutions and social arrangements regardless of their historical or factual verification. In other words, myth does not have to be true to efficiently legitimize existing social order and, at the same time, the falseness of the myth does not necessarily undermine its appeal. Myths, notes Stanisław Filipowicz, enable "defining reality, they are a source of knowledge which does not demand any other justification" (9). This is especially true in regard to cosmogenic myths. One could risk a statement that the myth of equality – derived by Lincoln from the Declaration of Independence – fulfills in American society exactly the role of a cosmogenic myth. It casts light on the beginnings of American republic and defines its basic philosophical and political principles. At the same time, it contains certain instructions (or moral obligations) concerning future action and sets goals that should be achieved.

Having this in mind, what I would like to conduct in the present paper is a brief study of the emergence of the equality myth in the American political tradition. I believe that such study can enrich our understanding of the American Creed by providing some necessary historical background concerning its current form. As Daniel Boorstin observed, "[w]e have repeated that "all men are created equal", without daring to discover what it meant and without realizing that probably to none of the men who spoke it did it mean what we would like it to mean" (qtd. in Bradford, "How to Read the Declaration: Reconsidering the Kendall Thesis" 46). Let us then make an effort to discover what the original meaning of the "equality clause" was and how it has transformed since the founding era.

The Gettysburg Address and its message

In order to understand the argumentation of the present article one needs to notice that the questions of the quasi-constitutional status of the Declaration of Independence and the presence of equality in the American Creed are strictly connected.

As it is known the very Constitution does not mention equality at all. The famous "equality clause" of the Declaration, on the other hand, does. Its signatories hold certain truths "to be self-evident" and among them "that all men are created equal" (*The Declaration of Independence* 5). Therefore, in order to claim that the Founding Fathers constituted a new nation on a belief in the natural equality of all men – as Lincoln suggests in his Gettysburg Address – one has to assume that the Declaration of Independence is, in fact, the very first founding document of American nation. Moreover, the Declaration must be presented as a quasi-constitutional document, which has a binding character and establishes certain basic principles according to which the American state should be organized. However, the foregoing assumptions, as will be presented, are highly problematic and do not stand historical verification.

The Gettysburg Address is very often, and quite rightly, presented as a rhetorical masterpiece. However, it results not so much from scrupulous evidence supporting its argumentation as from self-supporting character of its hidden assumptions and very skilful manipulation of the listeners' emotions (Pratkanis, Aronson 53-56). At first glance, the speech has purely occasional character. It serves as a tool of paying homage to fallen soldiers as well as a propaganda tool – justifying the Union's military efforts. In fact, what Lincoln does in the speech is an imperceptible, and quite fundamental at the same time, reinterpretation of the American political tradition; a reinterpretation whose significance for the further history of the United States and current political debates is difficult to overestimate. Lincoln's rhetorical efficiency is based on a skilful combination, within one sentence, of statements and symbols which are very obvious and not disputed by anyone (like that of a "new nation conceived" by the Founders "in Liberty") with certain suppositions which were not so obvious at all (like that suggesting that it was the adoption of the Declaration of Independence that marked the birth of American nation). Both the latter and the former are spoken by Lincoln in the same breath – leaving the audience with no time to critically reflected on them. Quite to the contrary, a listener accepting the former – as quite obvious and unquestionable – automatically accepts the latter.

What were those unobvious, and yet fundamental, suppositions made by Lincoln? First, without troubling to justify that claim, he assumes that it was the adoption of the Declaration that marks the birth of American nation.¹ Second, he claims that this newly born nation from the very beginning was "dedicated to" a certain idea – namely "that all men are created equal." What follows from such construction is a conviction that from the very beginning the American state and the American society had their imperative goal, *telos*, and the realization of this goal should underlie the way of thinking about American politics and direct the future development of the republic. Third, if – by adopting the Declaration – the Founders actually established a new nation "dedicated" to the idea of natural equality of all men, then the Declaration imposes on that nation (and on the future American state) a certain obligation; an obligation of a moral (if not strictly legal) nature.

It is noteworthy that all foregoing assumptions condition and complement each other. It is impossible to claim that equality is an imperative principle to which the American nation is dedicated, without adducing to the Declaration of Independence

¹ As he delivered his speech in 1863, there can be no doubt that by saying "four score and seven years ago" he refers to the Declaration of Independence adopted in 1776.

(which is the only important public document of that era bringing up the notion of equality of men). The Declaration, however, could not be the source of such a commitment without the assumption that it is a document which *de facto* constituted the American nation. However, a critical analysis of the founding documents as well as the historical circumstances of their adoption seriously questions all of the foregoing assumptions. Let us then examine each of them.

Does year 1776 mark the beginning of the American nation?

The question concerning an exact date which defines the beginning of any nation is, for quite obvious reasons, very problematic. Nations develop and are formed in a long process – lasting decades or even centuries. It is possible, however, to identify certain decisive moments in that process; events that influence the collective consciousness and play a symbolic role in the shaping of national identity. Without any doubt, year 1776 – marking the beginning of the American colonists' open struggle for independence – is such a moment for the American nation. Nevertheless, Lincoln's thesis identifying the announcement of independence with the birth of the nation remains quite problematic.

Let us remind that the document in question is titled "The unanimous Declaration of the thirteen united States of America." The declaration is unanimous and the states are united in their unanimity. But united in what sense? Well, as Kendall claims, "[t]he thirteen states are 'united' for the purpose of declaring their independence, and so far as we can see no other purpose is even so much as mentioned in the remainder of the document" (*The Basic Symbols of The American Political Tradition* 75-76). Moreover, the document concludes with the assertion that "these United Colonies are and of Right ought to be free and independent states [...] and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do" (*The Declaration of Independence* 6). In other words, they retain all powers and prerogatives that – in the light of the international law – are owed to independent and sovereign states. Therefore the Declaration of Independence, contrary to Lincoln's claim, did not establish American independence as a nation. It rather established a baker's dozen of new, separate sovereignties. And, as the records of the state assemblies indicate, it was understood exactly in this manner at that time (Kendall, *The Basic Symbols of The American Political Tradition* 90).² "Contrary to what we may be taught in our institutions of higher learning", writes Kendall, "there is no pretense as of this moment that we are, legally speaking or otherwise, one people or nation" (*The Basic Symbols of The American Political Tradition* 75). Those observations find their confirmation in the text of The Treaty of Paris – formally ending the American war of independence in 1783. Its first article states that

² See also: Kendall, "Equality: Commitment or Ideal?" 29-30. Analogically, Bradford also claims that "the Declaration speaks for the independence of the separate individual colonies and thus belies Mr. Lincoln's purposefully mistaken chronology" (*A Better Guide Than Reason* 193). See also Bradford's remarks on the "plural voice" of the Declaration ("How to Read the Declaration: Reconsidering the Kendall Thesis" 46).

His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and Independent States ("Treaty of Paris").

Seven years after the adoption of the Declaration of Independence Great Britain acknowledges the independence of the thirteen separate states (former colonies) and not one, united, American state.

It seems much more justified to claim that it was the ratification of the Constitution of the United States that constituted the American republic and, accordingly, there is much stronger basis for acknowledging the year 1789 as the date marking the beginning of a new nation. Yet, if one claims that this nation existed already before 1789, there are no reasons to stick to 1776 as a marking date. One could easily adopt any date prior to 1776 – including year 1620 in which the *Mayflower Compact* was signed. As Kendall notes, "Lincoln is guilty of committing a very serious error, for he fixes our beginning as a people, any way you look at it, either at a point after our beginning or before it" (*The Basic Symbols of The American Political Tradition* 89). According to him it is the adoption of the Constitution (and only Constitution) that can legitimately be identified as the "founding" moment of both the American state and nation. The Ratification of the Constitution, he says,

essentially marks our beginning, for at this juncture we did through deliberative process—far more deliberative, candid and sober than those surrounding the adoption of the Declaration—set forth our supreme symbols. What is more, the fifty-five at Philadelphia knew precisely what their task or mission was, namely that of fashioning a new government for the separate thirteen colonies on such foundations and with such process that would allow for union (*The Basic Symbols of The American Political Tradition* 89-90).

It should be noted that the very Constitution, and especially its preamble, does not contain any references to equality as the nation's commitment or imperative value. And this is in spite of the fact that in its very beginning the document enumerates the goals for realization of which it was adopted: forming "a more perfect Union," establishing Justice, insuring domestic Tranquility, providing for the common defense, promoting the general Welfare, and securing "the Blessings of Liberty" (*The Constitution of the United States of America* 4). Equality – which, according to Lincoln, was to be a fundamental principle of the American state – was not enumerated by the Framers among the goals which should be achieved and secured by the future government of the Union. It is highly improbable that such omission was a result of an inattention.

There is, therefore, an evident discord between the Declaration of Independence and the Constitution of the United States. However, this discord becomes fully understandable if we examine the true meanings and role of the both documents as well as their mutual relations.

The Declaration of Independence – its original status and meaning

At first glance, the question seems quite simple. According to an interpretation that dominates in contemporary textbooks, the Declaration is a kind of preamble to the Constitution. While the latter defines in detail all "technicalities" and procedures

which regulate how the American government (and the Union as a whole) should work, the former is described as a source of certain fundamental philosophical and axiological assumptions underlying the American state. In this view, the Constitution was designed and adopted in such a way that it remains in accordance with those principles and conduces to their realization. However, such interpretation, as will be demonstrated, has very little to do with the Founding Fathers' original intentions. Rather, it results directly from the adoption by the American society of the consequences of Lincoln's Gettysburg Address.

The basic problem with contemporary reception of the Declaration of Independence consists in the fact that we tend to read it through the prism of our expectations, as well as contemporary democratic – and, what follows, egalitarian – sentiments. What directly results from such an attitude is a very selective reading of the document – focusing mostly on its second and, sometimes, last paragraph. Such reading does not lead to discovering the actual meaning of the document but rather confirms our prior assumptions and expectations. As a result, bemoans Bradford, we have plenty of scholars who take the task of interpreting the Declaration of Independence “to be belaboring of the obvious, even though they know very little about its text, its content, or the moment in history that produced it” (Bradford, “How to Read the Declaration: Reconsidering the Kendall Thesis” 45).

In contrast, as Kendall and Bradford unanimously argue, a reading of the Declaration of Independence should take into consideration both its historical context and its actual purpose. Only contextual and complex reading reveals the true sense and meaning of the document. And according to them it is exactly the middle part of it – usually omitted and treated as least important and least interesting – that constitutes its essence. It was most important for its signatories and it allows us to understand the real meaning of the Declaration as well as its political and legal function. Not accidentally the greater part of the document consists of the list of King George's offenses committed against American colonists. This long enumeration provided the clear evidence for his despotism. And it was an “absolute Tyranny” that was regarded by the Founders as a main legitimate justification for abolishing and altering the government.³ Which brings us to the main and quite obvious (although, surprisingly, quite often forgotten) reason for the adoption of the Declaration. It was written, adopted and announced to declare the independence of English colonies in America from Great Britain. Merely enough and so much. By no means was the Declaration perceived by its signatories as the source of political or moral principles defining the character and functions of the future American government. Its purpose was not to define any national *telos* or to announce commonly accepted and binding lists of political values. Actually, there was no political or civil body that could be obliged to respect such a goal or values, at that time; the Declaration's basic, if not sole, purpose was to “to dissolve the political bonds” which heretofore connected the colonists with Great Britain. It was, using the words of Bradford, a “political act of divorcement” (“How to Read the Declaration: Reconsidering the Kendall Thesis” 47).

The actual purpose of the document is explicitly defined in its first paragraph which states that “when in the Course of human events it becomes necessary for one

³ Obviously, the argumentation of the Declaration of Independence in this respect relies heavily on John Locke's *Second Treatise of Government*.

people to dissolve the political bands which have connected them with another [...] a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation" (*The Declaration of Independence* 5). Therefore the Declaration of Independence was nothing else but a kind of juristic apology written by American lawyers and addresses to their British counterparts (as well as to the European "public opinion"). It was an explanation of reasons that forced the colonists to separate from the Crown. Indeed, Thomas Jefferson included into the second paragraph a fragment about "unalienable Rights" as well as the "equality clause" but he did so only in a broader context of his work – namely, Locke's social contract theory and nations' right to rebel against an unjust government. Therefore his use of "equality" merely served as an additional justification of the separation and not as a declaration of any principal goal or quasi-constitutional principle of the future American government. The intention of those who signed under the statement that "all men are created equal" was merely to state the equality of the Americans (precisely: the citizens of American colonies) to, say, British or French. The drafters of the document simply expressed the view that "the Americans are equal to the British and are, therefore, as free as the British to establish a form of government which shall seem most likely to effect their [American] safety and happiness" (Kendall, *The Basic Symbols of The American Political Tradition* 155).

In other words, the famous "equality clause" which is so often quoted and evoked by scholars dealing with the American political tradition, actually had much more limited meaning and purpose that contemporary readers of the document (following Lincoln's Gettysburg Address) tend to attribute to it. And, by the same token, the original purpose of the Declaration of Independence – as well as its legal and political status – was for many decades much different from what can be read in most of today textbooks. Which leads us to another problem connected with Lincoln's speech.

The normative character of the Declaration of Independence

According to the logic of the Gettysburg Address the American nation from its very beginning was "dedicated" to the "proposition that all men are created equal." In the view of what has been already said, this statement cannot stand – as it is based on the previous two assumptions that had already been dismissed. If it is doubtful whether the American nation was indeed "conceived" in 1776 and, consequently, if the Declaration of Independence was not – at the moment of its adoption – a quasi-constitutional, normative document binding further American governments, then also the assumption about the *teleological* character of American politics – whose "mission" is to actualize the idea of equality of all men' – must fall.

The problem in question is of utmost importance as at a certain point in American history the second sentence of the Declaration of Independence started to be interpreted in such a way which gave liberal politicians and intellectuals a mandate to reconstruct the American society in more and more egalitarian fashion. Yet it is very doubtful whether the Declaration actually does give such a mandate.

The document, argues Bradford, creates no authority at law. It does not mandate any legislation or policy. It alters the status of no man or woman [...]. It is not a prologue to

the United States Constitution. [...] The Declaration neither obligates nor binds Court or Congress in any way—as American statesmen specify repeatedly in the period running from 1790 through 1820 (“How to Read the Declaration: Reconsidering the Kendall Thesis” 47-48).

Obviously, the Supreme Court referred to the Declaration of Independence many times in its rulings but those references occur relatively late in American history: the first happened in 1882 (and in the whole 19th century it happened only twice), while the rest of such cases took place already in the second half of the 20th century (49). In other words, the practice of referring to the Declaration – as the source of guidance, or interpretation of the Constitution began only after Lincoln’s Gettysburg Address. This fact seems to confirm that before the Civil War the Declaration was not perceived by Americans (including American lawyers, judges and politicians) as a document of institutional and quasi-constitutional character. It started to be treated as such only in result of its re-interpretation done by the sixteenth president.

Even if we assume that some of the most far-sighted signatories of the Declaration already anticipated that some common government – uniting all thirteen colonies – would be established in the future on the American soil, still

[...] the Declaration itself gives us no guidance on how or in what ways such government ought to be built. Put otherwise, in no sense can the Declaration be considered a manual for the construction of government, and those who prefer to read it as such had better go back to the text. The only morality of the Declaration on this score is that the people retain the right to institute a new government on such principles and in such a way as to them seems most conducive to the goals of safety and happiness (Kendall, *The Basic Symbols of The American Political Tradition* 83).

The foregoing interpretation – denying both the quasi-constitutional status of the Declaration of Independence and its normative character as a document setting basic goals for government – seems to be confirmed also by the fact that none of the state constitutions, adopted shortly afterwards the Constitution makes reference neither to the Declaration as a whole nor to its “equality clause”. The Declaration of Independence as, for example, the constitutions of South Carolina, New Hampshire, New York, or Connecticut illustrate, does not mark any revolution in the American political tradition—a revolution in a sense of new commitments or symbols (Kendall, *The Basic Symbols of The American Political Tradition* 92-94).⁴ It is rather Lincoln’s Gettysburg Address that marks such a revolution.

Put still otherwise, to speak as Lincoln does about binding commitments of the Declaration, on the face of it, is not at all convincing for one who wants to argue, as we presume

⁴ An interesting, although a bit different, interpretation of that problem is presented by Harvey Mansfield. Thomas G. West summed it up in the following way: “The Constitution was written to secure the natural rights named in the Declaration. But once written, it took on a life of its own, independent of the doctrine that gave rise to it. The Constitution, and no longer the principle that ‘all men are created equal’, now became our regime or *arche* or principle, our authoritative beginning that shapes and forms us and makes us what we are. We now understand ourselves (or once did), Mansfield argues, as a constitutional people, no longer as a revolutionary people standing against oppressive government in the name of natural rights” (West 237).

Lincoln would, about obligation in the same sense as the consent theorists. Those who would want to renege on the alleged promises would have more than one reason to say: "We know nothing about the binding commitment you suggest. The document in which you presumably find that commitment does not bind us. It is merely a declaration which states our reasons for separation from Great Britain. It was not intended to be, nor is it, a document which binds us to commitment as a nation and people" (Kendall, *The Basic Symbols of The American Political Tradition* 90).

In the light of the above, the position of equality – treated as the basic value upon which the American society was built – seems to be very problematic, to say the least. The term "equality" indeed appears in 1776 and then, as Kendall notices, simply disappears from American political vocabulary. It disappears

[...] as the ink dries on the Declaration of Independence, and is not heard of again, to all intents and purposes, until Abraham Lincoln reminds his contemporaries of the language of the Declaration and begins to insist that America has failed to live up to one of its deepest commitments And when equality finally reappears in a great public document [namely in the Fourteenth Amendment – M.G.] it does so in a form not of equality simply, but equal protection of the laws, which neither that generation nor the two subsequent generations appear to have interpreted as a promise of equality, at least not equality of the kind that our Supreme Court now seems ready to champion (*The Basic Symbols of The American Political Tradition* 14).

American political experience – *monocratic* or *teleocratic*?

The argumentation of the Gettysburg Address leads to the conviction about the *teleocratic* character of American state.⁵ If, as Lincoln claimed, the American nation was from its very beginning "dedicated to the proposition that all men are created equal", then actualization of that proposition should become a superior objective of American state. This is not merely some abstract philosophical conviction but a normative assumption which defines goals and objectives as well as certain desired conditions which should be accomplished. It imposes on the American nation a duty to act. The latter results explicitly from Lincoln's speech, which states: "It is for us the living [...] to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us – that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion [...]" (Lincoln 163).

As the foregoing quote demonstrates the Gettysburg Address performs a re-interpretation of the American political tradition in a clearly *teleocratic* manner. It assumes a purposeful character of the American state and imposes upon it an obligation to actualize certain moral and philosophical suppositions upon which American nation was built. It is also noteworthy that this obligation – as it is presented in

⁵ The concept of *teleocratic* – as opposed to *monocratic* – political community is elaborated by Michael Oakeshott in his work *On Human Conduct*. Conceptual apparatus developed by him was adopted by Bradford in reference to his analysis of the American political tradition.

Lincoln's speech – has a character very close to God's order and the language skillfully used by the president strengthens such impression. The field of the battle was "consecrated" by the blood of fallen soldiers and the use of the opening „Four score and seven years ago" – instead of simple "eighty seven" – clearly refers to biblical rhetoric (Bradford, *A Better Guide Than Reason* 190).

In this respect the Gettysburg Address continues the long tradition (going back to the beginnings of English settlement in America) of thinking about America as a "city upon a hill" – a place where ideas of perfect justice and equality would find their implementation; a place where God's perfect plan would be actualized.

This strongly missionary and *teleological* understanding of the American political tradition obviously has its contemporary references. The progressing democratization of the American society made an argumentation referring to equality – as the basic and imperative principle of social and political order – much more attractive that it was possible in Lincoln's time. Moreover, it transformed the understanding of equality referring it not merely to legal and political procedures but also to the economic and material sphere. The advocates of a welfare state, affirmative action and excising any "structural" social inequalities, not without some reason, argue that strictly procedural political equality is a fiction if it is accompanied by a radical material inequality. Therefore modern egalitarians willingly use the Declaration of Independence and its "equality clause" to justify different policies of "leveling chances" – claiming that their postulates are perfectly validated by the basic American founding document. Just as Lincoln did in 1863, they present their actions as the attempt to realize the oldest and most fundamental American ideals.

Obviously, the foregoing argumentation is hugely problematic. There can be no doubts that the understanding of equality championed by contemporary egalitarians has very little to do with that cherished, in greater or smaller degree, by the Founding Fathers. Nevertheless, it is equally obvious that such contemporary understanding of the matter dominates in the political discourse of the 21st century and that the re-interpretation of American political tradition done by Lincoln in his famous speech became a durable element of the American Creed – challenged today only by the most unregenerate paleoconservatives (especially ones who refer in their works to the tradition of the anti-bellum South).

The question which begs for an answer in this situation is: how is it possible? Why do Americans refer to the ideals of the Founders while justifying contemporary leveling policies although – as careful and critical reading of their writings, speeches and founding documents clearly shows – our understanding of the meaning and the status of equality in the American political system is so different from theirs? What were the reasons of undeniable success of the rhetoric used by Lincoln in the Gettysburg Address? Was it just a skilful manipulation? Such explanation seems much too oversimplified to be satisfying. Without any doubts the Union's victory in the Civil War played a significant role here. There is certainly a lot of truth in the saying that history is written by the victors. After the victory of the North – fighting for the abolition of slavery – there was practically no one who could openly (and successfully) question the interpretation of the American political tradition proposed by Lincoln in the Gettysburg Address. Although, as many scholars has noted, the issue of slavery was merely one of the many causes of the military conflict, the post-war historiography focused almost entirely on it – presenting (quite

as Lincoln would probably wish) the war between the Union and Confederacy as a struggle about the possibility of securing freedom and equality to all inhabitants of the American republic.

The Civil War (as in any nation's case) was, without a doubt, one of the most traumatic events in the history of American nation. The remedy for such a trauma could only take form of a narration based on a myth – a myth oriented around the most noble goal that could be achieved thanks to the, regrettable but necessary, bloodshed.

Also the assassination of the sixteenth president – who led the nation during the noble fight for freedom – had its significance for solidifying the myth of equality as the imperative principle of the American state. The cause of equality was, in a way, consecrated by the blood of the martyr (exactly as it was two years later by the blood of soldiers who fell at Gettysburg). Thus Lincoln's myth – which sometimes reaches the level of deification – supported the myth of equality in a way which is difficult to overestimate.⁶

However, yet another explanation of that phenomenon is possible. At the beginning of the 21st century we live in the reality of radically (as compared to previous epochs) democratic and egalitarian society. Equality, in turn, is a supreme principle of democratic regime – as thinkers from Plato to Tocqueville repeatedly noticed. Its position and status in democracy seems to be unquestionable. It does not mean, however, that it does not require any justification. Such justification may take many different forms and one of them has a mythological character. It is possible that Americans want to believe that those were the Founding Fathers – those national giants and semi-heroes – who actually offered them this understanding of equality which they widely share today (even if historical documents attest something opposite). Such belief adds certain tinsel and dignity to the contemporaries' political values. The Founders' charisma legitimizes contemporary understanding of equality much deeper and much more efficiently than even the most sophisticated philosophical treaties of 20th-century egalitarians. It is that king of legitimization which can be provided only by the myth.

At the same time, such mythological legitimization is also an excellent tool which can be used in current political and ideological debates. Making reference to the authority of the Founders has always been quite an efficient argument in the case of society which possesses such a strong civic religion. First, it disarms the opponent and second, it exempts from the obligation of providing a rational, valid argumentation. And this is how the myth of equality – treated as the imperative value in the American Creed on which the American society has been founded – is harnessed to legitimize American liberal democracy at the turn of 20th and 21st century.

⁶ And so Richard Hofstadter claims that the "Lincoln legend has come to have a hold on the American imagination that defies comparison with anything else in political mythology" and he reminds that John Hay once described the sixteenth president as "the greatest character since Christ" – a comparison, notes Hofstadter, "one cannot imagine being made of any other political figure of modern times" (93). On the subject of Lincoln's idealization and deification also see: McClellan 45; Bradford, *The Reactionary Imperative* 219-220; Bradford, *Remembering Who We Are* 143; Bradford, *Against the Barbarians and Other Reflections on Familiar Themes* 231.

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