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Thomas Jefferson's Declaration of Independence and King Wu's First Great Pronouncement*

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Abstract

Documents that legitimate the overthrow of an old regime and the establishment of a new one may look similar simply because of similar political needs. Thomas Jefferson's Declaration of Independence justifies rejection of the king and of monarchy itself. It shares a rhetorical structure with a Han-era reconstruction/forgery of a speech by King Wu, who overthrew the Shang dynasty and established the Zhou state in the name of a new, non-ancestral deity, Heaven. Scholars have traced many influences on Jefferson's thinking and on the content of the Declaration, but none accounts for its structure. A full translation of the *Shang Shu* or *Book of History/Documents* was published in French several years before the Declaration was written. We know that Jefferson himself had already read about China before 1776, for we have a letter in which he recommends Chinese translations to a relative. It is *possible* – although it cannot be definitively shown – that he had read King Wu's Pronouncement and had it in mind when writing the Declaration. Whether or not the *connection* exists, the *comparison* of the two texts can be pedagogically useful in history classes.

Keywords

Ancient China, American Revolution, Thomas Jefferson, legitimation, regime change, Declaration of Independence, Classic of History, monarchy, Mandate of Heaven

In 1776, Britain dominated its American colonies not only with military might, but also with a long-recognized claim to sovereignty and the cultural force of an older, wealthier mother nation. To establish their independence, the colonies used a theory and rhetoric that transcended these legitimations of domination. Similarly, in 1045 BCE, Shang (1554–1045 BC) dominated North China not only through its bronze-age aristocratic army, but also through culture and religion, basing its claim to rule on the grace

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of its very powerful ancestors. The vassal Zhou people adopted Shang bronze ritual vessels and communication with ancestors through “oracle bones,” but after a couple of generations, Zhou leaders forged a military alliance with other groups to overthrow Shang, developing a new theory and rhetoric that transcended Shang claims.¹ That “Mandate of Heaven” ideology developed further over the long, intellectually fruitful course of the Zhou period (1045–256 BC) and was adopted by the Han dynasty (206 BC–AD 220). Han rulers and officials welcomed the “discovery” of new ancient texts to supplement the genuinely old speeches/inscriptions that had survived the Qin (221–206 BC) prohibitions. The resulting recreations or forgeries were accepted as genuine until the twentieth century. They naturally reflect not only the Shang-Zhou transition, but also Han ideological values of meritocratic selection of officials and government concern with the livelihood of (tax-paying) commoners. “Ancient” texts written in five different periods thus appear side by side in the *Classic of Documents* or *Book of History* (*Shang Shu* or *Shu Jing*), one of the Five Classics studied and memorized as the heart of classical education and political rhetoric into the twentieth century.²

Both the American founding fathers and the Zhou conquerors publicly declared their intentions and their new claims. And despite the vast differences in their political philosophies, there are great similarities between the Declaration of Independence and the first Zhou-era text in the *Classic of Documents*, variously translated as “The Great Pronouncement” or “The Great Declaration” (*tai shi shang*). The Chinese text is a late Han recreation of the first part of a speech given in 1047 BC by Fa, King Wu of the Zhou, leader of the middle generation of the Zhou founders.³ I will show that the

¹ On the Shang-Zhou transition, see Edward L. Shaughnessy, “Western Zhou History,” in Michael Loewe and Edward L. Shaughnessy, eds., *The Cambridge History of Ancient China*, (Cambridge: Cambridge University Press, 1999).

² Michael Nylan, *The Five “Confucian” Classics* (New Haven, CT: Yale University Press, 2001), 130 and notes. The classic *Documents* contains both texts dating from very close to the Zhou conquest and texts purporting to be more ancient, but that were written at several later periods, up to about 300 AD. The “Taishi” text has a convoluted history, but for the purposes of this article what matters is this received version, combining traces of antiquity with Han predilections.

³ The “Great Declaration, One,” in full text and as translated by James Legge, appears at <<http://ctext.org/shang-shu/great-declaration-i>>, and in James Legge, *The Shoo King, or the Book of Historical Documents* (Hong Kong, 1865; various reprints), 281–88. “Tai-tchi... Première Section,” translated from Chinese into French by Father Antoine Gaubil, in G. Pauthier, *Les Livres Sacrés de l’Orient, comprenant le Chou-King, ou le Livre par excellence...*, (1770; reprint Paris, Société du Panthéon Littéraire, 1842), 84–85.

two documents resemble each other closely in overall structure, and then consider whether this might be more than a coincidence. Scholars have shown that men such as Benjamin Franklin and Thomas Jefferson had a lively interest in China and read French translations of Chinese classics. There is at the very least a heuristic value in comparing these two “declarations.”

A Comparison of Rhetoric Legitimizing Regime Change

The Declaration of Independence used an existing form of political document in English tradition to make the case for independence, perhaps chiefly to the American public, but also to the British government and to potential allies or enemies such as France, Spain, and the Iroquois Confederacy.⁴ Jefferson first argues that breaking long-standing political relations requires public explanation, and he refers to a higher order of law than that which had constituted the old relations:

When, in the course of human events, it becomes necessary for a people to dissolve the political bonds which have connected them with another, and to assume among the powers of the earth, the equal and independent station to which the laws of nature and of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the change.

King Wu also explicitly addressed his public in 1047 B.C. – a group of 800 local lords and his own Zhou headmen:⁵

In the spring of the thirteenth year, there was a great assembly at Mengjin. The king said, You who are the hereditary rulers of my friendly States, and all you officers who manage my affairs, listen attentively to the orders which I give you.⁶

⁴ Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York: Knopf, 1997), 20, 42, 50–51 (on earlier examples in the genre of the “declaration”), 130–31 (arguing that the Declaration of Independence was mainly for domestic consumption), 253n79.

⁵ Shaughnessy, “Western Zhou,” 309.

⁶ Jefferson, if he read King Wu's Pronouncement, read it in French, so my English translation reflects the French version, rather than from the Chinese. The standard translation into English, made by James Legge in the nineteenth century, was the basis of my reading and is more accurate than the earlier French translation. Where the French wanders too far from the Chinese, I call the reader's attention to it. Gaubil: “Au printemps de la treizième année, il y eut une grande assemblée à Meng-tsin. Le roi dit: Vous qui êtes les respectables

King Wu spoke to the leaders of small polities whose aid he wanted, and to the personnel of his own house and state, referring to the latter as *shu shi*, “the various gentlemen,” a binome combining two terms that later came to mean “commoners” and “gentry.” Since the Zhou aims at conquest, not independence (although the Shang were granted a fief within the Zhou system), he does not refer to any “separate and equal station,” but he does quickly turn to “nature’s god,” often just “Heaven” (*Tian*), here Heaven and Earth. He says:

Heaven and Earth are the father and mother of all beings. Man, among all the beings, is the only one endowed with intelligence; but a king ... being superior by his justice and his discernment, becomes the father and mother of the people.⁷

Heaven and Earth were understood variously as both complementary impersonal natural forces – not unlike a Watchmaker who conscientiously undertakes repairs and maintenance – and as gods who acted with intention to reward virtue and punish wrongdoing. Of the two, Heaven ranked higher. And Heaven first appears in the written record right around the time of the Zhou conquest, at the center of a new ideological justification for rule that appears in the genuinely old parts of the *Classic of Documents* as well as in the later forgeries.⁸ Shang rule had been legitimated by the blood connection of the king to powerful royal ancestors who controlled the forces of nature, and by his bloody pursuits: war, the hunt, and plentiful animal and human sacrifice.⁹ The Zhou, while continuing those pursuits, also created a broader justification for rule: the command or Mandate (*ming*) of Heaven, a deity who was not an ancestor, and who cared about the good of “the people” (*min*). Who were “the people”? In early Zhou, the armed aristocracy and the Zhou clansmen – but just as Jefferson’s “all men are created equal” initially excluded non-whites, women, and others, yet

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seigneurs des royaumes voisins, vous qui êtes préposés au gouvernement des affaires at au commandement des troupes, écoutez attentivement les ordres que j’ai à vous donner.” Citations for the translations are in note 3 above.

⁷ Gaubil: “Le ciel et la terre sont le père et la mère de tous les êtres. L’homme, entre tous ces êtres, est le seul qui ait l’intelligence en partage; mais un roi doit l’emporter par sa droiture et par son discernment; étant supérieur par sa droiture et son discernement, il devient le père et la mère du peuple.”

⁸ The first mention of the “Mandate of Heaven” occurs in the genuinely ancient Grand Announcement (*Da Gao*) in the *Classic of Documents*. Shaughnessy, “Western Zhou,” 314.

⁹ Most scholars of Shang have argued that a god called “Di” ranked above the royal ancestors. But all instances of the term can be understood as referring to a group of ancestors; see Robert Eno, “Was There a High God Ti [Di] in Shang Religion?” *Early China* 15 (1990).

came to inspire civil liberation movements of many kinds, so the definition of “the people” slowly expanded over the course of Chinese history, until the livelihood and moral character of the laboring classes became a matter of real concern and substantive policy, to some degree by Han times, and certainly a millennium and a half later under the Qing.¹⁰

Jefferson then explicates the new theory of the foundation of rightful government – not his own, of course, for as he wrote later he thought it “no part of my charge to invent new ideas altogether,” but perhaps a theory ne’er so well expressed:¹¹

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it. ...

Again a difference appears. The colonists whose views Jefferson distills had come, reluctantly, perhaps out of mere necessity, to reject not merely the rule of George III but monarchy in general.¹² Jefferson is justifying a new, democratic, form of government. King Wu is advocating merely a change of royal house, not the abolition of monarchy or the consent of the governed to their monarch. The difference is immense. Nevertheless, the Zhou claim was revolutionary: that since Heaven has endowed all men with spiritual intelligence, the monarch should be the most intelligent of men and responsible to Heaven, rather than the heir to the Shang royal bloodline responsible to his ancestors. Indeed to back up their innovative claims, Zhou destroyed most of the written heritage of Shang and invented a good deal of earlier history.¹³

¹⁰ See for instance, R. Bin Wong, *China Transformed: Historical Change and the Limits of European Experience* (Ithaca, NY: Cornell University Press, 1997).

¹¹ Thomas Jefferson, letter to James Madison, 30 Aug. 1823 (cited in Gawalt, see below), written in private response to a public attack by Timothy Pickering, who had elicited from John Adams a letter commenting on Jefferson’s lack of originality. Widely quoted, the letters are discussed in Edward Dumbauld, *The Declaration of Independence and What It Means Today* (Norman: University of Oklahoma Press, 1950), 13, and appear in Gerard W. Gawalt, “Drafting the Declaration,” in Scott Douglas Gerber, ed., *The Declaration of Independence: Origins and Impact* (Washington, DC: CQ Press, 2002), 1–15.

¹² Maier, *American Scripture*, 58, goff.

¹³ Herrlee Creel, “The Decree of Heaven” in his *The Birth of China* (New York: Frederick Unger, 1937), 367–380.

Before entering upon the catalogue of colonial grievances, Jefferson points to colonial patience. The English Bill of Rights, on which this list was modeled, and Jefferson's own preamble to the Virginia Constitution, from which much of it was taken verbatim, share a format that differs from the Declaration, as scholars have pointed out.¹⁴ Where the two earlier documents have "By putting his negative on laws the most wholesome and necessary for the publick good," for instance, the Declaration substitutes a more direct charge against George III: "He has refused his assent to laws, the most wholesome and necessary for the public good." The English Bill of Rights had blamed, alongside James II, "divers evil counselors, judges and ministers employed by him." By the spring and summer of 1776, much American rhetoric had shifted to blaming solely the King.¹⁵ That shift made possible the more dramatic language of the Declaration and its long list of charges against the King beginning with "He has."¹⁶ The list includes some that sound faintly like charges in King Wu's Pronouncement, as we will see below:

... He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. ...

He has erected a multitude of new offices and sent hither swarms of officers to harass our people, and eat out their substance. ...

He has affected to render the military independent of and superior to civil power. ...

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people. ...

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation. ...

He has excited domestic insurrection amongst us and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions. ...

¹⁴ Dumbauld, *Declaration*, 20–21, with the full texts of the English bill and the preamble provided on 162–67. The change is pointed out, for example, in Frank Donovan, *Mr. Jefferson's Declaration: The Story Behind the Declaration of Independence* (New York: Dodd, Meade, 1968), 130–31.

¹⁵ Maier, *American Scripture*, for example, 38, 71, 83–84.

¹⁶ The list was adopted with minimal edits (except for the removal of condemnation of the slave trade and worries about slave insurrection) and has been analyzed into three groups by Pauline Maier. Maier, *American Scripture*, 105–23.

John Adams wrote in 1822 that he had objected to this focus on the King, “for I never believed George a tyrant in disposition and in nature; I always believed him to be deceived by his courtiers on Both sides of the Atlantic, and in his official capacity only, cruel.”¹⁷ But public opinion at the time did blame the King, who held (in Thomas Paine’s words) “the pretended title FATHER OF HIS PEOPLE,” and whom the colonists had petitioned “as children to a father,” according to one town declaration.¹⁸ None of the earlier local declarations Pauline Maier provides takes quite this form,¹⁹ but Jefferson, wishing the document to be read aloud,²⁰ saw the dramatic potential of such a litany of direct accusations.

So did the Han dramatizers of King Wu’s speech. Picking up where we left off, he continues:

But now, Di Xin,²¹ the king of the Shang dynasty, has no respect for the Highest Heaven, crushing the poor people with calamities. Abandoned to drunkenness and reckless in lust, he has dared to exercise cruel oppression.

He has extended the punishment of offenders to all their relatives.

He has put men into office on the hereditary principle.²²

He has made it his pursuit to have palaces, towers, pavilions, embankments, ponds, and all other extravagances, to the most painful injury of you, the myriads of the people.

He has burned and roasted the loyal and good.

He has ripped up pregnant women.

¹⁷ John Adams, letter to Timothy Pickering, 6 Aug. 1822, quoted in Gawalt, “Drafting the Declaration,” 13.

¹⁸ Thomas Paine, *Common Sense*, quoted in Maier, *American Scripture*, 33. Palmer, Massachusetts, declaration quoted in *ibid.*, 78. See also 83–85 for the turn against the King and a reference to Britain as “a parent state.”

¹⁹ See Maier, *American Scripture*, Appendix B, and also the lineage chart of the Declaration, 166, which affiliates the list of crimes to only the preamble (which she calls Jefferson’s first draft of the Declaration, 48) and the English Bill of Rights.

²⁰ Maier, *American Scripture*, xvi, 131. While the Declaration was a written document meant to be read aloud, King Wu’s Pronouncement was originally a speech, which was later written down.

²¹ Legge and Gaubil use different romanizations, and we use yet a different one now. I have altered proper names to pinyin. But this last Shang king was very confusingly named “Zhou,” so his name has been romanized as Chow and Shou to distinguish him. The *Cambridge History of Ancient China* calls him Di Xin (r. 1086–1045 BC) and I follow suit.

²² Although Li Feng has recently demonstrated that the Western Zhou (1045–771 BC) did place some officials on a non-hereditary basis, this line in particular sounds like a Han anachronism. Feng Li, *Bureaucracy and the State in Early China: Governing the Western Zhou* (Cambridge: Cambridge University Press, 2008).

The French version also puts the blame squarely on the King, not on his advisors, making him the active subject of each sentence:

Aujourd'hui [Di Xin], roi de la dynastie de [S]hang, n'a aucun respect pour le ciel suprême, accable de calamités le pauvre peuple. Ce roi est livré au vin et à la débauche; il se plaît à exercer des cruautés inouïes; lorsqu'il punit, la punition s'étend sur toute la famille; s'il donne des dignités, il les rend héréditaires. Il fait des dépenses excessive en maisons de plaisance, en tours, en pavillons, en chaussées et en lacs; il épuise les peuples par ses exactions; il fait mettre en broche et rôtir les gens de bien et ouvrir le ventre des femmes enceintes.²³

After listing Di Xin's crimes, King Wu turns to the response of Heaven and its obedient servant Zhou:

August Heaven was provoked to put into the hands of my illustrious father its awesome powers; but my father was not able to execute the orders of Heaven [before he died].²⁴

Jefferson reports repeated petitions for redress and repeated injuries, and concludes:

... A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

It is no mere subjective judgment to call George III a tyrant, the Declaration says: in the light of his refusal to amend his behavior, it is fact. And Jefferson points out the many appeals the colonists have made to other Britons for relief from the oppressive Acts of Parliament. Likewise, King Wu, whose relations with other Shang vassals have been better than that of the colonists with the Britons, continues that they have all tried to remonstrate with the Shang king, only to be met with arrogance sufficient in itself to prove the King's power illegitimate. Not in his personal judgment! but in common truth:

On this account, I, Fa, a man of little means [or low status], and you who command the neighboring kingdoms, we have investigated the government of

²³ The French translation also uses the present tense – there are no real tenses in Chinese, so the choice is up to the translator – rather than the present perfect as in Jefferson's Declaration.

²⁴ Gaubil: "L'auguste ciel irrité a mis entre les mains de mon illustre père n'a pu achever d'exécuter les ordres du ciel." Legge: "Great Heaven was moved with indignation, and charged my deceased father Wen to display its terrors; but [he died] before the work was completed."

Shang.²⁵ The King Di Xin does not think about reforming his conduct. Peacefully in his State, he does not render any more his duty either to his sovereign Lord (Shangdi) [a transitional term probably equivalent to Heaven] nor to the spirits; he no longer carries out the rituals in the hall of his ancestors, he lets thieves take the animals and other things intended for sacrifices. Therefore I say, since it is I who has charge of the people and who has received the Mandate of the ruler, should I not fix this disorder?²⁶

This is one place where the French is far off from the Chinese and does not adequately convey the arrogance of Di Xin. James Legge has:

But Di Xin has no repentant heart. He sits squatting on his heels, not serving God nor the spirits of heaven and earth, neglecting also the temple of his ancestors, and not sacrificing in it. The victims and the vessels of millet all become the prey of wicked robbers, and still he says, "The people are mine; the (heavenly) appointment is mine," never trying to correct his contemptuous mind.

The overall message, however, is the same: Di Xin by his bad character and governance has sacrificed the Mandate, and the Zhou has received it. King Wu continues:

Heaven, to aid and assist the people, gave them princes, and gave them teachers or clever chiefs. These are the ministers of the sovereign Lord (Shangdi) to rule the empire pleasantly and with sweetness; to punish the guilty and reward the good. How dare I act in a manner contrary to its intentions?²⁷

The penultimate paragraph of the Declaration continues that having been cast off by their British brethren the colonies must "acquiesce in the

²⁵ "guan zheng yu Shang" Legge translates this as "contemplated the government of Shang." But this does nothing to set up Shou's repentance or lack thereof, so the next sentence becomes a non-sequitur. The *Hanyu da cidian* 10/359 gives for *guan zheng* "*cha zhi zheng qing*," where *zhi* can mean "to tell, or to make to know" (*Hanyu da cidian* 7/1525) or "to investigate and make known the conditions of government."

²⁶ "C'est pourquoi, moi, Fa, homme de peu de moyens, et vous qui commandez aux royaumes voisins, examinons le gouvernement des [S]hang. Le roi [Di Xin] ne pense point à réformer sa conduite; tranquille sur son État, il ne rend plus ses devoirs ni au souverain Seigneur ([S]hang-[d]i), ni aux esprits; il ne fait plus les cérémonies dans la salle de ses ancêtres; il laisse prendre par des voleurs les animaux destinés aux offrandes, et les autres choses; je dis en conséquence, puisque c'est moi qui suis chargé des peuples, et qui ai reçu le mandat de les gouverner, ne dois-je pas remédier à ce désordre?"

²⁷ Gaubil: "Le ciel, pour aider et assister les peuples, leur a donné des princes, leur a donné des instituteurs ou chefs habiles. Les uns et les autres sont les ministres du souverain Seigneur ([S]hang-ti) pour gouverner l'empire paisiblement et avec douceur; pour punir les coupables et récompenser les bons. Comment oserais-je agir d'une manière contraire à ses intentions?"

necessity” of severing ties. The last paragraph begins with a statement of unity, righteousness in the eye of God, and sacred duty:

We, therefore, the Representatives of the United States of America, in general congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies....

Similarly, King Wu, introducing his next section with a proverb, concludes by invoking the unity of his rule and his regime, the righteousness of their cause in the eyes of Heaven, and sacred duty to honor Shangdi and Earth:

“Where the strength is the same, measure the virtue of the parties; where the virtue is the same, measure their righteousness.” The king [Di Xin] has at his command an infinity of soldiers who all have different opinions; I have a mere three thousand, but they have but one mind. The crimes of the king of Shang are at their fullest; Heaven ordains that he be chastised, and if I do not conform to the orders of Heaven, I will be complicit with [Di Xin].

Every day I tremble, and watch myself. I have succeeded to the rights of my illustrious father; I have carried out, in honor of the Sovereign Lord (Shangdi), the appropriate ritual; and in honor of the earth the proper ritual; and I place myself at your head to apply the chastisements decreed by Heaven.²⁸

Jefferson's final paragraph declares the independence of the colonies as the new basis for the formation of governments in those states. In the words of Pauline Maier, “the whole point ... lay not in the ending of an old regime, but in the founding of a better one.”²⁹ Similarly, King Wu seems to promise a better government, one founded on the fulfillment of the people's needs for security and livelihood: “Heaven favors the people: what the people desire, Heaven is eager to give them.”³⁰

This was a common theme: in his next speech, King Wu says: “Heaven sees as my people see; Heaven hears as my people hear.” As pointed out

²⁸ Gaubil: “Lorsque les forces sont égales, il faut avoir égard aux talents; si les talents sont égaux, il faut avoir égard à la droiture du cœur. Le roi [Di Xin] a sous ses ordres une infinité de soldats qui tous ont des sentiments différents; je n'en ai que trois mille, mais ils n'ont tous qu'un même sentiment. Les crimes du roi de [S]hang sont à leur comble; le ciel ordonne qu'il soit châtié, et si je ne me conforme pas aux ordres de ciel, je serai complice du [Di Xin]. Tous les jours je tremble et je m'observe. J'ai succédé au droit de mon illustre père: je fais, à l'honneur de souverain Seigneur ([S]hang-[d]i), la cérémonie Loui; à l'honneur de la terre, la cérémonie Yi, et je me mets à votre tête pour appliquer les châtiments décrétés par le ciel.”

²⁹ Maier, *American Scripture*, 95.

³⁰ Gaubil: “Le ciel a de la prédilection pour les peuples: ce que le peuple désire, il s'empresse de le lui accorder.”

above, while King Wu probably thought only of the good of his immediate clansmen and other aristocratic allies, the terms expanded into a commonly accepted understanding that the ruler should secure the livelihood of the people. Like all legitimating ideas – including the idea that “all men” have equal rights to “life, liberty and the pursuit of happiness” – this one received more lip service than it produced real results, but nevertheless played an important role in politics over the centuries.

Both documents end with a final appeal for united action, the one led by a new monarch, the other by a group:

All of you, aid me to assure for ever the peace of all regions within the four seas; when the moment presents itself, it should not be lost.³¹

... And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

More than fifteen centuries divide these two political declarations, yet they share, section by section, an intriguingly similar rhetorical structure.

Connections, Echoes, and Common Sense

Before discussing the possibility of a connection based on Jefferson's voracious reading habits and the existence of a French translation before 1776, I must establish several points about the nature of his authorship of the Declaration. Jefferson's Declaration, in Pauline Maier's words, “restated what virtually all Americans – patriot and Loyalist alike – thought and said in other words in other places.”³² In fact, even in the same words. As Frank Donovan puts it, “Perhaps no writer in history has been more widely accused of plagiarism.”³³ Jefferson's contemporaries and later scholars have traced every paragraph, indeed almost every phrase in the Declaration not only to the common ideas of the day (to which Jefferson naturally had to appeal), but to texts including the writings of John Locke and Tom Paine; the English Bill of Rights of 1689; Jefferson's own *Summary View of the Rights of British America* (1774); the Congressional resolution with preamble by John Adams adopted in May 1776; and the Virginia Constitution, both its

³¹ Gaubil: “Vous tous, aidez-moi à affermir pour toujours la tranquillité des contrées situées entre les quatre mers; quand l'occasion s'en présente, il ne faut pas la perdre.”

³² Maier, *American Scripture*, xvii.

³³ Donovan, *Mr. Jefferson's Declaration*, 127.

preamble by Jefferson and its body by George Mason.³⁴ Jefferson himself, as quoted above, admitted freely to borrowing, and Maier rightly emphasizes the naturalness of such borrowing in an eighteenth-century context.³⁵

The key question here is *how* Jefferson borrowed. Some historians quote with apparent doubt his claim that “I turned to neither book nor pamphlet while writing it.” Gerard Gewalt, for instance, writes that in fact “No one knows what documents, books, or pamphlets Jefferson had in his room when he sat down to write.” But Pauline Maier praises Jefferson’s “good memory,” his “formidable... internal lexicon,” and “rare gift of adaptation.” Asking whether he might have consulted the holdings of nearby libraries in late June 1776, she concludes he “had little time, and perhaps little need, for such ‘rummaging.’”³⁶ China historians and medieval historians, familiar with the great capacity of the human memory, will see no reason to doubt that Jefferson could easily recall the wording of texts he had read or written and deploy them quickly under the pressure of a deadline.³⁷

Scholars have traced, then, the constituent ideas and phrases of the Declaration, stored in Jefferson’s mind. Yet none has explained the overall *structure* of the text. Wilbur Samuel Howell indeed argues that Jefferson’s draft followed precisely William Duncan’s *Elements of Logick* (1748), and he does show that the document proceeds logically from a major premise, to a minor premise, to a conclusion, with informational comments along the way.³⁸ But that same general structure appears in the far older Pronouncement. Maier shows that English declarations of rights had had three separate functions, which Americans divided among three separate types of document (declarations of independence, bills of rights,

³⁴ For instance, Carl Becker, *The Declaration of Independence: A Study in the History of Political Ideas* (1922; New York: Vintage Books, 1942, 1970); Dumbauld, *Declaration*; Maier, *American Scripture*; Donovan, *Mr. Jefferson’s Declaration*; Robert Darnton, “The Pursuit of Happiness: Voltaire and Jefferson,” in his *George Washington’s False Teeth: An Unconventional Guide to the Eighteenth Century* (New York: Norton, 2003), among others.

³⁵ Maier, *American Scripture*, 104.

³⁶ *Ibid.*, 104, 125.

³⁷ Jefferson, letter to James Madison, 30 Aug. 1823, in Gewalt, “Drafting the Declaration” (cited above). On memory, see just as one example Jonathan Spence, *The Memory Palace of Matteo Ricci* (New York: Viking Penguin, 1984).

³⁸ Wilbur Samuel Howell, “The Declaration of Independence and Eighteenth-Century Logic,” *William and Mary Quarterly*, Third Series, 18 (1961), esp. 480. Howell’s case also rests on the word “self-evident,” but he cannot show that Jefferson himself replaced “sacred and undeniable” with “self-evident” (478), and if Jefferson had to go back and insert the term the case is already weakened. Further, to read the first paragraph as providing a “logical definition” (479) is a stretch.

constitutions).³⁹ The English forerunners, then, did not provide the drafting committee with a complete structural blueprint. Did Jefferson design the text? Maier's overall claim is that "In the end, considering its complex ancestry and the number of people who actively intervened in defining its text, the Declaration of Independence was the work not of one man, but of many."⁴⁰ But no solitary fact in Maier's comprehensive analysis of the editing process suggests changes to the overall structure of Jefferson's draft Declaration.

And what Maier takes away from Jefferson's authorship with one hand, she gives back with the other. She praises *Jefferson's* musical use of the "style periodique."⁴¹ It was *Jefferson's* preamble to the Virginia constitution (written on his own initiative), that by using "the word 'forfeited' [the kingly office] suggested that the relationship of rulers and subjects was contractual"; it was *Jefferson's* draft preamble that newly excluded not only George III but also his heirs from rightful sovereignty over Virginia.⁴² Referring to the awkwardness of reading aloud a document that begins with "Whereas" (as previous constitutional declarations had done), she refers to "*Jefferson's* solution" to this structural problem.⁴³ It was *Jefferson* who "refused to be constrained by the conventions of British politics, including that which insisted 'the king can do no wrong,'" so that his *Summary View* "became the first sustained piece of American political writing that subjected the King's conduct to direct and pointed criticism."⁴⁴ Thus it is perhaps through *Jefferson's* contribution that the Declaration distinguished itself from all American and English forerunners by its long list of direct charges against George III, proving him a tyrant, and the paragraphs that led up to those charges.⁴⁵

Only one datum calls into question Jefferson's direct responsibility for the structure of the document. In June 1776, Congress appointed a committee of five men (John Adams, Jefferson, Benjamin Franklin, Roger Sherman, and Robert R. Livingston) to produce a declaration of independence, as one of the many documents needed at the time. In his 1805 autobiography, John Adams reported that the committee, *before* deciding who would write the

³⁹ Maier, *American Scripture*, 123, 57.

⁴⁰ *Ibid.*, 99.

⁴¹ *Ibid.*, 135.

⁴² *Ibid.*, 56.

⁴³ *Ibid.*, 132; emphasis added; also 128–29.

⁴⁴ *Ibid.*, 112.

⁴⁵ *Ibid.*, 123.

full draft, “had several meetings, in which were proposed the Articles of which the Declaration was to consist, and minutes [were] made of them.” Maier concludes that, perhaps led by Jefferson, the committee outlined and wrote down the sections of the document and roughly what each would say.⁴⁶ If that is what happened, we cannot attribute to Jefferson the guiding hand in structuring the Declaration. But is that what happened?

First, it is not at all clear how detailed the outline was. It has disappeared long since, and Maier only says it was “in general terms,” and included, somewhere, a set of charges against the King.⁴⁷ That element, as I showed that Maier has argued, was Jefferson’s in any case. Second, Maier shows very convincingly that Franklin was absent, incapacitated by gout; and that the rest of the committee, Jefferson included, had many, many more pressing matters on hand.⁴⁸ Sherman or Livingston, their hands full, are unlikely to have provided Jefferson a detailed outline of a document whose main purpose Congress’s charge had already made clear. As for Adams, Maier reports that at the time he found his other tasks much more significant than the Declaration.⁴⁹ Third, Julian P. Boyd, editor of Jefferson’s selected papers, doubts that Jefferson’s notes on the proceedings of the Congress that summer were taken “on the spot” as he claimed, so he may have taken no notes of committee instructions either.⁵⁰ Finally, John Adams cannot be relied on about the drafting process. Quite apart from his denigration of Jefferson’s work in the letter to Pickering in 1822, and his unlikely claim then that he had not thought the King a tyrant,⁵¹ in 1822 he also claimed that he *and* Jefferson were made a subcommittee to draft the Declaration. But his diary of 1779 records that Jefferson alone was the subcommittee – as Maier points out.⁵² Adams’s assertion that the committee outlined the Declaration is open to some doubt. In sum: Jefferson borrowed many phrases and ideas; he did not have all the texts in front of him to do so, but relied on memory; and he probably designed the structure of the Declaration.

⁴⁶ Ibid., 99.

⁴⁷ Ibid., 124, 105.

⁴⁸ Ibid., 99–104.

⁴⁹ Ibid., 102.

⁵⁰ Ibid., 263n6.

⁵¹ Ibid., 138–39, in pointing out Jefferson’s alleged inability to convince even so die-hard a revolutionary as Adams with his overblown and vague list of accusations, indirectly throws doubt on Adams’s later statement that in 1776 he did not consider the King personally a tyrant by noting in parentheses that Adams “differed from Jefferson... (in 1822 at any rate).”

⁵² Ibid., 100.

In this light, might the similarity of Jefferson's Declaration and King Wu's pronouncement offer more than an "interesting juxtaposition"?⁵³ Might there be an actual connection? Is it possible that Thomas Jefferson, before June 1776, had read the First Great Pronouncement of King Wu?

To start, we know that many of the *philosophes* or Enlightenment thinkers who inspired the Founding Fathers read and drew on the writings of the Jesuits about China, and on their translations; Voltaire and the physiocrat, du Quesnay, were both born into a Europe in which Chinese classical writings had been available in Latin for some years. Du Quesnay was called in his lifetime "the French Confucius."⁵⁴ We know that, not only in what they learned from the *philosophes*, but on their own account, the Founding Fathers read widely about things Chinese – which, indeed, played central roles in their identity⁵⁵ – and ideas Chinese.⁵⁶ We know that Jefferson, when

⁵³ Andrew Burstein, "Review: Jefferson in Confucian Relief," review of *Jiefeixun quan zhuan* (A Complete Biography of Thomas Jefferson) by Liu Zuochang, *William and Mary Quarterly*, Third Series, 64 (2007), 849. Liu, like many American scholars, underestimated the possibility of connection, writing that "Jefferson's humanism is surprisingly consonant with Confucianism, though he had no opportunity to read the *Analects* of Confucius." Liu Zuochang, "Thomas Jefferson and his Conception of Happiness," in James Gilreath, ed., *Thomas Jefferson and the Education of a Citizen* (Washington, DC: Library of Congress, 1999), 304. Franklin had read in the *Analects* by 1738. Owen Aldridge, *The Dragon and the Eagle: The Presence of China in the American Enlightenment* (Detroit: Wayne State University, 1993), 24–25. Franklin's daily charts of the thirteen virtues may have derived ultimately from late imperial Chinese "ledgers of merit and demerit." Thomas H. C. Lee, *Education in Traditional China: A History* (Leiden: Brill, 2000), 672–74.

⁵⁴ The earliest translation from the Four Books was Intorcetta, *Sapientia Sinica*, 1662. *Confucius Sinarum Philosophus* came out in 1687, and the two thinkers were born in 1694. For a key study of the Jesuit impact on knowledge about China, see D. E. Mungello, *Curious Land: Jesuit Accommodation and the Origins of Sinology* (Honolulu: University of Hawaii Press, 1989). Much of the scholarship on Sino-Western exchange is cited in John M. Hobson, *The Eastern Origins of Western Civilization* (Cambridge: Cambridge University Press, 2004), 194–201. A good brief treatment is J.J. Clarke, "China Cult: the Age of Enlightenment," chapter 3 in his *Oriental Enlightenment: The Encounter between Asian and Western Thought* (New York: Routledge 1997). A good introduction at the undergraduate level is D. E. Mungello, *The Great Encounter of China and the West, 1500–1800* (Lanham, MD: Rowman and Littlefield, 1999). An older work is Adolf Reichwein, *China and Europe: Intellectual and Artistic Contacts in the Eighteenth Century* (London: Kegan Paul, 1925).

⁵⁵ See John Kuo Wei Tchen, *New York Before Chinatown: Orientalism and the Shaping of American Culture: 1776–1882* (Baltimore, MD: Johns Hopkins University Press, 1999); and Sarah Schneewind, "Clean Politics: Race and Class, Imperialism and Nationalism, Etiquette and Consumption in the Chinese and American Revolutions," *Asia-Pacific Journal* 45–3–09, 9 November 2009.

⁵⁶ See Aldridge, *Dragon and the Eagle*. For comments on Jefferson and the examination system, see also H. G. Creel, "Confucianism and Western Democracy," *Confucius: The Man and the Myth* (New York: John Day, 1949), chap. 15.

President, put into his scrapbook one of the poems from another Chinese classic, the *Book of Songs*, which praises a virtuous leader.⁵⁷ We know that Jefferson bought books on China in Paris in the 1780s.⁵⁸ We know that he owned volume 1 of the widely read du Halde, *Description... de la Chine...* (1736), which includes a complete traditional account of the Shang-Zhou transition (but no translation of the Pronouncement). We know that in 1771, Jefferson recommended to the husband of his fiancée's half-sister, Robert Skipwith, as part of a list of acquisitions necessary for a gentleman and desirable for personal cultivation, a Chinese novel, *Hau Kiou Chouan* (A Pleasing History) – which he did not himself purchase until 1789.⁵⁹ That suggests that he read books he did not own.

Could one of those books have been a translation of the *Classic of Documents*?

It could. In 1770, a complete translation of the *Classic of Documents* into French made by Father Antoine Gaubil (1689–1759) had been published in a vast compilation called *Les livres sacres de l'Orient, comprenant le Chou-king* [Shujing] *ou le Livre par excellence...* The translation included a compilation of earlier Jesuit efforts.⁶⁰ (It is possible, but unlikely, that Jefferson had

⁵⁷ *Book of Odes*, Mao #55, “Little Bay of the Qi [River]” (from the *Airs of Wei*), translated into Latin by the great British Orientalist Sir William Jones (1746–94), then into English by John Collegins, and published in *The Asiatic Annual Register* 4 (1802), 143. Jonathan Gross, *Thomas Jefferson's Scrapbooks*, cited in Dave Wang, “All Posterity Would Remember My Legacy: Thomas Jefferson and a Legendary Chinese Prince,” *Huaren E-Magazine*, September 2008, <<http://www.huaren.org/Text/1124691451962-7684/uploadedFiles/1222744674312-8966.pdf>> (acc. 4 July 2010). Both Jefferson and Adams appear as “Confucian heroes” in the poetry of Ezra Pound. Chungeng Zhu, “Ezra Pound's Confucianism,” *Philosophy and Literature* 29 (2005).

⁵⁸ E. Millicent Sowerby, *Catalogue of the Library of Thomas Jefferson* (Washington, DC, 1952–59), 1:132, 147–49, records purchase of the accounts of China by Louis-Daniel Le Comte (1655–1728), Jean Baptiste Du Halde (1674–1743), and Jean Baptiste Gabriel Alexandre Grosier (1743–1823).

⁵⁹ For the Skipwith letter, see Julian P. Boyd, *The Papers of Thomas Jefferson* (Princeton, NJ: Princeton University Press, 1950), 1:75ff. For the purchase of *Hau Kiou Chouan*, see Sowerby, *Catalogue*.

⁶⁰ Such efforts are recorded in Louis Pfister's “Notices biographiques et bibliographiques sur les Jesuites de l'ancienne mission de China 1552–1773” (Shanghai, 1932–34). Personal communication, D. E. Mungello, 11 July 2010. See Marcia Reed and Paola Demattè, *China on Paper: European and Chinese Works from the Late Sixteenth to the Early Nineteenth Century* (Los Angeles: Getty Research Institute, 2011), 40, 174–75, for discussion and an illustration from the 1770 edition. The Jesuits in China had been reading the *Classic of Documents* as part of their language training since the 1620s, and were particularly interested in the analogies with the Old Testament texts that the terms Shangdi and Tian permitted. Liam Matthew Brockey, *Journey to the East: The Jesuit Mission to China, 1579–1724* (Cambridge, MA: Belknap, Harvard University Press, 2007), 263.

seen portions of the work in those earlier versions.) A later printing of Gaubil's work, published under the name of G. Pautier (1801-73) is readily available on-line now.⁶¹ Surely, in the mid-1770s, words like "droits" – rights – and "honneur" – honor – (which do not appear in the standard Legge translation of the Pronouncement into English) and phrases like "Les crimes du roi de Chang sont à leur comble" and "Le ciel a de la prédilection pour les peuples..." would have resonated in Jefferson's mind even though he was attacking monarchy, not merely changing a ruling house. He was surely capable of storing away the rhetorical structure of the Pronouncement. Whether Jefferson saw *le Chou-king*; whether he read the translation of the first part of the Great Pronouncement of King Wu; how he understood it in light of his own mental world; whether he recalled its structure; whether he relied on it when building the Declaration of Independence – these questions cannot be definitively answered in the absence of new evidence.⁶²

But the possibility is there. Readers can judge for themselves whether the structural similarity of the two documents makes this possibility into a likelihood. Does the "global history" of the Declaration – its imitation for the UN Declaration of Human Rights, the Vietnamese Declaration of Independence, and so on – begin with its composition, not afterwards?⁶³ Quesnay offered the term "laissez-faire" as a translation of the Daoist term *wu-wei*. Franklin referred to Chinese precedents and medical principles in advertising his famous stove. King Wu's speech may, or may not, be one more little piece of "elsewhere" that co-produced the modern condition.⁶⁴ But the larger point is that we should keep alive the connections scholars have already studied as we educate students for a future that will be, like our democracy, a product of the world, not just of the West.

⁶¹ G. Pauthier, Confucius et al., *Les livres sacrés de l'Orient: comprenant: le Chou-king ou le Livre par excellence: les Sse-chou ou les Quatre livres moraux de Confucius et de ses disciples: les Lois de Manou...: le Koran de Mahomet* (Paris: Société du Panthéon littéraire, 1843). Accessed through HathiTrust on 2 July 2011. The document in question is the first part of the first document in Part IV of *le Chou-king*, 84-85.

⁶² The book is not among those found recently in St. Louis. For a thoughtful approach to cross-cultural understanding of texts, see Howard L. Goodman and Anthony Grafton, "Ricci, the Chinese, and the Toolkits of Textualists," *Asia Major* 3 (1990).

⁶³ David Armitage, "Review: The Declaration of Independence: Its Many Histories," *William and Mary Quarterly*, Third Series, 65 (2008).

⁶⁴ Carol Gluck, "The End of Elsewhere: Writing Modernity Now," in "AHR Roundtable: Historians and the Question of Modernity," *American Historical Review* 116 (2011), 676-77.