The Declaration of Independence

A Study in the History of Political Ideas

Carl L Becker

A Vintage Book V-60 $2.45

THE DECLARATION OF INDEPENDENCE

A Study
in the History of Political Ideas

BY

CARL BECKER

LATE PROFESSOR OF HISTORY IN CORNELL UNIVERSITY

VINTAGE BOOKS

A DIVISION OF RANDOM HOUSE

NEW YORK

VINTAGE BOOKS EDITION 1958

ISBN: 0-394-70060-0

Manufactured in the United States of America

THE DECLARATION OF INDEPENDENCE

But what is nature? Why is custom not natural? I greatly fear that this nature is itself only a first custom, as custom is a second nature.

PASCAL, *Pensées* (Havet ed., 1897), I, 42.

We need not feel the truth that law is but usurpation; it was introduced without reason, it has become reasonable; it is necessary to cause it to be regarded as authentic, eternal, and to conceal the beginning of it if we do not wish it to come soon to an end.

Ibid., I, 39.

As to the late Civil Wars, 'tis pretty well known, what Notions of Government went current in those Days. When Monarchy was to be subverted, we know what was necessary to justify the Fact; and then, because it was convenient for the purpose, it was undoubtedly true in the Nature of Things, that Government had its Original from the People, and the Prince was only their Trustee. . . . This was the Doctrine that was commonly received, and the only Doctrine that relish'd in those times. But afterwards, when Monarchy took its place again, . . . another Notion of Government came into Fashion. Then Government had its Original entirely from God, and the Prince was accountable to none but Him. . . . And now, upon another turn of things, when people have a liberty to speak out, a new Set of Notions is advanced; now Passive Obedience is all a mistake, and instead of being a duty to suffer Oppression, 'tis a Glorious Act to resist it: and instead of leaving Injuries to be redress'd by God, we have a natural right to relieve ourselves.

TH. BURNETT, *An Essay upon Government*, p. 10.

The constitution of 1795, like all of its predecessors, is made for *Man*. . . . I have seen, in my time, Frenchmen, Italians, Russians, etc.; I even know, thanks to Montesquieu, that one may be a Persian: but as for *Man*, I declare I never met him in my life; if he exists, it is without my knowledge.

DE MAISTRE, *Oeuvres* (ed. 1875), I, 68.

INTRODUCTION

My book on the Declaration of Independence, when it appeared in 1922, was well received, so far as I now recall, by all of the reviewers except one. This one, a passionate and easily irritated critic, and probably an irreclaimable prisoner of the Marxian philosophy, disapproved of the book altogether as a typical academic performance. He pointed out that the author, running true to form, was interested in documents to the exclusion of the living men whose activities give documents whatever significance they have. In the present instance this preoccupation with documents had enabled me, he thought, to treat a great subject with an ineptitude that amounted to a kind of sublime insolence: as evidence of which he referred to the chapter on the drafting of the Declaration — fifty-nine pages, which might have been devoted to saying something worth while about the men who bled and died for freedom, wasted in the futile enterprise of chasing down all the commas and semicolons employed in writing a document which was, at best, merely the formal statement of the freedom they died for.

I admit, willingly enough, that a book on the declaration of independence regarded as an event, as the culmination of a series of revolutionary activities, might have been more worth while than a book on the Declaration of Independence regarded as a document in which that event was proclaimed and justified to the world. I was aware that men had bled and died for freedom, and had in fact already written three books dealing with the revolutionary activities of which the declaration of independence was the culminating event. But on this occasion I chose to write a book about the document itself, under the impression, however mistaken, that a state paper of sufficient renown to be classed with the world's classics of political literature deserved a somewhat detailed examination, more especially in respect to the political theories formulated in it. None of the reviewers, except the one mentioned, questioned the validity of such an undertaking; but one of them, Mr. James Truslow Adams, although expressing a high opinion of the book, felt that it was defective in respect to unity: the treatment of the main theme — the history of political ideas — was interrupted and weakened by the interpolation, virtually in the middle of the book, of two chapters dealing with subjects (the literary qualities and the drafting of the Declaration) not strictly relevant to the

main theme. For this reason, according to Mr. Adams, the book consisted of "three essays on the Declaration, treating it from different angles."

This criticism, although fairly offered and maybe entirely just, has for that reason always bothered me a good deal, because it is an article of literary faith with me that the first essential of good writing is that an author should have, for his book or article, a definite subject, and that he should rigidly exclude everything that does not contribute something to the exposition of it. The contention that I had violated this sacred canon, in a book that I like to think of as passably good, is one that I am not disposed to concede without a mild struggle. I welcome this opportunity, therefore, to drag Mr. Adams' review from the dusty files of the *New Republic* and see what can be done to it. I will begin, as authors often do when critics push them into tight corners, by offering excuses, hoping that something better may turn up on the way.

The excuses have to do with the genesis of the book. In 1920 Carl Van Doren informed me that he was "planning, with Harcourt, Brace and Company, a series of American classics" designed to show "what the United States has really produced in literature, using that term in its broadest sense"; and for this series he asked

me to write a small volume, of about fifty thousand words, on the Declaration of Independence. In order to conform to the plan for the series, the book should, he said, "contain the text of the document in its various forms," focus attention on it "as a work of literature," note the "ideas and emotions it summed up and released," and give some account of "the way in which the particular doctrines of the paper were accepted by different sections of the public." Thus the subject given to me was not the history of political ideas but the Declaration of Independence regarded as a literary classic.

With these suggestions in hand, the first thing I did was to examine the text "in its various forms"; and the researches afterwards presented in the chapter on drafting the Declaration were well under way when something happened — what it was I never learned — that changed the original plan for publishing the series. It seemed that Harcourt, Brace and Company, although transferring the right to publish the series to another firm, wished to retain the right to publish my book on the Declaration of Independence as an independent venture. This change of plan, freeing me from the specifications suggested for books in the general series, permitted me to write about the Declaration more fully and in any way I liked. The way I liked did not, how-

ever, differ much from the way suggested by Van Doren. I still thought of my subject as being the Declaration of Independence regarded as a document, as a classic in American literature, "using that term in its broadest sense." But it seemed to me obvious that the document had acquired fame less because of its literary qualities than because of its political philosophy; and I decided, therefore, that it would be more relevant to the subject, as well as more in my line, to take the Declaration as the point of departure for discussing the natural rights philosophy in its historical setting. This gave me a title and a sub-title: The Declaration of Independence: An Essay in the History of Political Ideas.

A book on this subject would naturally begin, I thought, by noting with some precision what the famous document purported to be. It turned out not to be the formal act of separation from Great Britain, voted by Congress on July 2, but "A Declaration by the Representatives of the United States of America," designed to convince a "candid world" that the separation was necessary and right — in short, an argument in support of an action. Analyzing the argument, I found that, in the history of political ideas, its conclusions were less important than its premises: (1) that all men have imprescriptible natural rights; (2) that the British empire is a

voluntary federation of independent states. Since it seemed unlikely that Jefferson invented these premises for the occasion, the next step was to find out where he got them and why they seemed valid to him and his compatriots. The doctrine of natural rights I found to be, in the eighteenth century, so commonly accepted as the foundation of all social philosophy that Jefferson could defend his formulation of it by saying that he was only expressing "the common sense of the matter." The federal theory of the British empire was more novel, and in its origin more closely related to particular events. It emerged, so to speak, as a dialectical necessity from the ten-year dispute with Great Britain over colonial rights. In order to find a logical defense of their activities, American patriots were forced, in successive stages of the controversy, to restrict the authority of Parliament over the colonies more and more, until the act of separation made it necessary for them to deny that it had any authority over them at all. Thus the major premise of the Declaration was derived from the dominant social philosophy of the century, the minor premise from the crucial political events that gave birth to it.

Thus far, taking the document in its final form, I was concerned with the purpose of the Declaration, its logical structure, and the rela-

tion of its philosophy to the political and intellectual history of its time. But the final form of the Declaration was not the same as Jefferson's first draft; and it seemed to me obvious that a book on the Declaration should contain some account of the changes made in the original text and the reasons for making them. I found that, first and last, a good many changes were made. Some of them were merely verbal, intended to improve the form; others, and these the more drastic, designed to ease the document through Congress — something added to please, something omitted to avoid giving offense to, this or that section of public opinion. The most notable instance was the deletion of Jefferson's famous "philippic" against the slave trade. Jefferson himself thought this long paragraph one of the best parts of the Declaration; and certainly nothing could have been more relevant in an argument based upon the natural rights of man than some reference to slavery — that "cruel war against human nature itself." But Congress struck it out. There were many slaveholders in Congress (Jefferson being one), and although none of them objected to the abstract doctrine of natural rights, many of them were naturally (human nature being what it is) sensitive to a concrete example of its violation so pointedly relevant as to be invidious.

None of the alterations of Jefferson's draft is of importance for understanding the philosophy of the Declaration, since none of them touches either the premises or the logical structure of Jefferson's argument. Yet they are not without significance for understanding the influences that determine the form in which political ideas are transmitted to us. They serve to remind the historian that political ideas of the past are transmitted to us through documents — documents for the most part prepared, not to facilitate the researches of future historians, but for an immediate practical end; so that if such documents, and therefore the political ideas they transmit, owe much to the abstract speculation and the concrete political events of their time, they owe something also to the personal temperament, the prejudices, the interests and ambitions of the men who framed them. It is not unimportant, even from the point of view of the history of political ideas, to know that the framers of the Declaration, denouncing George III to a "candid world" for his violation of the natural rights of man, carefully refrained from alluding to the fact that they themselves were slaveholders.

Having defended (although not, for reasons I shall presently indicate, any too confidently) the chapter on drafting the Declaration, I now

hasten with entire confidence to defend the chapter on its literary qualities. The Declaration is after all a literary as well as a political classic. But apart from that, if it be said that politics has nothing to do with literature, or that the form of a document can be appreciated without reference to its content, I do not agree. On the contrary, it is a favorite notion of mine that in literary discourse form and content are two aspects of the same thing; and I do not know of any document more apt to support this contention than the Declaration of Independence.

Jefferson was asked to draft the Declaration, if we are to believe John Adams, because his writings were characterized by "a peculiar felicity of expression." They were indeed, and none more so than the Declaration. But one may say that the peculiar felicity was Jefferson's only in so far as it was *peculiar:* the *kind* of felicity that he had in some perfection was the distinguishing character of eighteenth-century writing. The kind of felicity most admired and cultivated in the Age of Enlightenment had the common sense, that is to say the obvious, if fundamental, virtues of all good writing — simplicity, clarity, logical order. And why should these virtues not be admired and cultivated by "philosophers" who did not doubt that the universe itself was simply constructed, open and

visible, essentially devoid of mystery because so eager to yield its secret to common-sense questions? If "style is the man himself," then man is, in this sense, what he knows and thinks; and if Jefferson and his fellows cultivated a certain kind of felicity, it was because the world they knew revealed itself to them with a felicity of the same order.

An examination of the literary qualities of the Declaration would then, as I thought, be another way of apprehending its political philosophy. In that examination, I attempted, whether successfully is another matter, to demonstrate that the virtues and defects of Jefferson's style are essentially the same as the virtues and defects of the political ideas that, to him and his contemporaries, seemed but "the common sense of the matter." The Declaration, in both form and substance, has the virtues (and great virtues they are) of simplicity, clarity, logical order: the thought, no less than the style, is characterized by a "peculiar felicity." But the Declaration, in both substance and form, has perhaps a little too much felicity — that is its essential defect; and if the style is always a bit fragile, and sometimes in danger of becoming precious, is it not because the thought is a bit fragile also, too easily satisfied with what is open and visible, and therefore lacking in depth

and subtlety, ignoring all that must be ignored if the life of man is to be understood and described, even with the felicity of genius, at the level of common sense?

The defense now rests — with but one additional comment. I think that in noting the virtues and defects of the political philosophy of the Declaration, the chapter on its literary qualities, so far from breaking the continuity of the theme, serves as a natural transition to the final chapter, which traces the declining prestige of that philosophy in the nineteenth century.

What then can Mr. Adams say in rebuttal? Well, something; more than I like to admit. Pointing an accusing finger at the offending fourth chapter, he could say this: "Admitting that the subject called for 'some account' of the drafting of the Declaration, did it really call for an elaborate dissertation in textual criticism?" The only answer to that, I'm afraid, is no. All that was strictly relevant to the main theme of the book could have been put in a short chapter of ten or fifteen pages. The dissertation in textual criticism, if included at all, should have been relegated to an appendix — one of the two receptacles always conveniently at hand for the use of authors who have more information on their subject than they know what to do with.

I hoped that maybe it wouldn't come to this; but all along, really, I was sure it would.

The book is now republished from the original plates because Mr. Alfred Knopf, finding it out of print, was willing to take the risk involved in making it available to the public. He may have thought that just now, when political freedom, already lost in many countries, is everywhere threatened, the readers of books would be more than ordinarily interested in the political principles of the Declaration of Independence. Certainly recent events throughout the world have aroused an unwonted attention to the immemorial problem of human liberty. The incredible cynicism and brutality of Adolf Hitler's ambitions, made every day more real by the servile and remorseless activities of his bleak-faced, humorless Nazi supporters, have forced men everywhere to re-appraise the validity of half-forgotten ideas, and enabled them once more to entertain convictions as to the substance of things not evident to the senses. One of these convictions is that "liberty, equality, fraternity" and "the inalienable rights of men" are phrases, glittering or not, that denote realities — the fundamental realities that men will always fight for rather than surrender.

It may then very well be that just now the reading public would welcome a book, the right