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CRITICISM

ON THE

Declaration of Independence,

AS A

LITERARY DOCUMENT.

BY MON DROIT.

NEW YORK.

FOR SALE AT THE NEWS OFFICES.

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FOR THE YEAR 1871



C R I T I C I S M, & c.

SEVENTY YEARS having passed away, since this celebrated production was published, it will not be deemed disrespectful to its signers, or invidious toward any order of partisans, if we bring to its examination the same rigid impartiality, allowable in criticising passages of Longinus or a composition of Aristotle.

As it may be said of the Declaration, that it accomplished the purposes for which it was designed, all unfavorable observations are as supererogatory, as were the sinister reflections of Buonaparte on the disposition of the British forces at Waterloo—a triumphant reply to all which consisted in the brief assertion of the respondents, “we beat you.” So it may be rejoined with like propriety; for as much as it was the end to be attained, and not the means to attain that end which became important on the day of that eventful battle; it is true, neither the glory of the victory is diminished, or the consolations of the vanquished increased, by the imperfection of the means used. But so far as an analogy exists in the two cases, it bears on the political aim and sequences of the Declaration of Independence; upon which topic I do not propose at present to remark. Its literary merits and demerits are a different, and as I think, a fair subject of critical examination. To this aspect, and to this alone, do I invite the attention of all those whose curiosity or peculiarities lead them to make a distinction between what is good and bad, proper and improper.

The document proposed for consideration, has every where and at all times received the plaudits and huzzas of the multitude. The question comes now to be considered, whether upon a careful review, it deserves the approbation of the scholar. Whether we ought to have a more exalted idea of some of the actors in the drama of the revolution, in consequence of this production, or a

less one, is certainly a legitimate subject of inquiry. But that matter can only be settled by a close inspection of the document itself. I understand to be sure, that great men will not always bear close inspection; but who ever claims to be a great writer, or for whomsoever that reputation is claimed, their works must abide that test, or their claims must fall.

These brief preliminaries being all I deem clearly necessary upon commencing the subject, I invite the examination of my readers to the first paragraph. Supposing it to be familiar, to every one, or if not, that it is in every one's law book where reference can be had to it any moment, I will not quote it entire.* My observations upon this passage will be brief, because the purpose of it for the most part, seems to be for an opening of the subject, and for an harmless soother of asperities expected to follow.

“When in the course of human events” it appears *expedient* “for one people to dissolve the political bands which have connected them with an other,” I admit it would not be improper for that people to declare the causes which made that expediency apparent to them. But I entirely deny the propriety of a similar declaration “when in the course of human events it becomes *necessary* for one people to dissolve the political bands that have connected them with an other. That necessity knows no law, is a thoroughly established maxim—that it knows no apologies—can neither make them or receive them, is as evident as the maxim of which it is but another version. More strenuously should I deny the propriety of a declaration of causes, when a necessity (necessity is obligatory if it is any thing) obliges them “to *assume* among the powers of the earth, the separate and equal station *to* which the laws of nature and of nature's God entitle them.”

A mere philological criticism was no part of my design; perhaps then I ought to apologise for noticing the queer position of the preposition “*to*,” in the lines last quoted. To assume a station, which the laws of nature entitled them to occupy; would have been *natural*, and perhaps easy: but “to assume a station *to* which the laws of nature and of nature's God entitle them,” it

* Note A.

occurs to me, would have been an exploit as awkward in the performance as it is in the grammar.

It is the ideas however,* and not the mode in which they are expressed that I purpose to examine. To these let us return, with all the indulgent tenderness for our national character, consistent with truth. If a gentleman in a ball-room had broken his thigh, so that it became necessary in the course of events, for him to assume a recumbent position; would a decent respect to the company he was in require, that he should declare the causes why he could not dance? I do not make this comparison for the sake of its mirth but simply as a convenient parallel to illustrate the anti-climax of this peculiar species of gravity.

“To declare the causes” which impel to certain acts, that had just been stated to arise from necessity and the laws of nature and of nature’s God, favors the impression, that the writer had forgotten at the close of his sentence, the ideas he had advanced at the beginning. It reminds me of the edifying exposition of a sick man to his physician. “Oh doctor,” said the patient, “necessity obliges me to send for you.” Well, said the physician, what is the matter? “Oh Sir! matter enough; my throat is all stopped up—can’t breathe—head aches ready to split, with terrible pains in the side and back; besides I a’nt very well myself.”

The distinction we ought to make, between the “laws of nature” and the “laws of nature’s God,” the writer, doubtless, were he living, would be able to explain. But being dead, we are left to conjecture what the difference is. I will put the best construction upon it, and suppose, by “the laws of nature” the writer meant that physical arrangement of the globe, by which an ocean separated us from the ruling power, making the propriety of an independent government, more obvious on that account. And by the expression “laws of nature’s God” he contemplated those ever springing aspirations in the heart of man, to possess all the liberty he could get, and power too. If this was the meaning, it suffers only for the want of an interpretation. If it was not, the latter clause is merely an useless expansion of the first—a mode of expression admissible in the paroxysms of frantic eloquence on a fourth of July; but entirely out of place in a grave piece of writing.†

* Note B.

† Note C.

The expression "human events" I submit to the taste of the cultivated reader. *Affairs*, may be human or inhuman; divine or diabolical. An "event" may be great or small, &c. But can humanity or inhumanity be predicated of "events?" To be sure, human beings are actors frequently, in the scenes which when completed we call "events." Does that fact however, make them *human*? A pestilence—famine—the rise and fall of empires and wars are events. Does the connection of human affairs with any of these events, make the *event* human? The error of the writer is however very small; consisting merely in attaching the same idea to the word "events" which a scholar would have attached to *affairs*.

Events are abstractions; in the mind of the pagan more or less connected with *fate*: and in the view of the christian with Divine Providence. In either case they are understood to be supra-human. Truth, may be divine; but can it with strict propriety be called *human*? A human truth would be nearly as inappreciable as a divine lie. Human beings may tell the truth; that does not make the truth *human*; because it is what exists irrespective of the man or of his veracity. So of events. They are passed, or are transpiring, or foreshadow their coming, and all this irrespective of man. Events, therefore are not human. "To err, is human."

My remarks upon the first paragraph, having been protracted far beyond any expectation or previous design; it may be proper to state here, that I do not meditate a querulous critic upon the whole piece. So far from that, I look upon the Declaration as possessing literary merit of a high order. It is too late to deny it, if one had the disposition. A composition that for seventy years can carry such a burthen of defects as this has, must possess great strength somewhere. I had rather carry the gates of Gaza than such a load. And since it was once discovered, that the great strength of a giant lay in his hair, let no neophyte suppose, as a corresponding paradox, that the vigor of the composition under review, lies concealed in the unintelligible generalities at the beginning, or the sounding nonsense at the end. Whoever possesses sufficient acumen to distinguish flourishes of rhetoric from facts, will perceive (as he reads the passages that follow the

one commencing thus—"The history of the present king of Great Britain, is a history of repeated injuries and usurpations") that the bold, honest, straightforward recital of facts that follow, is a different affair altogether, both in style and sentiment from the verbiage that precedes it. But more of this in its appropriate place.

The second paragraph of the Declaration, is the one on which I purpose to extend my reflections; both because it is oftenest quoted, and as I think, most unhappily calculated to create the same confusion of ideas in the reader, that the mind of its writer unquestionably was troubled with. If I am charged with microscopic views, I shall treat the charge as captious, unless its author is able to show, that a different lens would lead to different conclusions.

We will quote so much of it here as I purpose to comment upon; that the reader of these pages may refer to it as often as occasion requires.

"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," &c.

It is to be observed that the preceding paragraph had closed with the sentiment, "that a decent respect to the opinions of mankind required that they should declare the causes which impelled them" to certain acts. Now it occurs to me, that a decent respect to the hearers or readers of the document would have impelled its author immediately to declare those "causes." So far however from such a sequence, the author drops the subject of "causes" and goes into a statement of views, having not the least relation to what had preceded, nor any necessary connection with what was to follow. While the mind of the reader is occupied in vigorous efforts to discover the verity of the author's self-evident truths, he can hardly fail to forget that there was any necessity for a declaration of causes, or in fact any causes to declare. But this defect in the composition is doubtless pardonable, it is so common, and known to arise from the juvenile desire on the part of an author, to exhibit himself instead of his subject.

Let us see what the author holds to. Says he "we hold these truths to be self-evident," &c.—going on to make a statement of them. Is it not obvious to remark, that what is self-evident, needs no attestation? Is it not a needless piece of supererogation to declare, what in the same breath is affirmed to be evident without a declaration? What is self-evident, is, what is known. To inform men of what they knew before, seems but a slow way of increasing knowledge: nevertheless, the author of this part of the Declaration of Independence thought proper to undertake it. The measure of his success in this peculiar method of instruction, is a matter yet to be determined.*

The verb "hold" in the sentence under review, is used in its metaphorical sense, and is undoubtedly appropriate, so far as the philology of the passage is concerned. But to hold, to what one cannot get away from, does not appear to me a greater virtue, than to let go what one cannot keep. At any rate, it is not a virtue I would recommend a friend to make any parade about. In modern times "self-evident truths" would not escape observation, if they were not held. But in "the times that tried men's" logic, it appears that what was self-evident could not be brought to notice without considerable pains. However, holding to self-evident truths, may yet come in fashion. The march of mind, and "the progress of democracy" are so rapid, we may soon expect to reach the dark ages. As there is no pervading "light of knowledge" in those ages, every one must be impressed with the importance of preserving his own store. Let us conscientiously strive to remember, what there is no chance of our forgetting: then when we enter into the darkness, if each one will light his icicle, we can raise an illumination that will make the dark ages more brilliant than the enlightened ones.

A knowledge of what is self-evident, is a knowledge in possession of those who are addressed, as much as in his who makes the address. Some parts of our present knowledge, we may hereafter forget, because our minds are not refreshed with a frequent presentation of the objects or causes that produce that knowledge. But what is self-evident is constantly presented to us; we cannot avoid knowing about it; we cannot divest ourselves of this kind

* Note E.

of knowledge, without divesting ourselves of the mind itself. The man, who purposing to travel in Egypt, should take a lad with him to hold the pyramids while he inspected them, would probably come back, with more crude views of those stupendous objects than he set out with. The man who proposes to make a *statement* of self-evident truths, certainly, must have such crude notions of what is self-evident, that his statement would not be good for anything: and if I am not mistaken, that point will be made to appear, before we have done with this matter.

Is not the fact, that the author (of this part of the Declaration) goes on to state, what he had averred to be "self-evident," satisfactory testimony of one or the other of two contingencies, namely, that he either did not know what he was talking about, or, he must have supposed that those whom he addressed did not know? I admit that it is not absolutely conclusive, because there is one other contingency, to wit, that the whole was a mere joke. I think, however, the solemnity of the occasion, as well as the imperturbable gravity of the author, precludes us from the latter supposition. To be sure, in matters of jollity, the absurdity of a statement is what makes the fun of it. The greater the former, the more irresistible the latter. But the author of a witty absurdity, must show his tact by a nice choice of the occasion when it is to be uttered, or he himself becomes the subject and not the author of the mirth that is made. I cannot therefore indulge the belief, that the author of the Declaration was jesting with a nation in so trying an emergency, as that which clothed our country in sorrow and sack-cloth, on the fourth of July, 1776. Hence we must fall back on one or the other of the contingencies, stated at the beginning of this paragraph.

But what is it, of which self-evidence is affirmed? Why, "that all men are created equal." Did the author of this assertion believe it true? I think there is more evidence, to show that he disbelieved his own assertion, than there is to show that the assertion is capable of a demonstration. How can we have any belief, upon a subject upon which we can have no knowledge? We may entertain conjectures, upon subjects where our knowledge is very limited; as for instance, we may conjecture that the planet Jupiter is inhabited with beings like ourselves: but our present knowl-

edge is too slender, for any man of sense to assert a belief or disbelief about it, much less to assert that it is self-evident that planet is inhabited like our own. Supposing the author had asserted that "he held it to be a self-evident truth," that straight lines were crooked? How would the absurdity of this statement have differed from the one he has made, namely, that he held that to be self-evident, which neither he, or any one else can possibly know any thing about; all which, I think I shall be able to show. But as an argument here, would anticipate what might, perhaps, with more clearness, be said by and by, I will for the present omit the demonstration.

A self-evident *truth*, is what no man can avoid knowing. If a knowledge of it can be avoided, it ceases to be self-evident. A self-evident proposition, is one that invariably carries conviction with the mere statement. In mathematics, propositions of this nature, are not necessarily ludicrous. But in ethics, this mirth mooving quality is unalterably connected with every statement.

A happy instance illustrating the characteristics of a self-evident proposition, occurred on this wise. An aged pedlar, of very grave demeanor for that profession, happened into my house, while I was sitting at table with my family. He was invited, of course, to partake with us. The subject of conversation for that time, was the difference between civilized and savage nations—the superior advantages, moral, intellectual and physical of the former, &c. The pedlar listened to the conversation with apparent interest, when, supposing doubtless, that he ought to minister to us of his intellectual things, as we had ministered unto him of our carnal, very gravely remarked, "I hold it to be a fact, that the people of civilized countries, is more enlightened than savages." The mirth of the juvenile part of the company, became audible at this self-important effort to add to their knowledge.

As it is a rule with me never to make fun of a subject, that any thing else can be made of; I took occasion to remark, that the stranger, apparently with very little effort, had succeeded in stating what was self-evident; and in that particular, had surpassed the author of the Declaration of Independence, who had made great efforts to that end, without the least success.

I trust it will not be considered an affront, if I suppose some of

the readers of the Declaration, have as vague notions of what is self-evident, as its author had. I would therefore, invite any reader of these pages, to refresh his own mind with such self-evident truths, as in his opinion, will bear a sober statement. If he can find any, out of the Declaration, or in it, that will stand that test, his search will be attended with better success than I am willing to concede to the author of the Declaration himself.

The distinctions between a self-evident truth, and a self-evident proposition, I believe I alluded to a few sentences back. As it is easier to make a statement of a proposition, than of a truth, I will give an example of the former. Black men are more apt to be dark colored than white ones !!! If any of my readers should succeed in making a statement of a self-evident proposition, that is not ludicrous, he will find it to be because it is *not* self-evident. Truths that are not self-evident are the only ones that increase knowledge.

Leaving for the present the absurdity of stating, what in the same breath, it is conceded no man can avoid knowing, to the consolations of its own company; let us see what is the first famous truth the author of the Declaration affirms to be self-evident. Why! "that all men are created equal!!" If the professor of mathematics in Yale College, should gravely announce to his pupils, the following theorem—"I hold this truth to be self-evident—that all geometrical figures are exactly similar," he would place his reputation for veracity and acumen, in the same position I conceive the author of the Declaration to occupy. And if his pupils should give a gaping credence to his asseverations, I should look also upon them, as entitled to the same degree of respect, which the applauders of these passages in the Declaration deserve.

Would it be disrespectful to inquire of the author, if living, by what authority he made this statement? For how are we to believe him possessed of this extraordinary piece of knowledge, when no other man does or can know it without a special revelation? If the author had prepared our minds for his marvellous statement, by informing us that he held the truth he was about to utter, as *revealed*, then no doubt, we should all be willing to concede to him, the same measure of respect we invariably pay to a Mormon; but since he entirely neglected so to prepare our minds, we cannot think him entitled to that measure of respect.

The truths which are of vital importance to man, are those revealed in the scriptures. A necessity for this revelation, under the circumstances of the case, arose from the fact, that those truths were not only not self-evident, but they were incapable of a demonstration. Doctor Paley, who has brought to the contemplation of this subject, a degree of clearness and ingenuity rarely equalled, has endeavored to show that the being of a God was fairly deducible from the ingenuity and evident design of the visible creation. I concede to him as a logician, the highest order of merit. But I deny that men could come to the conclusion he argues for, if their minds had not been previously prepared for that conclusion, by the revelation the reasoner affects not to use. No man ever has obtained a knowledge of the true God, so far as we are informed, unless by revelation. The strange, incoherent mythological views of the heathen, are the greatest advance towards this knowledge, which man has ever made, unaided by the knowledge the scriptures reveal. If doctor Paley had found one heathen, who, by searching, had found out God, he would have found one fact in support of his logic; but since he has neither found, nor pretended to find a solitary instance like this, his logic must fall like the fictions of the heathen to the dust. If for six thousand years, the heathen had not discovered his Maker, would six thousand more increase the chances of his success, or multiply the difficulties in the way of it? Unquestionably the latter. The longer man was estranged from his Maker, the more inveterate became his blindness. His case had become desperate beyond the twinkling of a hope: hence the necessity for a revelation. Our Creator would hardly have stooped to reveal what he had endowed man with ability to find out. A supposition to the contrary, nullifies itself. Doctor Paley's logic would stand well enough, if it had any thing to stand on. But I find like other sermonizers, I have neglected the subject I began with. Let us return to that.

If the statement "all men are created equal," had been found among the passages of scripture, which reveal to us the information, "that the day is set when God will judge the world in righteousness,"—had the statement been invested with the sanctity such company would give it; then indeed should I have yielded my assent to its truth, not as a matter of reason, but of faith: and

not then without the reflection that my faith in that particular, was indeed a virtue, as difficult to practise as any other connected with self-denial.

But the passage under consideration is invested with no sanctity commending it to our faith ; neither does it possess a speciousness that commends it to our reason. It is neither more nor less than an uninspired and presumptuous asseveration, upon a subject that no man can possibly know any thing about.

We draw our inferences from facts as they exist, or from facts as they are presented to us. And what are those facts ? Under every conceivable contingency—under circumstances unlimited in their dissimilitude and inequality, are men born ; under all these do they continue to live ; and under them also they die. Whether all men are *created* equal (using the verb in its true and literal sense) can be known only to their Creator. And since there is no revelation on that point, it is as impossible for man to know any thing about it, as it is to beget himself.

But admitting the word to be used in an expanded or figurative sense ; and that the creation alluded to, is to man as he is, or as he appears. How are the facts more applicable then ? Still, from forms of surpassing beauty, through a long series of gradations to the most offensive deformity—from minds of the purest radiance, through like gradations, to those of the obscurity, fog and confusion of his, whose profitless aphorisms are under review—from the extremest verge of what is lovely and desirable, to the limit of all that is odious in complexion, condition or circumstance are men created. These are facts, as palpable as the continent on which we stand. No reasoning, no study, faith or patience can make them or unmake them. These are the facts, and there are no other. One might as soon reason the Andes from their foundations, as reason us out of knowledge we cannot avoid possessing.

What apology then, is there to be found for the man, who, in the face of all these facts, and against the convictions of a conscience, if he had one, took occasion upon the going forth of a solemn public document, to parade the absurd crudity of his own “that he held it to be a self-evident truth, that all men were created equal ?” What national dignity have we gained for our consolation, or what national honor for our comfort, for thus publishing to the world in our first and gravest document, this swel-

ling axiom, as contemptible for its inapplicability, as for its falsehood? Neither the Divine government, nor any human government, with which history or experience have made us acquainted, have treated men as created equal, or as being equal; and for the best of all reasons. It is an impossibility. The attempt would confound all distinctions between right and wrong, good and bad, useful and useless. The human government that should attempt it, would attempt its own nullification. It might as well attempt the task of singing the dirge at its own funeral.

Nevertheless, it is not improper that men should be contemplated as equals, and treated as such in several particulars. Courts of justice, and governments too, may be instituted for this purpose among others. It is not, however, their whole duty. It is certainly as much a part of that duty, and as an agreeable a function of it, to create inequalities between the good and bad, as to level them under different circumstances.

Supposing the author of the Declaration had asserted among *his* self-evident truths, that he held the heavens to be made of brass!! Certainly there are more appearances at times to justify such assertion, than there ever was to justify those he has made. Would any man have practised under such a belief? Would any man have shaped his conduct to that contingency? And if they did not, would not their conduct be satisfactory evidence that they did not believe the assertion? Men have not altered their conduct since the marvelous developement "that all men are created equal." The author of the statement never shaped his to that end. This is as good testimony as can ever be got, that neither he, nor any one else, ever practically believed the statement true. And it is to be questioned, whether theoretically, the author, or any other, ever gave credence to it. For it is quite difficult for me to conceive how a man can have a belief, upon a subject, upon which he can have no knowledge. That difficulty, I apprehend, is irremoveable. If the assertion had been, that all men are created unequal, we might with some propriety have put credence in it; because a great multitude of analogies lead to that supposition. We have what amounts to some knowledge on that point. But when the assertion is, "that all men are created equal," we possess no fact, circumstance, analogy or revelation, that touches the

subject ; consequently we can have no knowledge, and of course, no belief. The author of this statement could have had no belief in its truth, because he possessed no knowledge in the premises, that is not common to us. There is no possible apology for his making it, but lunacy.

I cannot but think the friends of a greater extension of privileges and franchises, do miss their aim, and squander their energy of argument, by quotations or settings-forth of the assertion, "all men are created equal." No man believes, or can believe it. It therefore possesses no force but to weaken the positions and arguments connected with it.

Because men, so far as we can draw any conclusion from facts, are created unequal ; it by no means follows, that the abominations of slavery are of course to be justified, or the system itself to be tolerated. Whether those abominations arise from the system or from the cruel disposition of fallen man, is a question perhaps, yet to be settled. If the evils come from the system, there is hope of their cure, either by an amendment of the plan, or by its abrogation. But if they arise from the depraved nature of man, they will continue, irrespective of the "peculiar institution."

There is no remedy in that case, but a divine one. Men with cruel hearts, will find ways to wrong and abuse each other, system or no system.

It may not be amiss here to inquire, under what contingencies, equality can be predicated of man ; and if possible, to find some shadow of apology for that startling paradox, which is under review. Can it be alledged on this behalf that all men are equally created to die ? So are brutes. And if any thing is gained by our assent to that, it enures to the advantage of the brute, and not to the author of the Declaration ; for if that constituted equality, the brute might have been comprehended in the dispensation, and the self-evident truth would have stood then—"all men and brutes are created equal." But is it even so, that all men are created to die ? All that have passed away from the land of the living, so far as our knowledge extends, except two, have died. But what reason, aside from that derived from analogy or revelation, is there to lead us to the belief, that all those now living were created to die ? Some of the modern prophets, at least, have been looking

to escape that contingency. At any rate, it is not self-evident that all men were created to die; neither is it demonstrable at present one way or the other.

Supposing the apology to be, that all men are created equally responsible to their Creator. Very well. Does verisimilitude of condition, in a single particular constitute equality in all? That all men are responsible to God, as a point of faith, we believe. That they are equally responsible, is a point to be proved. What knowledge we can get on the subject, leads to the belief that the responsibility is unequal; and because the man with one talent was held to a different account from the man with ten; we reasonably infer that it was because there was a difference between them. Men ought to do their duty, both to their neighbor and their Creator; but there has ever been an immense dissimilitude in their methods of discharging that obligation.

Suppose the apology to lie in the authority of scripture, "God hath made of one blood all the nations for to dwell on the face of the earth,"—if I quote right. What does this amount to; but to say their blood, all of them, is that of man, not of bulls or goats. The prophet Ezekiel, notwithstanding this knowledge, contemplated a very great dissimilitude among men; for in speaking of the Assyrians whom he hated, "all of them desirable young men, clothed in scarlet and riding on horses;" nevertheless said he, "their flesh is as the flesh of horses, and their issue as the issue of asses." Doubtless he would make just the same reflection on the Southern chivalry, could he see a specimen. Be that as it may, if I possessed the ability to sneer with such unadulterated scorn as that, I would set up nights to exercise my faculty.

Doubtless in some vague and unprofitable manner, equality may be predicated of men; but in no sense or shape, as I conceive, can it so be done, as to divest the sentence under review of its treacherous absurdity. Against our knowledge, innate, acquired, or revealed—against the instinct and impulses of every son of Adam, is the assertion, "all men are created equal." The powers of no individual, nor of any combination of them, with all the advantages to boot of genius, and the first order of physical endowment, can produce one solitary example of perfect equality. Even in the instance of twins, one must be born before the other, conse-

quently an inequality of age follows ; to say nothing of the diverse and ever varying contingencies occurring to man in despite of the most careful safeguards.

In conclusion of my remarks on this part of the subject, there is one point of negative testimony, which I admit, so far as it goes, favors the supposition, that the declaration under review is self-evident. It is this. What is self-evident, cannot be shown to be true, by demonstration clearer than itself. I allow therefore, the expression "all men are created equal," to be self-evident, if evident at all; for it is clearly incapable of any proof whatever.

The second truth affirmed to be self-evident is expressed thus— "that they (i. e. all men) are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness."

To *alien*, is to dispose of, part with, put away. What is *unalienable*, is what cannot be disposed of, parted with, or put away, either by the possessor, or by any one else: for if it can, it ceases to be *unalienable*. Life is affirmed to be one of these possessions. If it were true that no man could alienate (dispose of) his own life or any one's else, it would prove an immense comfort to braggarts. They could parade their patriotism and bravery without serious risk. Wars too, would cease to be attended with those losses, which have hitherto been accounted their chief terror. For myself I had supposed that life was alienable: and I apprehend the author of the very sentence under remark, thought so; for before he closes this famous declaration, he pledges his "life," among other things. To pledge what one cannot dispose of, amounts to no higher virtue, than to give away what one does not own. If life were unalienable, the pledge so sonorously paraded at the close of the Declaration, would be as worthless as a Virginia abstraction, or an abstract Virginian.

Moreover, if life is unalienable, there can be no more evidence of true patriotism. No man can part with his, for the good of his country. The Declaration that contains the self-evident truth that life was unalienable, was published the 4th July, 1776. The battle of Bunker Hill, where Warren, and many brave warriors had alienated their lives for the benefit of their country, had taken place in June, of the previous year. Montgomery also, with his

companions in glory, had the same year alienated their lives under the ramparts of Quebec, for the same purpose. The patriots, likewise, who were slain at Lexington, had done the same thing. They sleep in their graves, each one with the sweet hope of immortal joy for his bed-fellow; and when they awake, they will find that their smiling companion had awoke before them.

It seems fortunate for the posthumous fame of these glorious old warriors, that they effected this impossible *alienation*, and secured their renown, a little before the *self-evident truth* made it evident they could do no such thing.

To pretend a distinction between the *right* to life, and life itself, is but making darkness visible. The alienation of life, under certain circumstances, has ever been considered one of the most exalted actions a human being is capable of performing. The alienation effected on mount calvary, has attracted the admiration of half mankind, for more than eighteen hundred years. Every battle field, from Marathon to Saratoga; every page of history, every day's experience, furnish us with but too much, and too lamentable testimony, that life is alienable. The assertion therefore that life is an unalienable endowment, is not only not self-evident, but is a specimen of sophistry unsupported by any known fact, and incapable of the shadow of proof.

It is indeed not improper to suppose, that our first parent, when he came from the forming hand of his Creator, was endowed with an unalienable right to life. But he, with that perverseness, common to all his race, succeeded in alienating the affections of his Maker. As a just retribution for his perversity, the glorious endowment of a right to life, was taken away from him, and the endowment of a right to die substituted in its place. This endowment, has clave to his posterity with an unalienability that has never been broken, though every device that the ingenuity of man could invent, has been tried to effect that alienation.

If the author of the Declaration had asserted, that all men were endowed by their Creator with an unalienable right to die, he would have come as much nearer the fact, than he has, by all the distance there is between falsehood and truth.

The second item with which we are endowed by our Creator,

and which is affirmed to be "unalienable," is liberty, or if you prefer it, the *right* to liberty. A person may have a right to lands, and yet not be in possession. The *right* may be worth something without the possession. As I but briefly intimated, a few passages back, that a distinction supposed, between a *right* to life and life itself, was only making the obscurity greater, or words to that effect: it may not occur to all my readers, that that expression was any thing more than a mere dicit of mine. To prevent such a sequence I will be more particular.

To be endowed with a right to live, and yet at the same time can not live—that is to say, a right to life, and yet not in possession—is not an endowment of any practical value. An abstract right to life, which some one has taken away from us is worth less than the carcass of a dead cat. The Creator, I apprehend, has higher occupation than making such endowments. Moreover, the right to live, would seem to conflict very much with the right to die. I doubt whether the two rights can coëxist. That we have the latter, is made evident by testimony as magnificent in quantity, as it is melancholy in detail. The truth is, the right to life is in the *possession*. It is inseparable. If it were; if a man had a right to life after he had been dispossessed; I know of no process he could institute for its recovery. Where would he stand, while he vindicated his right? What court could he get to entertain his cause, except that of Radamanthus? Ordinary dead men, in such an emergency would want the aid of a live lawyer. Could they find one to go before the courts in the next world, to vindicate a dead man's *right to life*? But supposing he should recover judgment by default; what sheriff would bring him back to this world, and put him in possession of his lost property?

To be sure, man has a self-evident right to life while he lives. I do not dispute that. But it would take an immense amount of sophistry to prove his right to it after that time; or that the right was worth any thing if it could be proved. I think therefore it has been shown that the *right* to life and life, are one and inseparable; consequently the expression, "unalienable right to life" amounts to nothing more than "unalienable life"—the word "rights" adding no appreciable idea to the expression, or being of any practical use, except in sound—sound signifying nothing.

We come now to an examination of the expression "right to liberty." It is true in this case, the right, under certain circumstances, may be worth something without the possession: and in that particular the word as applicable to "liberty," has some meaning, but as applicable to "life" none; and herein in part consists the cheat of the sophistry under review. The right to liberty, in a given case, may be valuable just in proportion to the chances of obtaining actual possession. But an abstract right to what one has not got, and what there is no probability of his getting, seems worth no more than a *right* to be disappointed. To suppose our Creator makes endowments of that sort, is a presumption I would not like to answer for. "All men" includes black men!! Perhaps the reader ought to be informed that the above, is a self-evident truth; otherwise he might possibly doubt its verity. The value then, of this *right* to liberty, which a South Carolina slave is endowed with, (if all men are,) may be calculated more easily than a nullifier can calculate the value of the Union. The value of this right, to the poor slave, according to my mathematics, is just the value nullification adds to that Union. The truth is, the *value* of the right, without the possession, exists only in theory, not in fact. To be endowed with a right to think, without being endowed with any mind to think with, would be just such another endowment—just such an one as the author of the Declaration must have contemplated, if he had any distinct idea of the subject. To this complexion it must come at last.

The point to be proved then was this, that the *right* to liberty, though nominally appreciable as a thing separate from the possession, is not in ninety-nine cases in a hundred, worth more than the *right* to life without the possession. To all practical intents and useful purposes, the word "rights" as connected with liberty, may be dropped from the text, and the idea will in fact be as little impaired, as I have shown it would be by omitting it before the word "life." The whole idea there was to be communicated, so far as life and liberty are concerned, might have been expressed without the word "rights" and would have stood thus—"endowed by their Creator with unalienable life, liberty," &c. If my reasoning on this subject has not been fair, I should not know how to appreciate that which was.

All men endowed by their Creator with an unalienable right to liberty!!! When did this wonderful endowment take place? The endowment of a right to liberty, without any endowment of means to obtain possession, one would think was rather a cheap affair, considering the source from whence it is said to come. Besides, how is the right to be proved without the possession? Doubtless every man has a natural right to liberty, who is able to maintain possession; just as he has a natural right to life, so long as he lives. The proof of the right before one has got possession, would be just as difficult in the one case as in the other. The right to a farm at the bottom of the Atlantic ocean, may be set up, by such men as have a "clear and unquestionable right" to Oregon. But if it was asserted that our Creator had endowed us with a right to a farm at the deep bottom of that tempestuous sea, sane men would probably consider first, whether they were endowed with means to get there; if no proof of the second endowment were to be had, I am inclined to the opinion, prudent folks would doubt whether the title was genuine—whether it was good enough to justify an attempt to take possession.

The slaves of our country are in precisely the same predicament with regard to their alledged right to liberty, as we are in, touching a farm under the waves of the Atlantic—certain death attends all attempts, or most attempts to take possession. Where is the *proof* of their right? and if none, what is the value of their title? I may assert a right to a farm. When I go to my counsel for assistance, he very properly inquires on what proofs my pretensions are founded. "Are you in possession?" No. "Have you ever been in possession?" No. "Where is your deed?" Hav'nt got any. "It is devised to you then?" I've no writings of any kind whatever. "If you have no *proof* of your right, how can you pretend to have a right?" Why, I am pretending. "Oh ho, then your right is a pretence is it: you may pretend possession and that will end the matter." But pretending possession will not put me in possession. "To be sure not, neither will pretending to a right give you one."

I think I have been explicit enough to show, that rights to things one has not got, and cannot get; are just equal to no rights at all. The magnificent parade in the Declaration, of "unalienable

rights to life and liberty therefore, are but a rhetorical cheat—a fiction of the sophist's brain. The word "rights" in its juxtaposition to life and liberty, communicating no appreciable idea; is but darkening counsel by words without knowledge. I cannot but reiterate, what I have I believe expressed before, that the friends of emancipation do fritter away their logic, by settings forth of these crude incomprehensible fictions. They communicate no idea, and possess no force but to puzzle. The right to liberty must be proved by possession, or by human endowments; otherwise it becomes as valueless as an abstract right to a tin whistle, which the owner is not permitted to blow; no nor to look at; and which upon further search is after all not to be found any where. The consolations such a right as this must give, are all the consolation which the poor slave has. To console him with a statement of them, is but a mockery and an aggravation.

The third item with which we are endowed, and which is affirmed to possess the same fixed attributes as the others, is the "*right to the pursuit of happiness!*" The idea, if there was one attached to this expression, is too remote and vague for criticism. The attempt to weigh an abstraction in scales, or moonshine in a balance, would require the same manipulations as an attempt to calculate the value of an idea which its author could not express. The most favorable construction I can put upon it is, that no idea was meant to be communicated. The passage was particularly designed for southern ears; therefore sound, not sense, was required. It was more euphonious to terminate the clause with these sounds, than to stop where the idea stopped; hence they were added.

A sarcastic Frenchman once said, "the chief use of language is to conceal ideas." That was not the chief use of it in the case before us; for it does not appear there was any idea to conceal. Pursuit of happiness!! *Right to the pursuit of happiness!!!* The same logic, which I am sure made it satisfactory to the reader, that the *right to life* must cœexist with the possession—that they are one and inseparable—is applicable in the present case. To be endowed with an abstract *right to the pursuit of happiness*, and yet endowed with no ability to pursue, is in all respects as barren a privilege as the *right to life* when one is not

in possession. As dead men tell no tales, I do not know how we are to get any witnesses of a man's right to life after he is dispossessed; so the right to the pursuit of happiness, must be proved by the pursuit, if proved at all. The right, and the possession, must be contemplated as one, if indeed it is a subject concrete enough for contemplation. I shall so treat it from obvious necessity.

Some men's pursuit of happiness consists in picking our pockets; others in taking our lives; a third makes his pursuit of happiness consist in getting the two first convicted of their pursuits; and in getting them alienated of their unalienable rights to liberty and life. Success in the latter pursuit is quite after my notion of what ought to take place. But these antagonist and ever conflicting rights!! Are they divine endowments? Rights! nullifying and devouring each other!!! The rights of the Kilkenny cats to fight till there was nothing left but their tails, were just such rights.

Such, Oh Progressive Democracy! is the length and the breadth, the weight, the superficies, substance and sum-total of the sounding sophistry in this part of the Declaration of Independence. If in our first and most solemn public document we parade such stuff as this—if we quote it, utter it, laud it, is it to be wondered at, that other nations should scoff at our pretensions, and mock when our vain-glory cometh? Our patriotic nation seems determined to have a magnificent opinion of itself, at all hazards and in despite every obstacle. No amount of folly in our state papers, or of nonsense in our public speeches and diplomacy, is adequate to alter that opinion. But what views of our sense or sanity, is all this ostentatious setting forth of unintelligible aphorisms and inappreciable generalities, calculated to create in our cotemporaries? Oh that we were endowed with an unalienable disposition to divest ourselves of vanity and lies. I would give more for such an endowment, than for all the abstract rights this side the moon.

The third self-evident truth asserted, is expressed thus—"that to secure these rights" (meaning those we have just been contemplating) "governments are instituted among men, deriving their just powers from the consent of the governed," &c. Rights! with which we are endowed by our Creator, and in a manner

withal, that makes them self-evidently unalienable, a sane man would suppose, were about as secure as any thing could well be made on this side the grave. Who would want a human government, to secure, what in the same breath is alledged, a Divine one had secured, so as make the loss of it self-evidently impossible ?

Had the writer of the Declaration *believed* his two first self-evident truths ! he could not avoid knowing that there was no possible use for his third one. Rights, possessing the remarkable characteristics affirmed of these, must be objects as fixed as the sun. That luminary does not abide in its place, by any stronger security, than an "unalienable" endowment of its Creator. Consequently there is no more need of a human government to secure what is unalienable in us, than there is to secure what is unalienable in the sun. The pyramid of Cheops is not endowed with an unalienable privilege of existence, so far as we know, and is therefore indefinitely more transitory than the rights spoken of; nevertheless I apprehend, three or even four self-evident flourishes of rhetoric, would not add enough to its stability to pay for the breath that uttered them. The earth likewise on which we stand, is not fixed in its sphere with the irremovability affirmed of these rights. It is therefore more liable to drop from beneath our feet, than our unalienable rights are, to slip from our possession. If that contingency should occur, and leave this amazing nation to get along as well as it could without it, the government would not probably find it out ; for it appears that as yet it has never been able to discover what was "self-evident !!" A government instituted to secure the earth from dropping away from us, would not have a more laborious vocation, than one instituted to secure us in rights that could not possibly be taken away. In fine, a government instituted to secure us in a knowledge of what was self-evident ; would have the same marvelous employment, as one instituted to secure us in rights that are unalienable.

The most astonishing thing about these passages of the Declaration is, that such an immense quantity of nonsense could be got into so small a compass. If a man could tell a thousand falsehoods at a breath, I confess, it would be some apology for lying, if there can be any. A similar apology must be made for the sentence under remark, if the case admits of one. The litter of

lies that spring from this passage, multiply themselves like the plague of Popish saints. There is more than one for every day in the year. I am as much astonished in the contemplation as any of my readers can be. When I commenced this examination I did not propose to myself more than a short article. But the subject has so grown that I do not feel but half through with it yet. However I will be as brief as the nature of the case admits. The last clause of the passage quoted we have not yet inspected, namely—"deriving their just powers from the consent of the governed." The government that is instituted to secure me in rights that are unalienable, derives no just powers from my consent. If it should undertake the experiment, I should say—thank you; you need not trouble yourself; I apprehend I shall be able to keep, what cannot be taken away from me. Besides it is as much as can be expected of you, to bring to light, what is self-evident.

My conviction increases as I proceed in the examination of this document, that its author had no distinct ideas on the subject he was writing about; or if he had, he possessed no faith in the truth of his own assertions. Certainly I have no disposition to undervalue any thing connected with the credit or renown of our country; but would rather pertinaciously insist upon every thing connected therewith as great and good, if I thought I could possibly maintain such a position. But in the face of this filial affection I must say, a more crude and profitless jumble of words, than fills the passages in the fore part of the Declaration, is no where to be found in any State document north of Mason and Dixon's line.

The first and most fatal mistake of its author, as I conceive, lay in his attempt to *make* truths. As if the truth was something that could be made. The first prerequisite and vital quality of truth, is, that it is something which *exists*. Men may tell it, or neglect to tell it. But the attempt to make it, is evidence, that what they purposed to make, did not exist; consequently it could not be the truth. Visionaries like the author under review, and most persons of some learning without any thorough discipline of mind, are very fond of these attempts to *make* important truths. They succeed in making a statement. Afterwards on looking round for facts in its support, finding none, nevertheless its author

never seems to alter his opinions of its value. [Let them find the facts, or make them, who are interested in having it true.] The value of a statement consists in its truth: unless the design was to deceive. In that case its value is a minus quantity to all who are deceived.

The question may be put to me here, with as much force perhaps as in any other place—if this document is the miserable specimen of sophistry you suppose, how comes it to pass, that such men as Franklin, Roger Sherman and other northern men of unquestionable acumen—how comes it they should have put their signatures to it? For the same reason that made them adopt the constitution—a strong imperious necessity. A necessity vehement and inappeasable, demanded of them the adoption of some constitution of government. The same necessity narrowed their choice to the one they did adopt or none. It was the best of two alternatives, notwithstanding its great and almost fatal blemishes. So with regard to the Declaration—the blood at Lexington had been spilt, Warren and his companions had fallen at Bunker Hill, Montgomery at Quebec—it was a time of trouble, when every face gathered blackness, and every town felt distresses daily. The full time was come when the leaders must declare what they purposed to do; and so pressing was the emergency, as to narrow their choice to the Declaration as it stands or none. They signed it notwithstanding its defects, and in so doing did as I myself would have done.

But the signers had some apology for this act, besides the rigorous necessity that pressed them. There was some excellent things about it, as I trust it is yet possible to show. It is not the taste or the genius of the signers that I impugn. Their part in it was what emergent circumstances compelled. An apology for them is manifest; not so with the writer. His part in the premises was the work of the closet—of premeditation and preparation. He therefore is not entitled to any indulgence for the crude nonsense it exhibits.

If the question occurs to any one, how the same tree bringeth forth good fruit and evil fruit? my response will be simply because there are two trees. The composition is evidently the production of two minds. Upon a close and critical examination of this

instrument—the style of its ideas and expressions, I have come to a settled conviction on that point. The same amount of testimony necessary to convince me, that the whitest children of our country are the offspring of the blackest inhabitants, would be required to prove to my satisfaction, that the clear straight forward statements in the body of the document, were the production of the same mind as the verbiage that precedes them. The difference in solidity between ramparts of stone, and the mists of the morning, is but a trifle more conspicuous, than the difference between the thoughts to be expressed and the mode of expressing them, observable in the two parts of this production. The clear, strong-minded and honest man, when he has any thing to declare, takes the method which becomes conspicuous in the document, where it says “The history of the present King of Great Britain, is a history of repeated injuries and usurpations,” &c.—the man whose mind is forty-nine parts fog, and fifty-one self-conceit will invariably employ the style, mystification and pompous nonsense of the passages we have been reviewing.

Moreover, from many analogies I am inclined to the opinion, that one of these minds had been invigorated by the discipline of a higher latitude; the other enervated by the lassitude of a lower—one from the land of facts and truth, the other from the land of abstractions and vain philosophy. The mind of the higher latitude begins to manifest itself in the Declaration, as soon as we begin to find any truth in it, or any appreciable idea. The sentences in the second paragraph, following those I have commented on, are intelligible. I think it reasonable to suppose therefore, that no southern mind produced them. This intelligibility increases apace till the composition comes to the recital of facts, when that intelligibility is complete. We come now to statements that carry conviction with them—to ideas that cannot be misunderstood and facts that no man can dispute. Not only what truth or honesty there is in its Declaration; but all the strength, beauty and value lie in this plain, unambitious narrative.

“See how a plain tale will put you down,” says a fine writer. He, and those who heard him knowing well, that the force of language consisted in the force of the facts recited; and sublimity in the brevity wherewith the truth is set forth.

On reading the Declaration, my interest continues unabated from the beginning of the recital of facts, through all that part of it which was evidently the production of a northern mind. At the last paragraph but one, that interest rises to excitement. I venture the opinion, that a specimen of more touching pathos than is there set forth, is not to be found in any State paper, of this country or of any other. That, is the way in which a strong-minded man speaks, when he feels himself wronged, and his purpose has become fixed to redress that wrong.

We see no more of the soft latitude in this production until we come to the concluding clause of the last sentence: there it bursts forth again with its "peculiar" rhetoric and unmistakable characteristics.

As the passage is often quoted—as it is more frequently in the mouths of the mock orators and quack patriots than any other, we will subject it to the same considerate and fair criticism, we have applied to its cognate and fellow passages in the first part of the document. I will quote so much of it here as I purpose to inspect.—“We mutually pledge to each other our lives, our fortunes, and our sacred honor.”!! If this is not bathos, what is? If here is not a specimen of anti-climax, in the place of a supposed sublime asserveration—laughable but from our respect to the circumstances, where can we find one? If after a man had pledged his fortune, he should propose to increase the security by pledging his movable estate, we should hardly think him sane enough to make any pledge at all. “All that a man hath will he give for his life” saith a far wiser writer than the one we are reviewing. Life is by so much the most valuable of all our possessions, that in its common meaning, it is used as comprehending every thing else that belongs to us. Life, in the sense in which it is used in the passage before us, is not confined to mere animal vitality; it comprehends all that goes to make up the man. It includes his qualities of soul, as much as it does the blood in his veins. But if we take the passage as it stands, we must conclude that when they pledged their lives, they made a reservation of honor; as if that attribute was something which did not necessarily belong to *their* lives: for afterwards, as if upon second thought, they pledge that too.

If a man had honestly pledged his life, we should feel satisfied that he could not increase the security; knowing full well, that all that he had he would give to redeem his pledge, if that redemption could be effected without the final and more costly sacrifice. To pledge their fortunes, after they had pledged their lives, is in fact, either pledging what was already disposed of, or pledging what could not be disposed of, if the first pledge was exacted. None but the men of "soft latitudes," would undertake the gratuity of disposing of their fortunes, after their lives were disposed of.

But the sounding brass, so sonorous in chivalric ears, and for which they will at all times and every where sacrifice sense or sentiment, is "sacred honor"!! Why the chivalry should account their honor sacred, I could never conjecture, unless it was because they have but little. People are apt to be chary of what is scarce. Perhaps however we judge them harshly; and they only make a great parade of this virtue because they have no other. We have no certain means of knowing but what the chivalry would canonize modesty, if they knew what it was. But it is not to be expected, that men can appreciate what they cannot comprehend.

How is *sacred* honor better than honor? And by how much is a pagan virtue superior to a christian one? Piety is a virtue, if faith is. If we should hear of a man parading and boasting of his sacred piety! we might, I apprehend, with some propriety conclude, he really had none at all to boast about; and I venture the opinion that when we hear men boasting of their sacred honor, we may come to a similar conclusion with similar propriety.

Honor is nothing more than a virtue; modesty nothing less. Why one should be accounted sacred, the other not, must be demonstrated by southern causistry if demonstrated at all. Chastity is generally accounted a virtue north of Mason and Dixon's line. If it has not hitherto endured the climate south of that line, is it so much the fault of the virtue, as the fault of the cultivators? On the supposition however that this virtue might be cultivated as an exotic, it is doubtful whether the chivalry would account it "sacred."

If the chivalrous south pledged their honor because it was sacred; they must have kept it secreted because it was pledged:

we have never seen any thing of it from that day to this. But the fact that they account their honor "sacred," in some measure accounts for their deifying themselves. For is it but fair that beings who found they possessed one sacred attribute, should thereupon presume they were entitled to a post among the "Dii minores gentium." But self-sanctification and self-deification do not appear sufficient to satisfy the generous cravings of the chivalry. The Dii minores gentium stoop from their celestial tripods to appropriate terrestrial virtues. They call themselves the "generous south." It is not much to be wondered at, that they should covet the virtue of generosity. For it would be a very easy one for those to practise who never pay their debts.

But the chivalry can afford to be generous in the matter of pledges if in nothing else. They can pledge their lives, because understanding them to be "unalienable," there is of course no risk. It is cheaper to do any thing else with them, than to lead them. They can pledge their fortunes with similar safety, for these are for the most part desperate, and are as well got rid of as kept. And lastly, they may pledge their "sacred honor" from Maine to California, and from independence to doomsday, without a shadow of risk; for no man will ever take it who knows what it is.

The expression "our lives, our fortunes and our sacred honor," I cannot but contemplate as verbiage of the poorest sort. Nothing is added to the idea after the word "lives." Had the sentence of which we have quoted a part, been written thus—"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" it would have expressed all the meaning it does as it stands. But sound!! sound!! the Jupiter-tonans and the ding-dong it would not have had. These, to chivalric ears, are of more consequence than sense; therefore those insipid and profitless appendages are affixed to a sentence, which but for them would have been sublime.

Men in the strong agonies of death, make no parade of rhetoric, And in the trying emergencies of life, public or private, when the strain of rigorous necessity brings us to as straight a condition; a brevity as rigid as the condition we are in, is the first, last, and

sole characteristic of our speech. In the emergency which constrained our leading men at the time of the Declaration, we should suppose they would have pledged all they had to pledge at once; and so they would undoubtedly have done, if left to the promptings of their own good sense; but the document makes them dribble out the items they propose to pledge one by one; and the mind in contemplating the worth of the separate parts, loses sight of the value of the whole.

As a general remark, it may as well be observed here as elsewhere, that after the first paragraph was uttered, a decent respect to common sense required, that the declarers should immediately proceed to a statement of particular facts, in support of the generalities already advanced. But when we expect the fish, in this case, we get the serpent, as we most commonly do when we expect good from a low latitude. So far from a statement of facts or declaration of causes, the author goes into a setting-forth of strange and crude generalities; the contradiction of one part thereof to an other, equalled only by the absurdity of the whole. For how can a man exercise his supposed right to the pursuit of happiness, unless he does as he is a mind to do? The business of a good government is to prevent this pursuit, not secure it. But according to the logic of the Declaration, governments are instituted to secure all men in the divine right of doing just what they please.

It is to be regretted that a document, calculated from the circumstances under which it was published, to become known far and long among the nations of the earth, should have gone forth with the unalienable blemishes our Declaration evidently has. But we console ourselves, as no doubt the northern signers of it did, with the unction, that there are many excellent things in it, and if there were not, there is no help for it now. We must face the scorn these crudities and this sophistry is calculated to procure. I should suppose foreigners would have laughed us out of every checker of longitude on the globe, for all this ostentatious parade of folly; and the fact they have not, is evidence that we have been treated with a forbearance we did not deserve. But perhaps our folly in other particulars has been so great, as

wholly to occupy the foreign wits, and we have escaped ridicule for this, only because there was not time to bestow it.

As I remarked before, I can well excuse the signers. When the fire begins to take hold of men, and the flames to be sucked in their nostrils; I understand the emergency is too rigorous for them to attend to the duties of the toilet, and to the anointing of themselves with oil. The signers could have had no time to lop the excrescences from the document, unless a stroke of the sword would have done it. Yet when these men, yea and the genius of our struggling country, felt the strain of a pressure as vehement as that instanced above—when the blood extravasate was spouting from its arteries; the spectacle is presented by the author of the Declaration, of one attempting to amuse their minds with a setting forth of sophisms, and their ears with the soundings of sonorous brass.

How can we complain of “outside barbarians” for lightly esteeming our literature, and scoffing at our pretensions, when we present to them in our first and gravest document, these specimens of unmitigated nonsense? As there is risk that such expressions as the one just uttered, may be taken for mere vituperation, let us refer again to the logic or the want of logic, on which it is founded. In speaking of the unalienable right to life, our Creator was said to have endowed us with, I believe I put the question, “when was this marvelous endowment made?” I may here with propriety propound an other. For how long is the guarantee of this unalienable endowment to run? Does it extend to any definite period beyond death? And if so, when or where shall we make our vindication? If not, then the unalienable endowment amounts to this and no more, that we have a right to life while we live!! This is the “self-evident” truth we all knew just as well before the statement as now. If this truth was a part of our knowledge, it was in our possession. If it was in our possession, it was our own. The cheat then, is in selling us information we were possessed of before; and in making us buy what was our own. The price we pay is in the time and trouble we expend in the detection. An old story runs to this effect. An expert jockey took the horse of an old man; and having singed it and otherwise clipt and fixed it over, so as for

the occasion to conceal its identity, subsequently sold it to its owner for a price. We are in the same fix as the poor old man; for the sophist has taken our previous knowledge, namely, that we were divinely endowed with a right to life just so long as we could manage to live, and no longer; and having singed it and otherwise fixed it over into a "self-evident truth" so as for the occasion to conceal its identity, he makes us buy it back again. The measure of my respect for the jockey, considerably exceeds my respect for the sophist: for the former did understand his game, but the latter was too infatuate to see the cheat. It evidently appears, from his imperturbable gravity, that it never occurred to him that he communicated no knowledge—he never mistrusted that the right to life consisted in the possession, and was to be proved by it, if proved at all—that the *right* to the pursuit of happiness, was to be proved by the pursuit if capable of proof; and so in all practical purposes as to the *right* to liberty.

A sentence or two upon "rights" may not be amiss. I conceive the author, and all readers of the Declaration who have tried to give credence to these passages, to be deceived by the supposition that the word "rights" could carry the same meaning when applied to life, liberty, and the pursuit of happiness, as when applied as a substitute for "title" to lands or houses. If I am ousted of possession of my house, I prove my right by certain *human* endowments. I set up a human right, not a divine one. If I should set up a divine right, namely a right founded on an endowment of my Creator, I know of no way to prove the correctness of my title, but to dig up a Mormon New Testament with the revelation of my right set forth: unless I go before the court where the record is kept, to wit, on the other side of the grave. At all events, I could get no better testimony, in this world, than a Mormon revelation.*

The word "rights," as the author of the Declaration and others like him use it, communicates a fiction, not a fact. Our knowledge cannot be increased by such a use of the word; it brings no additional idea, to speak of a right to life, more than to speak of a right to a right. Such an arrangement of words possesses no

* Note D.

power but to deceive. It cheats—that is all. The advantage gained by believing a fiction, is always a minus quantity. We are in fact a little more ignorant after it, than we were before. All the advantage we gain therefore, by placing credence in the first part of the Declaration, is an accession to our ignorance, not our knowledge. And some of us have all along been the fools that did not know the difference.

Is it matter of surprise that the subjects of the severe but rational and effectual governments of Europe, should mock at us for instituting a government, to secure ourselves in rights, which we affirm our Creator has endowed us with, in such an unalienable manner withal, that we cannot get rid of them if we would? Is it marvellous, that the ready writers of other lands, should scatter their sneers at a national literature, in part made up of a vain-glorious *revelation* of what was known before?

Suppose our author had set forth the following self-evident truths, (which I claim, and I think, shall be able to show are superior to those he parades) namely—we hold the following truths to be self-evident: that the moon is one solid sphere of gold—that all men are endowed by their Creator with an unalienable right to an equal proportion of this treasure; and furthermore, that they are likewise endowed by the same authority, with an unalienable right to pursue any method to get possession which they think consistent with their happiness!! The superiority I claim for this setting-forth, consists in this,—it would be precious information to lunatics; whereas for the matter of his, it is as useless to the sane as to the insane. Under my dispensation, the moonstruck might insist upon their rights, with any given amount of pertinacity; and revel in the full consolation that they were well off as to riches. I would not however be understood to insinuate, that this stock in the moon would go current in Wall street at present; or that it would pay a debt at the bank, at least, not till the brokers began to receive moon-shine for cash, and statements of self-evident truths for an increase of knowledge; but what I would insinuate in behalf of this stock is, that quite probably it would be useful among the chivalry for the purposes of hypothecation. As a matter of pledge it would be superior in value to their “sacred honor,” and in bona-fide debts far better than their promises.

I think I have been able to show in the progress of this criticism, that we are indebted to the genius of the soft latitudes, for all the profitless abstractions in the fore part of the Declaration; and for some sounds at the end of it—and to the genius of the high latitudes for the remainder—that is to say, to the South, for that part which contains no ideas; to the North, for that which does. And as some of our confederates are ever and anon calculating the value of the Union; I will help them in this department of their mathematics to the following axioms. What value, the vague and inappreciable generalities at the commencement, and the sounding nonsense at the end, add to the Declaration; is precisely the value these members add to that Union. Secondly—the value of a leak to a ship, or the value of a road to ruin for young men, subtracted from any given minuend, the remainder is just the value in the Union which they do not bring to it. In fine the chivalry, the nullifiers and repudiators taken in the aggregate, do effect an accession to our strength, of an immense minus quantity.

But would I part with the chivalry fraction of our confederacy? By no means; certainly to be sure, no. There is an indefinite amount of swagger yet to be put forth, before this nation assumes among the powers of the earth, that equal station which its vanity covets. There is none to do this but the chivalry, therefore they are necessary to this “glorious Union.” Besides there is an invariable amount of indignation to be expressed for the sneers and insults offered to us from abroad. In this department of patriotism the chivalry excel. Indignation is natural to them,—they are born with it, and will snuff an insult where Thessalian hounds could not follow. The genius of the valorous latitudes, will come up from the swellings of its indignation, like a lion from the overflowings of Jordan—it will teach the presumptuous nations, by no means to lay their uncircumcised hands on any part of the continent connected with the “sacred honor of the sacred defenders of liberty and the rights of man.”!!

Rights of man!!! These, if they are any thing, must be rights which exist, irrespective of government, and in despite of government human or divine. What valuable qualities rights can possess, which are not derived from the Divine or any human government, I apprehend is yet to be demonstrated. What they are, I could

never conjecture, unless they might be supposed to consist of a right all men possess, of being born of woman, instead of some animal. If this is one of the rights of man; the chivalry ought to account it "sacred:" for so far as I can see, it is all that operates to secure them, from the unpleasant contingency of being born among a generation of pigs. Perhaps another of these "rights of man," consists in the privilege all men have, of dying just at that nick of time when they cannot possibly live any longer. This again, enures almost exclusively to the advantage of the men of soft latitudes. It effectually prevents their going off, a little before they are done for.

The "rights of man" beyond doubt, permit him to wear his back on the foreside of his body, if he can get it there; and to do, without fear or molestation, any thing else he pleases, which God or man does not prevent. The end of the whole is, that the rights of man, secure us in privileges, we could not help possess without them—and this is all they can do, and be, what is affirmed of them, rights of *man*, as contradistinguished from rights secured by a government either human or divine. As a contrast to such rights as these, let us refer a moment to those secured to us by the divine government. It is sufficient to refer to one of them, namely—the right to fear God and keep his commandments. The administration under that government, has furnished us with a most admirable body of rules, examples and precepts, instructing us in the way to exercise and enjoy these rights to the greatest advantage. Here, we are not cheated with sophisms—we are not mocked with words full of sound signifying nothing. A human government, if it is good for any thing, secures its subjects in the right to enjoy the fruits of their own lawful industry. The governments of the earth, have not succeeded perfectly, in this their essential duty; but I think our own, so far as the free States are concerned, has come nearer to perfection than any other.

The serious injury, which the *faults* in the Declaration inflict upon us, arises from the fact that their position in this national document, enables them to cast their own hue on the national taste and genius. Evidences of this are discoverable from the sophisms so often in the mouths of demagogues, and in the ears of fools. We affect to despise the demagogues; yet we laud the Declaration

of Independence which is calculated to make them ; and it really seems potential for nothing else.* The sophism, "sovereign people;" !! do those who use it, or those who hear it, understand the value of the idea communicated by the expression ? If the people are sovereign, who are the subjects ? Now and then, a specimen of a sovereign without subjects has appeared, who was not a lunatic ; but the station is not one to be coveted, or one to which a sane man would commend others, by figure of speech or otherwise. If it be replied that the subjects of a sovereign people are the rulers, then the meaning of the sophisms comes to this, the *rulers* are the *ruled*. This is all we can find when we search for the idea in the expression, "sovereign people ;" a confusion of words of no use to sane people, but as evidence, that those who use it, and those who tolerate its use, are afflicted with the same melancholy confusion of ideas, or total destitution of them, which the words themselves exhibit. Because the people of our State, are permitted to choose their rulers, and thus indirectly assist in making the laws that are to govern ; it by no more means follows that they are sovereign, than because a thing shines, it is of course gold.

On sophisms like these, and those recited from the Declaration of Independence, and partaking of their peculiar characteristics, is founded in part our national literature. The attempts of our writers, to repel the scoffs such a literature is calculated to attract, amounts to nothing but a provocation of more. When the advantage to be gained, by this ostrich policy of shutting our eyes to our own infirmities, comes to be appreciated before it is too late to pursue another ; the advantages to be gained in fortifying a refuge of lies, by a stockade of falsehoods, will be discovered in season to estimate its worth. But until that era comes — until the full time arrives, when boasting communicates strength, and vain glory increases renown, we cannot rationally expect to increase our honor by multiplying the deeds that provoke contempt.

National honor must consist in the good opinion entertained of us by other nations, not in a lofty opinion entertained of ourselves. If we have hitherto failed to create that opinion abroad ; shall we succeed in creating it by a repetition of the acts that have all along failed to do it ? Because the big guns of the chivalry are adequate to knock this continent into a roar of laugh-

* Note E.

ter, will a gigantic foreign power be so terrified, “that it dare not fight in defence of its just rights?” When a blast of *ram’s horns* in our senate chamber, will throw down the ramparts of Quebec, it will do for our swelling patriots to talk of wars as figures of speech — but till that millenium of fools comes, it will be better for us to keep our patriotic *gas*, where we keep our other superfluities.

But the most mournful influences of these national sophisms, is exhibited in their effects upon the national genius. Our statesmen, (or the substitutes for them) accustomed to take sophism for truth, will consequently prefer fiction to fact. They would provoke a war on the supposition, that great bravery ascribed to our cadets in a novel, would enable our armies to gain a decisive victory over an enemy in the field. As a belief in a sophism, adds a minus quantity to our ideas, and in fact procures an increase of ignorance and not knowledge, so trust in any conclusion drawn from similar premises, increases our weakness, not our strength. Yet placing confidence in such premises, our substitutes for statesmen, would provoke a contest in the department of arms with a nation, when the chances of success are to the chances of defeat, in about the same ratio that accompanies the efforts of our writers, to maintain against the same nation, a literary supremacy. My fears as to the result, are neutralized only by my trust in the goodness of Divine providence; that the same invariable *sequense* which follows the logic of the ostrich, when it reasons itself into a belief, that shutting its own eyes seals up the vision of its pursuer; will not follow the parallel logic of our government. “The British Government dare not fight in defence of its just rights!!!” I trust that government has too much magnanimity, to take offence at what our lunatics say.

If I have succeeded in showing that the statements in the Declaration of Independence, purporting to be self-evident truths, are self-destroying sophisms—that men are not created equal, so far as we have any means of knowing — that they are not endowed by their Creator with any stronger right to life than to death; and that they cannot be endowed with any right to liberty and the pursuit of happiness, because such endowments would nullify themselves; if I have succeeded in all this, I would not have the friends

of emancipation suppose their argument against the unrighteousness of the slave system at all weakened thereby. If I have done what I purposed to do, I look upon it as taking from the force of their reasoning a minus quantity, leaving what remains increased, not diminished. It amounts to removing from their side a breaking reed.

I have never taken up an emancipation document, purposely addressed to our understanding, but what these sophisms were set forth as the basis of the reasoning; and being disgusted with them, though I hardly knew all the time for what, except from their inappreciability; I have cast away the emancipation logic with a full conviction, that a superstructure raised upon such foundations was calculated for no purpose but to fall upon its builders. I would not put my faith in it, because I would not hazard what I valued. It appeared more foregone, so to do, than putting trust in the shadow of Egypt.

But when I applied myself "by searching to find out wisdom," and discovered that these pretended truths, were no truths—that those who used them were deceived, and that those who were deceived thereby were not wise; moreover and besides, that the document in which they are placed, would be greatly increased in value by their subtraction; it occurred to me that other productions where they were used, might be benefitted by a similar process. Accordingly when I contemplated the subject of emancipation divested of these treacherous additions, I found the remainder so increased in force, as to be sufficient to carry conviction to every mind, endowed with adequate powers to distinguish right from wrong. The argument for emancipation, divested of its treacherous allies, leads to the full conviction, that the institution of slavery, as it exists in this country, is neither more or less than one stupendous fraud. The system, is a strong-hold of iniquity, and it is useless for any other purpose. It would be well for those who have purposed to pull down that strong-hold, to take counsel of the men of this world, who are said to be wiser in their day and generation than the children of light, namely, to consider what is the method of those men, when they succeed in reducing a fortress of the first class, with a strong garrison within for its defense.

It may not be amiss to contemplate that process in detail. When in the progress of human affairs, it is deemed necessary by some general in the field, to reduce a fortress of the highest order; his first operations are to clear away all enemies without the fortress, who can give the beseigers trouble, or the beseiged assistance. If he is not able to do this, he is wise to abandon the project before he commences the investment. If he succeeds in suppressing all enemies from without, so that he can invest without molestation; he begins to draw his forces towards the devoted place, and proceeds to level all out-works and lesser defences, reducing the beseiged to the smallest possible space. Having done all this, he begins to reconnoitre. If he finds the strong-hold to be a work of nature, as for instance a lofty ledge on all sides, too high for escalade, and too hard for the mine; he understands there is no alternative, but to draw out his lines of circumvallation, and cutting off the beseiged from all communication with others, leave them to surrender when their resources for subsistence fail. On the other hand, if the ramparts are walls of stone, wholly or in part artificial, he understands what man is able to build up, man is able to pull down. For there has never been a strong-hold; in point of space from the Gualior rock in India to the fortress of Quebec; or in point of time from the siege of Tyre (which occupied the Chaldees thirteen years) to the reduction of the citadel of Antwerp, but what has surrendered. The next business of the beseigers, is to find that place in the rampart most feasible for their operations. This done, the chief by no means expects to halloo the walls down; or to bring the beseiged to terms by threats or insults, or by calling them "man-stealers." No, he considers next, whether his implements of war are adequate to the work—whether his guns are of a calibre to carry a shot of sufficient weight to produce a vibration in the wall: if this point is settled to his satisfaction, then for the first time he orders the approaches to be made, the mounds to be cast up, and the battering train to be brought into position; namely, into a place, where the shot when they smite upon the wall, do it at that moment of time when their momentum is greatest. The next object is to adjust the time, so that the crash of each successive shot shall come upon the rampart in the same spot where its predecessor

smote, and at the exact moment, to take advantage of the vibration effected by that predecessor. All these things are matters requiring the most skilfull engineers. The number of the guns in each battery, must be sufficient to apply a shot, before the wall can recover from the tremor caused by the previous one; and the munitions must be adequate to supply the guns. If all these matters are adjusted right; when the battery begins to play, and the shot to smite with precision and without interruption, so that the stroke of each successive one begins, where the other left off; the accumulation of power rises, not in the ratio of the number of shot, but in the ratio of the cube of that number. It amounts to the power of an earthquake. No work of man can withstand its vehemence. An adequate combination, would tumble the Andes from their foundations. Let no garrison put their trust in walls, or their confidence in muniments of stone, when a combination that accumulates power like this, can be brought to act against them. When the fortress begins to feel distresses hourly, and tremors to run to and fro as the strong ramparts stagger to the furious strokes of the bullet, and the blocks of stone to fall from their places into the mote; and anon a breach becomes *visible*: a wise general does not order the assaulting column to form in the trenches: he waits until the breach becomes *practicable*, before the forlorn hope is marshaled at the head of the assault. A prudent general understands perfectly, that a column of infantry, however brave, cannot be made to pass through a cat hole, so fast as they can be decapitated after they have got through.

The system of slavery is a strong-hold of sin. The implements in the warfare of those who war against it, need not be carnal, for the ramparts of that strong-hold are not made of stone. Yet all the address, the patience, the skill and discipline are necessary to reduce the strong-hold, as if its walls were granite. When those who purpose to pull it down, have quieted all means of molestation from without, so that during the seige, not so much as a dog can wag his tongue to their disadvantage—when they have suppressed every out-work, and reduced the garrison to the smallest possible compass, and to the protection of their lost defences—when they have looked and found, that its ramparts are works of man and not God—when they are satisfied as to the most feasible point of

attack, and as to the calibre of their implements for carrying a missile of a weight proportioned to the strength of the fortification—when their munitions are ample, and their engineers skilful—I say, when all these preliminary preparations are made, and the battering train is brought to a right position, so that the stroke of each successive shot comes, when the tremor caused by its predecessor has prepared the way, and begins where that left off: if the massy bulwarks of this strong-hold of sin! do not stagger to the furious strokes, and the fast accumulating vehemence!! I shall have less confidence than before, in the intimations of scripture; that the *truth*, is mighty for this very purpose.

MON DROIT.

NOTES.

NOTE A.

Since this criticism has grown to dimensions far exceeding any thing I purposed at the commencement, it has occurred to me, that it would be convenient to the reader, to have the first, and so much of the second paragraph, as I have commented on, inserted in a note. I accordingly subjoin them here, as they stand in the last edition of our statutes.

“When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal 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 separation.”

“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,” &c.

This is I believe, verbatim et literatim; except that I have italicized the preposition “*to*” that its ungrammatical position may be more obvious.

NOTE B.

The ideas set forth are these; that *necessity* obliged them to do a certain act; which act also nature entitled them to perform. That there are such a class of acts is true. Nature entitles us (gives us the privilege) to sleep, to eat, &c., and other acts, cognate, correspondent or correlative. It may be said also, that nature obliges (compels) us to do these things. But *acts* of this sort are extremely limited. They are such as belong to man as an animal, and not to him as a rational being. A man with a bad cold, is entitled by the laws of nature to sneeze; and as he can not very well help doing it; it may be alledged that necessity obliges him to do it. To go into a declaration of causes why we sleep or eat, or do other cognate or correlavant acts, would appear particularly superfluous in our day; and I can hardly be made to understand, why it was not as much of a superfluity seventy years ago. No *decent* respect, to the opinions of mankind, would require a declaration of causes for such acts. Nor do I think a decent apology can be made for stating them, if indeed they are causes of a character ascribed to them. The document subsequently goes into a statement of causes, and very good ones they are too, but of a character as different from the one alledged of them by the author, as facts ever are from falsehoods. They are made by the recital, to consist wholly in the magisterial and judicial cruelties of the British government.

NOTE C.

When we reduce the rhetoric of the first paragraph to its plain truth, it amounts to about this: the “laws of nature,” meant simply a *will*, to resent certain injuries—the “necessity,” a *will* to do nothing else but resent them.

The entire expression "laws of nature and of nature's God," furnishes no idea more than the simple word *nature* would furnish.

Instances of these metaphorical expansions, however, in their appropriate place, are sometimes exceedingly felicitous. The famous example—"sink or swim, live or die, survive or perish,"—when we consider the time, place, and circumstances, in which it was uttered, is in the highest degree beautiful. It is obvious enough to be sure, that these several expressions are but a repetition of the same idea; nevertheless, the want of additional ideas in the words uttered, is more than compensated by the testimony they furnish of the superabundant and overflowing patriotism of the speaker. But a similar expansion inserted in a King's speech from the throne, would be as singularly infelicitous as it is happy in the speech of an ardent orator. I have frequently observed, that brilliant and devout men, in the exercise of prayer, use these metaphorical expansions with a very fine effect indeed. The scriptures furnish many specimens of inimitable beauty. Job, in particular, abounds in this trope. Its use is justified, and in fact sanctified on certain occasions. Where enthusiasm, devotion or ardor, are allowable, there this species of metaphor is admissible. But where facts are of more value than rhetoric, it is as much out of place as it would be in a note of hand or bill of exchange.

NOTE D.

There is no subject on which I am accustomed to hear so much poor logic, as on the subject of "rights," except that of the human mind. I could never account for this, unless it arose from confounding the literal and metaphorical meanings of the word. Illogical minds, making no distinction, the effect of their logic is but to puzzle, not convince. No man can be said to have a right to any thing he is not possessed of, unless he has such proof of title, as will effect a restoration. A right that cannot be *proved*, how can it be *known* that it is a right? Possession or the ability to get possession are all the proofs of rights. Rights, without one or the other of these proofs, are mere pretensions. In our system, that is a right, which the law contemplates as one. The southern planter has a right to buy and sell men as slaves. He is not only in possession of this right, but the law secures him from being dispossessed. His right is as clear, as the right to life while it lasts. But the law which gives the planter this right, is a cruel law, and the man who exercises the right, in most cases, is as cruel as the code that sanctions it.

NOTE E.

To make a man a present of his own face, would be a specimen of generosity of the same value, as presenting him an example of what was self-evident. If a gentleman should propose to introduce me to myself, for the purpose of enlarging the circle of my acquaintance, I should consider his politeness of the same kind with that which would exert itself to increase my knowledge, by informing me of what I knew before. What was self-evident, I must have known; to suppose to the contrary, presupposes my powers inadequate to comprehend a *statement*. If the thing to be stated, was what I knew, then there was no *use* for the statement. If it was what I did not know, then it was not *self-evident*. I think this logic, must be sufficient to show, that a statement of self-evident truths, is altogether a piece of gratuitous nonsense.







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