

# A Matter of Principle: The Influence of America's Declaration of Independence on Post-Declaration Literature

Kenneth J. Winkleman: McNair Scholar

Dr. Steven Olsen-Smith and Dr. Scott Yenor: Mentors

English



## Abstract

*This study explores the ways in which selected principles contained within America's Declaration of Independence are addressed in works of post-Declaration literature. The examined works are from the nineteenth-century. It was during this time that America's writers were attempting to establish a uniquely American literature, and the Declaration of Independence, with its rhetoric of equality and unalienable rights, provided a fertile ground for that effort. Drawing upon scholarship from the document itself, I discuss the Declaration and provide a brief explication of the principles contained within the preamble. I then compare and contrast how those same principles are incorporated and interpreted in passages from Ralph Waldo Emerson's essay, *The American Scholar*; Nathaniel Hawthorne's novel, *The House of Seven Gables*; and Henry David Thoreau's essay, *Resistance to Civil Government*. The purpose of the study is to demonstrate how important political ideas and values become infused into public consciousness and rooted into cultural identities by way of artistic medium. The results indicate a significant influence of the political ideas embodied within the Declaration upon the selected works.*

## Introduction

America's Declaration of Independence articulated and codified an evolving body of political philosophy whereby the old system of monarchical rulers, self-legitimized by long-held constructs of heredity and divine right, collapsed under the influence of new and enlightened ways of thinking—concepts of natural rights, equality, and individualism. It became, in a sense, a manifesto for the value and dignity of all people and their right to self-government. In an effort to establish a uniquely American literary tradition, American writers of the nineteenth century employed the principles of the Declaration as motifs in their writings, at times using them to advance a particular social critique or as benchmarks with which to measure the ills and injustices they observed in the world around them.

This study explores the ways in which selected principles contained within the Declaration of Independence are addressed in various works of American post-Declaration literature. Drawing upon scholarship from the document itself, I discuss the Declaration—its significance, object, sources of influence, and the principles embodied within the opening paragraph and the preamble. I then compare and contrast how those principles are incorporated and interpreted in passages from each piece of literature, along with what impact, if any, the context has upon how the principle is interpreted. In the course of my discussion I shall demonstrate to the reader that the public narratives which animate American political culture are at the very least impelled not necessarily by philosophical treatises or official state documents, but in part by art and literature. Capture the imagination, as literature surely does, and the mind will follow.

## The Significance of the Declaration

In the heat of active conflict with what was at the time the greatest military power on the globe, the Declaration was conceived as an instrument by which the colonies might assume a “separate and equal station [...] among the Powers of the Earth” (U.S. Declaration of Independence) and thereby enter into treaties and alliances with those *Powers* willing to aid the American cause. It was the essential document of the American Revolution, announcing “the emergence of a new actor (‘one people’) on the international stage” (Armitage). Yet due at least in part to the elegant articulation of the revolutionary principles it embodies, the Declaration quickly transcended its importance as the essential document of the Revolution to become what Thomas Jefferson termed “an instrument

pregnant with our own, and the fate of the world” (Jefferson, Writings 1516), an instrument that would ultimately inspire others to petition for rights long denied, and that would serve as the philosophical framework and inspiration for a number of evolving states in the centuries to come.

It wasn’t just Jefferson and his fellow patriots who understood the historical significance of the American Revolution and the Declaration. Across the Atlantic in that very nation with which the colonies sought “to dissolve the Political Bands” (Declaration) connecting them, Edmund Burke wrote:

A great revolution has happened—a revolution made, not by chopping and charging of power in any one of the existing states, but by the appearance of a new state, of a new species, in a new part of the globe. It has made as great a change in all the relations, and balances, and gravitation of power, as the appearance of a new planet would in the system of the solar world. (William 453)

Indeed it was that very newness, that uncharted territory of the American Revolution and its signature Declaration, which proved essential in allowing America’s founders to put forth new ideas concerning the rights and dignity of the individual and the proper role of government—ideas that would galvanize and inspire American writers of the nineteenth-century.

### **The Object of the Declaration**

The main imperative in drafting the Declaration of Independence was to allow Americans to escape the dangerously vilifying epithet of rebellious colonies, and instead present themselves to the world as a newly sovereign nation under siege and in need of assistance—to “become legitimate belligerents outside the British Empire rather than to remain rebels within it” (Armitage). The case had been building for some time, ever since George III declared the colonists to be in open rebellion and committed a large armada “to put a speedy end”(McCullough 11) to the uprising. John Adams worried how being branded by George as “traitors” engaged in a “desperate conspiracy” (McCullough 10) would affect American representatives: “Would not our Proposals and Agents be treated with Contempt?” (Armitage), he asked. Another patriot, Thomas Paine, voiced similar concerns in his pamphlet *Common Sense*, when he wrote “the custom of all Courts is against us, and will be so, until by an Independence, we take rank with other Nations” (Paine 77). Among others, Adams and Paine were concerned not only with America’s prestige and ability to negotiate trade agreements, but the very real and urgent concern of having to confront the full might of British military power with no foreign assistance whatsoever. That would not be necessary, however, as the Declaration of Independence announced America’s arrival as an equal player on the world stage able to negotiate its own treaties and alliances.

In order to better understand the logic of the document and how it argues its case for the necessity of independence and the right to international recognition, Stephen E. Lucas breaks the Declaration down as a deductive argument in syllogistic form:

- Major premise: When government deliberately seeks to reduce the people under absolute despotism, the people have a right, indeed a duty, to alter or abolish that form of government and to create new guards for their future security.
- Minor premise: The government of Great Britain has deliberately sought to reduce the American people under absolute despotism.
- Conclusion: Therefore the American people have a right, indeed a duty, to abolish their present form of government and to create new guards for their future security. (Lucas)

Although the Declaration was written with practical considerations in mind, it was much more than just an expedient with which to garner political and military support. From the political philosophies of men such as John Locke, to the town halls and pulpits of New England, “harmonizing sentiments” (Jefferson, Writings 1501) were afloat about the nature of rights and the proper role of government. Just as the vast American landscape provided seemingly endless frontiers to be explored, American society provided a political and philosophical frontier unencumbered by centuries of entrenched traditions and structures of power. Thomas Jefferson expressed this sentiment almost forty-eight years after the Declaration was adopted when he wrote that, “our revolution [...] presented us an album on which we were free to write what we pleased. We had no occasion to search into musty records, to hunt up royal parchments, or to investigate the laws and institutions of a semi-barbarous ancestry. We appealed to those of nature, and found them engraved upon our hearts” (Jefferson, Writings 1491). Thus, in drafting

the document that would irreversibly launch thirteen colonies into nationhood and a perilous but seemingly unbounded future. Jefferson inscribed the principles and phrases that not only reflected a revolution in thought that had been evolving for decades prior to the events of 1776, but that would reverberate in the minds and writings of generations to come.

## The American Mind: Sources of Influence

By the time Jefferson was charged by the Committee of Five with drafting the Declaration, a growing number of colonists had been persuaded of the unavoidability of independence. A cascade of events—Acts and Resolutions, mutual enmities, and preparations for war on both sides of the Atlantic—served to make independence a virtual fait accompli, as the minds of many Americans had made an about-face regarding their duties to the Crown. John Adams later reflected that “[t]he Revolution was in the minds and hearts of the people; a change in their religious sentiments of their duties and obligations. [...] This radical change in the principles, opinions, sentiments, and affections of the people, was the real American Revolution” (Adams 282-83). It was precisely that revolution in the “minds and hearts of the people” that made possible the breaking of those “Political Bands.” If events had gone just a bit more his way, George III indeed might have *put a speedy end* to the rebellion as planned, but he had already lost the most important prize of all, the hearts and minds of the American people.

From an historical perspective, so new and unique were the conditions that existed in the colonies, so untried were the ideas and principles which animated the evolving American mind, that the Declaration dawned a new era. It served as a melting pot of recent experiences and new ideas, of philosophical influences distilled to their most logical core and taken to the apex of rhetorical potency. Jefferson puts it thusly:

This was the object of the Declaration of Independence. Not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take. Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion. All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, etc.(Jefferson, Writings 1501)

Just what was this American mind, and what were the influences that spawned it? The singular experience of crossing the Atlantic to begin anew in a vast wilderness, unencumbered by the suffocating legacy of “musty records” and “royal parchments” endowed the colonist with a certain disposition of independence and self-reliance that proved fertile ground for the political philosophies of John Locke and classical liberalism. Michael Zuckert writes that “[t]he new order of the ages was possible in part because the new world supplied far greater opportunity for something like a new beginning”(Zuckert 5). Indeed, in his *Letters from an American Farmer*, J. Hector St. John De Crèvecoeur seems to capture that new beginning of the pre-Revolution American character. In America, Crèvecoeur writes, “[w]e are all animated with the spirit of industry which is unfettered and unrestrained, because each person works for himself. [...] Here are no aristocratical families, no courts, no kings, no bishops, no ecclesiastical dominion, no invisible power giving to a few a very visible one...” Here in this “great American asylum” (Crèvecoeur 67-68), was a melting pot of many nations “whose labours and posterity will one day cause great changes in the world”(Crèvecoeur 70). While Crèvecoeur’s idyllic vision of bucolic America would become sullied by the mutual suspicions, enmities, and acts of violence between neighbors brought about by the Revolution, his characterizations nonetheless point to an American whose character, once separated from the suffocating yoke of European monarchies and able to experience the rewards of industry and self-reliance for the first time, became conversant with the ideas and principles that would become the Declaration of Independence.

While the American mind was at least in part being formed by the frontier experience, Zuckert argues a strong case for John Locke as the predominate source of philosophical inspiration, forcefully concluding that “Locke inspired the Declaration and that it has a basically Lockean meaning”(Zuckert 40). As one of many examples of the principles informing the “harmonizing sentiments” upon which Jefferson drew, in his *Second Treatise of Government* Locke reasons that “[t]he *state of nature* has a law of nature to govern it, which obliges everyone: and reason, which is the law, teaches all mankind, who will but consult it, that being all *equal and independent*, no one ought to harm another in his life, health, liberty, or possessions” (Locke 9). When we turn to Jefferson’s original

draught of the Declaration we read the following: “We hold these truths to be sacred and undeniable; that all men are created equal & independent, that from that equal creation they derive rights inherent & inalienable, among which are the preservation of life, & liberty, & the pursuit of happiness” (Jefferson, Papers 423). Notice Jefferson’s replication of the phrase “equal and independent,” his use of the words “life” and “liberty,” and that he logically derives “inherent & inalienable” rights from the status of “equal creation.” Indeed, evidence of Lockean influence is further bolstered upon noting Jefferson’s comment that the “trinity of the three greatest men that have ever lived, without any exceptions, [where] Bacon, Locke, and Newton” (Jefferson, Writings 939).

All of these sources of influence, when combined, contributed to the formation of Jefferson’s “American mind,” setting the philosophical stage and providing the “harmonizing sentiments” for what Stephen E. Lucas calls “perhaps the most masterfully written state paper of western civilization” (Lucas).

## The Foundational Principles of the Declaration of Independence

In order to grasp the principles contained within the Declaration one must first grapple with the concept of natural law. It inherently and diametrically opposes Jonathon Winthrop’s notion that men [humans] are “ordained to be unequal” (Winthrop), which would have to mean that people enter into civil society already in a state of “ordained” inequality. Yet, the equality that exists within the scheme of natural law does not mean that all people in a pre-civil state are equal with regards to physical attributes, intellectual abilities, and things of that sort; rather, it means that “all men [humans] are created free and independent [and that] no one of them should be dependent on the will [or authority] of another” (Zuckert 33). At its very core this concept is antithetical to the centuries of divine right and birthright which preceded Locke’s *Second Treatise*. It is from the presupposition of natural law and the “harmonizing sentiments” of the day, therefore, that the principles of the Declaration’s Preamble emanate seamlessly.

The most effectual and systematic approach with which to explore those principles contained within the Preamble is by way of Lucas’s interpretation. Building logically from the premise of natural law in the introductory paragraph of the Declaration, he presents the principles as five propositions whereby each follows deductively from the previous until the final proposition justifies the essential philosophical purpose of the Declaration:

- Proposition 1: All men are created equal
- Proposition 2: They [all men, from proposition 1] are endowed by their creator with certain unalienable rights.
- Proposition 3: Among these [man’s unalienable rights, from proposition 2] are life, liberty, and the pursuit of happiness
- Proposition 4: To secure these rights [man’s unalienable rights, from propositions 2 and 3] governments are instituted among men
- Proposition 5: Whenever any form of government becomes destructive of these ends [securing man’s unalienable rights, from propositions 2-4], it is the right of the people to alter or to abolish it. (Lucas)

Although not explicitly stated, nested within these propositions is the indispensable principle of individuality. In order for the above principles to make any kind of sense the importance of the individual as a sovereign and irreducible moral agent is essential. In order for the words *equal* or *unequal* to have any real meaning when applied to people, there must first be individuals, and each individual must be independent and have ownership over him or herself. Likewise, unalienable rights are endowed upon each individual as a matter of individual birthright, not as a function of belonging to any group or to a majority faction, and emphatically not as a bequeathal from civil government.

The principle of being born equal would seem to obliterate all forms of aristocracy. Indeed it does prove fatal to *artificial* aristocracies—those forms deriving from man-made constructs of divine right and birthright. But while according to natural law theory in a pre-political state no one individual is endowed with the authority to rule over another, in a civil state it is to the advantage of *all* society if those who are most endowed with certain talents are allowed to flourish in those talents and use them in ways that benefit not only themselves but their fellow citizens. These are *natural aristocracies*, and they may include any number of talents which apply to various occupations, including government offices. While initially derived from the status of having been created equal, the concept is also linked to the right of the pursuit of happiness—the notion that each individual should have the liberty

to discern his or her talents and virtues and to develop them to their fullest, unfettered by artificial or arbitrary restraints.

It is with this understanding of the Declaration of Independence in mind that we turn to three writers of nineteenth-century literature in search of its principles: Ralph Waldo Emerson, Nathaniel Hawthorne, and Henry David Thoreau.

## The Literature

### Emerson's intellectual Declaration of Independence

Oliver Wendell Holmes once pronounced Ralph Waldo Emerson's *The American Scholar* as "our intellectual Declaration of Independence" (Cheever 34). Indeed, using words that mirror the sentiments of America's Declaration, Emerson cautions his readers that "[w]e have listened too long to the courtly muses of Europe" and that "[o]ur day of dependence, our long apprenticeship to the learning of other lands, draws to a close" (Emerson 1150). The colonies had successfully declared their political independence and claimed their separate but equal station as a new nation, now it was time for America to take its separate and equal station as a cultural and intellectual force.

Emerson finds in nature the source of those laws which govern the human mind when he writes that "The first in time and the first in importance of the influences upon the mind is that of nature" (Emerson 1139). In nature only, according to Emerson, does one discover the analogues to the laws of his mind. This bears a strong corollary with Jefferson's "Laws of Nature and of Nature's God" (Declaration) in which are rooted the necessary and proper prerequisites for government. Emerson sees God's laws, manifest in nature, as discernible through reason, and cautions against depending upon the interpretations of others—what he calls "other men's transcripts of their readings" (Emerson 1142). For Jefferson, "other men's transcripts" might very well have been whatever apologetics kings, nobles, and priests employed in order to justify their superior positions, the very sort of transcripts that the Declaration pronounces null and void. And while Emerson's views were more pantheistic than Jefferson's in that he regarded nature and the human mind as "analogues," the important similarity is that both men rejected the notion that man, any man, whether it be a European monarch or a European writer, has the authority to write the scripts by which others must define themselves, either politically or intellectually. Those scripts (laws), are available equally for all to discern and live by, through nature. "We will walk our own feet," writes Emerson; "we will work with our own hands; we will speak our own minds" (Emerson 1150).

Within the logic of nature's laws is the centrality of the individual and the axiom that no individual is born with inherent authority over others, whether divine or inherited. In *The American Scholar*, Emerson elevates the individual. He writes that:

Another sign of our times, also marked by an analogous political movement is, the new importance given to the single person. Every thing that tends to insulate the individual,—to surround him with barriers of natural respect, so that each man shall feel the world is his, and man shall treat with man as a sovereign state with a sovereign state [created equal];—tends to true union as well as greatness. (Emerson 1150)

The "analogous political movement" Emerson refers to, combined with the "new importance given to the individual," is the "real American Revolution" distinguished by John Adams and codified by Jefferson in the Declaration of Independence. It is also noteworthy that in these lines Emerson captures the essence of Jefferson's interpretation of natural law—that in a pre-political state each man (person) is sovereign and independent with respect to authority over his own person and property.

In the Preamble of the Declaration the principle that all Men [humans] are created equal takes logical preeminence as the first proposition. Within the schema of the Declaration not only has the individual risen to a position of primacy but, at least in spirit, the haughty have been demoted while the lowly have gained a measure of respect. At the very least they are no longer the default inferiors to kings and nobles. Although this point is not expressly stated in the Declaration it certainly is on the mind of its author in his proposed *Bill for the More General Diffusion of Knowledge*, and in several of his personal letters. In the *Bill*, Jefferson states that in order to promote the public happiness, those "whom nature hath endowed with genius and virtue" should receive a liberal education so that they will be equipped to "guard the sacred deposit of rights and liberties of their fellow citizens," and that "they should be called to that charge without regard to wealth, birth or other accidental condition or circumstance" (Jefferson, Writings 365). "Worth and genius would thus have been sought out from every condition in life," he

writes in a letter to John Adams (Jefferson, Writings 1308). The notion that the lowest members of society, if endowed with sufficient “genius and virtue,” should be not only allowed to move up from their class but assisted in doing so, was in itself a revolutionary idea.

Although Emerson does not refer to or even acknowledge instances of innate genius within the poor, or the necessity of providing educational opportunities for them—set free by the equalizing sentiments of the Declaration the common people are nonetheless lifted, if only modestly, from the shadows of society, such that their lives are now regarded as a reservoir of untapped subject matter for American literature. “I ask not for the great, the remote, the romantic,” Emerson writes, as if in rebuke to the aristocratic tone and subject matter of European and many early American writers, “[t]he literature of the poor, the feelings of the child, the philosophy of the street, the meaning of household life, are the topics of the time. [...] I embrace the common. I explore and sit at the feet of the familiar, the low.” The created equality of the Declaration, implying an equal dignity and common spirit to all, rings through Emerson’s words as he continues: “show me the sublime presence of the highest spiritual cause lurking, as it always does lurk, in these suburbs and extremities of nature [...] there is no trifle; there is no puzzle; but one design unites and animates the farthest pinnacle and the lowest trench” (Emerson 1149). It is no longer only the well-born and the wealthy who merit interest as worthy subjects for American writers, the time has come for the common and the everyday to assume their rightful place in the American imagination, an imagination that has been prepared for just such a change in perspective by certain *self-evident* truths.

### Nathaniel Hawthorne’s aristocracy

Although there are no explicit references to aristocracy in the Declaration, the concept is inextricably nested within the logic of natural law. Thomas Jefferson agreed with John Adams that a natural aristocracy exists and that it is grounded in “virtue and talents,” which is “the most precious gift of nature for the instruction, the trusts, and government of society” (Jefferson, Writings 1305-06). In that same letter Jefferson also discusses what he refers to as “artificial aristocracy” (Jefferson, Writings 1304), an aristocracy that is not based upon “virtue and talents” but is “founded on wealth and birth,” (Jefferson, Writings 1306) the type of aristocracy that binds generations into perpetual monopolies of power, wealth, and influence. Such monopolies are inherently hostile to the notions that “all Men [people] are created equal” and that governments “derive their just Powers from the Consent of the Governed” (Declaration). Artificial aristocracies imply that selected persons are born “booted and spurred” and require no general consent. Within the schema of natural law, however, no person is naturally endowed with the right to rule over another, whether by divine right or by birthright. Much like the “separate and equal Station” to which all nations are entitled, all persons, by way of “Nature and Nature’s God” have equal sovereignty over their own lives, liberties, and happiness. Governments, therefore, are instituted not at the pleasure of any self-entitled class of “kings, nobles, or priests” (Jefferson, Writings 859), they are instituted in order to secure the natural rights of each and every individual such that those whose virtues and talents might enable them to excel and self-actualize are free to do so.

In his novel *The House of Seven Gables*, Nathaniel Hawthorne evokes a rather distinct correlation with the Jeffersonian view that traditional, or artificial, aristocracies are a “mischievous ingredient in government” (Jefferson, Writings 1306) and a detriment to society in general. Throughout the text, the Pyncheon family bears a resemblance to that same old-style “artificial” aristocracy referred to by Jefferson. Within the current generation of Pyncheons in the story, Jasper Pyncheon, the “Judge,” is involved in local politics, wielding his influence with an air of entitled authority, deceptively brutish at its core, and comingled with a patronizing charm. The other living Pyncheon, one whose natural virtues and talents provide a clear contrast to the imperious pride of the Judge and previous generations of Pyncheons, is young Phoebe. By way of her meritorious character and her effect upon the House of Seven Gables and its inhabitants, Hawthorne suggests that there is a natural aristocracy that benefits all, wherever it dwells. This is precisely Jefferson’s assertion, that a natural aristocracy consisting of those who by birth possess superior virtue and talent will benefit all of society if allowed to flourish. However, as the story progresses the messages contained with Hawthorne’s narrative diverge from some Jeffersonian concepts; such as his assertion that “the earth belongs to each [generation], (Jefferson, Writings 960), that “it may be proved that no society can make a perpetual constitution or even a perpetual law,” and that “[e]very constitution, then, and every law, naturally expires at the end of 19 years. It be enforced longer, it is an act of force and not of right” (Jefferson, Writings 963). Indeed, as we follow the development of the novel’s two main characters, Phoebe Pyncheon and Holgrave Maul, Hawthorne’s position appears to be that the ideal society is not one in which laws and constitutions periodically expire, but one in which there exists a blending of those institutions that provide some degree of healthy stability, along with the virtue and talents of natural aristocracy.

As the story progresses the character of Holgrave likewise progresses from being in sympathy with Jefferson's perspectives to being in relative opposition to them. The characterizations of Holgrave at first suggest an excessive democratic zeal, but as Holgrave changes and mellows, he becomes less zealous and more traditional. For example, in a letter to John Adams, Jefferson wrote that "[t]he earth belongs always to the living generation. They may manage it then, and what proceeds from it, as they please" (Jefferson, Writings 963). Early in the story we find a remarkably similar perspective expressed by Holgrave. During a conversation with Phoebe he echoes those same sentiments as "it seemed to Holgrave [...] that in this age, more than ever before, the moss-grown and rotten Past is to be torn down, and lifeless institutions to be thrust out of the way, and their dead corpses buried, and everything to begin anew" (Hawthorne 124-25). The narrator then tells us that this wholesale approach to change, of tearing down everything from the past, is not the way of the world, and that Holgrave's "error lay in supposing that this age, more than any past or future one, is destined to see the tattered garments of Antiquity exchanged for a new suit, instead of gradually renewing themselves by patchwork" (Hawthorne 125). Not all traditions are oppressive, Hawthorne implies. Not every institution is "rotten and lifeless." Some are certainly worth preserving and others might best be incrementally reformed and improved upon rather than summarily tossed aside. Holgrave will eventually come to realize that some institutions are truly venerable, that having been tested and refined over the course of generations they are in the best interest of the people, increasing their security and happiness with a minimum of discomfort or inconvenience. Another example is when early in the story, Holgrave echoes the sentiments of Jefferson as he insists to Phoebe that it "were better that they [public edifices] should crumble to ruin once in twenty years, or thereabouts, as a hint to the people to examine into and reform the institutions which they symbolize" (Hawthorne 127). But in his democratic zeal, Holgrave doesn't want to reform institutions, he wants them "torn down" and their "dead corpses buried." He wants "everything to begin anew." This is not the patchwork reform that Hawthorne alludes to and seems to think is best, and later in the story Holgrave himself is reformed such that he finally sees the value of some degree of institutional stability. Phoebe is dismayed at Holgrave's attack on all structure and tradition and lets him know it. "How you hate everything old," she retorts, "It makes me dizzy to think of such a shifting world!" (Hawthorne 127). As the story evolves, however, Phoebe becomes the primary advocate and impetus for what will become Holgrave's more sensible approach towards institutions and tradition.

As the only child of the deceased Arthur Pyncheon and with the other surviving Pyncheons being childless, Phoebe is the last in the family line. Yet the brash aristocratic nature of her Puritan ancestors, that "bold, imperious, relentless, crafty" (Hawthorne 85) nature that seemed to pervade each successive generation, is nowhere to be found in Phoebe. Having been raised in the country by her non-Pyncheon mother and step-father, her aspect is one of a "kind of quiet dignity" (Hawthorne 51). For Phoebe, the dreariness and drudgery of daily tasks "[have] the easy charm of play" (Hawthorne 56). She values tradition and self-reliance. In short, Phoebe is the embodiment of Jefferson's natural aristocracy, those who by way of their gifts of talent and virtue rise up to become the guardians of individual liberty and republican institutions.

The initial tension between Phoebe and Holgrave arises from their differing views on the value of tradition—whether it be family, community, or political. Phoebe finds comfort and value in those institutions and traditions which provide for social stability and human happiness, while Holgrave, in his democratic zeal, would tear them down "once in twenty years, or thereabouts" with no regard whatsoever to their relative value or function. His is a radical rebelliousness against anything even faintly resembling the old aristocracy. Yet there is danger in Holgrave's zeal. In Federalist Paper No. 10, James Madison observes that "pure democrac[ies], [that species of democracy embraced by Holgrave], have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths" (Hamilton 76). As if speaking directly about Holgrave, Madison warns that those who "have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would at the same time be perfectly equalized and assimilated in their possessions, their opinions, and their passions" (Hamilton 76). Those such as Holgrave who advocate for such a scheme forget that when left unchecked by institutional safeguards, majorities can be just as tyrannical of individual rights as the most villainous despot.

Eventually Holgrave begins to embrace an appreciation and reverence for the sovereignty of the individual. After mesmerizing the beautiful Phoebe into a trance he resists the opportunity of "acquiring empire" over the girl's "good, pure, and virgin spirit" (Hawthorne 147). This is the beginning of a fundamental change in the young man. Phoebe changes as well, as her unrestrained optimism and naivety becomes tempered by her experiences at the House of Seven Gables. Upon witnessing an episode of rancorous discord between family members whom she had always looked up to, she begins to have doubts about whether other persons of "eminent stamp" might, "at any single instance, be otherwise than just and upright." Her naivety is shaken, yet true to her natural virtues, she maintains a "quiet dignity" and compassion towards others. In the chapter titled "The Flower of Eden," in which they both confront the reality of Jaffrey Pyncheon's corpse, Holgrave comes to full appreciation of Phoebe's natural

aristocracy when he tells her: “gentle as you are, and seeming to have your sphere among common things, you yet possess remarkable strength. You have wonderful poise, and a faculty which, when tested, will prove itself capable of dealing with matters that fall far out of the ordinary rule” (Hawthorne 211). The “strength” and “poise” of Phoebe has had a mediating effect upon Holgrave. He is no longer “ill at ease,” but realizes the benefits of laws and society. His admiration and affection for Phoebe have melted away his previously cynical nature and replaced it with a more balanced disposition towards all that she represents.

In love with Phoebe, Holgrave now has something tangible to venerate and protect. He sees the value of stability and tradition. The transformation from a man obsessed with the faux equality of pure democracy to a man informed by the more reasoned tenets of republicanism is complete as he tells Phoebe that “[t]he world owes all its onward impulses to men ill at ease. The happy man inevitably confines himself within ancient limits. I have a presentiment that, hereafter, it will be my lot to set out trees, to make fences—perhaps, even, in due time, to build a house for another generation—in a word, to conform myself to laws, and the peaceful practice of society. Your poise will be more powerful than any oscillating tendency of mine” (Hawthorne 215).

Thus we have a marriage between the best of both worlds: democratic man checked and balanced by the mitigating restraints of tried-and-true institutional safeguards, and a natural aristocracy to protect against any “oscillating tendency” and to act as the protector of individual liberties. If we read closely between the lines of *The House of Seven Gables* we can almost hear Hawthorne advising Jefferson to temper his zeal for wanting to keep liberty fresh and vital; that there are surely some laws and institutions that ought not to be torn down every twenty years or so, and that there are surely some that ought not to be torn down ever.

## Henry David Thoreau and moral duty

Before the “prevailing sentiments” that formed the philosophical groundwork of the Declaration, duty to society and government, not rights, was the overwhelming priority of civil societies. Previous generations of government were loathe to even consider, much less institute, any generalized right to rebellion. Such a thing was unheard of, and certainly ran counter to any notions of divine right. The American Declaration’s bold assertion of the right to alter or abolish was, as Zuckert states, “a novelty” (Zuckert 100), introducing a radical about-face from centuries of divine right and unquestioned fealty to ruling authorities—right or wrong. Although the Declaration admittedly does not have the force of law, for the first time in history a government had conditioned its very existence upon the consent of the people, conferring upon them the right to revolt if the government became “destructive of the Ends” by which all legitimate forms of governments are instituted—which is to secure the natural and unalienable rights of the people. In addition, what is particularly remarkable about the Declaration is that according to its precepts, governments “do not ‘derive’ their power once and for all at some originating moment” (Zuckert 28-9). Power is held contingently upon the ongoing consent of the governed with its moral authority held continually in balance. This was certainly the view of Henry David Thoreau when he wrote his essay *Resistance to Civil Government*.

In his essay, Thoreau makes a clear reference to America’s Declaration when he writes that “[a]ll men recognize the right of revolution; that is, the right to refuse allegiance to and to resist the government, when its tyranny or its inefficiency are great and unendurable” (Thoreau 1859). The tyranny that Thoreau found “great and unendurable” was the perpetuation of slavery in America and the Mexican War. He makes his contempt for slavery and the war very clear when he writes, “when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjugated to military law, I think that it is not too soon for honest men to rebel and revolutionize” (Thoreau 1859). But Thoreau was not advocating taking up arms or burning down the house of government. His notion of the phrase “rebel and revolutionize” is more nuanced, as were his feelings about the government itself. In his essay “Disobedience and its Objects,” A. John Simmons identifies two motives for civil disobedience that are “perfectly justifiable” and which often guide the actions of those who engage in it: “the desire to frustrate evil [...] and the desire to avoid complicity in injustice or wrongdoing” (Simmons 1808). In *Resistance to Civil Government*, Thoreau is motivated by both of these objectives.

To say that Thoreau is a proponent of limited government is an understatement. To him, government is “at best but an expedient” (Thoreau 1857). It is not the source of rights as the Declaration confirms. Rights are endowed by the “Creator” as an inherent and inseparable part of being born human. Nor is government in any way the source of moral authority—that too comes from the same “Creator” who endows all humans with certain rights. Government is a means, a mere “expedient” through which the will of the people is expressed. But “the world is not governed by policy and expedient” (Thoreau 1870) says Thoreau. The world, in his estimation, is governed, or at

least ought to be, by a “fountain-head” (Thoreau 1871) of truth from which even the Bible and the Constitution derive their authority. It is here, at this same fountain-head from which flow the laws of nature and the unalienable rights in the Declaration, that humans must measure the actions of their government and the orientation of their souls. To blindly follow the law, though rooted in the Constitution, is to be dismissive of that fountain-head and derelict to one’s essential moral duty. Taking a cynical view, Thoreau writes that to regard the Constitution, “with all its faults,” as one of those “very admirable and rare things, to be thankful for,” one must necessarily see it “from a lower point of view” (Thoreau 1870). He is no doubt referring to the United States Constitution’s accommodation to slavery: the Three-Fifths Clause, the Migration and Importation Clause, the Fugitive Slave Clause, and the Prevent Clause in Article V. Much as government itself, the Constitution is a mere expedient, and law, says Thoreau, “never made men a whit more just” (Thoreau 1858). If the law, or the government, is to become an agent of the evil and injustice of slavery, majority opinion notwithstanding, then Thoreau “cannot for an instant recognize that political organization as [his] government which is the *slave’s* government also” (Thoreau 1858). He admits to no feelings of duty or loyalty to the American government, especially in light of the evils of the Mexican War and the perpetuation of slavery. Thoreau’s sense of duty is to a higher source, to that same God of nature referred to in the Declaration. Yet he does not wish to devote himself to eliminating the wrong, only that he “wash his hands of it [...] and not give to it practically his support” (Thoreau 1862). The purpose of his disobedience, therefore, is not to become a crusader for the overthrow of government, but to “avoid complicity in injustice or wrongdoing,” and convince his fellow citizens to do the same.

Recognizing that some government is necessary, Thoreau asks for “not at once no government, but at *once* a better government” (Thoreau 1858), a government that operates upon the highest moral principles and not the rule of the strongest. And democratic majorities are not the solution. Thoreau declares that a government in which the majority rules “in all cases cannot be based on justice” (Thoreau 1858). If the majority of citizens are in favor of slavery does that make it just? Is *any* law just simply because it has been anointed by the majority? Much as James Madison acknowledges in Federalist No. 10, that a majority “actuated by some common impulse of passion, or interest, [may very well effect laws and actions which are] adverse to the rights of other citizens, or to the permanent and aggregate interests of the community” (Hamilton 72), Thoreau does not see majority rule as necessarily grounded in virtue and justice. Democratic majorities, viewed so often as the end-all of modern civil governments, are no guarantee against oppression. Instead, he seems to say that moral authority carries more legitimacy than majority opinion when he calls upon abolitionists to “effectively withdraw their support, both in person and property [taxes], from the government of Massachusetts, and not wait till they constitute a majority of one,” reminding his fellow citizens that “any man more right than his neighbors, constitutes a majority of one already” (Thoreau 1863). What Thoreau is saying here is that once a man has searched his soul and found within it the moral truth endowed by his God, that moral truth is all the legitimacy he needs to act with confidence. Moral right transcends democratic majorities, and when a law requires one to be “the agent of injustice to another, then, [Thoreau says] break the law” (Thoreau 1863). “Action from principle” (Thoreau 1862), he declares, charging himself with the responsibility of making sure that he does not “lend” himself in any way to “the wrong” which he “condemn[s]” (Thoreau 1863). This, of course, he does by refusing to pay taxes and spending a well-known night in jail for his refusal. Not supporting what he feels is an illegitimate government by withholding paying taxes is precisely what Thoreau suggests his fellow citizens do.

After going to considerable lengths to point out the limitations of democratic majorities in the final paragraph of the essay, Thoreau accedes to the idea that democracy is at least more respectful of the individual than a “monarchy” or a “limited monarchy” (Thoreau 1872). But further improvements are necessary, in his view. Even democracy is not the end-all of governmental regimes, and citizens must not be lulled into thinking it is. Instead, they must learn to go beyond the ballot box in holding their government accountable. Thoreau’s ideal system seems to be one in which the individual is unquestionably sovereign and supreme, one in which the wellspring of political power from which all governmental authority is continuously derived and whose authority over any citizen can, by rights, be withdrawn and rescinded at any time by that citizen whenever an appeal to higher truth and morality show the government left wanting. Michael Zuckert puts it well: “The rightful power to unmake and remake government is the strongest and most persistent token of the inalienability of rights” (Zuckert 25). Indeed it is essential if natural law and government by consent are to have any meaning whatsoever. No doubt Thoreau would add the power to withhold one’s support, whether in the form of taxes or otherwise, and the power to engage in non-violent civil disobedience.

## Conclusion

In his *Speech at Independence Hall* on February 22, 1861, Abraham Lincoln proclaimed: “I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence” (Lincoln 705). Aside from being the “most masterfully written state paper of western civilization,” America’s Declaration of Independence has arguably been the most influential state paper as well. Although the United States Constitution is highly esteemed and aspects of it are frequently modeled, the Declaration, with its soaring rhetoric of rights and equality, has captured the imaginations of countless people since that fateful day in July of 1776 that catapulted Thomas Jefferson to the summit of historical figures. The principles of the Declaration have deeply colored the thinking and writing of those on the forefront of rights movements—from Elizabeth Cody Stanton’s *Declaration of Sentiments* at the Seneca Falls Convention in 1849, to Frederick Douglas’s *What to the Slave Is the Fourth of July?* speech, to Martin Luther King’s famous speech from the steps of the Lincoln Memorial over one-hundred years later. For over two centuries the words and principles of the Declaration have provided both the benchmark and the inspiration for freedom and fundamental human rights.

The literary works examined in this essay are a small, but important, sampling of the American writers whose works contain the influence of the Declaration’s principles. Herman Melville, Margaret Fuller, and Walt Whitman are some others, and one could certainly find many more. The role these writers played, and still play, in inculcating new ideas and issues into the minds of their readers, while not precisely measurable, is no doubt substantial. “Law requires, art inspires,” as Steven Olsen-Smith so aptly puts it (Olsen-Smith), and an inspired reader is a more receptive and actively engaged reader. Capture the imagination, as the literature of America’s nineteenth-century writers surely did and still does, and the mind, along with certain values and perspectives, will follow.

## Acknowledgements

This research was funded by a grant from the Ronald E. McNair Scholars Program at Boise State University. The author wishes to express his appreciation to the McNair Scholars Program and its staff, and to his faculty mentors: Dr. Steven Olsen-Smith and Dr. Scott Yenor.

## References

- Adams, John, and Charles F. Adams. *The Works of John Adams, Second President of the United States: With a Life of the Author, Notes and Illustrations*. Vol. 10. Boston: Little, Brown and Company, 1850. Print.
- Armitage, David. "The Contagion of Sovereignty: Declarations of Independence since 1776." *South African Historical Journal*. Vol 52:1. 1-18. Print
- Cheever, Susan. *American Bloomsbury: Louisa May Alcott, Ralph Waldo Emerson, Margaret Fuller, Nathaniel Hawthorne, and Henry David Thoreau : Their Lives, Their Loves, Their Work*. New York: Simon & Schuster, 2006. Print.
- Crèvecoeur, J. Hector St. John De. *Letters From An American Farmer ; And, Sketches Of Eighteenth-century America*. New York: Penguin Classics, 1986. Print.
- Emerson, Ralph Waldo. "The American Scholar." *The Norton Anthology of American Literature*. Gen. ed. Nina Baym. 7th ed. Vol. B. New York: Norton, 2007. 1138-1151. Print.
- Hamilton, Alexander, James Madison, John Jay. *The Federalist Papers*. Clinton Rossiter, ed. New York: Penguin Group (USA) Inc. 2003. Print.
- Hawthorne, Nathaniel. *The House of the Seven Gables*. New York: Dover Publications, Inc., 1999. print.
- Jefferson, Thomas, Adrienne Koch, and William Peden. *The Life and Selected Writings of Thomas Jefferson*. New York, NY: The Modern library, 1944. Print.
- Jefferson, Thomas, and J J. Looney. *The Papers of Thomas Jefferson*. Princeton: Princeton University Press, 2004. Print.
- Lincoln, Abraham. "Speech at Independence Hall." *American Speeches: Political Oratory from the Revolution to the Civil War*. Ted Widmer, ed. New York: The Library of America, 2006. 705-706. Print.
- Locke, John . *Second Treatise of Government*. Indianapolis: Hackett Publishing Company, 1980. Print.
- Lucas, Stephen E. "The stylistic artistry of the declaration of independence." *Prologue: Quarterly of the National Archives* 22 (1990): 24.
- McCullough, David. *1776*. New York: Simon and Schuster, 2005. Print.
- Olsen-Smith. Personal Interview. 30 January. 2013.
- Paine, Thomas. *Common Sense*. New York: Penguin Books, 2005. Print.
- Simmons, A. John. "Disobedience and Its Objects." *Boston University Law Review* 90.4 (2010): 1805-1831. *Academic Search Premier*. Web. 18 Oct. 2013.
- Thoreau, Henry David. "Resistance to Civil Government." *The Norton Anthology of American Literature*. Gen. ed. Nina Baym. 7th ed. Vol. B. New York: Norton, 2007. 1857-1872. Print.
- William, Charles, Earl Fitzwilliam and Sir Richard Bourke, eds. *The Works and Correspondence of the Right Honourable Edmund Burke*, 2nd ed., 7 vols. (London, 1852), vol. II, 453. Print
- Winthrop, John. "A model of Christian charity." *Conrad Cherry, God's New Israel: Religious Interpretations of American Destiny, Englewood: Prentice Hall* (1971): 39-43.
- Zuckert, Michael P. *The Natural Rights Republic: Studies in the Foundation of the American Political Tradition*. Notre Dame, Indiana: University of Notre Dame Press, 1996. Print.