

On Patriotism

Nineteenth century American writer Mark Twain defined patriotism as supporting your country all the time and your government when it deserved it. This approach is a somewhat nuanced as it disaggregated support for one's country and one's government (in the American context, administration). Yet even in supporting the country, this definition is insufficient as both "support" and "country" as contested concepts. Is support to be blind child-like allegiance or does it allow for critical-when-appropriate grown-up love? And what is the country? Demarcations on a map? A set of people? A set of institutions? Or ideas? The American celebration of the 4th of July may afford insight into how to approach these questions.

The United States of America celebrates its Independence Day in commemoration of 4 July 1776 – the date on which Thomas Jefferson's *Declaration of Independence* was adopted by the Second Continental Congress¹. As early as 1781, the Commonwealth of Massachusetts had made the 4th an official holiday. In the subsequent decades, the 4th has become *the* national holiday for the USA. As an independence day it is peculiar. Many states have commemorated a military victory (Belarus – 3 July 1944), a civil disturbance (Mexico – 16 September 1810), a treaty recognizing sovereignty (India and Pakistan – 15 August 1947), amongst others. The states that commemorate a proclamation of independence (Chile, Haiti, Slovakia, etc.) recognize instruments more akin to Lee's Resolution. The Declaration of Independence is of a rather different nature.

What the *Declaration* sought to accomplish

Thomas Jefferson's *Declaration* is a treatise in political theory (with heavy borrowings from John Locke), a list of grievances couched in recognition of English precedents, and a propaganda document with at least three target audiences. Perhaps the best known passage of the *Declaration* exemplifies the continuity of English precedence:

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, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

Jefferson opens the Declaration with a transparent reference to John Locke's "Of the Dissolution of Government" (*Second Treatise*) which itself builds upon clause §61 of the Magna Carta :

Et si nos excessum non emendaverimus, vel, si fuerimus extra regnum, justiciarius noster non emendaverit infra tempus quadraginta dierum computandum a tempore quo monstratum fuerit nobis vel

¹ On 2 July 1776, the Congress has adopted Richard Henry Lee's Resolution of Independence which proposed legal separation from the British Empire.

justiciario nostro, si extra regnum fuerimus, predicti quatuor barones referant causam illam ad residuos de illis viginti quinque baronibus, et illi viginti quinque barones cum communa tocius terre distringent et gravabunt nos modis omnibus quibus poterunt, scilicet per capcionem castrorum, terrarum, possessionum et aliis modis quibus poterunt, donec fuerit emendatum secundum arbitrium eorum, salva persona nostra et regine nostre et liberorum nostrorum; et cum fuerit emendatum intendent nobis sicut prius fecerunt.

The community (“illi viginti quinque barones”) is duty-bound to compel the executive by force if necessary (“distringent et gravabunt”) to abide by the terms of the Charter. This establishes a critical principle in English law: All, regardless of station, are subject to the Law. But what Law? John Locke builds upon a tradition that assigns a fundamental duty: protection of natural rights (what Jefferson terms “unalienable rights”). Locke lists: life, liberty and property. These claims are revolutionary going much beyond the *Magna Carta* which sought enforce rights deriving from prior grants (§13: “...omnes antiquas libertates et liberas consuetudines suas”) and those enumerated in the Charter itself. Locke and Jefferson argue that there are inherent rights prior to and not subject to the grant of any executive – this paradox is cogently expressed by Jefferson’s contemporary Jean-Jacques Rousseau at the beginning of his *Du Contrat Social*, viz., “l’homme est né libre, et partout il est dans les fers” – and governments are constituted for the express purpose of enforcing these rights. When a government fails in its contractual duty its very *raison d’être*, obligations of the community to that government are voided. The *Declaration* from this perspective is a compelling contract termination brief with an enumeration of specific grievances many of which are cited because they are violations of English law. Yet, in the introduction Jefferson speaks more generally thereby removing the argument from one system’s idiosyncratic jurisprudence.

The *Declaration* is perhaps most powerful as an example of eighteenth-century agit-prop. But for whom? Three critical audiences can be identified: the American political-economic elite; English Whigs; and European courts. Of these the latter two are most critical. The American literate audience had already been drowned in propaganda tracts of a more practical nature than Jefferson’s words. England was in political transition, having established a premiership a mere half-century prior to the troubles in North America. Whigs – who opposed a strong executive – such as William Pitt the Younger and William Wilberforce were ripe for such an approach. The loss of the American colonies would collapse the government of Lord North giving way for a Whig premiership. The criticisms outlined by Jefferson echoed the musings of London’s vigorous tract-printing scene. America’s anti-war protests of the 1970’s are an apt if not perfect parallel.

The *Declaration* was also for European elites living in non-democratic states. Soon after, Franklin, Adams and Jefferson were dispatched to lobby for pro-American intervention. Whether by eloquent argument or appeal to simple revenge France, Spain and Holland joined the American war against Britain. France, decisively. France would become paymaster and quartermaster to the American army while deploying an army to North America and engaging Britain in a worldwide naval war. At the Battle of Yorktown, French soldiers outnumbered the Americans and British reinforcements were kept away by a French naval blockade. Over the preceding century, Britain had made substantial colonial gains at the expense of France, Holland and Spain culminating in the Seven Years War. Strategic calculation inclined the continental powers to be receptive to American entreaties despite the revolutionary politics engendered. One particular grievance in the *Declaration* squarely targets the rising mercantile classes of Holland and

France in particular: “For cutting off our Trade with all parts of the world:”. Commercial interests and geo-strategic interests could both be served by entering the fray. An independent American state would be a new market and Britain’s pursuit of hegemony would be checked.

What it means to celebrate 4 July 1776

The United States had a choice of several dates to commemorate besides 4 July:

- 7 January 1789 – the first Presidential election
- 2 July 1776 – proclamation of legal separation from Britain
- 19 October 1781 – Cornwallis and Symonds surrender at the Battle of Yorktown to French and American forces, ending major land conflict the American colonies
- 3 September 1783 – Treaty of Paris signed ending the American Revolutionary War and formally granting independence to the US
- 17 September 1787- Article VII (the last) adopted by the Constitutional Convention, setting the stage for ratification of the new constitution

In choosing 4 July to celebrate, the United States eschews accomplishments military, diplomatic and structural yet focuses on the commemoration of core principles: rule of law, limited government, a social contract and liberty of conduct. The founders of the United States had not merely to demarcate land but the forge a civic identity. They needed to demonstrate a difference from co-lingual, co-confessional and largely co-ethnic Britain. The *Declaration* is a declaration of America’s constructed identity based upon shared political ideology. To be an American patriot – a term adopted after the decision to sever ties with Britain – was and is to share these beliefs as common. The patriot may disagree on the policies or the leadership but celebrates the power deriving from the liberal republicanism of Thomas Jefferson’s most efficacious disquisition.

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