

What Did the Declaration Mean?

“The Declaration of Independence and International Law” by David Armitage, in *The William and Mary Quarterly* (Jan. 2002), Box 8781, Williamsburg, Va. 23187–8781.

“We hold these truths to be self-evident. . . .” That line from the Declaration of Independence, with its bold enunciation of natural rights, rings in the American memory like no other. Yet in truth, contends Armitage, a historian at Columbia University, it wasn’t really what the Declaration was all about.

As many scholars have pointed out, the national veneration of the Declaration did not begin until the early 19th century, “when a civil religion of national patriotism sanctified it as ‘American Scripture,’” writes Armitage. (He is one of the new “Atlanticist” historians, who aim to purge early American history of what they see as exaggerated notions of American “exceptionalism.”) To understand what the Declaration was really about, just look at its first line: “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another. . . .” The Declaration was needed to solve a problem in the developing realm of international law: how to transform America’s struggle with Britain from a civil war into a clash between states, and thus to gain recognition in the world. As Thomas Paine argued in *Common Sense* (1776), “The custom of all Courts is against us, and will be so, until by an Independence,

we take rank with other Nations.” When France did finally agree to an alliance with the Americans in February 1778, the treaty committed it to “maintain effectually” the sovereignty of “said united States.”

Armitage notes that the Declaration was written at a transitional period in the rise of international law. Indeed, the term *international law* was coined only in 1780 by the British philosopher Jeremy Bentham (who was a harsh critic of the Declaration). Until that time, relations among nations were thought to be governed by the “law of nations,” which was grounded in natural law. But Bentham and Immanuel Kant advanced the new idea of positive law, which held that moral and political norms arose exclusively from “the acts of particular legislators or the contractual agreements of peoples and sovereigns,” Armitage explains. That’s why the Declaration (which had one foot in each of the two schools), along with the Franco-American treaty of 1778 and Britain’s subsequent recognition of American independence in the 1783 Treaty of Paris, was so important: They made American statehood real in the eyes of the world. It was only later that the Declaration came to be seen as a tool of *nationhood*, “a talisman in a specifically national mythology.”

Aghast at the Left

“Can There Be a Decent Left?” by Michael Walzer, in *Dissent* (Spring 2002), 310 Riverside Dr., No. 1201, New York, N.Y. 10025.

Was 9/11 “blowback” for American misdeeds abroad? Obviously, shouted Noam Chomsky, Susan Sontag, and many like-minded others. The U.S. war in Afghanistan? An imperialist adventure, most declared. Such responses have led Walzer, coeditor of the socialist journal *Dissent* and an *éminence grise* of the

American Left, to an anguished inquiry into the current “indecent” on that side of the spectrum.

“Maybe the guilt produced by living in [the sole superpower] and enjoying its privileges makes it impossible to sustain a decent (intelligent, responsible, morally nuanced) politics,” he writes. “Maybe fes-