

## **Critique of the Declaration of Independence and Constitution of the United States**

The Declaration of Independence and the Constitution of the United States of America are the holiest documents upon which the country's values, beliefs, norms, procedures, and regulations were founded. While inadequacies remain, it is important to note that these documents are reflections of ideologies embedded in a certain era and are refined constantly. The following sections are dedicated to discussing some of the inadequacies in the documents, specifically some of the contradictions in the Declaration of Independence and Constitution as well as vagueness in certain amendments that can potentially render the system susceptible to being manipulated. Without expertise in political science and experience in terms of the bolts and nuts of how the political system operates, I certainly cannot speak on the content within the Constitution that dictates details such as election, nomination, and so forth.

First of all, as pretty much all of us know, the Declaration of Independence is contradictory in and of itself in the sense that Thomas Jefferson tried to reject and abandon the practice of slavery in the draft while being a slave owner himself until his death. Jefferson did promise to free all his slaves, but eventually, only some of them were freed. The fact that the United States ended slavery after the UK, which was portrayed as the ultimate enforcer of injustice in the document, just made the Declaration of Independence more ironic and hypocritical. Not only that, it seems like the Declaration of Independence merely put the abolition of slavery on its agenda without actually putting effort into enforcing it, which combined with the frivolous conceptualization of equality, made it seem more like a collective effort from European settlers to enjoy the whole cake found in America alone. Of course, it is all personal opinion, may seem radical, and does not really register without the

context.

At the beginning of the Declaration of Independence, it says that all men are created equal and are entitled to “unalienable rights”. At first glance, it is humanitarian and democratic, but it lacks depth and contradicts the nature of this world and how society should operate. Certainly not all men are created equal. We are different from inception. Different genes and environments predispose us to certain traits and behaviors. For example, there are psychopaths who are just unable to feel emotions as normal human beings due to deformities in certain brain regions, emotions such as remorse, guilt, gratitude, and empathy. People like this can commit evil deeds without the possibility of being rehabilitated. If we are to acknowledge that “all men are created equal” and treat psychopaths equally, injustice and chaos ensue. Equality of opportunity is absolutely important, but thinking that all men are created equal is detrimental to our ability to discern who to trust and who to distrust. The concept here is undoubtedly a political statement that tries hard to appeal to people of all groups in this country because only by doing so can the Revolutionary War gain more support, accumulating momentum in the time to come.

Just after the being equal statement, the document goes on to say that mankind are more disposed to suffer than to right themselves by abolishing the evil status quo they are accustomed to. It is really so? Would not it be safer to say that some men are more likely to suffer than to fight? It is like admitting that all the Native Americans and Africans suffered cruelty from all the European migrants without putting up a fight. It is common sense that there are always outliers. In addition, this document is an epitome of how mankind is disposed to “right themselves by abolishing the forms to which they are accustomed”. Maybe

that is the point here, the statement is meant to show how the war and document are enlightenment.

When listing the crimes committed by King George III, the Declaration of Independence claims that “He has pundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People”, which is preposterous because it was by no means a document representing the voice of all the American-born people, especially considering the status the Natives held at the time. Yes, Jefferson was born in Virginia and did not embark on the land and start evangelizing Native Americans right off the bat, but it might be more reasonable to take an inclusive approach without claiming the ownership of the land in such a political agenda-infused document.

In section 8 of Article I of the Constitution, the contradiction emerges again. Section 8 specifies that the Congress is responsible for suppressing insurrections and repelling invasions, but the Declaration of Independence explicitly mentions that it is important for people to take measures against their government when it corrupts and is unfit, in which case insurrections and rebellion are supposed to occur given that history has shown us the inevitable numerous times. In my opinion, this statement in section 8 is essentially a testament to the political party’s control over the country, and at the core of the control is violence, which is not necessarily a bad thing.

Section 9 of the same Article in the Constitution mentions that the States should not prohibit the importation of slaves. It stands in stark contrast to what one of the major tenets (all men are created equal) of the Declaration of Independence promotes, reminding us of the interest-driven nature of the document. To get southern states, whose lifelines depended on

slavery, on board, it is necessary for the document to make a such statement. However, it can also be seen as a reflection of how deeply slavery was entrenched in society that it was not viewed as a practice against the tenet that all men are created equal. The same contradiction can be seen in section 2 of Article IV where it sets forth that escaped slaves are to be brought back to their service.

While there are absurdities within the Declaration of Independence and the early version of the Constitution, the amendments are, on the other hand, more logical and reflective of modern values. Nonetheless, there are a few places where things can get vague. For example, the 4th amendment states that probable cause is required for searches, which does not always have clearly defined standards and can potentially involve subjectivity at times. For example, police officers can claim that they smell marijuana and perform a search, but whether the smell really exists is almost impossible to be cross-examined given that police officers are almost always the only law enforcement on the scene. One of the ramifications of probable causes being hard to cross-examine and define is racial profiling. A similar vagueness is observed in the 9th Amendment in regard to the rights not enumerated in the document. If those rights are not enumerated in the document and not given corresponding regulations and measures, then it is totally up to the authorities to treat people however they want as long as it does not violate things enumerated in the amendment. Again, these things are open to interpretation and may require refinement in order to eliminate loopholes.

All the contradictions and inadequacies do not overshadow the significance and benign intent that these documents possess. They, together, laid the foundation for this country and surely made the elimination of exploitation, prejudice, and discrimination and the

acquisition of freedom, liberty, and justice less far-fetched.

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## Reference

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