



Written by [Jack Kenny](#) on July 2, 2010

## Independence and Its “Improvements”

Most of us will undoubtedly find reasonably pleasant ways to spend the extra hours away from work that a holiday weekend gives us; and nearly all, I expect, will have more fun than Solicitor General Elena Kagan, President Obama’s choice to succeed the retired John Paul Stevens on the U.S Supreme Court. For General Kagan, as I learned from reading Joe Wolverton’s article on [TheNewAmerican.com](#), has made a pledge to Sen. Tom Coburn (R-Okla.) that she would reread *The Federalist Papers* to refresh her understanding of the framers’ original intent.



True, she did not say just when she would reread them, but considering that her confirmation hearing has just ended and the long Fourth of July weekend lies before us, what better time to plunge into the writings of Hamilton, Jay, and Madison?

A question that might have occurred to the nominee, though it behooved her not to ask it, is, when was the last time Sen. Coburn or any of his colleagues on the Senate Judiciary Committee read *The Federalist Papers*? Or reread them? It reminds me of a time I listened to the eminent Catholic apologist F. J. Sheed, at a retreat for priests, bring up the importance of the *Epistle to the Hebrews*. He would not ask them if they had read it, he said, for the same reason he would not ask a group of English teachers if they had read *Moby Dick*. “You would ask, ‘Have you read *Moby Dick* lately?’” the very tactful Mr. Sheed explained. “So if you haven’t read the *Epistle to the Hebrews* lately....”

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So on or about the Fourth of July, it might be an appropriate time to ask our friends and neighbors — or, better yet, ourselves: “Have you read the Declaration of Independence lately?” (For the complete text, [click here](#).) Most of us, I’m sure, encountered it somewhere in our schooling, perhaps in junior high school. Some of us may have even managed to read it through before our teachers bored us to death with it. (If the schools ever manage to make sex education as interesting as they have made history and English, a critic predicted long ago, the human species would be extinct in a generation or two.) Some may have experienced that “eyes glaze over” feeling at some of Jefferson’s ponderous sentences. But on balance it was and is a stirring document, well worth rereading for those of us whose school days, if not quite “four score and seven years ago,” were, nonetheless, a long time before yesterday.

The opening sentence, rather stodgy, stiff and formal, would not rouse one to arms for the righteous cause. “When in the course of human events, it becomes necessary for one people to dissolve the political bands that have united them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and 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.”



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Well, that's good for at least one yawn. But the next few sentences, the ones most remembered and quoted, begin to move the reader as the language of liberty marches forth in rich, powerful cadences.

"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 rights 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 abolish it and to institute a 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."

To which a 21st Century American might wish to reply with customary casual eloquence: "Right on, T.J.!"

Soon we came to the list of offenses laid on the king's royal crown, the causes that have impelled the colonists to the separation presented as facts now "submitted to a candid world." Yet some of those also might seem yawn inducing to our tired ears. The first one, for example:

"He has refused his assent to laws the most wholesome and necessary for the public good." At a time in our history when our government enacts far too many laws, all supposedly for the public good, that objection may fail to resonate. Others, however, sound like they might have been written yesterday or at any time since the dawn of the New Deal.

"He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance." If King George's taxes and red tape vexed the colonists, what might they have said of Obama's health care reform?

"He has combined, with others, to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation." Thomas Jefferson, meet the United Nations — and say hello to the International Court of Justice.

"He has kept among us, in time of peace, standing armies, without the consent of our legislatures." Our legislatures (note the plural) long ago lost any control over our standing armies, located on valuable land in virtually every state, as well as on bases around the world. And what's a time of peace?

"For depriving us, in many cases, of the benefit of trial by jury." Well, England was at war, in the American colonies and in other parts of the world. Imprisoning "enemy combatants" without trial was necessary for national and imperial security. Some of the colonists, apparently, didn't get that.

"He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the head of a civilized nation." Nowadays that's called "pacification," and is necessary to win "the hearts and the minds" of the people.

"He has plundered our seas, ravaged our coasts, burnt our towns and destroyed the lives of our people." In more enlightened times, we have called that urban renewal. But I'll bet King George never told the colonists they couldn't chop down trees because it would inconvenience the spotted owl; or reinforce a dam because it would disturb the peace and quiet of the Elderberry long-horned beetle. Nor did he halt the construction of a hospital in the flight path of the Delhi Sands Flower-Loving Fly.

Some things have improved in 234 years. Some things have gotten worse, including our understanding of what constitutes progress. It has been said that playwright Moss Hart used to attend the dress



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rehearsals of his plays so he could “edit out the improvements.” We still have a great county. But we need to edit out a lot of “improvements.”



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