

America's Forgotten Holiday

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Independence Day is our leading national holiday. It has no equal or rival in its prominence and popularity. But maybe it should.

To be sure, the Fourth of July commemorates a crucial moment in national history; that decisive point in time in which the Second Continental Congress declared, formally and publicly, American independence from Great Britain. That day together with the written Declaration of Independence itself comprise the single most familiar day and single most famed document in American history.

But the very importance attributed to Independence Day and to the Declaration of Independence begs one of the most intriguing questions in national political life: Why then is it that we pay so little attention to another epochal event and seminal document in national history, separated in time by little more than a dozen years and equally vital, if not more so, to our national destiny?

We speak of course of the U.S. Constitution. Why do we pay so little attention to the commemoration of it while paying so much to the Declaration?

It is true that the Constitution has not been utterly ignored. In fact, there is now a federal holiday on September 17th that was mandated by Congress in 2004. The date, supplanting a largely unknown holiday called Citizenship Day, is distinctly low key. So far it is lightly observed—mainly in public schools and then only because Congress provides educational resources pertaining to the Constitution on that day. Few Americans seem aware of the day, and there are no public closures for it.

With this single exception; however, there is scarcely any attention given to public observances of the Constitution. Certainly, neither logic nor history explains the snub. The historical parallels between the Constitution and the Declaration of Independence are striking: both were drafted in Philadelphia, both were debated in the same building—Independence Hall, both were signed by several of the same delegates, both are considered founding documents of the nation, and both were bitterly controversial at the time. Yet today we remember one, but slight the other.

Some of the neglect of the Constitution is explainable if not explicable. Great drama attended the Declaration. It came about in tumultuous times, consummated the final break with England, and launched the nascent nation on a perilous confrontation with the greatest military power in the world. Then, too, the Declaration included some stirring literature based on ideas borrowed from political philosopher John Locke and refracted through Thomas Jefferson's fertile pen—guided and inspired by a committee of four others, including Benjamin Franklin and John Adams.

The Constitution on the other hand was produced by a convention, albeit an illustrious one, described by Jefferson absent in Paris as demi-gods, and dominated by political legends like Alexander Hamilton, James

Madison, and Gouverneur Morris. And their deliberation process was much more laborious, carried out over a span of four months by up to some 55 delegates appointed by their respective state legislatures.

Moreover, the Declaration was adopted and declared in a single day. The Constitution, by contrast, took more than nine months before it was ratified by enough states to go into effect.

So the Declaration is associated with a particular day—July 4th, but the Constitution has no such specific dating. September 17th, when it was signed by 39 delegates, is one key date, but several others are arguable, such as June 21, 1788 when the 9th state ratified or even April 30, 1789 when Washington was sworn in as the first president.

There are also other differences between the Declaration and the Constitution that help explain the enormous gap between the public attention paid to the respective anniversaries.

The Declaration is relatively short (1458 words) and stuffed with memorable prose and dramatic phrases about natural rights, self evident truths, unalienable rights, the people's right to self government, and the right of oppressed people to overthrow the oppressors. The Constitution by contrast is much longer (some 4543 words) comprised of language more lawyerly than inspiring.

Finally, the Declaration is fixed and unchanging. The Constitution; however, has been amended 27 times and modified extensively by usage and interpretation. No one has ever proposed amending the Declaration of Independence.

So there are reasons why we remember so vividly one founding document but fail to pay equal attention to the other. Nevertheless, the contrast is jarring.

One reason for this is the huge gap between what the Declaration proffered and what it provided. The Declaration, for all its eloquent rhetoric about equality and unalienable rights, produced little of either in Jefferson's generation or later. It is only in more modern times that the promises of the Declaration have been redeemed. And they have been redeemed ironically enough by the Constitution—as it has evolved to enshrine and enable many of the rights promised to Jefferson's generation.

So as we observe this year's Independence Day, it is fitting to also remember what made the Declaration so important. It was the first step toward establishing a government that could produce the very freedoms Jefferson's document promised—a first step toward making the Constitution.

In the end the Declaration, important as it was, only guaranteed a doubtful revolution, while the Constitution guaranteed a durable nation. Indeed, without the Constitution we might not remember the Declaration today at all, for we likely would not have a United States of America in which to celebrate. It is the Declaration that we celebrate. But it was the Constitution that made the Declaration worth celebration. No better time to remember that than on the Fourth of July.

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