



ENQUIRY

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Gorsuch Confirmed

By AMY ELINSKI
STAFF WRITER

The Supreme Court is finally at capacity again. In what seemed like a miracle of miracles, the Senate voted last Friday to confirm Neil Gorsuch as the court's ninth member. Majority Leader Mitch McConnell led the charge to end the Democrats' stonewalling of the nomination by changing a long-standing Senate rule. Like many Senate Republicans, he believed Gorsuch had faced immense, unfair opposition from Democrats across the country who wished to see a progressive appointed. On the morning of April 10 – more than a year after the sudden death of Justice Antonin Scalia – Gorsuch was sworn in. The ceremony had

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a nostalgic undertone. With his wife beside him – and the late Antonin Scalia’s widow, Maureen, looking on – the new member took the oath from his former mentor, Justice Anthony Kennedy, in the White House Rose Garden. Gorsuch began his law career as a clerk for Kennedy, who also swore him in as a U.S. Court of Appeals judge eleven years ago.

In a brief speech, Justice Gorsuch thanked President Trump for his appointment, Vice President Pence for his friendship, and White House attorneys, among many others, for their support. “I will never forget that to whom much is given, much will be expected,” he said, “and I promise you

that I will do all my powers permit to be a faithful servant of the Constitution and laws of this great nation.”

Justice Gorsuch’s successful placement on the Supreme Court is a relief for conservatives who, after Justice Scalia died with President Obama still in office, feared that it would take a clearly progressive tilt. It restores a balance. The court now consists of four Democrats and five Republicans, as it did at the start of 2016. Justice Kennedy acts as a swing vote, however, and often does not side with his Republican colleagues. Gorsuch’s court appointment therefore ensures a continued balance between liberal and conservative interpretations of the constitution.

Gorsuch’s impact upon the court will likely be seen immediately. On Thursday, the justices will convene to begin deciding which cases to consider in the next term. Gorsuch will also have the opportunity to help decide his first case, on April 17. In recent months, the Supreme Court has occasionally split 4-4 on party lines. Justice Gorsuch’s vote will probably be necessary in order to issue

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Tocqueville Foretold the Poet, Walt Whitman

By CLAIRE ANASTASIA KITZ
STAFF WRITER

Alexis de Tocqueville was a French aristocrat, political philosopher, and accomplished writer. He ventured to the United States for nine months in 1831 to discern how democracy was proceeding since the American Revolution. Tocqueville began by observing how politics was lived in this nascent democracy; he imposed no grand principles or theories from the outside. With thoroughness and a surprising honesty, he wrote two comprehensive volumes detailing and evaluating his experience.

This Week’s News in 140 Characters

EDITORIAL REPORT

-  **Bernie Sanders** @SenSanders · 36m
In a world of incredible violence, the state should not be involved in premeditated murder. We need to end the death penalty.
↩ 124 ↻ 559 ❤ 2.3K
-  **Donald J. Trump** @realDonaldTrump · 3h
North Korea is looking for trouble. If China decides to help, that would be great. If not, we will solve the problem without them! U.S.A.
↩ 12K ↻ 22K ❤ 52K
-  **Bill Kristol** @BillKristol · 19m
Reading the news these days I often think of Federalist #2, quoting Henry VIII: "Farewell! A long farewell to all [our] greatness."
#CheerUp
↩ 3 ↻ 20 ❤ 27
-  **Charlie Kirk** @charliekirk11 · 3m
Free speech is not just saying what you want to say, but it is having to hear things you don't want to hear.
↩ 3 ↻ 20 ❤ 27
-  **((AG))** @AG_Conservative · Apr 10
If you overbook a flight, you offer whatever incentives you need to get customers to switch. You don't drag them off flights: cc: @united
↩ 46 ↻ 2.3K ❤ 6.5K

TOCQUEVILLE cont.

Besides writing a sophisticated depiction of America’s social and political life, he also engaged in certain predictions about her future. He had a willingness to speculate across many disciplinary silos, including the fine arts, as to future developments in the republic. One such prediction was the invention and flourishing of a uniquely American poetry movement; in this, Tocqueville was prescient. He anticipated the lyrical, moving poetry of Longfellow, Emerson, Dickinson, and Frost -- but also, especially, the splendid poetry of Walt Whitman as seen in his celebrated “Song of Myself.”

There were few respected American poets to speak of in 1831, but Tocqueville was undaunted by that fact. He earnestly believed that “in the heart of this incoherent and

“Poets would speak for the nation, about the nation, in a common language that elevated their own experience.”

agitated multitude,” great poets would appear in the decades to come. Americans were, for the time being, focused on politics, religion, journalism, and wealth creation

Hypocrisy in the Senate

By FRED POLLEVICK
STAFF WRITER

On March 16 of last year, President Obama nominated Merrick Garland to replace the late Antonin Scalia on the Supreme Court. But over the next couple of months, Garland faced adamant opposition from the Senate Republicans, who refused even to hold a committee hearing for him.

As Democrats, including Obama, strongly criticized the Republicans for this action, I criticized along with them. Ideological differences aside, I could find no reason for Republican senators to block Garland’s appointment. He seemed to be qualified for the job, and I thought it was likely that as a justice, he would refrain from ruling on the basis of political preference. It seemed to me the Republicans in the Senate were being immature about the entire thing. Blocking Garland’s confirmation not only put a strain on our judicial system, but would have left the door open for Hillary Clinton – had she been elected – to nominate someone even further to the left.

Fast-forward to last week, when the Senate Republicans – led

rulings on a number of cases in the near future. Tie votes leave the lower court's ruling in place, but without an endorsement of that decision by the Supreme Court. Because they lack the authority of a majority decision by the Supreme Court, they are not considered rulings.

As the newest member of the court, Gorsuch will also take over certain traditional duties – designed to humble new members and ensure that they keep their humility in one of the nation's most powerful offices – from Justice Elena Kagan, who President Obama appointed in 2010. These responsibilities include answering the door during the justices' private conferences and attending meetings of the Supreme Court's cafeteria committee.

As Gorsuch assumes his position, the world watches to see how he will affect decisions. He developed a reputation for being a sound judge with a high regard for the constitution, and there is no doubt he will continue to act as such. He has large shoes to fill, but undoubtedly will leave behind his own legacy for Supreme Court justices in the future.

TOCQUEVILLE *cont.*

and scarcely had time for literary pursuits. But he expected that such accomplishments would develop. He recognized the writings of Washington Irving and James Fenimore Cooper as indicating a promising future and the existence of a blossoming literary class.

Tocqueville believed that the great extent of equality in the country withered old ideas and traditions; literary conventions, too, would be redefined and rewritten here. Americans would reinvent poetry, making it anew for their egalitarian society. A quite different American poetry would emerge, without European structures or themes as its masters. Poetry would be animated by images of a shared national experience, since Americans, Tocqueville wrote, wished “to be spoken to about themselves.” He also predicted that this poetry would be grounded in reality, without flights of fancy, retreat to antiquity, or ethereal gods and goddesses – just “the confused mixture of conditions, sentiments, and ideas that they [Americans] encounter before their eyes.”

Poets would speak for the nation, about the nation, in a common language that elevated their own experience. The poets, he believed, would be drawn to verse as the ideal of poetic language.

Moreover, poetry would be uniquely American in the degree to which it would be instinctive, fluid, spiritual, natural, and emotionally direct. In all of this, Tocqueville was indeed predictive.

It appears, however, as though Tocqueville did not believe all Americans were capable of producing such poetry. He wrote: “one can conceive of nothing ... so dull ... so antipoetic, as the life of a man in the United States.” Yet he remarked, “one always meets one that is full of poetry, and that one is like the hidden nerve that gives vigor to the rest.” No other image could better describe the arrival, two decades later, of Walt Whitman on the American literary stage when he published his first book of poetry, *Leaves of Grass*, in 1855. It truly was “the hidden nerve that gives vigor to the rest” – revolutionary, effervescent, a bouncy spring, the pioneering mechanism for developing and advancing poetry in America. He was, as Tocqueville anticipated, an individual who was “full of poetry” and would inspire other poets and invigorate a young nation to think differently and to sing.

Whitman created poetry with a less formal structure, utilized the language of the common man, celebrated individualism, and was not bound by the past. He was energized by the American move westward and the nation's flourishing democracy, and was moved by the struggles and journeys of its ordinary citizens.

His poem “Song of Myself” has the fluidity Tocqueville foresaw. After the first line had been crafted in iambic pentameter, Whitman abandoned all semblance of standards, rules, and convention. Gone were rhymes, metrics, and links with past poets; he was, as it were, the master of the open poetic road. He sang his celebratory chant: “I too am not a bit tamed, I too am untranslatable.”

Tocqueville would have been pleased with his prognostication's accuracy. It was as he had suggested it would be. He called forth, with prophetic words, the prospect of a poetry and poets for America that described in detail its people's energy, their industry, their decency, their love of creation, their language, and their gift for freedom and democracy. He wanted for America someone who would listen to their voice, what Whitman called his own “barbaric yawp” – and proclaim it. Whitman was the lodestar.

Within his admirable panegyric to American democracy, then, Tocqueville not only predicted the style and structure of a new American poetry; he also gleaned from the tea leaves, long

beforehand, the voice of one of its most beloved and original poets, Walt Whitman. In appreciating Whitman's gift, we appreciate

HYPOCRISY IN THE SENATE *cont.*

by Mitch McConnell – decided to execute the “nuclear option.” In doing so, they effectively guaranteed the confirmation of Neil Gorsuch by disallowing filibusters against Supreme Court nominees.

The Republican decision to take the nuclear option came in response to Senate Democrats, who were preventing Gorsuch's confirmation by blocking a vote

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on it. It dawned on me that these Democrats were now doing basically the same thing that the Republicans had done to Garland. They were now engaged in the “anti-democratic” action they had publicly criticized just months before. The saddest part is that these Democrats have yet to provide a sound rationale for their behavior. It appears as if they attempted to block Gorsuch because they wanted to match the move the Republicans made last year. Although the Senate Democrats, among others, disagree with some of Gorsuch's views and opinions, that doesn't make him an illegitimate or unqualified nominee for the Supreme Court.

The truth is that the country took a turn in the last election. A

much more conservative president was elected, and the Republicans maintained control of Congress with only minimal losses. As much as the Democrats dislike this, it is the result of the democratic process. I have the same reaction as many when I hear President Trump make a remark that is far from presidential, or see that Congress has taken action towards a strong conservative agenda that I may not agree with. But I accept it. I read it, nod, and acknowledge that I am still grateful to live in a country like our own.

Perhaps Congress and the White House do not share my views, but they do share the views of those who voted them in. Democrats and Republicans alike – although Democrats seem to be the ones doing it these days – should not simply halt vital governing processes, or manipulatively frustrate them, just because they disagree on ideological grounds.

If the Democrats, after pointing out that Senate Republicans' blocking of Garland a year ago was against the spirit of the constitution, had then done their jobs and voted for or against Gorsuch – in the spirit of the constitution – a week ago, they would not have looked nearly as hypocritical.

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