Not Merely Dried Ink: The Declaration of Independence, Public Defense, and America's Flawed Court System

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Just 15 minutes west of Lehigh's campus, across the Lehigh River, stands the Lehigh County Public Defender's Office, and each visit has reshaped how I envision justice in America. Our system is at once meticulous and chaotic—swift for some, agonizingly slow for others, and rarely equal in practice. Witnessing this firsthand, I am struck by the gap between the ideals inscribed in our nation's founding document and the reality of those navigating the courts.

The Declaration of Independence asserts that "all men are created equal," a principle many first encounter in middle-school civics classes as a simple, powerful truth. Yet behind the fluorescent lights of the courtroom, equality feels conditional, contingent on factors far beyond a defendant's control: the day's mood of the judge, the workload of the prosecution, or unconscious biases shaped by race, education, or family background. Small, seemingly mundane variables can determine whether a person leaves the courthouse free or faces years of consequences. This far too common experience reveals the fragility of the equality our nation proclaims. My internship has revealed that America's courts aspire to the equality proclaimed in the Declaration, but systemic inequities—economic, procedural, and social—often prevent its full realization.

Often, the most thought-provoking days of my work occur in juvenile court, where my two direct supervisors work. I have witnessed children as young as ten years old begin their referrals to the court system, with crimes ranging from retail theft to assault and even murder attempts. It is immensely disheartening to witness someone so young wishing to end another's life, usually that of another young person. Yet it is equally unnerving to consider the path that led them to that point, and the failures of a system that often keeps them at their lowest.

According to the many public defenders I have encountered, children who enter the system this young very commonly become "frequent fliers," often accumulating many referrals before they become adults. There are, of course, almost always underlying reasons: homelessness, extreme poverty, incarcerated parents—struggles that are incomprehensible for such young minds. One may assume that early interactions with the courts may act as deterrence or allow for early interventions from potentially life-saving services. However, early justice involvement is associated with increased risk for adult criminality and may actually "catalyze rather than deter from adult offending" (Copeland et al. 3716). While the courts are meant to correct behavior, they often reinforce disadvantage, highlighting how far the justice system still falls from the ideal of equality before the law.

Another striking facet of the court system I have witnessed is the procedurality and swiftness it necessitates. The public defenders I work with are immensely passionate and dedicated, but heavy caseloads leave them little time for each individual they represent. Guilty pleas are prioritized in court, and people are given very little time to decide the gravity of this choice. One morning I witnessed the defender I was working with rush in and out of the interview room and courtroom, fitting in over 10 guilty plea agreements in an hour and a half—lives changed in split-second arrangements. Research supports that this pressure can shape outcomes. According to the Yale Law Journal, public defenders are often more effective at convincing defendants to

accept plea deals as they often build trust and spend time with clients (Roberts and Heaton 205). But in the context of heavy caseloads, even dedicated defenders have limited time to form these relationships.

One older man, who had many prior referrals to the court, broke down in the sterile interview room. With his voice shaking, he said, “This is the first time I have been in this cell, and I didn’t do anything wrong. But the better choice for me is to still plead guilty.” He then cursed the system, not his lawyer.

A different morning, a client came in who had stolen from a large retail chain. He had taken less than thirty dollars’ worth of goods, just some eggs and a hat-and-gloves set. He told the court he was simply hungry and trying to stay warm. Prosecuting an unhoused man in the dead of winter for such a small theft left many in the room, including his attorney, shaking their heads.

Comparatively, I meet individuals with private lawyers—able to charge large amounts of money and dedicate huge resources to each case—leave court with far better deals than their low-income counterparts. The outcome of identical cases could be vastly different depending on the dollar amount one can spend on representation.

These experiences do not render the principles our nation was founded upon obsolete. Instead, they remind one why the values stated in the Declaration of Independence are unfinished; our nation and justice system must be in constant evolution. The phrase “all men are created equal” was aspirational even in 1776; the United States was immensely unequal and tolerated slavery. However, the Declaration of Independence provides a standard. It serves as a line that we can continually work toward and something against which we can judge flawed institutions. The public defenders I work with, despite overwhelming caseloads, embody this commitment, attempting each day to make equality before the law more than stagnant words.

The court system plays a central role in upholding justice, acting as a democratic inflection point where the law can either be applied unequally or with due process and equal protections. When the justice system feels arbitrary, public trust in all governmental institutions is likely to decline. In my experience, factors such as economic inequality, institutional overload, and early entry into the system have pushed both our courts and our nation further from the ideals promised in the Declaration of Independence. Another critical factor is the conflicting nature of funding within the justice system. Scholars have long noted the structural tension inherent in the public defender system, the same state that prosecutes defendants also provides funding for the attorneys tasked with defending them (Flemming 412). This arrangement raises serious concerns about the fair distribution of resources and the ability of defenders to maintain autonomy in an inherently adversarial system.

Two-hundred and fifty years after its ink dried, the Declaration of Independence is often reduced to its historical significance. Driven by resentment toward British taxation, the colonies declared separation in hopes of creating a strong, unified nation. Yet the document’s relevance lies in its lack of full realization; it serves as a benchmark, highlighting how far the United States has come toward equality and how far it still must go. This is not a reason to disregard its text, or worse, to view these hopes as unattainable. The aspirations written in the document, our unalienable rights

to “Life, liberty, and the pursuit of happiness,” are just that: a pursuit. The most influential documents of our time maintain relevance through fluidity, not through mere reverence or reflection.

These values can be upheld not simply through trite expressions, but through our actions. Each time a public defender enters the courtroom and advocates for a client’s unalienable rights without the motivation of a hefty paycheck or the confidence of a designer suit, the principles of our founding document are extended to another citizen. Equality before the law is not automatic. It is something we must continually work toward for everyone, one county-level case at a time.

References

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