

REMARKS OF THE VICE PRESIDENT OF THE UNITED STATES

TO THE PETITIONERS FOR CITIZENSHIP AT

JAMESTOWN, VIRGINIA

MAY 1, 1965

Thank you very much Judge Butzner, Judge Hoffman, Mr. Macado, the distinguished Congressman from this District, Tom Downing, is with us in the audience today and the Lt. Governor of the Great State of Virginia, Governor Godwin, my fellow citizens, and those who are blessing America today by their petition for citizenship. We're very very happy on this Law Day USA to welcome these applicants and petitioners into what I consider to be the greatest honor that can befall any person, anywhere, to be a citizen of these United States of America. Judge Butzner and distinguished guests, we gather here today, not only on a beautiful day in which divine providence has given us the blessing of good weather and gentle warmth, but we also gather at a very historic site. This is Jamestown Island, this is Jamestown plantation and this very area as all of us know is the first English settlement in the New World and how fitting and appropriate it is that new citizens come to this, the site of the first English settlement in the New World and how wonderful it is that once again America is refreshed by new persons, new spirit, and new energy and vitality. I gather that, if my memory serves me correctly, this beautiful area, this Old Dominion State of Virginia is known as Historyland and it is just full of History, the history of freedom, the history of courage, the history of the new world, and indeed the history of progress. And every time that I attend an occasion like this I feel a new sense of discovering America. Not long ago it was my privilege with Mrs. Humphrey, to open the World's Fair for this year and while I was there a Mayor of a little city in my home state of Minnesota, the Mayor of Alexandria, presented me with a little replica of what is known as the room stone. This room stone is claimed to be an indication of, through the writings, of at least the visiting to America, of the old Vikings. Of course many different groups and nationalities argue as to who discovered America. If you don't think so, why you meet with The Scandanavians, and then meet with the Italians, and then meet with others. Now, I as a man in public life have refused to get into that arguement. All I know is that I discover America almost every day. And I think that each and everyone of us do. We're discovering America here today. We're discovering an America that is being strengthened by new people, we're discovering an America that is being visited by people from many lands and we're discovering each day some new developments in our country and fortunately

the discovery is a personal experience. These petitions for citizenship are going to discover their America. They already have and they'll find new discoveries and new experiences every day of their lives, so we don't need to join the argument right now as to the historical discovery. What is really more important is what you do with your discovery, what you do with your life, what you do with your good work. Now, I am so happy to be able to address persons that soon will take the oath of citizenship, the oath of allegiance to this Republic. I'm happy to do it because I am the son of an immigrant mother. My Mother was an immigrant to the United States. She came from a little country in Northern Europe, Norway. My father's parents and their parents were early American settlers, but it always has made me quite proud to recollect and to reflect upon the fact that Mother's parents and she, sought America. They came here by choice and I didn't have the good fortune that some of you here today have because I was just born here. I didn't have much to say about it even if...though if I had of, I would have selected America. I want you to know that...but you made the selection, you made the choice and is so doing you honored our country and your country and you, I think have honored yourselves. Historyland that tells so much of the story of freedom, and historyland that tells so much of the promise of our country; because America really is the uncompleted business of mankind. It's always new...it always represents hope and while we're very much interested in its past and its history, which is an inspiration to us, we're even more dedicated to its future....And I have a feeling that while you are here in historyland enjoying, and I'm sure being inspired by the history that you've learned, and may I add my native born Americans, I venture to say that our new citizens know more about the Constitution and the history of the United States than most of the native born Americans...But while you're here just literally living in the history of this Republic, I hope that you'll dedicate your lives to making some history for this country, and I know you shall. Well, it goes without saying that a unique aspect of America is that every last one of us with the exception of those..better than a half a million native Americans of Indian birth, all of us are immigrants. We migrated to this...these

shores. Unlike other countries we in this United States, or these United States, began completely a fresh. You can cast off old burdens, old prejudices, old imitations, and you come to a land filled with abundant room for you and your family, we're not crowded, and you come to a land with the theme of this day in age, Opportunity. Opportunity for all, and let it go from this place that every ceremony such as this is dedicated to one proposition...opportunity for more and more people. Opportunity to make something worthwhile of your life. Now the combination of energy and talent, and vast ambition which new Americans have brought to this country has maintained our national vitality. Our blood stream is fresh and good. We're not tired and we're not weary, even with the heavy burdens of today, and fortunately the new immigrant, the immigrant of the yesterday, the immigrant of today, brings a dedication to liberty, and to equality and to responsibility under law, which has, I think, done more than anything else to reflect men's most cherished ideals. And let me pause for just a moment to say a word about this privilege of citizenship. It is a privilege, and the Constitution and the laws of this land are filled with protections for citizenship. Human dignity means something more than just a precept or concept. It is a fact and the laws and the courts of America reflect that fact, but the privilege of citizenship carries with it the responsibility and I think I now address my remarks more to those of us that have long been citizens than to those who are just becoming citizens, because sometimes we speak of our liberty and confuse it with license. Sometimes we speak of our individualism and we confuse it with lack of social responsibility. We are a freedom loving people but freedom is not anarchy and we are a liberty loving people but liberty does not give one the privilege of the destruction of others, of the liberty of others. There is a responsibility and there's a responsibility to parents just as in a church service when children are brought into a particular church faith...there is a responsibility charged to the parents of that child to bring that child up in the faith...And so may I say there is today

a responsibility for parents who have children here being brought into citizenship to bring that child up into the love of liberty and the respect for law and the institutions of a law abiding society and this of course pertains to those of us who have lived here so long. I mention responsibility because while Americans rightly are self-critical and we must always be constructively so, and while we cherish freedom of speech and freedom to assemble and freedom to petition the freedoms that we have in our Bill of Rights, with every freedom comes a responsibility. With every liberty comes a duty... And today as we seek to advance the cause of freedom and liberty let us remember it, that we have a responsibility second to no other country, to no other nation. Remember this, that if freedom is to live in this world it will do so because you help it to live. If we are unprepared to defend Democracy, who is ready to do so. If we are unwilling to set the example of justice under the law, an opportunity for all, who do you think can do it. We Americans have a responsibility today to help expand the areas of freedom in the world. We cannot run away from the challenges that face us, the challenges of tyranny, the challenges of lawlessness, the challenges of prejudice, or the challenges of aggression. It is our duty and our responsibility to so love freedom that we defend it as the signers of the Declaration of Independence said "with our lives, our fortune, and our sacred honor." no greater commitment can a people make. So I welcome you as new citizens. I gather that the program said I was to charge you, what ever that means, but I welcome you as new citizens, I welcome to America, new human resources. It's like a mighty discovery, the only thing is we didn't have to discover it, you just came. How fortunate we are. Because these new citizens, my fellow Americans, bring us the richness of new talent, new energies, skill, intelligence, vitality and to help us build an even greater country. You know we still have much to accomplish. We haven't even hardly got started. America is just taking it's first steps to the great society that we envision, but I happen to believe that if all of us work together, if we put aside prejudice, intolerance: If we seek to be one family and



one people even though we have our differences of pattern of life and culture, if we have common purpose and respect for one another we can realize the most noble of aspirations...to build a society in which each man in his own way can create a better life for himself and his children. The charge that I would give to you then, is to be found on this monument, that is within your vision, behind me. There is an inscription on that Jamestown Tercentenary (tercentennial) monument and it comes from the advice of the London Consul for Virginia, to the Colony, in 1606. This was the charge and the advice that was given to those explorers of a new world in their day, every bit as gallant and courageous as the astronauts of this day. My, when I think of how they dared to go across that turbulent sea, that great ocean the Atlantic, on those little ships, the replicas of which are within only a few feet of where we are, a very short distance,... when you see those little ships and you know of the turbulence, you sailors in particular, of the North sea, and of the Atlantic, you wonder how did they ever do it...and you sense their bravery, and their daring and also their love of discovery and their desire to build a new life. So the London consul, in the year 1606, said to each and everyone of these immigrants, those that left the shores of England, the following words, "Lastly and cheaply, the way to prosper and achieve good success is to make yourselves all of one mind for the good of your country and your own and to serve and fear God, the giver of all goodness for every plantation, which our heavenly father hath not planted, shall be rooted out." My fellow Americans if we seek to prosper and achieve good success then we must have one commitment and that commitment every child takes practically every day in school as they repeat the pledge of allegiance to the United States of America, "One nation indivisible," "one nation under God indivisible with liberty and justice for all" and I ask you to weigh every word, every word, one nation, not two, that was settled long ago, under God with recognition of those inalienable rights, God given rights that no court of law can take away, that no congress or legislature can defile, that no magistrate may deny inalienable rights, as much a part of this America as the soil on which you stand, with liberty and justice for all of you, whatever your race, creed, or national origin, from whence ever you came, wherever you live, from now until eternity, Thank you.

ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES  
OF AMERICA TO THE LAW DAY U. S. A. LUNCHEON OF THE  
VIRGINIA STATE BAR AND THE VIRGINIA STATE BAR  
ASSOCIATION AT WILLIAMSBURG, VIRGINIA, MAY 1, 1965

Thank you. Thank you Governor Godwin for your gracious and thoughtful introduction and I'm delighted that you got two introductions because you fully deserve it. To Congressman Downing, once again my warm greetings and I'm so pleased that he's honored us by his presence at these ceremonies and on this important occasion of Law Day.....and to Senator Bateman, who almost got crowded out of the program, but who.. but who so richly deserves to be a part of any program such as this; Mrs. Humphrey and I want to extend to you and to each and every one of you our thanks and appreciation for the courtesy and the good Southern warm hospitality which has been extended to us. I might say to Angus McAuley that any little error that you might have made in the proceeding is forgiven; because anyone that's been a father by three days is entitled to something like this. To Mr. Miller and Mr. Schackelford, our thanks for the work that they have undertaken and so successfully achieved in these festivities of Law Day; our thanks. Not long ago Mrs. Humphrey and I were over at Jamestown at Festival Park where we were privileged to share in the ceremonies relating to the Magna Carta, the 750th Anniversary of the Magna Carta, and we listened to the historical portrayal of the meaning of the Magna Carta, Then and Now, by Michael Rabb who has been introduced here today; and of course, we're in the presence of the Honorable Lewis A. McMurran, and I want to thank them. We've just had so much fun that my cup runneth over and our heart is....our hearts are just filled with gratitude. I have with me also another matter that I want to mention; that we were privileged to receive letters of welcome from Senator Harry Byrd, and Senator Willis Robertson..... two distinguished statesmen of this state, men that I have served with in the Senate for years; and also a telegram of greetings from John S. Battle, former Governor and one of the great citizens of this state.....and I want to thank Governor Battle and Governor Harrison and these two Senators for their warm reception to us.



It means so much as we travel about our country to get these words of welcome; and by the way, I mention travel. I want everyone of you to appoint yourselves today as an ambassador of good will for the United States and I want you to appoint yourself as the sort of cultural attaches for every area of our country. Encourage travel within this nation. Encourage people to come to this grand State of Virginia...encourage them to come to Williamsburg... encourage them to come to Jamestown....encourage them to go see Thomas Jefferson's home....to see the wonders of history of our great America. And by the way, encourage them to come to Minnesota too. Truly, you may recall that the President gave me an assignment not long ago, of being the Chairman of his Cabinet Task Force on Travel, See U.S.A. Now.... Now this, Mr. Rabb, is not to say that we shouldn't travel elsewhere. We Americans are an affirmative, positive people. I work on the basis that most people have about so much money set aside for travel, and I want to encourage them to at least have a good look at the wonders, and the beauty, and the charm, and the excitement, and the mystery, and the history, of these grand United States of America and when they do that, they'll be a better citizen, each and every one. Each person will know a little bit more about his neighbor. I wonder how many people here realize that fifty percent of the people of American have never been two hundred miles away from home... isn't that amazing in this day of automobiles, an airplane, a bus and a train. Fifty percent of the people have never been two hundred miles away from their own domicile. Eighty percent have never been on an airplane and sixty percent have never been in a hotel or a motel. So we say that we are people that love to travel and communicate. We just really travel back and forth between our neighbors homes getting a cup of coffee. That's all right too. I don't want to discourage that; but I would be less than frank if I didn't tell you, after being here on this day, and we will be here through the early part of tomorrow, how wonderful it is to feel the sense of inspiration when you get just a little closer to the heritage of our country; and not only its heritage but its promise. This means so much; so you do something about it. Why right here in Williamsburg is the oldest law school, or I believe it's the oldest law school in the United States. And it had

some great graduates and great professors, established by Thomas Jefferson. What a remarkable man that Jefferson; and the most amazing person. I often wonder how anyone could know so much, be so skilled in so many of the arts, be so competent, and have lived really not so very long as Thomas Jefferson .....and then Benjamin Franklin. Just think of those great Americans. Thomas Jefferson, that wanted to be remembered, not for his work as President.....not as the Secretary of State in the first Cabinet.... not as Ambassador, but to be remembered as the Founder of the University of Virginia, and the laws of religious toleration; and indeed his work for the Bill of Rights. This was a great man and he lives today just as surely as he lived then. So you see, there is something for all of us to....to see and to feel in our hearts, in our emotions. The Magna Carta. How appropriate that there should be ceremonies today on Law Day and yet, of course, we know, I believe it's June 15th, that there'll be the commemorative ceremonies here in Virginia for the Magna Carta; the 750th Anniversary of the Magna Carta, when King John in the fields of Runnymede pledged to respect the legal rights of his people. This fellow King John, with all due deference to our British brethren, was a little bit difficult to handle and then, as now, people knew that absolute power can corrupt absolutely, and it was necessary to restrain and restrict and limit power and its use, and the Magna Carta comes to us as a continuing reminder of government under law, the importance of law; not government of men, but government of law, men who administer the law, men, yes, who many make the law....but not men who may rule above the law. This country and other countries have historical examples of this important truth that all of us should cherish. Today I want to visit with you a little about the law. I am no lawyer. This morning it was said a little earlier at the time of the petition for...of the new citizens, and then the oath of allegiance to the citizens, that most everyone present was a lawyer. Well I always wanted to be a lawyer but I never quite got around to being one. We....our educational experience was somewhat interrupted by depression and a few other things,

but I went back to the University of Minnesota and later on to Louisiana State University to study Political Science. I always enjoyed the study of Constitutional Law, which is one of our courses of jurisprudence, which is one of our courses of Administrative Law, which was one of the courses of the philosophy of the law. Today I'd like to just visit with you a little about the philosophical tenets of law, what law means to our country, what it means to this world, and what we are doing these days to strengthen the rule of law. Some three hundred and fifty years ago the English Historian William Camden urged and said, "Agree, for the law is costly"....."Agree, for the law is costly". He was telling us of the importance of concurrence of consensus, of observance of the law.....and he was telling us also of the painful history of mankind, the struggle of mankind, to arrive at a point of human conduct in civilization where law could be the rule of the day. Now, today on Law Day, his remark carries, I think, an urgent and an important message. On a day reserved to honor our own legal structure and system we should remember that it's foundation, this legal structure's foundation, is agreement.....a common purpose which permits us to resolve our difficulties and disputes without each time seeking some formal legal remedy. I can remember when we studied political philosophy, how we'd have the many philosophers that would give their idea or ideas about the law. Why do people obey the law? Some said through habit.....others said through acceptance....others said because of fear... but more importantly I think we shall find because the law represents the mature common purpose of a people. Now Camden's advice reminds us that observance of the law comes from consensus, and this is a word we're using a great deal this day. Our President uses that word and I think it's had an impact on America. The law comes from consensus, agreement, and the rule of law is the work of centuries and Camden's advice is vital to our own success today; for if the rule of law is to prosper, domestic law or international law, it can only do so because we have found matters upon which we can agree, and the paths of leadership is to promote agreement, not disagreement. The leader who is worthy

of trust today is one that seeks to bind up the wounds, not to open them.....to unite a people, not to divide them.....to seek common grounds of common purpose, not to seek areas of disunity and of discourse that leads to lack of agreement. Our judicial heritage is just what I've said, seeking ways to find agreement, a slow accretion of statutes, practices and customs and judicial decisions handed down from generation to generation made to fit the needs of the time and the place, but endowed with the objectivity necessary to fair decision. A body of law is like a cathedral. It takes generations to build it but each generation adds to and taketh not away. I remember reading a document when I was teaching; a book that I always asked my American Government students to read. It was entitled The Living Constitution, by a political.....by a political scientist by the name of McBain, and the theme of that book was that our Constitution is a living document, and if you read its preamble you'll know how true that is. It said that "We, the People of the United States of America do ordain and establish".....not did. It isn't written in the past tense. It is a constant living document at this moment, this hour, and the means of keeping that document alive are through constitutional government, representative government; people who live in the day of their own life and of their own time and courts that live and practice and hand down decisions in their time. Now, since Camden's day, our system has become superbly refined.....a superbly refined instrument for protecting human rights and personal values. I underscore both human rights and personal values. Gradually but irrevocably we have made broader the obligations owed by society to its members. We have firmly fixed the power to govern upon the consent of the governed and we have eliminated such old forms of property as slavery as an institution and a practice. We have sought to secure the blessings of life and liberty and the pursuit of happiness through law. We continue to assure every citizen that he shall not be denied life, liberty or property without due process of law. These are great legal truths and bulwarks of personal liberty and freedom and we have maintained respect for inalienable rights of individuals as our Republic's foundation.



The refinement of our system has brought more and more of our citizens under the law. In fact, the success of our legal system has rested upon its ability to draw nourishment from common agreement: Upon the basic principals the law embraces. Consensus then, what do we mean, voluntary agreement derived from constructive dialogue with mutual respect and understanding; and this is a process for wise and intelligent people, and educated people. Actually the rule of law cannot live in a society of illiteracy or ignorance. Thomas Jefferson says "You cannot be both free and ignorant", "You cannot be both free and ignorant". You must be one or the other. You must be free.... You can be free if you are educated, if you're trained, if you're literate; but you will lose your freedom if you sustain the social structures that breed ignorance. Now this drawing nourishment from common agreement....this consensus is what we need, for law is meaningless if there is no public will to observe it, and this public will, in turn, can exist only when the law is just and deserving of honor. It was this same Jefferson, and by the way, if you want to know the law as an American, all you really need to read is Jefferson; you'll get a philosophy of American law. Jefferson reminded us that the highest duty of government is to promote justice and to protect human rights. Governments are worthy of respect and trust when governments respect and trust people, because government by the consent of the governed is not a legal principal. It is a moral principal. It is based upon a spiritual concept that no man has a right to govern another without his consent because each man is a creature of God Almighty and God did not intend to have his people ruled without their consent. I used to spend several days, sometimes two or three weeks, with my students when I was teaching, telling them to put their books on the floor; get away from them for a while; let us think out loud and ask them, what do you mean by freedom? Don't tell me that Democracy is a written law because Nazi Germany had written law, Soviet Russia has a constitution longer than ours and glowing phrases within it. It is not the written word alone. In fact sometimes the written word has little or nothing to do about it. Some of the great democracies of the world have no written constitution as such. Our British brethren have a body of law and statute, common law in

practice, but no formal written constitution such as we. Then, what is it that.....what is it that gives us these inalienable rights that we speak of? What is it that means....that guarantees you, that says to you that you should have free speech? Some people, when they have free speech, say funny things: Sometimes saying things that we don't like. Sometimes saying things that destroy other people. What is it that gives you the right to petition, to assemble? What is it that gave the colonists the right, as they felt they had it, to declare their independence, to list their body of grievances in the Declaration of Independence. Well, they said there are certain inalienable rights; God given rights; rights that come by the nature of man, and that's the whole body of the philosophy of democracy; a spiritual concept put into political truths and political law. Human dignity we call it; the dignity, the sanctity, in a sense, of each individual carrying within his soul a spark of the divine and for that reason alone he must be free.....and for that reason alone dictatorship is consummate evil, because a dictatorship defies and denies this spark of the divine that is within the nature and the soul of man. This is the way I once taught my young students because I believe that we have to have a deep faith about freedom or the law means little or nothing because the law without a sense of justice and a faith in freedom can be oppressive, but the law that is embodied in this environment of freedom or surrounded by this environment of freedom and justice, is a law that does justice by the people. Now, today in the United States we do have a broad consensus of the rules and regulations that govern our society. I think this is one of our singular achievements. We have a remarkable effective system of enforcing these rules and regulations. Much of the system is habitual. Much of it is through voluntary practice; most of it in fact. But even though our legal system is the most advanced in the world, it would be folly to suggest that nothing remains to be done, and the proof is that fact that we still have legislatures and a congress and city councils. The congress and state legislatures are deluged each year with suggestions for improvement; and might I say in defense of the legislator, few legislators just sit around figuring out how they can think up a



new law. The legislator generally advances a bill in the legislature and the congress because the people that he represents feel there is a need for a change, or an adaptation, or an adjustment in the legal or social practice of their time. This is why we often hear people say, "well, just pass a law"....I think this statement of passing a law indicates how much respect, in a very real sense, we have for the law. Now arguments rage in the legal community about law and proposed law and arguments rage in the legal community and in the public at large on the wisdoms of laws and of some court decision, and it has ever been so. I do not claim to be a student of the courts, that is a profound student, but let me say a surface student.....but as I recollect, I have never known a time in history that the courts were particularly popular; because the courts attempt to interpret the law. John Marshall surely wasn't popular, not even with Thomas Jefferson. Justice White, Justice Hughes....not very popular. Justice Taney, not very popular. Justice Stone, not very popular. I hardly remember a Supreme Court Justice over the history of this Republic that was really popular. All I can say is Thank God for the courts....for the courts. But these ragged edges of public disagreement, and sometimes real public concern, these ragged edges on our national consensus really do not worry me. But what does worry me are the more basic problems that we face. Where we have basic unrest for example. It is because a consensus continues to elude us. For a long period of time, many of you have forgotten it, but for better than a century, workers in America, in this blessed land, fought for their rights to bargain collectively, like some people today fight for their rights of equal opportunity, or for combinations of education. I wonder if we've forgotten it, the Haymarket riot. I wonder if we've forgotten the use, time after time, of the police power to beat down people who wanted nothing more or less than a ten hour working day, or the right just to organize, to have a voluntary association. I do not mention this to speak ill of the past. I mention it only to say that change comes with pain. It always has, and I imagine it always will. Today most everybody accepts the right of both management and labor to sit at the bargaining table and very few in America today would say they wanted it any other way....

but where we have a failure of consensus we generally find basic unrest and vice versa. It is missing because some of our people....this consensus is missing because some of our people feel that they are denied full participation in their society and we cannot expect to breed respect for law and for order among our people or among the people who do not share the fruits of our freedom. Now, under the leadership of our President and under the leadership of others we are determined, in this nation today, to end such injustices as economic poverty, and discrimination, and we work towards a goal of equal opportunity for all citizens...as I said to this group of new citizens this morning, the promise of America is a better day. To become a citizen of America is not merely to love its history but to love its future and to give to it. America is the land of hope and of promise, not of past. It's the land of tomorrow and only when this goal of equal opportunity and, this is the theme of our time, only when that goal is realized will we find full and healthy respect for law and order in our nation. When young people aged sixteen to twenty stand on street corners in these ugly tenement slum areas of our large cities, unemployed, unwanted, broken homes, poorly educated, don't expect that there'll be respect for law, and for order. Man was not intended to be caged in asphalt and cement. The good earth still has a way of softening the soul and I think, of cleansing the spirit. One of these days we're going to learn how to build cities so that they're liveable or the city of man will be destroyed. We're going to learn that man needs a living environment, not just a working environment, and we're going to learn that young people have more energy than any other group in our society and that that energy must be utilized for constructive good or there'll be no respect for law, and as we worship or pay our respects to the law let us make sure that the law also takes into consideration the needs of the person, and I say this after visiting yesterday with the top officers of this government, only to find that we're going to face a problem of a million two hundred thousand young people between the ages of sixteen and twenty without work in our great cities this summer, many of them poorly educated; 600,000 of them.....no 800,000 of them school drop-outs; 400,000 or better of them with high school diplomas but no skills; unwanted. We have to find ways of harnessing this unbelievable energy, much more powerful may I say than the atom bomb and much more destructive to America; but also much more worthwhile

if we can but do something with it. So, on Law Day in America, we have our work cut out for us, but we've made great progress.....But what of Law Day in the world. Have you ever thought about what's going on in other parts of the world. Today, for example, in Moscow, they have May First too. There are parades. There are speeches about imperialism, about the wave of the future and about their power, but in America let the speeches be about our sense of justice. We don't have to speak of our power. It is self evident and our power must be for good, not for power's sake itself. We speak of no dictatorship. It's an ugly word and we speak of no mass. We speak of individuals and of freedom. There is a great deal of difference between May Day, Moscow, USA, Idaho. There is a little city in Idaho where the University of Idaho is located.....Moscow, Idaho, USA and Moscow, USSR..... A great deal of difference; and in both cities today a celebration takes place: one a celebration dedicated to human dignity, to human betterment, to human progress, to peace, and to human rights.....Another dedicated to communism, to totalitarianism, to power, with all of the demagoguery about imperialism. So, Law Day in the world has great meaning. Now, there are those who assume that we can only express hope for international law and international peace. There are many people that look at the state of the world today and ask, how can you.....how can the concept of law have true meaning when nations are at war, when millions are underfed, when even greater millions live under the yoke of tyranny. To those may I say, if those facts, and they are facts, of course, if those facts discourage you then imagine how discouraged must have been Thomas Jefferson, George Washington, and Benjamin Franklin because millions of hundreds of thousands of people in those days lived with very little of the world's worldly goods. Many of them had no right to vote. Many of them did not share in the freedom that they had fought to win; but they had the process, the system that made possible the advancement of the frontiers of freedom. So I think there is a process and there is a system that makes possible the advancement of international law and the rule of law in this world. Now, we frankly acknowledge that our present international legal system is rudimentary.....it's almost in its most elementary stage, but just as there is a lack of consensus in the United States on some things, there is an even greater lack of consensus

in the world. When two thirds of the world is sick, illiterate, and hungry and yet aspires to its own place in the sun, of course there's a lack of consensus. Peace is not a treaty. Peace is not just the absence of war. Peace is dynamic. Peace is growth. Peace is progress. Peace is justice. Peace is the good life, and as the late beloved President Kennedy said, "Peace is a process." It's an endless process to which you give something every day. It isn't something that you wish for and achieve momentarily. The law is not static. The law grows. It's dynamic. It lives with the people; and so law and peace, while they may....while the rule of law and peace may be somewhat distant, at least it is a process that men of dedication can achieve. Our efforts to institute and practice collective responsibility for world peace have been beset by many woes, by the veto in the United Nations Security Council, by the refusal of some nations even to pay their assessed share of expenses for international peace keeping. Some people feel that the United Nations is in its death throes. I think it is just going through the pains of its growth. Since the test ban treaty on nuclear weapons some two years ago, the disarmament conference in Geneva hasn't achieved significant progress. We know that. In some parts of the world large sections of the population and indeed whole peoples are denied fundamental freedoms. That's a fact; so at times the essential questions which face this world, questions of human dignity, of war and peace, of life and death; they seem to loom larger than our capacity to resolve them and that's why so many people become desperate. That's why there occasionally is a violence. That's why there are organizations that preach hate rather than understanding....cause it's so much easier to hate than it is to be understanding, and tolerant, and forgiving, and when you become the victim of frustration and desperation you turn to the worst forms of jingoism and hatred and we do have, even in our own great land today, people who just can't take it. They have given up. They're the victims of despair. They're the kind of people who say, "Stop the world I want to get off", or maybe they're the kind of people that say, "well let me just run the world for a while and the rest of you can get off". But I'm not one that dispairs of a world order in which the rule of law is supreme. I don't suppose I'll ever live long enough to see it, but I intend to help make some



contribution to it. The basis of world.....of a world under law is growing and it's expanding and we've done more about it in the last twenty years than in the previous two hundred....been making great progress. Today we can point to many areas in which the interest of the powerful and the weak, the rich and the poor, the free world and the communist, have reached a common ground, agreement. Perhaps most basic, there can come to be a common **recognition** that nuclear war has no place as an instrument of national policy. A President of the United States and a dictator of the Soviet Union both agreed on that. Two Presidents, three; Dwight Eisenhower, John Kennedy, Lyndon Johnson and Nikita Khrushchev said, quite frankly, that nuclear war was madness, and so did our Presidents from, I should say, from Harry Truman on up. So there are areas of agreement and one of the fundamental differences today between Communist China and the Soviet Union is over that very issue. The leaders of Communist China say, "we could lose 300,000,000 people, so what". They still have 400,000,000 left. But Russia, when it hears that, remembers it only has 225,000,000 in its total population, which means that it would be extinct, so while we don't always have a balance of power, we do have a balance of terror and out of this balance of terror, and in a sense, yes a balance of power, comes consensus, agreement, at least among some responsible states; that nuclear war is not a matter....is no longer a matter of national policy for national freedom. Total war, as fought in our modern world, has become too terrifying and wasteful to permit the recurrence of periodic blood lettings under such conditions. Therefore, we face other kinds of wars; political war, economic war, propaganda war, wars as they call them of liberation, such as in Vietnam, sponsored, encouraged by the communist and we have to be prepared; may I digress for a moment, to meet that kind of a challenge. One of the real problems in America today is that we have sort of satisfied ourselves by our nuclear strength. The strength that we have is so massive we hardly dare think of using it; and we have unlimited strength, believe me as a member of the National Security Council of this government, our strength and our power is so unbelievable that it is indescribable. But it is the strength, of you please, of nuclear capability. Now the question is, do we know how to meet the other forms of aggression?

The other forms of war? The propaganda war? The economic struggle? The political struggle? and the wars of liberation as they're called in the communist world. If for no other reason, we need to win this struggle in Vietnam. If for no other reason, and there are many other reasons, we need to learn how to win this kind of a struggle; otherwise every nation in Asia and Africa, and in Latin America will be subjected to this treatment, as we see, even now. So, my fellow Americans, there may be difficult days ahead, days that test us as we've never been tested before. Days that will test our patience and if we have not the patience then we will lose the battle but if we have the patience and the perseverance and the will, if we're willing to make the sacrifices and suffer the pain, no power on earth can defeat us. It just depends upon what is our decision. Today few countries deny the need for subjecting national force to rational controls, and utilizing this measure of common belief we were able, as I said to negotiate a nuclear test ban, limited to be sure, but some one hundred countries have joined in this first concrete action to limit the possibility of a nuclear holocaust; and we are taking steps to encourage the growth of a whole network of measures, now, designed to reduce the risk of nuclear war. We support an inspected comprehensive test ban treaty. We lead in support efforts in the United Nations and elsewhere to prevent the proliferation of nuclear weapons and every mother in the audience ought to pray for that, because the day that nuclear weapons get in the hands of a dozen or more countries there is no place to hide; there is no hope. It is bad enough when they're in the hands of a few. It will be impossible, unbelievable when they're in the hands of many. We have proposed a cut off in the production of fissionable materials for weapons and a freeze on the levels of strategic nuclear delivery weapons vehicles, and last year in the U.N. we passed a resolution prohibiting the orbiting of nuclear weapons in space; because this is possible. Now, if you can orbit a man in space you can orbit a bomb; and you can trigger it to fall where you will, just as you can set in motion little mechanisms and satellites and rockets that fly on towards Mars, millions of miles away, and yet through radio control direct that missile, that rocket, that satellite, change its orbit, change its course, turn on its cameras; and if you can do that, my fellow Americans, you can put in orbit the



most horrendous, the most unbelievable weapons that man's mind ever devised: and this is why your government today spends millions to make sure that this doesn't happen. This is why we spend hundreds of millions for reconnaissance satellites, so that we can see what's up there; and believe me we can. You can sleep peacefully.... we know. Now in other areas nations have joined in establishing other ground rules and I run over them quickly. The vast preponderance of world trade moves within the framework of the general agreement of tariffs and trade; it's called GAT. We have a whole network of aviation agreements, copyright matters, postal arrangements, health measures. A vast array of other matters are now subject to multilateral and bi-lateral international agreements, all testifying to the proposition that law....international law does play an essential role in the world of today and then there are the specialized agencies like WHO, World Health; FAO, Food and Agriculture; agencies to stamp out the spread of disease, agencies designed to eliminate hunger from the world, and then there's the world bank, a powerful stimulant for world economic development...all set up by international law. In these matters we have achieved international cooperation, and while our problems still make the headlines, and that's the only thing that really does you know, it's the problem, we tend to forget the hundreds of times each day the countries do shape their actions in conformity with their obligations to the requirements of international law. Now we should not therefore, think of law only then as a series of decrees issued by some high authority and enforced by some police power. Nothing could be further from the truth. In America we have seen that no matter how efficient the enforcement arm of the legal system, law can only succeed if it rests upon agreement within the society that law is just and therefore should be followed. There are not enough jails, enough policemen, or enough courts to enforce the law not supported by the people. In the international framework we can see that the absence of an international enforcement mechanism has not really prevented the development of limited international consensus to guide the decisions of nations. Formal treaties and customs and even world opinion limit the course that nations will follow. Internationally, therefore, we are building our legal system, and we're building it, to be sure, a little different

than we did at home. We're adding slowly by continuous but continuously to a body of agreed upon principals and objectives and as this body of agreement and consensus grows, enforcement will begin to take care of itself. The only treaty worthy of the paper on which it's written is one that is automatically enforceable by its own provisions; mutually beneficial. Is there hope then for real progress in extending the writ of law to the international scene? I believe the answer is indicated in the remark of that beloved American Benjamin Franklin after the constitutional convention. You recall it. Behind the desk of George Washington at Philadelphia hung a painting of the sun low in the horizon and many delegates throughout those hot weeks of that summer wondered whether it was a rising or a setting sun and Dr. Franklin, who always seemed to have the right word at the right time, remarked, "Gentlemen, we have now signed the Constitution. We now know, looking at that picture, that it is the rising sun and the beginning of a new day", and I think that if he were here today, in America with us, and here in Williamsburg, both those in law and those in government would agree that Dr. Franklin would see a rising sun now; and if we do our job, we can look out some day, both at home and abroad on a rising sun and the beginning of a new day for mankind. We have that beginning in the United Nations. We have that beginning in the leadership of this great country and we can some day look out on a world, or maybe our children's children will look out on that world, for law is the rising sun.....brings the new day....and reigns supremely. Thank you.



# Minnesota Historical Society

Copyright in this digital version belongs to the Minnesota Historical Society and its content may not be copied without the copyright holder's express written permission. Users may print, download, link to, or email content, however, for individual use.

To request permission for commercial or educational use, please contact the Minnesota Historical Society.



[www.mnhs.org](http://www.mnhs.org)