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The American Tradition and Its Implications for Law, Address by Attorney General Robert F. Kennedy

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ADDRESS BY ATTORNEY GENERAL ROBERT F. KENNEDY*

IT IS always an experience to come back to Fordham but it is particularly pleasant and nonpartisan to appear following the Tuesday next after the first Monday in November.

I am privileged to share with you such a special hour in Fordham's history. Also, I am honored to acquire, without travail, a full fledged Fordham alumnus status. Perhaps the very first at Lincoln Square. We alumni must cooperate in the common cause.

Moreover, I claim other ties to Fordham. Another Kennedy had his Cambridge credentials legalized by Fordham. Many of my close associates at justice are Fordham graduates and also, as Attorney General, I am privileged to be the largest single employer of Fordham law graduates in North America. This is due to a discriminating merit system, I assume. I must admit your Fordham lawyers always keep their eye on the ball. This is not easy, since the other eye is always on the next judicial vacancy. Quite a turnover.

We do not gather here today to salute this landscaped square or the elegance of this silent edifice. This is no tribute to architects, however splendid their achievement. Men mean more than mortar and masonry. These walls of glass and granite need to be moved by qualities of intellect and spirit to give them meaning and purpose. We know Fordham ideals, traditions, and teachers will provide that inspiration.

Here, we have an investment and an expression of faith in a future. While the world we know is preoccupied by what may lie before it, when threats could pervade our every thought and fears our every action, it is reassuring to see buildings and programs like these rise each day to greet the future. It is a mark of courage and resolution. Multiple megaton mechanisms notwithstanding, Lincoln Square is a dramatic declaration that our way of life will continue, confidently and completely. This dedication proclaims that we will to move ahead and, through its means, and end product, be better bred, better led. It scorns the "better dead than Red" exercise in futility.

This day is a fitting one for this Lincoln Square Dedication. For it was four score and eighteen years ago today that Abraham Lincoln inscribed the simple, solemn greatness of his Gettysburg Address. Like this edifice, his words bespoke the will and courage to go on. And if we are to have a world of law, we have need of courage like Lincoln's. Courage to choose, to reconcile, and to come to grips with any crisis.

It is needless for me to define for this group the role and function

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of the lawyer in the world of today. It is truly said that no great movement or progress was achieved in modern times without the active aid of lawyers. And none was maintained and preserved without the intervention of the legal profession. In the last analysis, our every right is only worth what our lawyer makes it worth. Our profession is quasi-public in its interests and purposes and our membership has and will provide the leadership in every field of public and political endeavor. We can only meet this great professional responsibility with truth and competence.

In government, our Chief Executives have been lawyers. The great majority of our Cabinets and Congresses are and have been men trained in the law. They have provided the leadership and the statecraft and the store of strength when it was needed.

The same will be true in the years to come. Before, they had the time to turn from private practice and pursuits to public service. They had a chance to be educated in their commissions. At times, they may have been deliberate or even late but they were always adequate to meet the more slowly developing crises of a simpler and steadier world.

But today we have a greater need for truth and a more compelling need for special competence in national and world affairs. Truth will prevail, yet we have seen the successful and curtailed containment of truth in a large segment of the world for almost half a century. Private rights and property destroyed or diminished and codes of freedom converted to codes of command.

Only a few weeks ago, Father McGinley alluded to this same need. He said:

There is an urgency as never before to this unremitting quest [for quality] . . . for upon it depends survival in our nuclear age. We have left the pioneer days when brawn and courage and human prudence and goodwill were enough to build a brave new world and defend it. Today, widespread theoretical and technical knowledge is necessary merely to prevent society's collapse from its own complexity.¹

"To muddle through" a crisis was once a democratic people's boast because it meant the least infringement on a cherished status quo. That self-indulgent day is done. There is no time now for confusion and no place for perplexity.

Time is of the essence and haste can make waste in a more invidious context. We are in a world where time no longer merely marches on, where no region is remote and events explode beyond the power to predict. Will our lawyer leaders of tomorrow, trained in yesterday's tradition, be adequate in a world arena where nothing is settled and

1. Address by the Very Reverend Laurence J. McGinley, S.J., Testimonial Dinner for the Very Reverend John Flynn, C.M., Sept. 14, 1961.

precedents are honored in the breach? We have a selective service system for manpower. But what about a selective service for mindpower? Is the system geared and synchronized with the thrust and triggers of present day to day adventures in diplomacy and decisive action?

It would seem to labor the obvious that we must train our lawyer leaders in terms of today and tomorrow in addition to the traditions of the past. We should place a more desperate emphasis on public service and administration. The judicious decisions of tomorrow loom larger than the catalogued cases of the past. We are engaged in a new historical experience of the greatest significance. The ties with the things of yesterday are breaking. Yet we must strive to preserve the precious things of the past for the future. In law, this has always been a labor of love. We must find the consecrated men, the dedicated minds and the special competence our country needs now. We must look for and find it at this Fordham School of Law we dedicate today and in the others beyond.

There is another need to remember. It is said to derive from the heart. It may be common to every place yet it is never commonplace.

I am privileged to live in the home once occupied by the late Robert H. Jackson, Justice of our Supreme Court. I am also honored to occupy the office he graced as Attorney General of the United States. He had every needed quality and attribute for these high offices and was besides a great advocate. It was always his strong conviction that the greatest attribute of a lawyer was courage. Today we can and need to subscribe to that belief. We can and need to believe that this edifice, conceived and brought to being by faith and courage will instill in those who come to know it the courage to protect and defend what they stand for and represent. Courage will never be an elective in a course of studies here. Your own beloved Chief Judge Loughran was wont to say, "The law is no place for the mealy mouth." And beyond this hour and place and city, I pray that all of us will have that quality of mind which will enable us to meet danger and difficulties with faith and firmness.

Let us, like the Lincoln honored here, have faith that right makes might, and in that faith, let us to the end, dare to do our duty, as we understand it.