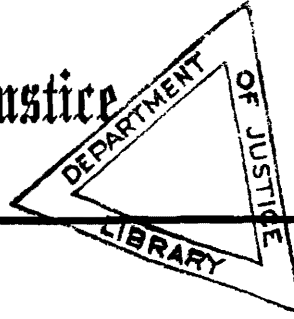




Department of Justice



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ADDRESS

BY

HONORABLE ROBERT F. KENNEDY

ATTORNEY GENERAL OF THE UNITED STATES

Prepared For Delivery

at the

Launching of the USS John Marshall

Newport News, Virginia

July 15, 1961

11:00 A.M.

In christening this polaris submarine "The John Marshall" we honor the name of a great American and a great Virginian who, throughout his long and distinguished career of public service, stood above all for the strength of his country, the independence of the individual, and supremacy of the law.

Throughout his life John Marshall was true to the fundamental beliefs:

That the United States must have a strong and united government; and

That that Government must be one of law.

It fell to him, as our fourth and perhaps our greatest Chief Justice, to create for the Supreme Court of the United States the important role which it has in our system of government.

His whole life prepared him for this task. As a soldier he had fought with courage in the campaign against the British and suffered with Washington through the grim winter at Valley Forge. Later, as a member of the Virginia House of Burgesses, he led the battle for ratification of the Constitution. Subsequently, as a congressman and then a diplomat, he continued to serve his country with distinction.

The Supreme Court was only 12 years old when Marshall became Chief Justice. The Court had neither the respect nor the prestige enjoyed by the other two branches of government. It lacked leadership and popular support. In face of these obstacles, and without political

precedent, it fell to John Marshall to make a great and creative contribution to the art of government.

The legislative branch of the government could enact a law. The President could sign it, but nevertheless it would become null and void if the Supreme Court found it to violate the rights and liberties of individual citizens. Marshall established that a group of men, acting in consort, even if it be such an august body as the Congress of the United States, could not deprive a person of his rights under the Constitution. He declared in the famous case of Marbury v. Madison:

"The Government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."

John Marshall made great contributions to this nation's stability, greatness and strength. He worked all his life for a strong and united America which could take its place in the family of nations and which could aspire to leadership in the affairs of men.

Today the great principles for which John Marshall stood are being sorely tested. The main challenge this time comes from across

the seas. The idea that Government and Government officials are subject to the law has no place in the Communists' system. Under their form of government, the individual becomes merely a servant of the state, subject to the will of the ruler.

And as Secretary Rusk pointed out last Monday, the possession of such power by the Soviet leaders has generated the ambition for more and more power. And their capacity to defy the law has become contempt for the law.

After Premier Khrushchev was here in the United States several years ago, he traveled to Communist China and there described our country as a dying, stumbling horse which would destroy itself.

Khrushchev is not Hitler. However, let me point out that Hitler said the American government was the last disgusting death rattle of a corrupt system ---- a system, that produced fifteen million fighting men and women, 84,000 tanks, 2,200,000 trucks, 299,000 planes and 111,000 ships a few years later in the Second World War.

And if this is what Khrushchev truly believes he also makes a most dangerous mistake in underestimating the American people.

I think it is fitting that in this climactical time in world affairs when there exists this great danger of miscalculation by a dictator, that we have given the name of John Marshall to this mighty

submarine. Mr. Khrushchev and his colleagues could learn a great deal from the launching of this ship and the name that has been given to it. For in christening this submarine the John Marshall, we have brought together two great forces in our American society. John Marshall represents our history and our heritage. The polaris submarine symbolizes our strength.

We were born in revolution, nurtured by struggle and war almost 100 years, I might add, before the Communists were heard from. We are a tough, viable, industrious people who in this modern free society could produce such an advanced complex weapon as this submarine. We are not only willing to shed our blood for causes in which we believe but have had the strength and the industry to develop the most powerful and prosperous nation the world has ever seen.

We are not looking for a battle nor searching for a fight, but we will meet our responsibilities.

This is our ninth polaris submarine and it will be used to defend our liberties and our rights. Each polaris submarine has 16 polaris missiles and the fire power of each of these submarines, fully loaded, exceeds the fire power of all the bombs dropped by both sides in the Second World War. But the polaris submarine essentially is a defensive weapon. Its great asset is in its invulnerability to attack which means it can survive any first strike of the enemy and retaliate with awesome power.

The President felt when he traveled to Vienna that the great danger to the world was that the Soviet leaders, not understanding our system of government nor our determination and will, would underestimate

and misconstrue the American people and its government. Hitler made the same mistake in September 1939 about a free society and the result was an incalculable cost and the death of over 40 million people.

A similar error on Mr. Khrushchev's part would mean the destruction of hundreds and hundreds of millions of people. If Mr. Khrushchev studies the life of John Marshall; of George Washington and the men who fought at Valley Forge; Abraham Lincoln, Robert E. Lee, the men who marched with Pickett and those who waited for them at the top of Cemetery Ridge; the kind of society that bred the men who fought at Belleau Woods, Iwo Jima and Monte Cassino; which produced Admiral Rickover and the men who built this vessel as well as those who will be here shortly to serve on it -- he will know and know well that we can be pushed too far.

On January 20, the President said:

"We dare not forget today that we are the heirs of that first revolution. Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans -- born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage -- and unwilling to witness or permit the slow undoing of those human rights to which this Nation has always been committed, and to which we are committed today at home and around the world.

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden,

meet any hardship, support any friend, oppose any foe
to assure the survival and success of liberty."

The President and the nation, in building this Polaris submarine and giving it the name "The John Marshall," have launched a most fitting tribute to a man whose abiding ideal and faith was neither aggression nor war, but rather justice and equality under law for all nations and all individuals.

May the John Marshall range the seas far and wide and, with Marshall's enduring spirit, return safely from each voyage -- a symbol of peace, progress and determination of free men to remain free.