



PS
6-10-59
518

Department of Justice

ADDRESS

BY

HONORABLE WILLIAM P. ROGERS

ATTORNEY GENERAL OF THE UNITED STATES

Prepared for Delivery

at the

Graduation Exercises

of

THE ST. LAWRENCE UNIVERSITY

Canton, New York

June 7, 1959

This is a memorable occasion and being here is a great privilege for me. I spent my last two high school years in Canton and will never forget the helpful and generous things which were done for me by so many. I have the warmest possible ties with this town and its people.

This outstanding University, which means so much to you, means much to me too. It was here that I first felt the stimulation that comes, even though vicariously, from higher academic pursuits. I learned from personal contacts that college professors are important people not adequately appreciated or compensated. It was in your gymnasium that I first competed with college students in basketball and on a couple of occasions, with less success, in stag lines at your dances. Somehow, The St. Lawrence University, even though it is a distinguished institution of higher learning, managed never to make those of us in the local school feel that ours was lower. And for that contribution to my confidence - which I might say I needed - I have always been grateful.

As you know, there are some professors who make a special and lasting impact on you. There was such a professor at Colgate University who taught me philosophy, ethics and logic -- and in many personal ways helped me. That professor is now your distinguished President.

For these and many other reasons, this for me -- as for you -- is a most special occasion.

Across the nation this month graduates are being told that your generation faces the greatest dangers and greatest challenges in history. Regardless of whether this is so or not, it can be said with confidence that your generation will face many completely new problems and will have exciting experiences which are entirely different from those of my generation.

You will tap new sources of power, grow more nourishing foods, discover cures for killing diseases, build better things, and will travel faster and farther -- even to the planets. The mere process of adjustment should make your life exciting. But you are also faced with a new direct challenge to our way of life. It is about the attitude of your generation toward that challenge that I want to speak briefly today.

You have noticed from time to time the press statements by Mr. Khrushchev predicting that our system of government was doomed and that Communism will one day engulf the world. For example, he said:

"I said capitalist society will perish. It is obvious that I was talking about a natural death without any violence on our part. You will die whether you like it or not. It is inescapable. Of course, we will contribute to it what we can."

Keeping this comment in mind, what is it that we seek to preserve? We seek to preserve the basic concept of our way of life -- that all people are equal before the law and that no one, no matter who he is or however powerful or prominent he may be, has any more rights nor are his rights determined any differently than the humblest or least known among us.

This concept of equality under law is a reality and it is practiced daily. For example, if I, as the Attorney General, bring an action in the name of the United States against any individual we enter the court on equal footing. We are bound by the same rules of evidence and have the same rights of appeal.

It is in this spirit that there is engraved in the wall outside my office these words: "The United States wins its case whenever justice is done one of its citizens in the courts."

When we talk about civil rights, essentially we are talking about the same thing. Obviously all men are not equal in all things -- some are richer; some are stronger; some are wiser -- but before the law they are equal.

You may ask, well, if this is so, what about some of the ugly incidents which have occurred in the last few years. The answer is that no system operates without some imperfections, but these

incidents result from human weaknesses and not from any failure of the system itself--and I am pleased to say there has been tremendous progress in this field in the last year.

It is worthwhile to digress for a moment to say that when we fail in this area there are unfortunate repercussions all over the world. For example, an editorial in an Asian paper a few years ago said:

"***When an Indian Ambassador is pointedly asked to sit in the 'coloured' section of an American airport, when a Burmese invitee (of the United States) is turned out of a restaurant, the whole of Asia is stirred to its emotional depth."

A newspaper in Africa recently said:

"The problem of the status of American Negroes is one that America must settle at once, if she sincerely wants to win the good will of Africans."

The cost of racial incidents in terms of our standing among the peoples of the world cannot be calculated.

Returning now to the concept of equality which is so basic to our system--you may ask, does it affect me? It affects you directly and vitally. It guarantees your right to speak, write and worship as you please. It makes your home your castle. It will protect you in your business activities.

It should be remembered, too, that the laws of our nation are not imposed--they represent the will of the people and may be

changed by the people according to pre-arranged methods which have also been agreed upon by the people.

Having said these things, what is the conclusion to be reached? It is that in our free system of government the individual is the most important ingredient. And the administration of justice is the process which seeks to guarantee that there shall be no impairment of the individual's importance by the government or by any other individual.

Consider now the other side of the coin. Simply stated, it is that such a system based on liberty places a heavy moral responsibility on us. The fact that the government provides every person with the guarantee that his importance will not be impaired does not make him an important individual. Whether an individual is important--whether he lives a worthwhile life--whether or not he makes significant contributions to health, science, education, culture, religion, justice or to the general welfare depends, of course, on the individual.

This is not a mere matter of success and failure of the individual. The point which requires great emphasis--for it is so vital to our future--is that it is upon the combined attitudes of our people that the success or failure of our system will turn.

John Stuart Mill, in his treatise on "Liberty" stated it well when he said: "The worth of the State, in the long run, is the worth of the individuals composing it."

Of course, in a totalitarian state this does not hold true, for its decisions are made by a few. The individual does what he is told to do and assumes little or no responsibility for the direction taken by the state. Under our free system of government the full responsibility for its success or failure depends on the individuals who comprise it.

The challenge of the future, as I see it, is whether that responsibility can be exercised with sufficient self-discipline and wisely enough to compete with a dedicated, ruthless and able enemy unencumbered by any such confidence in its people.

Clemenceau once said that: "Freedom is nothing in the world but an opportunity for self-discipline."

There will be an increasing number of problems calling for self-discipline in the years ahead. For example, in the near future our nation is faced with the possibility of a steel strike. The President has appealed to both the employers and the union to settle their differences without a strike. Will the parties involved exercise the necessary self-discipline to comply with the wishes of the President, or will the country be forced to endure a costly and harmful strike at the very time when our economy is at its all time high?

Let me refer to another such area. The rate of crime in our country is exploding four times as fast as the population of the country. Every citizen must recognize that he has a responsibility to prevent this.

Recently we have read of many reputable business men making payoffs to racketeers for the purpose of continuing their businesses without trouble. A man who makes a payoff to racketeers in the face of threats and refuses to assist law enforcement officials becomes a silent partner in a nefarious activity. It takes self-discipline, and in some instances courage, to refuse; but any responsible citizen has a duty to do so.

Earlier I mentioned the damaging consequences which flow from certain of our failures in the field of human relations. The closing of a few public schools to avoid compliance with the school desegregation decision and the systematic exclusion of qualified voters because of race are striking reminders that the concept of equality before the law is not yet an accomplished fact for all of our people.

If the people of the world are to be convinced that our system holds forth the greatest hope for individual freedom and opportunity we must find the means for making continued progress in the field of civil rights and by the exercise of self-discipline prevent these damaging incidents which are so costly to our nation from occurring.

Turn now for a moment to another field -- the field of international relations. Our wisdom in dealing in this area may well determine the future course of human affairs.

Consider one phase of the problem. At the present time we are at a crossroads where we can see tremendous expansion in world trade ahead. But great pressures will develop for protective measures from interests adversely affected. The world will be looking to us for leadership. Will we be wise enough to look outward toward the development of a multilateral world trading system or will we look inward in the pursuit of self-sufficiency? What we do in the field may well determine whether or not we are successful in the economic contest with the Soviet Union.

Self interest, a lack of understanding of the problem, or both, may result in great support for expanded protectionism. And yet any wise appraisal of such a course will show that it adversely affects our domestic economy, our political-economic relations with our allies and, therefore, our national security.

In other areas of international affairs we must seek new avenues to peace. We should develop stronger and more effective alternatives to the use of force as a means of settling disputes between nations. The concept of a world court exercising jurisdiction under international rules of law has been supported by responsible statesmen over the last forty years.

Yet very little progress has been made during that time -- largely because of fears which developed that we would somehow have to give up our sovereignty. I believe such fears are unwarranted. It seems to me that all nations -- and certainly friendly nations -- must come to recognize that the processes of law and mediation are the only enduring ways to resolve international disputes with justice and dignity.

These, then, are just a few illustrations of the types of problems which will require self-discipline and wisdom to solve in the years ahead.

The thought I would leave with you is this -- never before has it been so important that we put aside our personal prejudices and look beyond our immediate self-interest to reach thoughtful decisions based on what is best for the nation.

In international affairs, too, we need to be mature in our judgments and to act as responsible members of the world community. We must find the means whereby man's ability to live in peace with his neighbor will keep pace with his ability to annihilate him.

Our ultimate goal must be to assist all people to achieve freedom under law and peace in the world.

I can summarize the thought this way. In a country which puts its complete trust in each of us we all have a solemn responsibility not to fail in that trust.

Your generation is the most able, prepared and imaginative group of men and women which our nation has ever produced. If your attitude in the years ahead matches your abilities -- and there is every reason to think that it will -- the future for freedom looks bright indeed.

To each of you who is receiving your diploma today, may I extend my most sincere congratulations. Thank you for letting me share such a meaningful and memorable occasion with you.