

TRIBUTE TO MR. JUSTICE DOUGLAS.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 20, 1964.

Present: MR. CHIEF JUSTICE WARREN, MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE CLARK, MR. JUSTICE HARLAN, MR. JUSTICE BRENNAN, MR. JUSTICE STEWART, MR. JUSTICE WHITE, and MR. JUSTICE GOLDBERG.

Mr. Attorney General Kennedy addressed the Court as follows:

Mr. Chief Justice: May it please the Court. On behalf of the members of this Bar and of lawyers throughout the United States, I come here to join in paying tribute to Justice Douglas, who is celebrating the completion of 25 years of distinguished service on the Court. It is an unusual circumstance that just 2 years ago we were paying similar tribute to Mr. Justice Black.

Justice Douglas came to the Court in the year 1939. He was able to draw upon a unique background, bringing with him knowledge and experience that were greatly needed in the United States at that time. His expertness in the fields of economic regulation and administrative law were of particular value and enabled him to make a vital contribution to the progress we were seeking to achieve during those very difficult days.

I would also like to add a brief personal note. I think it was my father who was responsible for bringing Justice Douglas to Washington a number of years ago, when I was about 6 years old. He came on the Court when I was 13, and I remember that bright day even now. He has been a great friend of our family for many years.

I also remember vividly my trips with him around the world—not merely because of what I gained personally, but primarily because I witnessed the way in which he presented a picture of the United States to the people of other countries. He was a man who was able to tell them, in ways they understood, of our views and beliefs. He could speak with wisdom of our laws and explain our system of government. He could talk to them also, in every-day terms, of many other matters in which they were deeply interested—how much cotton was produced per acre in South Carolina or how much wheat in Nebraska. The many who have seen him in his travels, read his books, and heard his friendly words have been moved and inspired.

He has been a great credit not only to this Court, but as a citizen of the United States and of the world.

Thank you, Mr. Chief Justice.

THE CHIEF JUSTICE said:

Mr. Attorney General: It is thoughtful of you to publicly remind us of this important milestone in the life of the Court, and it is generous of you to speak of our Brother Douglas in such felicitous terms. We heartily join you both in the timing and in the fervor of your remarks. Twenty-five years of devoted service to the highest Court of the Nation should not be passed over without comment. Only 18 of the 94 men appointed to the Court have achieved that distinction, and only 5 of them—Holmes, McReynolds, Van Devanter, Black and Douglas—were appointed in this century.

When Mr. Justice Douglas, succeeding Justice Brandeis, took his seat on the Court, Mr. Justice McReynolds was the Senior Justice. Appointed in 1914, he had sat for 7 years with Chief Justice Edward D. White, who was appointed an Associate in 1894. Thus, as evidence of the continuing nature of the Court, it should be appro-

priate to point out that Mr. Justice Douglas served with one who had in turn sat for 7 years with Justice White, who was appointed 70 years ago. This continuity of service is one of the strong factors which brings stability and tradition to our Court.

It has been said that in a cyclic way every basic problem of the American people eventually reaches the Supreme Court. If this is true—and there is evidence to sustain it—Mr. Justice Douglas has served through more than one of these cycles. The last quarter of a century has taken him through depression, hot wars, cold wars, and social and economic revolutions. He has written for the Court or in dissent in many hundreds of cases. His work is a vital part of the jurisprudence of the Court. It is recorded in more than 70 volumes of the United States Reports. His opinions will be read and studied so long as the Constitution is the guiding light of our Nation.

This is neither the time nor the place to appraise his work. That will be done by lawyers, scholars, courts and the people in the fullness of time. One does not try to determine the record of a swimmer when he is in midstream, particularly when he is swimming against unknown currents. Mr. Justice Douglas is in midstream. We know that by nature he recoils against merely swimming downstream. He will continue to swim strongly and purposefully.

We join with you, Mr. Attorney General, and with the Bar in wishing him continued success and happiness on the Court for many years to come.
