

DEATH OF MR. JUSTICE BLACK
SUPREME COURT OF THE UNITED STATES
MONDAY, OCTOBER 4, 1971

Present: MR. CHIEF JUSTICE BURGER, MR. JUSTICE DOUGLAS, MR. JUSTICE BRENNAN, MR. JUSTICE STEWART, MR. JUSTICE WHITE, MR. JUSTICE MARSHALL, and MR. JUSTICE BLACKMUN.

THE CHIEF JUSTICE said:

It is a sad duty for us to take note today, on opening the October 1971 Term of Court, of the absence from this Bench for the first time in 34 years, of our beloved colleague the late Mr. Justice Hugo Black. His tenure spanned that of five of the 15 Chief Justices who have presided here since the Constitution was adopted and his departure is a profound loss to each of us personally and to the Court.

Much has been and much more will be said and written of the life and work of Mr. Justice Black. His public service in the Army in World War I, in the State of Alabama, in the United States Senate, and on this Court covered more than 50 of the 85 years of a life rich in accomplishment.

In time, I believe, one thing will stand out above all in his work and in his thinking. Throughout his entire life he never wavered in his unbounded faith in the people and in the political processes of a free people under the American Constitution. He loved this Court as an institution, and contributed mightily to its work, to its strength, and to its future. He revered the Constitution; he had enormous respect for the Presidency and for the Congress, but above all else, he believed in the people.

In a period when institutions are under attack and when people are having doubts about their capacity to govern themselves, this should give heart to all, for Hugo Black had no doubt whatever about the ability of an informed and free people to govern their own destinies.

We will miss his wise counsel, his rare spirit, his vigor, his sparkle, and the warmth of his comradeship.

In the near future a date will be fixed for presentation in this Court of appropriate memorials to him.