REMARKS OF ASSISTANT SECRETARY OF THE INTERIOR JOHN A. CARVER, JR., SEPTEMBER 17, 1962, AT FEDERAL HALL NATIONAL MEMORIAL, NEW YORK CITY, IN COMMEMORATION OF THE 175th ANNIVERSARY OF THE DRAFTING OF THE CONSTITUTION OF THE UNITED STATES

We Americans indulge in chauvinistic displays about many of our accomplishments and our possessions—the height of our corn and skyscrapers, the number and size of our cars, the length of our rivers and the width of our highways. In none of these is national pride more justifiable—or more perennial—than in the basic documents which created our political society—the Declaration of Independence and the Constitution.

Nor are we alone in this opinion—for the Constitution has earned the admiration and emulation of men and nations throughout the world. Perhaps the most effusive and the best known example of such foreign praise was voiced by the learned and experienced British statesman, William Gladstone, who termed it "the most wonderful work ever struck off at a given time by the brain and purpose of man."

In an important way, of course, Gladstone's rhetoric overstates the case. Far from being "struck off at a given time," the Constitution formalized our ties with the best of the past. It is the distilled essence of the wisdom handed down by free men through all the generations of human experience. The genius of the framers was in their capacity to capture these lofty aspirations, to reduce them to language of unparalleled clarity and precision—and to persuade their countrymen of the wisdom of adopting this new experiment in the management of human affairs.

Thus our Constitution is our link with the honored past—but we have ever been a Nation whose interests were concentrated on a brave future. The framers foresaw this and made wise provision for amendment to meet the demands of time. Twenty-two times have we added to the body of our basic guarantees—and we have again set our course for a new assault on the infringements which have made our democracy less than perfect.

But the Constitution has changed in other ways which are further proof of its genius. Those who tell us that the Constitution must be taken as authoritative law, immutable and unchanging from generation to generation, mistake the basic nature of human development. Further, I think, they would construct a monolith which would threaten the very foundations of the Republic.

Every force at work in the world in this century has made for change—science, technology, medicine, transport, high birth and survival rates, low
mortality rates—all of these make for an increasingly complex society, greater competition for living space and resources and increased contact with new ideas through mass communications. If there is any lesson to be drawn from our Anglo-American legal tradition, it is that the law must change to meet the demands of new conditions. It must reflect the morality and the mores of the society of which it is the foundation stone.

As human development and institutions undergo kaleidoscopic change, so must the basic framework of man's relationship with his fellows and his government. When change is made too easy, the society lacks stability; when insurmountable obstacles block change, civil disorder and revolution become inevitable. The revered Judge Learned Hand best described the capacity of the American system in this respect as follows:

"For, abuse it as you will, at least it [our system] gives a bloodless measure of social forces—bloodless, have you thought of that?—a means of continuity, a principle of stability, a relief from the paralyzing terror of revolution."

The Constitution is at the very root of this system, assuming the color of the times and flexibility needed to bridge the depths of social and economic chaos. Withal, its fundamental purpose of preserving the spirit of liberty is achieved day in and day out through our tradition of interpreting it to meet the challenge of change.

Let us, then, regard this ceremony as a commemoration of the whole Constitution as it has evolved through a hundred and seventy-five years of service to the American ideal. Honor to the framers—yes; but honor also to the judges and lawyers, legislators and teachers, public officials and ordinary citizens who have converted dry parchment into a living organism which sustains national life and human values in 1962 as it did in 1787, or 1864 or 1945.

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