
Franklin D. Roosevelt — “The Great Communicator”

The Master Speech Files, 1898, 1910-1945

Series 1: Franklin D. Roosevelt’s Political Ascension

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1929 November 8

**Annual Dinner of Alumni of
Columbia Law School**

[Nov. 8, 1929]

Bar Dinner

For Quaker

There is a peculiar satisfaction and a feeling that a mile-stone of real achievement has been passed when one is asked as the Guest of Honor by the Alumni of a great institution of learning at which he was at one time a humble scholar. As an old pupil of the Columbia Law School, the honor and the courtesy you show me by this invitation affects me very deeply.

A few days ago, the University of Columbia celebrated its One Hundred and Seventy-Fifth Anniversary. It is an event of truly National importance when any American institution celebrates its One Hundred and Seventy-Fifth Anniversary, for in this strong young Nation of ours even one hundred years represents a respectable antiquity.

Modern science teaches us that time is a relative thing and that, I think, applies to spiritual even more than to physical things, and certainly Columbia University need not be ashamed to compare its progress and its achievements with those venerable institutions in other countries which casually refer to the Magna Carta as an event of yesterday in their history. And in its proud record of progress and achievement, Columbia's School of Law has played no inconspicuous part and has given perhaps far more than its numerical proportion of famous alumni whose names will be forever recorded on our Country's Roll of Honor.

I am very glad for another reason besides that of gratified pride in being your Guest of Honor, for there is a real task ahead of us in this country which it is my hope will go forward under the leadership of this State and in which those who are listening tonight can be

particularly helpful and useful. I refer to the crying need ^{making justice} ~~of justice~~ simple and inexpensive to obtain. ~~simple and inexpensive to obtain~~ We might as well face the truth fearlessly and admit that there is a general and growing impression, not only that justice can be far more easily secured by the rich than by the poor, but that the defeat of justice can be achieved by ^{so called} "malefactors of great wealth." We have so complicated our legal machinery, have so confused our patchwork additions to our Code and Statutes as to make every legal process a matter requiring many hours of study and research and the highest technical skill before it can be successfully undertaken. Worse than that. In the effort ~~to~~ fully protect the innocent we have incidentally provided so many methods of delay, of evasion, of procrastination, of purely technical ways of evading the real question of guilt and innocence as to make it ^{easy} ~~possible~~ for those of large means, if not ~~to~~ absolutely shackle justice, at least to shoe her feet with leaden sandals, so that it is possible to avoid a just punishment for years, if not forever.

This is bad enough in itself, but with it a far worse evil goes hand in hand. The feeling that justice is now a respecter of persons and is not at the service of the poor as well as the rich has created an excuse for a growing contempt of law itself. He who believes that we have in this country one law for the rich and another for the poor will inevitably reach the conclusion that law itself is something which he may personally disregard when he can do so with reasonable security from punishment. We have had, I am glad to say, in the last few weeks several heartening examples of the falsity of this popular conception. But the universal acclamation and approval in the press and on the Street, of the conviction of those who either

held high office or who possess large means is in itself a proof that what should be a matter of course is received by the great majority of the people as an extraordinary triumph of right over might.

The time has come to apply the pruning knife of legislation to our complicated and conflicting laws and procedure. It must be done fearlessly, ruthlessly and with no respect to a hoary tradition merely because of its age. I am going to read a paragraph from my Message to the Legislature last year in this point:

"While I am confident that the citizens of the state demand legislation aimed to diminish crime and approve the police of prison reform, still there are many thinking people who believe that we have not yet gone to the root of our troubles. By a long series of piecemeal enactments, covering many years, we have built up a highly complicated system of judicial procedure, both criminal and civil, which does not conform to the ideals of modern efficiency or simplicity. A growing body of our citizens complain of the complexities, of the delays, and of the costliness of private and of public litigation. I do not for a moment believe either that the situation can be greatly improved by minor amendments to the existing system, nor do I believe that a drastic reform can be accomplished in one or two years. It is time, however, that a deeper study of the whole subject should be made by a body of citizens representing the bench, the bar and laymen."

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In spite of the clearly expressed belief in my message to the Legislature that ~~laymen~~ must be ~~A~~ members of this proposed body, the Legislature, in its wisdom, but with, I think, an entirely erroneous conception of the whole matter, provided for a body composed of members of the Legislature ^{principally} ~~and the~~ ^{of course} ~~and the~~ ^{and the} ~~legal fraternity~~ ^{the legal fraternity} ~~also~~ ^{also} A Commission of this kind, in my ~~view~~ ^{opinion}, could not possibly successfully carry forward the work, and I was obliged to veto the proposed legislation, trusting that this year a fuller conception of the character of the task and the necessity for a prominent, if not absolutely predominant, lay representation will be realized by our legislative body. For I do not propose a mere technical revision of our statutes. After all, it is the laymen, the people of the State, who are not lawyers, who determine what laws shall be created. A law is an agreement between the citizens of the State as to certain regulations of conduct and living which they are bound to heed and obey. The function of judges and lawyers alike is to interpret law and to devise and apply certain rules as ^{to the} machinery by which these laws are enforced. ^{to be} It is the judge's task to determine what the people mean when they pass a law. ^{and to administer it} It is the lawyer's task to make sure that his ~~clients~~ ^{clients} are afforded every protection from injustice ~~which~~ ^{which} ~~is~~ ^{is} ~~provided~~ ^{provided} by the representatives of the people provide. It is the laymen and not the legal profession who are bitterly complaining of the castliness and slowness of justice. It does not alter this statement that Bar Associations and eminent jurists have agreed that the people are fundamentally right in their complaint. It is, nevertheless, the people's complaint. Such being the case, any body created to remedy these conditions must have on it a large proportion of laymen who know what is the matter and who understand what it

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is that their fellow laymen are complaining about. We must, of course, have lawyers also, and we must have judges likewise, but to create such a Commission without a representation of the people of the State for whom the laws are created and who, in fact, originally created the law, would be an error so great as to defeat entirely the whole proposed reform. This does not mean, however, that you, as lawyers, cannot also aid in this work. Whenever in the course of your studies or your practice you find some particularly antiquated bit of technical complication in our Statutes or our methods of trial and procedure, stop, I beg of you, for a moment, and see if you cannot ~~not~~ think of some simpler way in which it could be done. I am not talking about a mere reclassification and recodification of our Civil and Criminal Codes - splendid work is being done along those lines by the Bar itself, I am talking about getting deeper at the root of the trouble and of speeding and simplifying the entire machinery of justice. I am a born optimist. I do not believe that this is an impossible thing to achieve. I do not believe that we have tied the red tape around the hands of Justice into such a Gordian Knot that her strong ~~arm~~ may not be released. I ask your help, your personal assistance, first in seeing that this thing is undertaken, and, secondly, in advising freely as to how it may be best achieved.

175 years
Grashurst

Age - 175

Young -

Yours

At Annual Dinner of the Alumni of Columbia University Law
School, New York City, November 8, 1929

Administration of Justice

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In spite of the clearly expressed belief in my message to the Legislature that laymen must be members of this proposed body, the Legislature, in its wisdom, but with, I think, an entirely erroneous conception of the whole matter, provided for a body composed principally of members of the Legislature, lawyers of course, and the rest confined to the legal fraternity also. A commission of this kind, in my opinion, could not in any way successfully carry forward the work, and I was obliged to veto the proposed legislation, trusting that this year a fuller conception of the character of the task and the necessity for a prominent, if not absolutely predominant, lay representation will be realized by our legislative body. I do not propose a mere technical revision of our statutes. After all, it is the laymen, the

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