

July 14, 1937

[Statement on Death of Joe Robinson]

FDR Speech File

For the Press Immediate Release July 14, 1937

~~ANNOUNCEMENT~~ BY THE PRESIDENT

In the face of a dispensation so swift in its coming and so tragic in the loss it brings to the Nation, we bow in sorrow, ~~and~~  
~~with a heavy heart~~. A pillar of strength is gone. A soldier has fallen with face to the battle.

I personally mourn the passing of a greatly beloved friend whose fidelity through long years never wavered. Those who knew Joseph Taylor Robinson best recognized in him the qualities of true liberal thought. Mindful of the needs of the underprivileged he was devoted always to improvement of the lot of the masses.

In his going Joe Robinson has left a record as high in achievement as it was faithful in performance. He never temporized with principle nor bargained where the public interest was the issue. But, day by day, through long service in high office, brought to the National Councils the contribution of great ~~real~~ learning, <sup>he</sup> wisdom, <sup>and sound</sup> a leadership inspired by courage and guided by consummate common sense, ~~and~~  
~~and~~ a devotion to duty given without thought of personal ~~con-~~  
~~cern~~ selfish interest.

And so death found him at the last with hope unflinching, with vision undimmed, and with courage unafraid. Of him well may it be said: He has fought a good fight; he has finished his course; he has kept the faith.

July 15, 1937.

My dear Alben:- I am glad you called my attention to  
certain aspects of yesterday's meeting. Lest there be any misunderstanding in regard to  
judicial reform, please let me clarify the situation.

Since the untimely death of our ~~excellent~~ <sup>with you</sup> Majority  
leader, I had hoped that at least until his funeral services  
had been held a decent respect for his memory would have deferred  
discussion ~~of legislative matters, in which, at~~ <sup>political</sup>  
~~the time of his death, he was an active participant.~~

It is, therefore with regret that I find ~~an~~ <sup>that</sup>  
~~inadequacy on the part of a few members of the legislative~~  
~~branch of the Government and on the part of some of the Press~~  
~~to take advantage of what, in all decency, should be a period~~  
<sup>in being taken</sup>  
of mourning.

Because of this situation, however, I am compelled  
in the public interest, though against ~~my will~~ <sup>surely, reluctantly</sup>, to write to you.  
I do this because you are  
the Acting Majority Leader in the Senate.

Over four years ago it became apparent to the  
American people and to the leadership of the new Administration  
of the National Government and to the newly elected Congress  
that grave problems of many kinds called for great reforms. The  
American people, in an overwhelming majority, recognized the  
need for bank reform, for agricultural reform, for labor reform,  
for housing reform and for judicial reform.

I cite the above merely as examples. Other lesser  
reforms went hand in hand with them as national needs. The  
Congress and the Administration effected during the first four  
years many of these reforms. The reform of the processes of  
justice, the need for which was nothing new, was recommended  
by me on February fifth of this year. The time had come to act.  
A In my Message to Congress I set forth objectives. With these

THE WHITE HOUSE  
WASHINGTON

*Constitutional* in  
They ~~were~~ improvements ~~in~~ the process of  
justice in all <sup>of</sup> ~~courts~~ <sup>federal</sup> within the power of the  
~~Federal Congress~~, from the lowest to the highest.  
of such courts. <sup>use</sup> The ~~improvements~~ <sup>included</sup> contemplated  
systematic  
~~addition~~ addition of younger judges to all  
such courts ~~in~~ which there were judges beyond  
retirement age who had not taken advantage of  
retirement privileges - for the dual purpose  
of helping the older judges give a maximum of  
justice in a minimum of time, and of keeping the  
social viewpoints of the courts abreast of  
changing conditions. <sup>use</sup> ~~The~~ improvements <sup>also</sup> con-  
templated adequate machinery for supervision by  
the Supreme Court of the expeditious dispatch of  
business by the lower courts, and for <sup>getting</sup> ~~the expeditious~~ of  
constitutional questions to the Supreme Court ~~for~~  
~~and~~ ~~without~~ *without delay.*

objectives the overwhelming majority of the people of this country were in accord. With these objectives the overwhelming majority of the Congress were in accord.

Proposed tentative legislation was drawn at that time to facilitate discussion of methods in both Houses of the Congress and discussion commenced immediately in the Congress and throughout the country.

Let me make clear once more the objectives. They ~~were~~,

- (1) The adding of judges in the lowest courts -- the district courts--in order to bring calendars in all districts up to date and to insure quicker and, therefore cheaper justice.
- (2) To add such judges as might be necessary to the intermediate courts -- the circuit courts of appeal--in order to attain the same ends.
- (3) To add a sufficient number of Justices to the Supreme Court to render it easier for the highest Court to give greater consideration to the large number of requests for hearing on appeal.
- (4) As a part and parcel of the above and relating to all three types of court, to assist the more elderly judges who do not wish to retire, by adding young judges to the courts, ~~thus~~, at the same time, creating a more constant flow of new blood through all the Federal Courts.
- (5) To provide for the Supreme Court by the proctor method or otherwise, adequate facilities for seeing to it that the lower courts, in all instances, kept up with their business.
- (6) To expedite decisions on constitutional matters by bringing constitutional questions, with the least possible delay, to the Supreme Court for immediate and final determination.

These were the objectives. At no time have I or any member of my Administration insisted that the method or methods originally proposed be sacred or final except to point out that action was of immediate necessity and, therefore, that the process of constitutional amendment was an impossibility if the objective was to be attained within a reasonable time. It is, of course, clear that any determined minority group in the nation could, without great difficulty, block ratification by one means or another in at least thirteen states for a long period of time.

There was the other reason for action by legislation rather than by constitutional amendment. The situation of the civilized world has been, for several years, at a point of extreme danger. This has been caused by three factors -- aggression and armament, economic crisis and major social needs.

The United States is happily free from any thought of aggression or armament for aggression but the people of the United States have called for economic security and for major social improvements. *National safety demands them.*

About a month ago Senator Robinson advised me that some new form or forms of method were called for if the objectives of judicial reform were to be attained. *I told him that in my judgment that I had told to all others who have asked my opinion -- that on the Congress of the United States falls the primary responsibility for the adoption of methods but that on the President falls the responsibility of recommending objectives. This is in accordance with the Constitution.*

To abandon any reform of the judicial processes at this session of the Congress means an abandonment of the objectives.

An abandonment of judicial reform, including, of course, all the Federal Courts, because of ~~the~~ <sup>the</sup> inability of a majority of Senators or a majority of Representatives to agree on method, *and reach a vote,* places the responsibility ~~squarely~~ squarely on the Congress of the United States, *not on the President.*

*Objections that I have stated by constitution both the original and the Robinson bill were clearly stated by the Senate. The bill had been introduced by the Senate. I told him that in my judgment that I had told to all others who have asked my opinion -- that on the Congress of the United States falls the primary responsibility for the adoption of methods but that on the President falls the responsibility of recommending objectives. This is in accordance with the Constitution. I told him that in my judgment that I had told to all others who have asked my opinion -- that on the Congress of the United States falls the primary responsibility for the adoption of methods but that on the President falls the responsibility of recommending objectives. This is in accordance with the Constitution. I told him that in my judgment that I had told to all others who have asked my opinion -- that on the Congress of the United States falls the primary responsibility for the adoption of methods but that on the President falls the responsibility of recommending objectives. This is in accordance with the Constitution.*

May I, therefore, tell you very simply <sup>once more</sup> ~~once more~~ that ~~the~~ ~~objectives~~ the objectives of the President, and, I believe of the great majority of our citizens, remain the same, and that I believe that it is the duty of the Congress, and especially of the members of the majority party in the Senate and the House of Representatives, to pass legislation at this session to carry out the objectives.

Very sincerely yours