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2007 Commencement Address: John G. Roberts, Jr., Chief Justice of the United States

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2007 Principal Address

By John G. Roberts, Jr., Chief Justice of the United States

Thank you very much, President McFarland, for that generous introduction, and thank you all for that very warm welcome. I'm delighted to be here in Worcester to join in the festivities celebrating the commencement of the Holy Cross class of 2007.

Now, when a judge speaks in court, he usually disappoints half of all those who appear before him. It is only on occasions such as this when we speak outside of court that we have a decent chance of disappointing everyone.

William Allen White once explained that the transition from college to the real world can be painful and that commencement addresses were a dulling anesthetic designed to ease the pain. And right off the bat, every commencement speaker faces a difficult question: How long to talk.

There was an old English judge who was slated to give a commencement address, and he was told by the dean to speak for about 20 minutes.

"Twenty minutes," the judge said. "How am I supposed to share all that I have learned in my career in 20 minutes?"

The dean said, "Speak very slowly."

But let me say at the outset how honored I am to be sharing this platform with Ms. Annette Rafferty, Mr. Brendan Cassin, and Sister Miriam Duggan. They have truly earned their honorary degrees as you just heard. In contrast, I recognize that mine is intended more as encouragement than as honor, and I am happy to accept it in that spirit.

And now I would like to turn directly to my fellow degree recipients in the class of 2007. In my capacity as Chief Justice, let me begin with a subject I know something about.

Nice robes!

And now let me extend to you hearty and heartfelt congratulations. Your family and friends are no doubt pleased, proud, in some cases relieved, and perhaps even surprised. I am confident that every undergraduate here, every graduate is indebted to loving friends and family who helped make this day possible. The families are probably just plain indebted. But I encourage each graduate to remember that you could not have gotten here alone. Today is a day to celebrate not only your graduation, but also the sacrifices of all those who worked so hard to make that possible. In fact, now is a perfect opportunity for you all to stand up, turn around, and thank your family and friends.

The College of the Holy Cross has provided you with a superb liberal arts education. Along the way, it has repeatedly posed to you a question of universal importance.

That question can be phrased in a variety of ways. It takes the form in Holy Cross's first year program of a paraphrase of Tolstoy's question: "How then shall we live?"

Now, the answer for each of you is yours alone, and it's a question that has to be asked continuously. But there are points in life, and commencement is surely one of them, when it makes sense to pause and see where you are in coming up with an answer.

Bishop Fenwick gave every student at Holy Cross a good head start in answering that question when he founded the college on a hilltop. In a real sense, we live by climbing hills and mountains.

Reflecting on Mount St. James caused me to recall a figure from 700 years ago, the original Renaissance man, Francesco Petrarch. Petrarch would have felt at home here at Holy Cross. He was a person of faith. He had a love of learning. And being more than six feet tall, he could have made the basketball team.

But in 1336 as a young man, Petrarch wrote a letter to a friend, an Augustinian monk named Francesco Dionigi about a springtime ascent of Mount Ventoux, a 6,200-foot peak near Petrarch's home in France.

Now, only a handful of persons knew of Petrarch's climb during his lifetime. A century later, a chapel — coincidentally dedicated to the Holy Cross — was built on the top of the mountain. And today there is a steep road to the top of Mount Ventoux that is sometimes painfully incorporated into the Tour de France. But Petrarch's observations about his original ascent on foot, though seven centuries old, have survived and seem to me worth reflecting on briefly today.

Petrarch said that his initial motive in climbing the peak was only a "wish to see what such a great elevation had to offer." Many a journey, great and small, has begun from such simple curiosity. Petrarch's first challenge was to find just the right companion for the climb from among his many friends. He ended up climbing Mount Ventoux with his brother. And he found at the outset that the climb was much more difficult than he had expected.

Halfway up he encountered an old shepherd who discouraged him from continuing. The shepherd said that the climb would yield nothing but fatigue and regret. Petrarch dutifully listened, but he had the good sense to reject the advice of his elder. And I would advise that advice from elders is most suspect when it counsels that something you have your mind set on cannot be done.

Now, as Petrarch continued to climb, he and his brother parted ways. The brother chose a direct path up the ridge, while Petrarch, thinking himself more ingenious, repeatedly searched out easier routes. Those routes inevitably ended up taking him down rather than up the mountain. He finally gave up looking for an easy way, concluding in a famous passage that "No human ingenuity can alter the nature of things." To ascend, you have to climb, and you might as well face it directly. It was that realization that propelled him to the top.

And when he got there, he found out what that great elevation had to offer — the vista of still more and greater peaks in the distance. But ultimately Petrarch's ascent caused him to look inward. He had carried along a copy of St. Augustine's Confessions. And in his letter, Petrarch wrote that he opened the work and came upon a passage that said: "Men go about to wonder at the heights of mountains... but themselves they consider not." His physical climb became a spiritual one as well.

Graduates, you have been educated on a hilltop. But now you go out to climb mountains. Some of these mountains will be of your own choosing — goals, ambitions, desires. Other mountains will choose you — crises, handicaps, setbacks. Either way, if you would get to the top, you have to climb. No human ingenuity can alter that reality. And when you reach the summit, what you will find are more mountains. This college should have taught you, as Petrarch learned, that if you do not progress internally along the way, the climbing will not be worth much in the end.

Now, your generation faces many challenges. But a little history will put those challenges in context. Today, May 25th, will, of course, be remembered by history as the day the Holy Cross class of 2007 graduated. But you will share this anniversary with another important commencement.

Two hundred twenty years ago today, on May 25th, 1787, the Constitutional Convention convened in Philadelphia. The Framers gathered, of course, to address the question: "How then shall we live?" from a political perspective.

They decided that "We, the people" would govern ourselves, that through our elected representatives, we would be responsible for the policy choices about the role of government in our lives.

But they also decided that certain enduring rules set forth in the Constitution would constrain our preferences and how we could achieve them. The Congress and the Executive Branch would formulate and implement our policy choices. The Judicial Branch would ensure that we operated within the rules and that we did not contravene our basic principles. In this way, the Constitution sets forth those wise restraints that make us free.

Now, this general approach has served us well for 220 years in the political sphere. And I submit it's not a bad model in considering the question: "How then shall we live?" at a more personal level.

As your life progresses, you'll be confronted with new choices. So long as you make those choices within the confines of fundamental principles that do not change — your personal constitution — you probably will not go too far wrong.

Now, perhaps I'm preoccupied with the imagery of hills today because I work on one. Two branches of the federal government, Congress and the Supreme Court, sit side by side on Capitol Hill. Congress, as the democratic institution, has always occupied the more prominent place. Indeed when Washington, DC, was established — not too many years before this college — the government made no provision for a Supreme Court building at all, even though there was a grand home for the President and an imposing Capitol building for Congress. For many years, the Supreme Court met in the basement of the Capitol. We did not obtain our own building until 1935.

The Judicial Branch now sits on the same level as the Legislative Branch, but our Houses are quite distinct from each other. The Supreme Court marble is a different shade than that of the Capitol. The neo-classical design of the Supreme Court building is more Greek than the Roman inspiration for the Capitol. These differences consciously reflect our quite different responsibilities.

The Constitution gives Congress, as the politically accountable branch, primary responsibility for determining questions of social policy, for making the choices about how we shall live. The Court has the more limited role of deciding specific disputes between litigants, free from the political process, based on the Constitution and the laws that Congress has enacted.

Graduates, as I say, you as a generation face great challenges. But I don't feel sorry for you. The generation that convened in Philadelphia 220 years ago has given you a marvelous framework for resolving those challenges. Unlike the case in so much of the world, you as free men and women have the right to decide for yourselves how you shall live. You have the great good fortune of living, in the words of our anthem we sang this morning: "...in the land of the free and the home of brave."

The past four years should have taught you, if nothing else, that to be free, you must be brave — whether in public life, in academic pursuit, in defining your own character in the face of peer pressure, or in charting your own course for the future in the face of the expectations of others. To be free, you must be brave or, as Petrarch might have put it, if you are to ascend, you must be willing to climb.

Now, you've been climbing Mount St. James for the past four years. I know that it may be hard to remember now, but there were cold winter days when that hill seemed like a mountain. But today on this warm, sunny day, you have reached the summit. And from the top, you can see ranges of other mountains you could not have imagined four years ago.

Happy climbing.