FOR IMMEDIATE RELEASE JULY 2, 1976

OFFICE OF THE WHITE HOUSE PRESS SECRETARY

THE WHITE HOUSE

REMARKS OF THE PRESIDENT
AND
CARL ALBERT
SPEAKER OF THE HOUSE
AND
WARREN E. BURGER
CHIEF JUSTICE
UNITED STATES SUPREME COURT

NATIONAL ARCHIVES

9:14 P.M. EDT

CHIEF JUSTICE BURGER: Mr. Vice President, Mr. President, Mr. Speaker, distinguished guests, ladies and gentlemen:

The Declaration that is being honored tonight had no binding legal effect when it was announced 200 years ago, but it guided the men who, 11 years later, drafted the Constitution.

The Declaration was a statement of intent and purpose. The Constitution was a compact of people, a contract, if you will, to carry out the Declaration. Our Constitution created a Government in which the people have the supreme and ultimate power. The opening words of the preamble tell us that "We, the people, have agreed among ourselves that power must be used in an orderly way under rules laid down in the Constitution."

As school children, we learned that those who came to our shores agreed to give up some of their individual freedom for the common good. The Mayflower Compact and others like it were in a sense the forerunners of the Constitution, and that Constitution now stands as the greatest human compact in history.

Our form of Government differs from all others ever devised, and ever since it was adopted the Constitution has operated like the stars that guided the first travelers on the open seas where there were no landmarks to guide them.

Our Constitution is not perfect, and even less so are the mortals who must try to say what it means. But, what is important is that it has been the guide to keep us on the paths of freedom that were laid out so long ago. The American people have firmly supported the Constitution and the means established to enforce its guarantees. It has been tested under the stress of internal and external warfare, by economic catastrophies and in political crises, and on every occasion the country has emerged stronger.

MORE

These two documents, the Declaration and the Constitution, embark the American people on an experiment in a new form of Government, self-government, that has survived longer than any other kind of Government in recorded history. In this experiment, that remarkable group of American leaders wisely recognized the paradox of freedom that to preserve liberty each one of us must give some of it up.

This is why we have come to call our system one of ordered liberty, liberty exercised in an orderly way with restraints and with respect for the rights of others. To create and maintain such a system was the function of our Constitution.

The problems and burdens of those 3 million early Americans who began this experiment were so great from 1776 to 1789 that those leaders constantly called for divine guidance in their efforts. With the complexities of a Nation now grown to 215 million people, and the world problems that we must share, can we survive without it?

Washington, both as a General and as President, constantly called for divine guidance and credited all progress and success to that source. When the Declaration was signed, John Adams wrote his wife Abigail saying that "July 4 ought to be commemorated as the day of deliverance by solemn acts of devotion to Almighty God." And when the Constitution was finally approved, James Madison observed that "All people must perceive in the Constitution a finger of that Almighty hand which has been so frequently extended to our relief in the critical stages of the revolution."

We have survived and prospered for 200 years now because the strength of our Nation was not simply in the words of the Declaration and the Constitution, great as they are, but because of the strength of the people, of personal integrity, of individual responsibility and of the tradition of home and family and of religious beliefs.

Our Constitution, no constitution, can solve all our problems. At its best, our Constitution gives the American people the means and the opportunity to find solutions, by their own efforts, by their dedication and by their love of country.

The French historian de Tocqueville long ago wrote this about America: "I sought for the greatness and genius of America in her commodious harbors and her ample rivers, and it was not there; in her fertile fields and boundless prairies, and it was not there; in her rich gold mines and her vast world commerce, and it was not there. Not until I went into the churches of America did I understand the secret of her genius and her power. America is great because she is good and if America ever ceases to be good, America will cease to be great."

MORE

SPEAKER ALBERT: Mr. President, Mr. Vice President, Mr. Chief Justice, distinguished guests, ladies and gentlemen:

The decisive act of inspiration from England actually took place on July 2, exactly 200 years ago today, when the Continental Congress adopted the resolution of independence, drafted by a committee of five, headed by Thomas Jefferson. Thus, it is especially appropriate that we launch this Fourth of July weekend this evening, July 2.

Yesterday, the House of Representatives and the Senate unanimously passed Concurrent Resolution 672 wherein it was stated that "the Congress of the United States of America does hereby reaffirm its commitment to the ideals and principles expressed in the Declaration of Independence by members of the Congress assembled in Philadelphia on July 2, 1776."

The Declaration launched our quest for freedom. Five long years would pass before the English forces, led by General Cornwallis, would surrender at Yorktown. The emerging Nation would struggle under ineffective Articles of Confederation for six more years before formulating the Constitution in Philadelphia in 1787. The body of our Constitution set up our tripartite system of Government and gave us a mechanism of Government that would endure for generations, that would enable us to accomplish our goals.

It was not until 1791, two years after the Constitution had been ratified, fifteen years after the signing of the Declaration of Independence, that the Bill of Rights breathed life into the immortal document known as the Declaration of Independence. It was handled in the Congress by James Madison, but it was the inspiration of the author of the Declaration of Independence.

The sage of Monticello wanted to make sure in his letters to many leading Americans in many States that the liberties which he proclaimed in 1776 would be given substance in the Constitution. Had it not been for that leadership there would be no guaranteed freedom of worship, no freedom of speech, no freedom of press, no right of peaceful assemblage, no right to petition in case of grievances.

Because of the Bill of Rights to the Constitution, my fellow Americans, no man may cross the threshold of your home without a search warrant, no man may cast you in prison without a trial by a jury of your peers. These are the concrete cornerstones of our liberty proclaimed in the Declaration of Independence; these are the basic principles of the ends of our system of Government.

We meet tonight to rededicate ourselves to the perpetuation of these principles. To this end, it may be well to repeat the closing of the Declaration of Independence itself: "With a firm reliance on the protection of Divine Providence we mutually pledge to each other our lives, our fortunes and our sacred honor."

THE PRESIDENT: Mr. Vice President, Mr. Speaker, Mr. Chief Justice, distinguished guests, ladies and gentlemen:

I am standing here before the great charters of American liberty under law. Millions of Americans, before me and after me, will have looked and lingered over these priceless documents that have guided our 200 years of high adventure as "a new nation, conceived in liberty and dedicated to the proposition that all men are created equal."

Those were Lincoln's words, as he looked to the Declaration of Independence for guidance when a raging storm obscured the Constitution. We are gathered here tonight to honor both.

Even the way these parchments are displayed is instructive: Together, as they must be historically understood; the Constitution and its first 10 Amendments on an equal plane; the Declaration of Independence properly central and above all.

The Declaration is the Polaris of our political order -- the fixed star of freedom. It is impervious to change because it states moral truths that are eternal.

The Constitution provides for its own changes, having equal force with the original articles. It began to change soon after it was ratified when the Bill of Rights was added. We have since amended it 16 times more, and before we celebrate our 300th birthday there will be more changes.

But the Declaration will be there, exactly as it was when the Continental Congress adopted it -- after eliminating and changing some of Jefferson's draft, much to his annoyance. Jefferson's immortal words will remain, and they will be preserved in human hearts even if this original parchment should fall victim to time and fate.

Listen: "We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness -- That to secure these Rights, Governments are instituted among Men deriving their just Powers from the Consent of the Governed."

The act of Independence, the actual separation of colonies and Crown, took place 200 years ago today, when the delegations of 12 colonies adopted Richard Henry Lee's resolution of independence. The founders expected that July 2 would be celebrated as the national holiday of the newborn Republic, but they took two more days to debate and to approve this declaration, an announcement to the world of what they had done and the reasons why.

The Declaration and other great documents of our heritage remind me of the flying machines across the Mall in the new museum we opened yesterday. From the Spirit of St. Louis to the lunar orbital capsules we see vehicles that enabled Americans to cross vast distances in space. In our archives and libraries we find documents to transport us across centuries in time, back to Mount Sinai and the Sea of Galilee, to Runnymede, to the pitching cabin of the Mayflower, and to sweltering Philadelphia in midsummer, 1776.

If we maneuver our time vehicle along to 1787, we see the chamber of Independence Hall, where the Constitution is being drafted under the stern eye of George Washington. Some other faces are familiar. Benjamin Franklin is there, of course, and Roger Sherman of Connecticut. Thomas Jefferson has gone to Paris. The quiet genius of this Convention is James Madison.

But Jefferson's principles are very much present. The Constitution, when it is done, will translate the great ideals of the Declaration into a legal mechanism for effective government, where the unalienable rights of individual Americans are secure.

In grade school, we were taught to memorize the first and last parts of the Declaration. Nowadays even many scholars skip over the long recitation of alleged abuses by King George III and his misguided ministers. But occasionally we ought to read them because the injuries and invasions of individual rights listed there are the very excesses of government power which the Constitution, the Bill of Rights, and subsequent amendments were designed to prevent.

The familiar parts of the Declaration describe the positives of freedom; the dull part, the negatives. Not all the rights of free people, nor all the necessary powers of government, can be enumerated in one writing or for all time, as Madison and his colleagues made plain in the 9th and 10th Amendments.

But the source of all unalienable rights, the proper purposes for which governments are instituted among men, and the reasons why free people should consent to an equitable ordering of their God-given freedom, have never been better stated than by Jefferson in our Declaration of Independence.

Life, liberty and the pursuit of happiness are cited as being among the most precious endowments of the Creator -- but not the only ones. Earlier, Jefferson wrote that "The God who gave us life gave us liberty at the same time."

This better explains the bold assertion that "All men are created equal" which Americans have debated for two centuries. We obviously are not equal in size, or wisdom, or strength, or fortune. But we are all born -- having had nothing at all to say about it. And from the moment we have a life of our own we have a liberty of our own, and we receive both in equal shares. We are all born free in the eyes of God.

That eternal truth is the great promise of the Declaration; but it certainly was not self-evident to most of mankind in 1776. I regret to say it is not universally accepted in 1976. Yet the American adventure not only proclaimed it, for 200 years we have consistently sought to prove it true. The Declaration is the promise of freedom; the Constitution continuously seeks the fulfillment of freedom. The Constitution was created and continues -- as its preamble states -- "to secure the blessings of liberty to ourselves and to our posterity."

The great promise of the Declaration requires far more than the patriot sacrifices of the American Revolution, more than the legal stabilizer of the Constitution, more than Lincoln's successful answer to the question of whether a nation so conceived and so dedicated could long endure.

What does the Declaration declare: That all human beings have certain rights as a gift from God; that these rights cannot lawfully be taken away from any man or woman by any human agency, monarchy or democracy; that all governments derive all their just powers from the people, who consent to be governed in order to secure their rights and to effect their safety and happiness.

Thus, both rights and powers belong to the people, the rights equally apportioned to every individual, the powers to the people as a whole.

This November, the American people will, under the Constitution, again give their consent to be governed. This free and secret act should be a reaffirmation, by every eligible American, of the mutual pledges made 200 years ago by John Hancock and the others whose untrembling signatures we can still make out.

Jefferson said that the future belongs to the living; we stand awed in the presence of these great charters not by their beauty, not by their antiquity, but because they belong to us. We return thanks that they have guided us safely through two centuries of national independence, but the excitement of this occasion is that they still work.

All around our nation's capital are priceless collections of America's great contributions to the world, but many of them are machines no longer used, investions no longer needed, clothes no longer worn, books no longer read, songs no longer sung.

Not so with the Constitution, which works for us daily, changing slowly to meet new needs. Not so the Bill of Rights, which protects us day and night in the exercise of our fundamental freedoms -- to pray, to publish, to speak as we please.

MORE

Above all stands the magnificent Declaration, still the fixed star of freedom for the United States of America.

Let each of us, in this year of our Bicentennial, join with those brave and farsighted Americans of 1776. Let us here and now mutually pledge to the ennobling and enduring principles of the Declaration our lives, our fortunes and our sacred honor.

Let us do so, as they did, with firm reliance on the protection of Divine Providence, that the future of this land we love may be ever brighter for our children and for generations of Americans yet to be born.

END (AT 9:44 P.M. EDT)