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NOVEMBER 24, 1975

OFFICE OF THE WHITE HOUSE PRESS SECRETARY

THE WHITE HOUSE

EXCHANGE OF TOASTS
BETWEEN THE PRESIDENT
AND
WARREN E. BURGER
CHIEF JUSTICE OF THE SUPREME COURT
AT THE DINNER
IN HONOR OF THE JUDICIARY

STATE DINING ROOM

10:04 P.M. EST

THE PRESIDENT: Mr. Chief Justice, distinguished members of the Judicial system, both Federal and State, honored guests, ladies and gentlemen:

It has been said that the law is the only profession in which the practitioner can produce something that is 200 pages in length and still have it called a brief. (Laughter)

Well, tonight let me assure you that the brief I am about to present will be very. This dinner revives an annual White House custom of past years to recognize the vital contribution of the Federal Judiciary to the maintenance of the free republic.

Betty and I are delighted to -- and I should say highly honored -- by the presence of so many distinguished jurists and their spouses. It is appropriate, in my judgment, to restore the customs as we approach this Bicentennial. It is vital, as I see it, to renew our gratitude to the great Americans who conceived the American system of Government.

They, under that Government under law, with its proven checks and balances, is the firmest pillar of this Nation's freedom, with a clear understanding of history, the framers knew that an independent Judiciary, the guardian of a written Constitution, is essential to the preservation of individual liberties under a Government of limited powers.

Our strong Judicial system offers the world an example of how an independent Judiciary can restrain the other branches of Government when they over-reach and, on occasion, force them to meet their responsibilities under our Constitution.

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The American legal system we all know has produced many giants of law, both of the bench and of the bar. They symbolize the genius and wisdom of two centuries of jurisprudence which has produced from men and women of widely differing political philosophies a great historical precedent.

It seems to me, Mr. Chief Justice, that our great pride is not only in a few outstanding individuals, it is in the many able and honest jurists whose daily performance gives our entire Judiciary a well-deserved reputation for competence and total integrity.

The Judiciary, as I see it, truly represents the broadest and the deepest respect of the American people. As one of the three separate Branches of the Federal Government, the Judiciary also deserves the highest respect of the Congress and the Executive Branch of the Government. In this spirit, Mr. Chief Justice, I am honored to propose a toast to you for your dedicated work on behalf of all Americans and I thank you and your colleagues for being with both Betty and myself on this occasion this evening.

You and your associates in the Judicial Branch of the Government have kept the Constitution alive and I should say vigorous for 186 years. And it remains today our strongest guarantee of freedom for the future.

And with that, to you, Mr. Chief Justice, all that you and your associates represent.

CHIEF JUSTICE BURGER: Mr. President, Mrs. Ford, Mr. Attorney General, Mr. Solicitor General, my brothers of the Judiciary and my sisters of the Judiciary, ladies and gentlemen:

Mr. President, you and Mrs. Ford have done more than restore an ancient tradition, and a very pleasant and happy tradition that goes back literally, as you suggest, 186 years, and I was reminded of it as I had the pleasure of visiting with Mrs. Ford and Mrs. House, the wife of the Chief Justice of Connecticut, of a gift that was recently made to the newly formed historical society of which my brother, Tom Clark, is Chairman. The gift is a small card, not much bigger than one of the placecards, perhaps half as big as the menu, and it reads something like this, "Mrs. Washington and I request the honor of the presence of Judge Cushing" -- they were called Judges not Justices then -- "for dinner at our house on Thursday" -- naming the date -- "at 8:00 p.m.," signed personally by George Washington, not by some staff member. (Laughter)

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That is now a treasured item in the Supreme Court of the United States in the custody technically of its historical society.

And, Mr. President, you and Mrs. Ford, perhaps, do not sense it as much as we do, your guests tonight, that you have not only revived a splendid and ancient custom by inviting the Federal Judges to your house, the people's house, Mrs. Ford reminded me -- this is her name for the White House -- you have honored our colleagues of the State Courts by inviting distinguished leaders of the highest courts of the States who, in the time of George Washington and for many years thereafter, were regarded not as equals, but much superior to Justices of the Supreme Court of the United States.

I don't think we would want to give that up, with all deference to our brothers and sisters of the State Courts, but we would like to maintain parity and you have, of course, in inviting us tonight, the Federal Judges and the State Judges, you have invited us as representatives of our colleagues and I will presume to speak with leave, sir, for both the Federal and the States Judges and say that we are all very grateful to you for your hospitality and for the honor you do us by inviting us to your house.

And with your leave, I will ask that the guests, your guests, President and Mrs. Ford, rise while I have the honor to propose a toast to the President of the United States.

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(AT 10:13 P.M. EST)

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