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NEW JERSEY'S RATIFIED COPY OF THE FEDERAL CONSTITUTION

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The Supreme Court of the United States

EVERYONE of our State must feel deeply moved by the return home of the document which embodies New Jersey's ratification of the Constitution of the United States. The signing on December 19, 1787, by the distinguished delegates of the Convention was a momentous event. The instrument composed at Philadelphia during the previous summer justly inspired Gladstone's famous encomium "the most wonderful work ever struck off at a given time by the brain and purpose of man." But it was the seminal action at Trenton and the similar actions in ten sister states which wakened into life its some seven thousand words as a viable Charter of Government for a free people.

Our Constitution was framed as a free people's unique solution for the struggle—which elsewhere yet rages unabated and unending—over where the power of rulers ends and where the freedom of the individual begins. Montesquieu's admonition was that "men entrusted with power tend to abuse it." The framers dared therefore to fashion a form of government to avoid abuses from the concentration of governmental power. They created what was then a novel federalism which diffused power between national and state sovereignties and divided national power among three co-ordinate branches. The structure was capped with express guaranties of individual rights to buttress the securing of the governed from oppression from the arbitrary exercise of governmental power by any of its repositories.

The Constitution does not provide a detailed blueprint of the great fundamentals which it embodies. Often only most general language marks the boundaries between national and state power. Even guaranties of individual rights, if marked by language perhaps as precise as could have been used, are yet in language not wholly precise at that. But the framers were practical as well as wise men. Their choice was conscious and deliberate. For they wrote for the undefined and illimitable future and wrote as they did that the future should not be foreclosed or be too much governed by the past. We are grateful for their courage and foresight. The structure has been sturdy. It has withstood every wind and passion which has beat against it over our almost two centuries of often stormy history. Our great strength has been the flexibility of the Constitution whose enduring principles have proved admirably adaptable to the myriad changes and vicissitudes we have met along the way. These principles have steadily guided our course to our place today as the unchallenged leader of the free world and the hope of peoples not yet free. As the distinguished scholar of the Constitution, Professor Corwin, has said, "That the Constitution has possessed capacity for growth in notable measure is evidenced by the simple fact of its survival and daily functioning in an environment so vastly different from that in which it was ordained and established by the American people."

The concept of many sovereignties united as one nation presents many perplexities. It required a great shedding of blood to prove to ourselves that there is indeed a cement which makes us one people. The perplexities however survive. Difficult problems will always arise over what power belongs to which sovereignty, of whether one branch of the national government invades the powers of another branch, of how far the national or a state government may interfere with the liberty of the citizen. Such are the limitations of the human mind, of human imagination, that no genius of constitution-making could have delineated precise formulae for resolving these perplexities in the countless forms in which they arise. But it is in the peaceful forms of judicial proceedings that we have found that we can preserve the restraints upon governmental power, as the Supreme Court has said, "within the walls of the governmental fabric which our Fathers built for our protection and immunity," and also resolve "the angry and irritating controversies between sovereignties,

which in other countries are determined by the arbitrament of force.” We have established for ourselves and all peoples that the Preamble of the Constitution did not voice an idle dream, that indeed “We The People of the United States” accomplished by the Constitution “a more perfect Union,” that so far as is vouchsafed fallible human beings to do so, we “establish Justice” and “secure the Blessings of Liberty to ourselves and our posterity.”

The copy of the Constitution now happily in Rutgers, The State University, will induce in the people of New Jersey not just pride in the possession of an historic document but solemn reverence for this symbol of one of history’s great milestones of human progress.