

OWEN J. ROBERTS AND ATLANTIC UNION

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“Justice Roberts’ services to defense as well as to the judiciary were manifold, but perhaps the finest thing he did was the sacrifice he made in resigning from the Supreme Court to devote himself to the cause of Atlantic Union.

“The subject today is vitally important. All probably agree to the importance of Atlantic unity but few act.”

I shall never forget these words of General George C. Marshall. His tribute to the Justice was part of a public statement he made to me only five hours after the Justice died. Three days earlier the office of the Atlantic Union Committee in Washington had received a letter from General Marshall, accepting an invitation from the Justice, its founder and president, to become a member of its Advisory Council. I hastened to telephone the good news to Justice Roberts, for I felt that it surely would help him recover from his long illness.

Mrs. Roberts answered, and her news was bad. The Justice had suffered a relapse; he was doing “very poorly; his doctors had just held a consultation and . . . he is not going to get well.” I could not believe it. There was little hope left. I tried to encourage it. I had gone with him in 1947 when he had called on the General, then Secretary of State, and first urged him to come out for Atlantic Union. Knowing how much the General’s acceptance would mean to the Justice, I hoped it might cheer him enough to give him new life. Mrs. Roberts said she would tell him the good news.

To make this tonic still stronger for him, I decided to try to get the General to make a public statement endorsing the congressional resolution for a convention to explore the possibility of forming an Atlantic Union. When I telephoned him at his home in Leesburg, Virginia, and asked to see him, he readily agreed. He explained he was coming into Washington May 17th to attend the funeral of General Brehon Somervelle; he would see me that afternoon at his office. At noon that day I learned that the Justice had died at 10:20 in the morning.

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Such were the circumstances in which General Marshall made his widely headlined statement strongly endorsing the Atlantic Convention resolution—and paying the most discerning tribute to Justice Roberts that I have read. Nearly all the obituaries and editorial tributes I saw concentrated on his legal career (including the Pearl Harbor inquiry). They gave scant attention, or none at all, to his work for international federation and Atlantic Union. None gave to it the importance that the Justice himself gave, and that General Marshall did.

I believe that history will find that General Marshall was right when he gave first importance to what Justice Roberts did for Atlantic Union, and so I welcome this opportunity to tell what I know about this neglected chapter in his life. Time and space do not permit me now to give all the important evidence of the Justice's work in the international field. I shall confine myself to the things that stand out most in my own memory of the fourteen crowded years of association and friendship I enjoyed with him. I hope that those who find this approach too personal will look with some indulgence on the result, if only because the evidence is not hearsay, and the facts I report speak their own importance, as do the words I shall quote from Justice Roberts.

* * *

My story begins in 1941 when I first met Justice Roberts. He was the kind of man you remember from the day that you first saw him. This is how I came to know him:

I was then seeking a man of national stature who could give the movement for Federal Union of the Free the leadership that was essential for its advance. The best man for the purpose, it seemed to me, would be a Justice of the Supreme Court. Its members were out of politics, and our cause needed to avoid gaining any partisan flavor. Moreover, the bench is much more concerned than the executive or legislative branches, or anyone else, with the basic principles of the Federal Constitution; the Justices could understand most readily our plea that these principles be applied between democracies, and they could contribute most authoritatively to this purpose.

Secretary of the Interior Harold Ickes, whom I had met while covering his department for *The New York Times*, suggested Chief Justice Hughes would best fill our needs and seemed to think it quite within the range of possibility that he could be won over. However, in answer to my request for an interview, the Chief Justice stated that he should not talk with me since our cause might some day enter into a case that would come before him as a member of the Court.

Not being one to take *no* for an answer on so vital a question, I then asked Grenville Clark what member of the Court was closest to the Chief Justice and, if won over to our cause, might help us convert him. "Justice Roberts," he answered at once, and gave a note of introduction to him. He explained that Justice Roberts not only had the most influence with the Chief Justice but was a man of such "exceptional courage and understanding," as to be himself our best hope on the bench. In proof he told me of a personal experience he had had.

In early 1940, Grenville Clark said, he had been working long and hard to get the United States to prepare for its defense by requiring military training. His efforts to interest the Administration and Congress were in vain. As the war danger worsened after the Nazi invasion of Denmark and Norway that spring, he felt the same urgent need for leadership in his cause that I felt in mine. In despair he turned to Justice Roberts and wrote him a letter begging him to resign from the Court in order to lead the campaign for universal military training. The next morning he regretted his "rashness," remembering he was a lawyer with cases to plead before the Supreme Court. To his surprise, relief and lasting admiration, Justice Roberts replied that he was prepared to do this. But at this juncture, the Nazis suddenly crashed through the Lowlands to Dunkirk, and the Administration was ready to back preparedness.¹ The battle was won; there was no longer need for Justice Roberts to step down from the bench. But the incident had proved what manner of man he was, and it greatly heartened me.

I sent Grenville Clark's letter of introduction to the Justice with a request for an interview. The Justice, who was then vacationing on his farm near Chester Springs, Pennsylvania, answered by inviting me to come and see him there on August 5. . . . I still see him there, with a blossoming vine behind him on the little veranda at the end of the old stone house where we sat. There, with only the bees and butterflies for witnesses, I pleaded our case with the diffidence of a layman appearing for the first time before a Justice of the august Supreme Court of the United States.

He put me at my ease so soon that I think of us as friends from the start. We talked and talked, and a visit I had expected to end in an hour or two he hospitably extended through the night. I find now in my diary this entry on August 5, 1941: "See Justice Owen J.

1. As late as May 28, 1940, however, President Roosevelt was still telling the press that "there was no reason for the country to become 'discomboomerated' in apprehension of what may come to pass. The women of the country would not have to give up their cosmetics, lipsticks and chocolate sodas in consequence of the preparedness program."

Roberts at his farm—spent night there—very fruitful visit for Union Now.” He had to go to Washington the next day on some Court business, and I returned with him on the train where we talked some more. He had not read *Union Now*;² I gave him a copy which he said he would read at once.

From the beginning of our encounter, the impression had been forming in my mind: Here is the man for us—there is no need to look further. Still I told of my talk with Secretary Ickes and my vain effort to interest the Chief Justice. Though I asked his advice and aid in that regard, and though Justice Roberts was helpfully inclined, nothing ever came of it, for I soon dropped the idea that had brought me to Chester Springs, so strongly did I feel that the ideal leader I sought was here at hand.

I recall no other man of the stature of Justice Roberts who was willing to go so immediately and thoroughly into our case, and who then made up his mind so favorably so soon, and having put his hand to the plow stuck to it for so many years thereafter, not only unflinching but ever more firmly.

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A few months later came Pearl Harbor. The part Justice Roberts played as head of the Board of Inquiry into that disaster is well noted by Mr. McCloy. It should be remembered, too, that before Justice Roberts answered the President’s call to fix the blame for what was past prevention, he had shown his own concern for preventing future war and new Pearl Harbors. Our organization, Federal Union, Inc., decided to publish our proposal as a full page advertisement in *The New York Times* as soon as we could get a half dozen eminent citizens to recommend it to public consideration. The first man to whom we turned was Justice Roberts. He agreed at once to do this.³

Most of our organization’s active leaders were drawn into war service, and many of our supporters shifted their contributions to the

2. STREIT, *UNION NOW* (1939).

3. With Justice Roberts name for a cornerstone, we got Secretary Ickes, John Foster Dulles, Grenville Clark, Gardner Cowles, Russell W. Davenport, Harry Scherman and William Jay Schieffelin to add their names to our manifesto in a prominent box captioned:

AS CITIZENS TO OUR FELLOW CITIZENS

We recommend this proposal to
your serious consideration

That the President of the United States submit to Congress a program for forming a powerful Union of free peoples to win the war, the peace, the future.

That this program unite our people, on the broad lines of our Constitution, with the people of Canada, the United Kingdom, Eire, Australia, New Zealand and the Union of South Africa, together with such other free peoples, both in

Red Cross, USO and other war work. Our financial situation was so difficult by April, 1943, that part of the board favored folding up. I mention this merely because it serves to bring out better the character of Justice Roberts. Undismayed, he came out more specifically than ever for our movement, and authorized me in April, 1943, to publish over his name: "You can put me down in the list of supporters of the Federal Union idea." With this news to headline, we began in May publication of a monthly newspaper, *Federal Union World*.

On more occasions than this Justice Roberts roused in me Tom Paine's feeling when he wrote in the *American Crisis* in dark December, 1776: "I love the man that can smile in trouble—that can gather strength from distress, and grow brave by reflection. It is the business of little minds to shrink; but he, whose heart is firm, and whose conscience approves his conduct, will pursue his principles unto death."⁴

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On May 4, 1943, Representative (now Senator) J. W. Fulbright inserted in the *Congressional Record* a report in the *Youngstown (Ohio) Vindicator* quoting the statement in support of Federal Union that had been made by "the second oldest member of the Supreme Court . . . generally rated the most conservative member." Mr. Fulbright then added an address which he said "is in my opinion the best statement of the basic necessities for the political organization of the post-war world that has come to my attention." It was a speech Justice Roberts had made May 1, 1943, to the American Society of International Law.⁵

The great influence the Justice had at that critical juncture is best reflected by an editorial on this speech in the *Saturday Evening Post* of May 29, 1943. A year or so before, the *Post* had been violently attacking Federal Union as sacrificing national sovereignty. But now the *Post* wrote: "Justice Roberts, of the Supreme Court, a few weeks ago made one of too few realistic addresses on the question of

the Old World and the New, as may be found ready and able to unite on this federal basis.

That this program be only the first step in the gradual peaceful extension of our principles of federal union to all peoples willing and able to adhere to them, so that from this nucleus may grow eventually a universal world government of, by and for the people.

The rest of the full page manifesto pleaded the case for this proposal, and recalled in one of its headlines: "THE UNITED STATES ITSELF BEGAN AS A WAR MEASURE." N.Y. Times, Dec. 18, 1941, p. 31.

4. PAINE, *AMERICAN CRISIS* 8 (Dec. 1776).

5. Roberts, *Toward Post-War World Order*, 29 A.B.A.J. 310 (1943).

international organization. . . . To Justice Roberts it seems clear that there must be 'a fundamental framework of government to which the people of each constituent nation surrender such portion of their nation's sovereign prerogative as is essential to an international order.' . . . Much heat can be saved if we begin by asking ourselves, not how much sovereignty we ought to give up, but how much we can legitimately expect to retain. . . . The question can be dodged only at the risk of the certain destruction of whatever hopes we have of an organization of nations able to keep the peace."⁶

Another speech that Justice Roberts gave at this time led Raymond Clapper to write in his column:

"When I find that Justice Owen Roberts of the United States Supreme Court thinks it necessary that the United States take the lead in securing order in the world, that carries a good deal of weight with me.

"Justice Roberts can have no ax to grind.

"He is safe for life on the Supreme Court. What Justice Roberts says carries weight with me because I know he could be no crackpot, having been a conservative Republican, a corporation lawyer in Philadelphia and because, since Herbert Hoover appointed him to the Supreme Court, his life work has been the study and protection of the American Constitution. I know—as everybody in Washington knows—that Justice Roberts is one man who is not inclined to gamble or play carelessly with American institutions. . . . So I offer Justice Roberts as a witness.

"Will the Senators give some weight to his views before they take the irreparable step of refusing to permit America to join other nations?"⁷

A little later, on June 13, 1943, the Justice appeared with me on the American Forum of the Air in a debate with Senator Guy M. Gillette and Representative Bartel J. Jonkman on the question: "Can peace be organized on Federal Union lines?" "I do not hesitate to answer in the affirmative," the Justice answered. He added:

"The pinch of the matter is not our ability but our will. What the people of the United States want to eventuate from the defeat of the dictators they can have. . . . If, despite the demonstrated ineffectiveness of treaties and leagues, they are content to have them tried again, more wars are foredoomed.

"If, on the contrary, the body of our people have the vision and the daring the founding fathers of the nation exhibited in

6. *How Much Sovereignty Is Left?*, Saturday Evening Post, May 29, 1943, p. 100.

7. Federal Union World, May, 1943, p. 1.

1787 they will demand a union of all the peoples willing and able to cooperate in an international federation of limited but supreme power and jurisdiction in international affairs. . . . The one and only indispensable condition to a federation of nations is that the citizens of this nation make the matter the first order of the day”⁸

In 1944 there was increasing talk of Justice Roberts as a possible Republican dark horse candidate for the Presidency. Richard Scandrett, Jr., was an ardent Roberts man—though he had never met the Justice personally. He explained that President Coolidge had asked him to prepare confidential background reports for him on various possible prosecutors of the Teapot Dome affair, and he had been so impressed by what he thus learned about Owen J. Roberts, and by his subsequent prosecution of that case and career on the Supreme Court, that he had boomed him for the presidential nomination in 1936. His present calculation was that Willkie and Dewey might block each other at the 1944 convention, in which event the nomination might fall to Justice Roberts, if proper preparations were made.

I arranged for Mr. Scandrett to meet the Justice at a small dinner. The Justice, always charming on such occasions, was at his best. He had a gift for mimicry, and used it that evening to make Coolidge come to life through a chain of amusing anecdotes he told from his own relations with the President. Mr. Scandrett was delighted. His one fear had been that perhaps his candidate was now too old, or that party leaders might think he was. To show them the amazing youthful vigor of the Justice (then 69), Mr. Scandrett organized a dinner on April 5, in New York City in honor of the Justice. It was attended by some forty prominent Republicans and newspaper publishers. So far as I know, the Justice was never told that the real aim of the dinner was to launch him quietly as a 1944 dark horse, though he may have guessed this. At any rate, he used the occasion to make a speech that no politician would have made—he devoted it entirely to a plea for Federal Union of the democracies, the strongest I had yet heard him make.

In July of 1945 Justice Roberts resigned from the Supreme Court. He gave me to understand that he resigned instead of retiring so that he might devote himself more freely to our cause. If he retired, he would still be subject to call by the Court in certain cases. By resigning, he was completely free from the Court. (I was told later that this may have involved some financial sacrifice in lower pension payments.)

8. American Forum of the Air, June 13, 1943; see also Federal Union, August 1943, p. 2.

I confess that I greatly regretted that he did not publicly connect his resignation in any way with his desire for greater freedom to champion Federal Union, and would not let us make any capital of it. The dignity of the Court was very near his heart, and he wished to avoid any semblance of using his high office to advance his own personal views.

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In the period of flux that followed the end of the war and the emergence of the atomic bomb, Justice Roberts sought to unite the Federalist movement which had divided, one group favoring world government and the other—of which Justice Roberts and I were a part—favoring Union of the Democracies. To this end, he declined to become the head of either Federal Union, Inc., or of the organizations (which later joined to form the United World Federalists) that favored the immediate world government program. He went further in the latter direction than he really thought wise in vain efforts to achieve a compromise program. Though he always considered it hopelessly impractical to try to apply federal principles internationally at the start on a scale much larger than the Atlantic community, he was readier to give moral support to the universalist approach of the World Federalists than the latter were to make a similar concession to the Federal Union policy.

Many world federalists seemed to be more concerned with peace than with liberty, especially in those early atomic days when there was widespread hope that the United States could work with the Communist dictatorship. Justice Roberts never shared their illusions about Moscow nor forgot that in the last analysis freedom was the issue.

Like Federal Union, he put freedom first, was impressed by the immense difficulties of maintaining any free government, and considered it essential for the success of an international federation that its founders be limited to the more experienced democracies,⁹ and therefore largely to the North Atlantic community. He was never willing to abandon these principles in order to unite the federalist movement, and in the years in which the latter hope faded, these convictions grew only firmer in his mind and stronger in his utterances.

9. Characteristically, Justice Roberts never applied this rigidly, and was willing to make certain exceptions when they were not great enough to jeopardize success and might well contribute practically to it. "There is certainly no feeling of race discrimination in our proposal," he often stressed, and to make this more evident he expressed the hope that the Philippines be included. On May 4, 1951, he wrote Hugh Moore, Chairman of the Dixie Cup Co.: "I am, as you know, very sensitive to the criticism of our World Federalist friends that we are advocating a 'Jim Crow' organization, and I would like to overcome this by taking in some nation whose population differs in race, color and locale from ours."

After he definitely took the leadership of this Atlantic Union school of thought in 1949, Justice Roberts continued his conciliatory attitude toward the universalist school, and never attacked it as it attacked his views in that period when it was strong. Though he kept aloof from organizational leadership until 1949, the Justice was increasingly active in his work for Atlantic Union in the years immediately following his resignation from the Supreme Court.

When Federal Union, Inc. decided in late 1945 to replace *Federal Union World* with an illustrated monthly magazine for the general public, the Justice helped decisively to found *Freedom & Union*. He not only agreed to become a contributing editor—a position he retained to his death—but he contributed \$2,100 of the \$7,000 we had with which to launch this venture, and paid for hundreds of gift subscriptions which he sent to leaders here and abroad. It may be added that in the ten years from his resignation from the Court to his death he contributed financially much more than \$10,000 to the Atlantic Union movement. His moral and active support was even more important. Without it, I would have found it hopeless to start *Freedom & Union* on the “shoestring” we had.

Perhaps the Justice's most enduring contributions to the magazine were the eight papers he wrote for our “New Federalist” series, on such subjects as “Sovereignty,” “The Essentials in a Federal Judiciary,” “Federal Taxation,” and “Dual Federal Citizenship.” Since these are available in book form,¹⁰ I shall resist the temptation to quote from them here and give instead some excerpts from other articles he wrote in *Freedom & Union*.¹¹ They will show the enduring quality of all his contributions:

On Treaties:

“. . . if history teaches anything, it teaches that neither one nor many treaties will give a nation security against another nation set on enforcing its selfish policies. . . . Shall we putter along with treaties and more treaties until it is too late to form any union of the nations to give security to their peace-hungry citizens?”¹²

10. ROBERTS, SCHMIDT & STREIT, *THE NEW FEDERALIST* (1950).

11. The following is a list of articles that Owen J. Roberts contributed to *Freedom & Union*: *The Role of Law in the International Community*, Jan. 1952, p. 25; *Practical Way to Peace*, April 1950, p. 20; *Message to Strasbourg*, Oct. 1949, p. 28; *There Is No Peace*, Jan. 1949, p. 7; *A Call for Leadership*, March 1948, p. 5; *How to Rebuild Europe*, Jan. 1948, p. 2; *The Why of Military Training*, Oct. 1947, p. 7; *Union for Europe—But Not for Us*, March 1947, p. 6; *The World Awaits the Republicans*, Feb. 1947, p. 4; *What Gift for Peace*, Dec. 1946, p. 29; *The Wallace Imbroglia*, Nov. 1946, p. 5; *Treaties and More Treaties*, Oct. 1946, p. 25.

12. Roberts, *Treaties and More Treaties*, *Freedom & Union*, Oct. 1946, p. 25.

Christmas and Democracy:

"This month we mark once more the birth of Him we call the Prince of Peace. It is a time of joy, because it is the season of unselfish giving. Thought of others and generous sharing with them are signs of man's noblest quality. That quality we call unselfishness. He who gives, gets far more than he gives.

". . . .

"Democracy itself is founded on the same idea of unselfishness—of giving up one's personal will, for the sake of the welfare of the others who form the community. Is there any nobler Christmas gift men and women in the United States can make than one that will advance the cause of freedom and union over the earth?"¹³

A Time for Greatness:

"If these political leaders of our nation would cease to discount their leadership, would determine to assert it, and would go to the people as advocates of the only practical approach to the problem, in my judgment the idea would spread like fire through the electorate. . . . The time calls for greatness amongst those in whom the people have put trust and have placed in the high position of leadership."¹⁴

I can testify to the personal contacts that Justice Roberts developed with members of Congress and Administration leaders in this period, and to the immense service he thus did Atlantic Union. I accompanied him on a number of the calls he made in 1947-48 and saw the impression he made on such men as General Marshall, then Secretary of State, James Forrestal, then Secretary of Defense, and William Averell Harriman, then Secretary of Commerce, as well as leading Senators and Congressmen. He told me of other talks he had alone, particularly of one he had with Senator Vandenberg to whom, he said, he spoke with "a voice from the tomb." That was a favorite expression of his, and it was quite descriptive of the solemn tone in which he urged in private as in public, the urgent need of action and leadership for Atlantic Union.

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In 1949 on January 9, I made one of the most memorable of my many visits to the farm of Justice Roberts. This time I came in a car driven by Senator Estes Kefauver, and accompanied by Edmund

13. Roberts, *What Gift for Peace*, Freedom & Union, Dec. 1946, p. 29.

14. Roberts, *A Call for Leadership*, Freedom & Union, March 1948, pp. 5, 6.

Orgill and Lucius Burch of Memphis, Tennessee, and Walden Moore of New York City. The Senator had gained his first election to the Senate the preceding November by coming out for Federal Union.

With our first and only Senator elected, some of us thought the time had come to supplement basic educational work, to which Federal Union, Inc. was confined by its tax status, with an independent committee whose purpose would be to concentrate on getting Congress to pass a resolution calling a federal convention, like the one in Philadelphia in 1787, to explore the possibility of Atlantic Union. Will Clayton, who had just resigned as Under Secretary of State, had now thrown his great weight behind our cause, and Robert Patterson, the former Secretary of War, had recently spoken publicly in favor of it. All depended, however, on whether Justice Roberts would agree to issue the call to found the committee and become its active president. Knowing him better than my companions did, I had no doubt he would accept this responsibility, but I could not dispel the doubts that gnawed on some of them as we drove that cloudy day from Washington to Chester Springs. With much diffidence, our spokesman "popped the question."

"Certainly," answered the Justice, without a moment's hesitation.

He sent out invitations to a number of leaders; they met under his chairmanship in New York City on Sunday, January 23, 1949, and unanimously decided to set up the Atlantic Union Committee. The Justice was elected president.

There followed by far the most active period of the Justice's championship of Atlantic Union—five crowded years, until heart trouble forced him when 79 to slow down in 1954. This work of his is so recent and so widely known that I need not go into it as extensively here as it deserves, and as I should like to do. I cannot resist, however, putting on record a few unpublished facts.

Only a few days after the Committee was formed the Justice took his first important step. He sought the counsel of Senator Walter F. George, one of his many warm admirers and friends on the Hill. The Justice explained the purpose of the Committee, and said that being himself "neophyte" at getting Congress to adopt a resolution, and the Senator a past master at that art, he had come to ask the veteran's advice: "What would you do first, Senator, if you were in my shoes?" Senator George answered that he would first go to see President Truman, as a matter of courtesy, and inform him of the project he had in mind. On this visit the Justice did not ask for Senator George's support; he confined himself to getting the best expert advice, and he promptly followed it.

On February 11, 1949, President Truman received the Justice and Will Clayton at the White House. I met the Justice that morning at the railway station and accompanied him to the White House gate. We came in a streetcar by his wish. The Justice, despite his warm geniality, was rather inclined to pessimism. That morning he was beset with gloomy forebodings of what the President's reaction would be. For my part, I was afraid he would arrive late for the appointment—the streetcar moved so slowly up Pennsylvania Avenue—and would thus start with a strike against him. By almost trotting the last yards after leaving the streetcar he arrived in the nick of time.

I saw Justice Roberts right after the interview; he was beaming, happy as a boy, as he told me of President Truman's sympathetic attitude. The President had given a green light to the resolution to call a convention to explore Atlantic Union. He had added one qualification as an afterthought: provided that Secretary of State Acheson did not object. Secretary Acheson, alas, did object.

In my diary I find this entry for February 21: "OJR saw Acheson and then Eisenhower. A. is negative—E. is receptive." The Secretary's first objection was that he feared the Atlantic Union resolution, if introduced before the then pending North Atlantic treaty was approved by the Senate, might interfere with its ratification. This was also the view of Senator Vandenberg. Justice Roberts and the Committee, though convinced this alliance would not prove enough, decided to show their cooperative spirit by withholding the resolution until the treaty was ratified and helping to speed approval of it.

Soon thereafter—on July 26—the Atlantic Union resolution was introduced in Congress by Senator Kefauver. It had for co-sponsors an impressive bipartisan group in both houses that included—thanks to Justice Roberts—Senator George. Its known supporters reached more than a fourth of the members of both houses after it was reintroduced in the following session in 1951. But Secretary Acheson found new reasons to object. He continued to block action on the resolution until he left office with the advent of the Eisenhower Administration in 1953.

On February 11, 1949, however, Justice Roberts and I did not foresee that the Secretary would turn the green light off so soon and long. Instead, we celebrated that day with a glass of champagne in the Hotel Washington. It was, I think, the happiest hour the Justice had in all the fourteen years he worked for Union of the Free.

Justice Roberts was the leading witness at the hearings on the Atlantic resolution by the Thomas subcommittee of the Senate Foreign Relations Committee in February, 1950, and was questioned at great

length by the Senators.¹⁵ The Korean War led the subcommittee to defer action in an inconclusive interim report, and there the resolution rested. The Justice, undiscouraged, went on, presiding at meetings of the Board of Governors of the Atlantic Union Committee, and at the annual congress of its membership and the annual conference of its Advisory Council . . . adding to the many articles, speeches and private talks with those in power which he contributed to the cause . . . travelling through the country and abroad.

In the fall of 1951, the Justice went to Europe to receive the honorary degree of Doctor of Civil Laws from Oxford University,¹⁶ to visit Lionel Curtis, Atlantic Union's grand old man in Great Britain, and to speak for Atlantic Union in London and Paris. Everywhere he made the deep impression of a man who spoke as one having authority and earnest conviction. *The London Observer* thus described him at 75: "Physically, with his broad and craggy features, and spiritually, in his disciplined idealism, he is the sort of American who makes one remember that even elderly Americans live in a young country."

A few weeks before his final illness began, Justice Roberts presided over the Atlantic Union Committee's National Congress in November, 1954. At 79 he still had his youthful spirit, his astonishing vitality.

Brave, wise, generous, outspoken, a born judge and a born leader, swift to turn the word to action, yet steadfast, determined, Justice Roberts was at once a man of innate dignity, and a very genial human being. The better you knew him the more you respected, admired and loved him. He was unique. When comes there such another?

Once the Atlantic Union is founded, the pioneering part he played in constituting it will be recognized by history. His greatness will grow as the years give perspective to our time.

* * *

Justice Roberts lived to see a new resolution for a convention to explore the possibility of Atlantic Union introduced in Congress in February, 1955—the third to be submitted. He did not live to see it given hearings, as it was that July—this time by the full Senate Foreign Relations Committee whose chairman now was Senator

15. *Hearings Before the Subcommittee on Revision of the United Nations Charter of the Senate Committee on Foreign Relations*, 81st Cong., 2d Sess. 232 (1950).

16. For the full text of the address on *The Rule of Law in the International Community* which Justice Roberts gave on November 23, 1951, at Oxford, see *Freedom & Union*, Jan. 1952, pp. 25-30.

George—nor to see all the other evidence of progress it has made. All this progress, beginning with General Marshall's statement urging passage of the resolution, came after the Justice died. It came increasingly, and so swiftly as to move me deeply.

The very next day after we got General Marshall's statement, there came an airmail letter from Paris from our roving correspondent, Professor Ralph Epstein, a member of the Atlantic Union Committee Board who was then on a tour of the globe. He enclosed a statement he had just received from the French Minister of Justice, Robert Schuman. In it the former premier endorsed the resolution as a "great step toward world peace and general prosperity," and said all the European democracies would be "happy" to attend the proposed Atlantic convention. He also answered effectively the main objection to action that was then being urged in high quarters in Washington—that passage of the resolution would interfere with the program of European unification on which the Eisenhower Administration's heart was set.

So it was that the father of the Marshall Plan and *le père du Plan Schuman* came out for the Atlantic Union Plan of Justice Roberts with all the force of spontaneous, independent, simultaneous action from both shores of the oceanic community—and with the force of something greater . . . just as the Justice died.

I like to think that as the Justice faced his Judge he was told: "Well done, thou good and faithful servant! You have fought a good fight, you have finished the course, you have kept the faith"—and these blessings followed swiftly for the cause to which he gave his heart.