

Address to New Milford High School Graduates
Class of 2009
June 24, 2009

Good evening and congratulations to the graduates, to their families, and to the dedicated teachers and administrators of New Milford High School. I am grateful for the honor you have bestowed on me tonight.

I have been a trial judge for almost twenty-one years. I often hear people who come to my court say that they are seeking what they call justice. "I want *justice*," they demand, as if it were something tangible that could be seen, touched, placed in one's pocket, and taken home like a piece of merchandise. What they really want is something more visceral, more personal: **THEY WANT TO WIN!** And, they want me to hand them their triumph, no questions asked.

Obviously, it's not quite as simple as that. You all know what you want from a trial judge, and it is not instant conquest or immediate gratification. We select independent judges using a simple test -- the one you would apply in choosing an umpire for a baseball game.

What do you ask of him? You do not ask that he shall never make a mistake or always agree with you, or always support the home team. You want an umpire who calls them as he sees them.¹ This is the hallmark of justice, a fair chance to succeed.

But people *want* their just deserts. They seek **VICTORY**, or at least satisfaction *de jour*, in whatever shape they've conjured up. And they want it **NOW**. But justice isn't a *thing*, it's a process, and sometimes a process that takes a long time to unfold. True, it is said that justice delayed is justice denied. But justice and law are merely sophisticated forms of revenge. Revenge has always been a primitive form of law and is considered the origin of law. Thus, if justice and revenge are opposite sides of the same coin, then perhaps justice, like revenge, is a dish best savored cold.

¹ Speech of Justice Robert H. Jackson at the New York County Lawyers' Association, December 13, 1951.

I came here tonight to obtain justice. Not revenge. When tonight is over I will be satisfied and you will decide whether the wait has been worth it.

This is not the first time I have spoken at a high school graduation. The first time was last century, in June 1968, and I was sitting right over there wearing a green cap and gown. It was at my high school graduation from New Milford High School. As Class President, I was permitted to speak.

Let me set the stage. The year of my high school graduation, 1968, was one of the most momentous years of the Twentieth Century. Historians have said that perhaps only 1914 (the beginning of World War I), 1929 (the stock market crash that led to the Great Depression), and 1941 (the beginning of World War II) were more calamitous. The battle between the generations was in full tilt. In January, in the never-ending war in southeast Asia, the Tet Offensive opened, taking its months-long toll on American lives and morale. In April, Martin Luther King was murdered, sparking urban riots in 100 cities. In early June, Robert Kennedy was assassinated. So when I was given the chance to talk to my fellow classmates in late June I was filled with the fear and righteousness of a typical angry young man of the Sixties. I wanted to say something that I thought was profound and anti-establishment. It turns out that it was neither.

And, I never got to say it out loud.

My speech was censored. Tonight, my just desert is finally to say what I waited forty-one years to say. Having stewed for four decades, I know now that there are much better things to say, and I'll try to speak them as well. May I suggest that one takeaway from my experience is that time heals a lot of wounds.

What got me into trouble was that I wanted to speak sixteen words of the poet, E. E. Cummings, who wrote:

"Good" and "bad" are simple things.
You bomb me = "bad." I bomb you = "good."

(i:six non-lectures at p. 68 (1953))

There. I've finally said it. I feel better already.

My class advisor at the time forbade any comments about the war, about bombs, about good or bad. Doubtless a day would come when even juvenile dissent would be allowed, but it was not that night. This just shows how much the world has changed. Public dissension, even from an eighteen year old, has its salutary purposes. Witness, for example, the post-election protests on the streets of Tehran, Iran this week, many led by eighteen year olds.

But my message tonight is not about war or peace; it's not about good or bad; it's not even about law or justice. It's about learning a few things over the years and recognizing what is important for a happy life. It's about two intangible qualities that are hard to achieve, but worthwhile to seek: courage and love. These are things you're going to need to cultivate as you age, because like it or not, the time has come for each of you to choose -- like the rest of adult humanity -- the means of struggling in vain with ruthless destiny. I urge you to find them, if you can.

You probably know from the TV show *Lost* that we supposedly "live together, die alone." This is only half right. We may die alone, but for the most part, we live alone too. It takes no small measure of courage to do this.

Yes, you have families, teachers, friends, siblings, and all manner of social networked acquaintances to rely upon when things get difficult. Maybe you even have hover parents who will swoop down for a rescue when you falter. But let me assure you that you will need to tap your own internal resources -- and you have them -- for most of your lives. It takes time to realize that life is a series of events for which there won't be a roadmap to follow or a signpost to tell you what to do; you'll lose sight of the north star, be without a lifeboat, and then realize that there's no cavalry coming in sight.² You will need to fend for yourself. One way to do this is bravely to embrace a level of confidence by recognizing the fact that already you have succeeded in something terribly important; you're about to become high school graduates, and you can build on that success. Tonight is a BIG deal, for now and for the rest of your lives.

² Mary Chapin Carpenter, "We're All Right," (2007).

Life passes mostly without omens, without a guidebook, without seers or prophets. There are no angels beside you, no miracles in sight. You only have an internal moral compass to steer your life. From what I can observe, if you *remember* to look within, everything is going to be alright.

The other thing to try to find, and then nurture, is love. Life is much more complicated than merely described in John Lennon's lyric, "all you need is love." But it sure makes the journey feel better.

So now I come full circle; here's the counterpoint from my unsuccessful 1968 invocation of E. E. Cummings. These are the words I should have spoken, from Cummings' poem i carry your heart with me. These are the means and ends of love:

i carry your heart with me(i carry it in
my heart)i am never without it(anywhere
i go you go,my dear; and whatever is done
by only me is your doing,my darling)
i fear
no fate(for you are my fate,my sweet)i want
no world(for beautiful you are my world,my true)
and it's you are whatever a moon has always meant
and whatever a sun will always sing is you

here is the deepest secret nobody knows
(here is the root of the root and the bud of the bud
and the sky of the sky of a tree called life;which grows
higher than the soul can hope or mind can hide)
and this is the wonder that's keeping the stars apart

i carry your heart(i carry it in my heart)

I wish you the strength of your convictions and a strong dose of courage. I wish you the joy of companionship and a long, healthy, and loving life.

Thank you again, and good night.

Jonathan N. Harris
New Milford High School Class of 1968