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REMARKS OF CHIEF JUSTICE WILLIAM H. REHNQUIST

OF THE
UNITED STATES SUPREME COURT
PRESENTED AT THE
MARQUETTE UNIVERSITY COMMENCEMENT
MILWAUKEE, WISCONSIN
MAY 22, 1988

Father Raynor, distinguished guests, graduates and families and friends of graduates. It is a great honor to receive the degree of Doctor of Laws from Marquette University, and I express my thanks to the Board of Trustees for having conferred it upon me. It is also a great pleasure to be here with you this morning and to speak on this occasion honoring the men and women who graduate this year from Marquette University. I extend my congratulations to each of you.

I sense the mood of excitement, anticipation and optimism that this occasion holds for you. Most of you will have completed your formal education and now, you must feel, it is time to capitalize on it. Ahead for most of you lies some combination of career, marriage, family and the pursuit of a myriad of individual interests. The horizons before you will never seem wider — the choices never richer or more varied. You may feel, as the television commercial suggests, that you can have it all.

Now many commencement speakers would let these aspirations of yours go unchallenged and tell you that you can indeed “have it all” if you just set your sights high enough and work sufficiently hard at it. This kind of commencement speaker is called the “nice guy” type of speaker. I am not of that breed. I am a “bad guy” type of commencement speaker who feels that one thing a speaker in his sixties can impart to graduates — most of them in their twenties — is the often bittersweet lessons of life “as she is lived.” The idea is picked up very nicely in a recent strip of the cartoon *Bloom County*.¹ Opus, Binkley and Oliver Wendell Jones are engaged in a deep discussion about the meaning of life. The problem — as Binkley sums it up — is that “LIFE CAN ONLY BE UNDERSTOOD BACKWARDS, BUT IT MUST BE LIVED FORWARDS.”

So as you contemplate your future, think for a moment, not just about the next few years, but about yourself some thirty-five or forty years from

1. Breathed, *Bloom County* (The Washington Post Co. 1988).

now, when more of your life is behind you than in front of you, when most of the possibilities have been explored, the choices made, and the limits recognized. Many years ago — so long ago that I was a senior in the Shorewood High School Class of 1942 — our class put on as its class play the Kaufman and Hart work entitled *You Can't Take It With You*.² One of the principal characters in the play is Grandpa Vanderhof, an eccentric but lovable old man, who presides over a household of fellow eccentrics. Toward the end of the play, Grandpa Vanderhof makes a comment that has stuck with me over the years: "How many of us would be willing to settle when we're young for what we eventually get? All those plans we make . . . what happens to them? It's only a handful of the lucky ones that can look back and say that they even came close."³

What does Grandpa Vanderhof mean? Does he mean that most of us who have reached my age wouldn't have settled when we were young for what we are today because we *failed* to achieve what we wanted to achieve? Or does he mean that we wouldn't settle for it because although we *did* achieve what we wanted to, our success has proved unsatisfying or disillusioning? The disappointment which failure brings is easy to grasp; the disappointment which may accompany success is harder to understand.

No doubt most of you aspire to some sort of success in your chosen careers, and many of you will doubtless achieve at least part of your goal. But there are dangers which accompany success of this sort. Part of success is being in demand, when your employer or your partner or your customer requires you to do additional work that only you — among all of your colleagues — are felt capable of doing. There is something very flattering about being singled out in that way. And with the increasing tendency of your generation to define yourselves in terms of your jobs — I don't doubt that my generation had that tendency, too, but it seems to me it is greater in yours — one can slide almost imperceptibly into a situation where whatever demands the job makes on you are automatically accorded priority over other demands. This can happen in a very subtle way; it sneaks up on you without your fully realizing that it has happened.

Most people don't reach the point of having a voracious job consume ever-increasing amounts of what formerly was "free time" as a matter of deliberate choice. More likely, you are fortunate enough to like your job, and this is good fortune indeed. It is a good fortune that many people never experience. You are fortunate enough to be good at your job — another

2. Kaufman & Hart, *You Can't Take It With You*, THREE COMEDIES OF AMERICAN FAMILY LIFE (J. Mersand ed. 1961).

3. *Id.* at 310-11.

piece of good luck which many are not vouchsafed. When you have a job you like, and feel you are good at, and it offers a promise of advancement which will confer additional status on you, it is only natural that you should be quite uncritical if the job takes increasing amounts of your time.

For many people, of course, it is necessary to put one's shoulder to the wheel every available hour simply to keep body and soul together. The trials and tribulations of these people are far more severe than any I am talking about today. I am talking about people who are putting in the last few hours of work every week not because of economic necessity but for some other reason. People who devote a tremendous amount of time to their jobs are, by definition, giving up time — time which might be spent doing other things.

There is a considerable difference in the various stages of our lives as to the amount of what might be called "free time" available to us. I think back to my feelings when Atwater Grade School in Shorewood was over for the summer, and ahead of me and my friends were two and one-half months of vacation. That seemed like an eternity, with nothing to do but climb the bluffs along Lake Michigan, go swimming, and do all the other things that ten-year-olds did during the summer. Then I think of the sort of careful scheduling I had to do as a practicing lawyer to set aside even two or three weeks during the summer in order to take a vacation with my family. Those of you who have gone through school with growing families, and those of you who have worked long hours at outside jobs while going to school already know that the world makes great demands on the time of adults in the primes of their lives. The rest of you will soon learn it.

Those of you here today who are the age of the typical college graduate probably have the feeling that when you are giving time you are giving something of which you have an inexhaustible supply. Take it from one who has been on this planet a good deal longer than most any of you that this is not the case. Time is a wasting asset, and most of us realize it too late to avoid spending a lot of it unwisely. It was Omar Khayyam who said: "The wine of life keeps oozing drop by drop. The leaves of life keep falling one by one."⁴

Our banking system enables us to travel now and pay later, to work hard during one stage of our life so that we may enjoy the fruits of our labor during another stage. But there is no time bank. You are allotted twenty-four hours in each day and seven days in each week, and there is no way in

4. O. KHAYYAM, RUBAIYAT, Stanza 8 (E. Fitzgerald trans. 1954).

the world that you can squeeze one more minute out of any day or one more day out of any week.

Thus, the first point of which to remind yourself when you find your job making increasing demands on your time is that time is a commodity, the supply of which is not inexhaustible. So like any good free market economist, you ought then look at what else might be done with the marginal few hours at the end of the week that are not really necessary to the earning of a living. It is of course impossible to simply designate, say nothing of discuss, all the ways one may profitably spend time during the course of a normal life. Life's dramas are played out on a number of different stages; you cannot do justice to the potential of your own life without sampling not one but several of these various performances. As you do this, you will be surprised to find that new sources of enjoyment arise in your lives from some of the places where you would least expect them.

It obviously takes time to be a good husband or wife, and it takes more time to be a good father or mother. Those of you who are married couples in the "two career" situation know this far better than I do. It takes time to make new friends, to keep old friends. You will live in a community where certain contributions of time are expected of you, whether it is from a community organization that feels only you can make its fund-raising drive a success, from the political party or cause that claims your allegiance, or from the church or synagogue to which you belong. Beyond this are the numerous forms of recreation and hobbies, which will keep your body healthy and your mind distracted from your regular work, and the world of fine arts, whether you are to be a performer in that world or only a spectator and appreciator. The poet Keats said that "[A] thing of beauty is a joy for ever,"⁵ yet appreciation of beauty takes time to cultivate.

I daresay most of you, upon hearing all of this, will nod in at least partial agreement, telling yourselves that you, too, agree that these are very worthwhile things to do. And those of you in the audience who are already rising on the ladders of your chosen careers may murmur that you only wish you had a little time to take advantage of these opportunities. Here, of course, is the rub: all of these things take time, and a good deal of time. Those who are putting in those last few hours at the job tell themselves that they don't have time now, but after they have finally made partner, or finally saved another so many thousand dollars, then at last they will have the time, and they will take it.

5. J. KEATS, *ENDYMION*, Book I, * Line 1, Star ed. Sec. R. 15.46.

Unfortunately, this is a very slippery slope to tread. There are some things that can only be done during a certain part of one's life. You can only be a father or a mother to a young child while the child is young. Children soon enough grow away from their parents, and you can't really tell an eighteen-year-old that at long last daddy is ready to play with him. The time to help out a friend who is in trouble is now; your help won't do that friend any good two weeks from now or two years from now. We all have to schedule our lives to some extent if we are going to perform useful functions in the world. But the totally scheduled person has ruled out in advance the possibility of any spontaneous responses to very deserving calls for help, for friendship, for service. These people may tell themselves that they are only postponing the opportunity to do these things, but in fact they are sacrificing that opportunity.

So there are some very important things in life, at least so adjudged by many people, that have nothing to do with the way you earn your living. To the extent that your whole-souled commitment to your job prevents you from finding out about these things or from exploring them more fully, you are making a decision, albeit passively, that has very important consequences for your life. When you are young and impecunious, society conditions you to exchange time for money, and this is quite as it should be; very few people are hurt by having to work for a living. But as you become more affluent, it somehow is very, very difficult to reverse that process and begin trading money for time. This is not to say that it can't be done, but for some reason or another the society in which we labor does not make it easy to do.

But another way to look at life is to look at it as a great shopping mall, not the usual kind, where goods are purchased with money, but one where such things as worldly success, love of music, enjoyment of painting, a six handicap golf game, a close relationship with your daughter, and many other similar things are also for sale. But the commodity with which they are purchased is not money but is time. And quite contrary to the way the capitalist system works with money and goods, every one of us is given exactly the same amount of time in each hour, in each day, and in each year. It is a limited amount, and it is impossible for anyone to be so rich in "time" that he can enjoy every single one of the things which time may buy. So there is a choice to be made, just as in purchasing goods with money, although the choice in the one case is far less obvious than the choice in the other.

These observations of mine today are scarcely novel. The Greek philosopher Theophrastus said more than two thousand years ago that "Time is

the most valuable thing a man can spend.”⁶ The French satirist Rabelais said pretty much the same thing eighteen hundred years later: “nothing is so dear and precious as time.”⁷

And so, as you go forth from your University studies to conquer new worlds, bear in mind this nigh universal message from the older generation to the younger generation: The most priceless asset that can be accumulated in the course of any life is time well spent.

6. DIOGENES LAERTIUS, *LIVES OF EMINENT PHILOSOPHERS*, Vol. I, Book V, 487 (R.D. Hicks trans. 1940).

7. F. RABELAIS, *THE WORKS OF RABELAIS*, Book V, Chpt. 5, 548 (London, Chatto & Windus n.d.).