

*Congressman Joe Kennedy III Prepared Remarks  
University of Virginia Law Commencement  
May 18, 2014*

Thank you, BRIAN, for that gracious introduction and the leadership you've shown at the helm of the Student Bar Association. King & Spalding is incredibly lucky to have you next year.

DEAN MAHONEY, thank you for the great privilege of participating in this weekend's events. From corporate law to academia to the halls of the Supreme Court and horizons of legal reform efforts overseas: there is not a piece of our justice system you have not touched. Thank you for your service, vision and dogged dedication to the law.

To the class of 2014 and all your family, friends, faculty, and fellow Cavaliers –congratulations!

You have survived countless hours in the law library. A few too many long nights at the Biltmore. Endless caffeine drips at Greenberry's and your fair share of NGSLS nailbiters between 'Yo Come Party' 'Jailbait' and many more teams whose names I will resist repeating at this family affair.

All of that behind you, and now the only thing standing between you and that diploma is me. There's a common saying that the best years you'll have as a lawyer are your three years at law school. I've heard that's especially true at UVA. So I figured I'd give you all a little extra time to soak it in. Get comfortable.

It's an honor to be here today! As you may know, my family has a long history with this institution. My grandfather earned his law degree here in 1951. My great uncle, Senator Kennedy, followed in his footsteps, as did my Uncles Bobby, Michael and Max.

Now, part of that tradition stems from a deep appreciation of the caliber of legal education that UVA offers. And another part of it was a recognition that, in a pinch, it's always good to have a family member or two steeped in Virginia law.

This was a well-learned lesson. As my grandmother tells it, while the family was living in McLean and my grandfather was attorney general, my grandma spotted a starving, neglected horse on a neighbor's farm and organized an undercover rescue expedition to save the poor thing and give it a more dotting owner. Some might call that theft.

The neighbor was – understandably -- furious and my grandmother ended up in court, which was pretty serious, given that horse theft at one time was a hanging offense in Virginia. Luckily, the jury let her off, although I imagine it was an interesting conversation over dinner with the attorney general.

And in case you want a little insight into my Grandma Ethel: When someone asked if she would steal a starving horse again, she replied, "I don't think I could live with myself if I didn't."

Graduates, it was just a few years ago that I was sitting exactly where all of you are today.

While I did manage to get my diploma, my law school career didn't get off to the most auspicious start. I'll never forget walking into my first class: contracts. I had read the case, *Hawkins v. McGee*, and was pretty grossed out that someone ended up with a hairy hand back in the 1920s.

I got to class a few minutes early and made a beeline for a seat in the back of the room. Head down, notes out, books open – attempting to be as under-the-radar as a person with this color hair can possibly be.

Turns out there was assigned seating. And – as luck would have it – there was KENNEDY in big block letters in the very first row.

I sit down in the front, and minutes later our professor comes sweeping into the room. She runs down the aisle, drops an enormous pile of books on the table with a huge thunk! And without missing a beat, turns around and looks directly at me – “All right, let's get started. Mr. Kennedy! What is the definition of *assumpsit*?”

No “Hi” or “Hello” or “welcome to law school.” My stomach sank. “I don’t know,” I said meekly.

“Mr. Kennedy, you realize *assumpsit* was the first word in your reading, don’t you.” “I do,” I stammered. “And I circled it because I didn’t know what it meant.”

She stared at me. “Do you have a dictionary, Mr. Kennedy?” “N-not yet...”

“Well that’s what people use when they don’t know a word.” She then proceeded to ask if any of my new classmates could help me, and I kid you not every hand in the room went up.

Including the hand of a cute girl in the back of the room that I must have managed to make feel so bad for me that she –somehow—agreed to marry me a few years later. Or as my wife would remind me, *seven* years later.

And that professor? She went on to become the senior United States Senator from Massachusetts -- Elizabeth Warren. I came to realize that Professor Warren in fact did me a favor. No matter what else happened over course of law school, it couldn’t possibly be as humiliating as my first 30 seconds.

I worked hard to redeem myself over the next three years, and on the day I graduated she was the one standing on a stage like this one, ready to hand me my diploma. But before she let it go, she couldn’t help asking in front of a crowd as big as this one: “assumpsit?” one last time. This time, I had the answer.

So here is the only advice I will give you today – either buy a dictionary or marry someone who knows the answer.

Graduates, there are few lessons I could share with you today that this proud and patriotic institution has not already instilled in you deeply.

Nearly two centuries ago Thomas Jefferson founded the University of Virginia to be unlike any other in our young nation. An institution of higher education “on which the fortunes of our country may depend,” he wrote in 1821.

A place that would train students not only for the halls of academia or the courtrooms of our judicial system, but for the trenches of public service.

*So that students educated here might graduate not just with a degree but with a purpose.*

In your three years in Charlottesville, this class – the most competitive in the history of UVA Law – has proudly shouldered that tradition.

You’ve exonerated a man wrongly accused. Sent an immigration reform bill to the Governor of this Commonwealth. Used the law to champion issues from autism to housing to Wounded Warriors and human rights.

Tomorrow, each of you will carry your piece of this experience into a country weathering stormy seas: An economy still searching for its footing; threats to our foreign policy the world over; political battles so deep and divisive that our government – literally – ground to halt.

But worst of all: a loss of faith. A slowly spreading suspicion that maybe this American experiment has peaked.

Now it would be easy to think that this isn’t really your problem. It’s those clowns in government giving the system a bad name.

But folks, this is more than your problem. It is your *purpose*. The very challenge your founder imagined you would one day rise to meet.

*That you would be the ones to prove our system works.*

It is the foundation on which Jefferson's American experiment depends: that the politics of the day and the passions of the moment would be anchored by rule of law.

And that rule of law, that compass of justice, would carry us forward – slowly, surely and steadily – even when our humanity might get in the way.

Class of 2014, this is the responsibility and the opportunity lying at your feet.

Our laws are the vehicle by which we improve. The mechanism that holds us accountable to the standards we set for ourselves. The promise made and kept by each generation to build an ever-more-perfect union.

To quote a man who graduated from this very place some 60 years ago... Law – my grandfather said – is the form which free men give to justice.

As students and soon-to-be practitioners of the law, you become guardians and guarantors of this form today, whether you like it or not.

Some of you will write laws. Some will challenge them. Some will enforce them and some will interpret them. Some might even break them! But all of you will defend them and, in that process, improve them.

At the University of Virginia, *this is your legacy*, your life's work, your problem and your purpose.

This school was founded by a man who declared that “the two enemies of the people are criminals and government.”

And yet he dedicated his life to building the latter because he knew that the values he held above all else – life, liberty and the pursuit of happiness – would only survive if there was a system in place to protect them and a people willing to hold that system accountable.

Because it has never been our government that defines us, but we who define our government.

Of course – as generations of lawyers who have come before you can attest – this has never been an easy task.

Every lawyer I’ve met has a story or two they carry with them, to light their way on the tougher days. Mine comes not from a courtroom or a classroom, but from a hot summer day on the streets of Boston.

Just a few months after jumping into my first campaign 2012, I signed up to march in the Boston Pride Parade with retiring Congressman Barney Frank.

For those of you who have been to a Pride Parade, you can picture the scene – block after block of costumes, dancing, banners, confetti, and general chaos.

And for those of you who have a sense of Barney Frank – you can imagine he was not particularly amused by any of those things, let alone the fact that it was about 90 degrees and the parade started approximately two hours late.

We got underway. And for the next few hours I walked by his side as person after person after person pushed past the sidewalk barriers and rushed up to Barney with tears in their eyes. “Thank you, Congressman.” “Congressman, thank you.” “You changed my life.”

For three miles it was a constant chorus, as people bid farewell to a man who entered public office when such a parade was impossible. And thirty-two years later here he was fighting back tears of his own and proudly holding his soon-to-be husband’s hand through the streets of a city beaming with love, support and *gratitude*.

There's another chapter in that story. The following year, I was back at the Pride Parade with Congressman Frank once again. This time, we were joined by my college roommate and professional basketball player Jason Collins.

Jason had recently become the first active male athlete to come out as gay in any of our major professional sports. He credited watching the Pride Parade the year before with helping him find the courage to speak up.

So on that hot June day, a seven-foot-tall, African-American basketball player stood next to a retired, Jewish Congressman and a pasty-white, redheaded, Irish-Catholic and the three of us marched through the streets of Boston in a scene our forefathers *could not have imagined*.

*That* is why our laws matter. Because we can't predict the brightness of our own future. Because new frontiers create new challenges that demand a 238-year-old system catch up. Even if it takes decade upon decade upon decade to make it happen.

Last year I had the honor of meeting a lawyer named Mary Bonauto.

Mary was the lead counsel on a court case before the Massachusetts Supreme Judicial Court called *Goodridge v. Department of Public Health* – the case that made Massachusetts the very first state in the nation to legalize same-sex marriage – *ten years ago, this very weekend*.

But it wasn't that fact that impressed me most, or the fact that she had then taken her fight to every state house in New England before marching it right up to the doors of the Supreme Court.

No. It was the work she had done for *twenty years* before. The quiet decades she had put into grittier, less glamorous battles – from the AIDs epidemic to equality in housing, public accommodations, and adoption.

She had been laying this groundwork for *years* – with people like Congressman Frank and the hundreds of thousands of lawyers and advocates who toiled in the trenches of our legal and legislative system without credit or fanfare.

Long before there was even the *hope* of one day having public opinion on their side. Before Jason Collins and Michael Sam became household names. Before the Supreme Court would consider that a law claiming to defend marriage could in fact degrade it.

And before a judge in the great Commonwealth of Virginia would declare that we have “arrived upon another moment in history when *We the People* becomes more inclusive, and our freedom more perfect” -- as she deemed a ban on same-sex marriage unconstitutional.

Graduates, your story - *our story* - is the work of the countless quiet heroes and brave leaders who came before us.

We have never known a country where men and women could be bought and sold. Where newspapers run ads that said ‘No Irish Need Apply’ and water fountains are labeled ‘colored.’ We have never worked at a place that could refuse to hire a woman, or lived in a place that could refuse to shelter someone with disabilities.

Now the future is ours to form. So that someday, 30 years from now, your children and mine will stand on stages like this one and say that they’ve never known a country where you could be fired from a job because of who you love or paid less because of your gender. Where skin color could still obstruct access to a ballot box. And where the system Americans have fought and bled for is looked at with disappointment and distrust, rather than admiration or pride.

[PAUSE] It’s easy – in the law and in government – to get swept up in the big victories. In the poetry, the pomp and circumstance, the triumph of justice sought and secured.

And to forget that long before the moments that take your breath away, there was a person whose name you don't know. Sitting in a tiny, windowless office you'll never see. With nothing more than a case file, a telephone, a cup of coffee, a stack of books, and a degree that looks an awful lot like the one you're about to receive.

Groundwork. Vigilance. Case-by-case, hour-by-hour, person-by-person – this is the legwork of our imperfect, ever-evolving system. Day in and day out. A system maddening yet inspiring, petty yet grand, painfully slow and relentlessly steady.

A system that no one person, political party or ideology can claim. It belongs to every single one of us. Ours to debate and discuss. Ponder, pressure and shape.

And when you do that well and do it right, the course of history is changed.

Class of 2014, *this* is your purpose. To steadily bend the arc of our beloved country towards justice, no matter the headwinds of the day. To prove that the brightest days are yet to come; that we can still do big and bold things; and not in *spite* of our humanity, but *because of it*.

Your country is waiting. May you work every day to make her as good and graceful as you know she can be. Thank you, and congratulations!