



Department of Justice

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ADDRESS

BY

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AT THE

DEDICATION CEREMONY
OF THE
LEGAL RESEARCH CENTER
LEWIS AND CLARK LAW SCHOOL

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I was honored to receive the invitation to be with you here today.

It is always an important occasion when a significant new dimension is added to a major law school.

The dedication of the Legal Research Center is made even more meaningful by the broad-based community support that I understand was a key factor in its creation.

I was astonished to read in material that Dean Fagg sent to me that William Swindells is not an attorney. He has been a benefactor of Lewis and Clark Law School on a scale that would be rare for a member of the legal profession. The magnitude of his support is virtually unheard of for a non-lawyer, and we are all in his debt.

The names of others who have given devoted service to the Law School have been mentioned a number of times, but I would like to do so once again. They include John Schwabe, Paul Boley, and one of my colleagues in the Justice Department, Sidney Lezak.

President Howard is to be commended for his untiring work over nearly two decades -- efforts that have led to the revitalization of this fine institution. And finally, Chief Justice Denecke, who has given such splendid support to the Law School -- even though he did not attend it.

And there are many more.

If one theme stands out today, it is this: Community support is essential to the proper functioning of law schools. And, in turn, the schools must have a deep commitment to make contributions to our society.

It is vital that students be fully trained in all the technical skills they will need as practicing attorneys. It is equally important that law schools foster a sense of social responsibility.

They must have a commitment that never flags to see that the rule of law is upheld and that justice is always approached as closely as humanly possible. They must always be, in the most meaningful sense, in the service of the people.

Law must be for the benefit of all, not the private domain of practitioners seeking only power and enrichment.

The public perceptions of the legal profession and the justice system are not as high as they should be.

If the justice system is to inspire confidence, there must be solid performance -- not mere promise or good intentions.

In the year I have spent as Attorney General, the Justice Department has begun or is planning a number of major reforms of the civil and criminal justice systems at the Federal and local levels.

But it is not an easy task, in part because of the incredible turbulence to which the Nation has been subjected over the past 20 years. During that period, our national

life has been dominated by three great issues -- the civil rights revolution, the Vietnam war, and Watergate.

Each of these great issues left its marks on our nation -- some good and some bad. Because Watergate was the most recent -- and in some ways the most traumatic for the Federal government -- I have been particularly aware of its effects during my first year in Washington.

Some effects of Watergate were unquestionably good for our country. The American people recognize that the tragedy occurred in part because of the secrecy in which many important government decisions were made. The veil has been stripped from government, and this is good.

We at the Justice Department strive to be as open with the public and the media as we possibly can. As a result, the American people will be much better informed about our activities. Open government will place the American people in a better position to work their will on government, rather than having the government work its will on them.

Another good effect of Watergate is that the American people now demand much higher standards of behavior from all government officials. This is evident everywhere in Washington. Many departments and agencies have recently set up offices of internal inspection to investigate any allegations of wrongdoing

by their employees. We have such an office at the Department of Justice, established by my predecessor, which reports to me directly. There is also a group of lawyers in the Department who now do nothing but investigate possible violations of federal law by public officials at all levels of government -- federal, state, and local.

These developments are permanent improvements in government. The American people will never again permit their government servants to abuse the powers with which they have been entrusted.

There are however some effects of Watergate that are unhealthy for our nation, and I want to discuss them with you.

One unhealthy effect was that some parts of the media and some persons became unduly suspicious of government officials.

I began personally to suffer this effect, which I call the "Watergate syndrome," as soon as I arrived in Washington.

I did not have an easy time getting confirmed by the Senate. Some opposed me because I was a friend of the President. Because Watergate showed that some friends of one President exercised poor judgment in public office, these people suspected that I would. Others opposed me because I was a Southerner and had been considered a moderate rather than a liberal on the civil rights movement.

It got so bad at some points during my confirmation process that I was reminded of a story about Abraham Lincoln. When a neighbor back in Illinois asked how it felt to be President, Lincoln is said to have replied: "You've heard about the man who was tarred and feathered and ridden out of town on a rail. A man in the crowd asked him how he liked it, and his reply was if it wasn't for the honor of the thing he would much rather walk."

There was one other bad effect of Watergate: Fear that it caused a certain disaffection with government service among young people.

You probably remember a poignant scene on television during the Watergate inquiry. A clean-cut young man who held a relatively low-level government job was testifying before a Senate Committee. For several hours, he cataloged wrongful acts by government officials who worked around him and described how he had himself eventually become compromised and wound up doing wrong. One Senator hoped to end on a positive note and asked the young man if he had any advice to offer young people who might be interested in entering government service.

"Yes," he said. "Stay away."

The word from the campuses in the last couple of years has been that many in the current college generation seem to be taking the young man's advice. The media say that students are "turning inward," concerned with establishing their own

lives and gaining financial security, little interested in most of the great issues confronting our nation and our government today. And that government service is not attracting the most talented.

I hope that this is wrong. I am not simply asking that students take an active part in the issues of the day and consider government service. I believe it is a duty. Just as many persons feel they owe a tithe to their religion, in my view we all owe a tithe to our nation.

We live in the greatest country on earth. Our people have more liberty and more opportunity than people anywhere else.

But the bounties of our system are not free. Our system requires that the talented make whatever personal sacrifice is necessary to contribute their time and talents to making the system work. We have never had a hereditary class of governing officials -- a noblesse oblige. The genius of our system has been that in each generation there have been numbers of men and women from all walks of life who have dedicated at least a portion of their productive lives to the service of their government.

Such service often requires personal sacrifices. The task of governing is difficult, the pressures are great. Family life can suffer and the financial rewards are usually not as great as outside the government. But the satisfactions are lasting. Foremost among them is knowing that you have *paid* a part of your tithe as a citizen.

But service can be gravely diminished if it is not coupled with firm principles. Let me mention the principles that have guided my efforts as Attorney General during the past year.

The first principle is restraint in the use of power. I have long realized, now more clearly than ever, that the wisest exercise of power, more often than not, is not to use it at all. Sometimes, of course, the use of authority, with restraint, is necessary. If that authority is abused, I believe, as I said earlier, that the people now are in a better position to work their will on the government.

The second principle is fundamental fairness. One adheres to this principle if he or she remembers that everyone is entitled to respect as a human being and should be approached in a spirit of common decency and with a high degree of civility. Rudeness, temper, unfair dealing, and the like have no place in personal dealings either within or outside the government.

The third principle is integrity. This principle is uncommonly hard to explain, but I find its essence may be best captured by the simple phrase "doing what's right." We are each given by our Creator a still, quiet voice inside that says, from time to time, "You ought to do so-and-so."

President Lincoln knew the importance of listening to this voice. At one point in his administration, some powerful political friends urged a particular course upon him that he

considered against his conscience. In refusing that course, he made the point this way: "I desire so to conduct the affairs of this administration that if at the end, when I come to lay down the reigns of power, I have lost every other friend on earth, I shall at least have one friend left, and that friend shall be down inside me."

In closing let me again turn to Lincoln, because I think some of the things said about Lincoln represent qualities that everyone, and especially public servants, should strive to cultivate.

I am referring to a tribute to Lincoln by the great Russian author and philosopher Tolstoy, who was a contemporary of Lincoln. Tolstoy was traveling in the mountains of Russia sometime after Lincoln's death and was the guest of the chief of a remote Russian tribe. The chief and his tribesmen requested that Tolstoy tell them of great statesmen and great generals. Tolstoy at first told them of the Russian czars and about Napoleon. Then the chief rose and begged Tolstoy to tell them about Lincoln, and promised him the best horse in the tribe's stock if Tolstoy could explain the greatness of Lincoln.

Tolstoy waxed eloquent about the American President, saying that he was greater than Frederick the Great, Napoleon, or Washington. He explained that Lincoln always operated on one motive: the benefit of mankind. He emphasized that Lincoln had wanted to be great through his very smallness. And he

explained that all of Lincoln's actions were rooted in four principles -- humanity, truth, justice, and pity. According to Tolstoy, it was these things that earned Lincoln his preeminent place in history.

I have mentioned several rules of personal conduct that I prize in government servants and that I believe a legal education can cultivate: restraint, fairness, civility, and integrity. I would add that no man and no country can be great except by following the principles which Lincoln embodied -- humanity, truth, justice and pity.