



# Department of Justice

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"VALUES: OUR FIRST LINE OF DEFENSE"

REMARKS

BY

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TO THE

HILLSBOROUGH COUNTY BAR ASSOCIATION

TAMPA, FLORIDA  
THURSDAY, NOVEMBER 8, 1990

I would like to speak to you tonight about the relationship between our laws and our values. Sometimes we think of laws and values as the same. They're related, but they're not the same.

We establish laws to codify certain rules and standards that allow us to live together peacefully as a free people. But it's our values that inspire our laws -- not our laws that establish our values. Laws tell us what we must do. Values summon us to what we should do.

The better we maintain our values, the less resort we need to the law. And it's those values we choose to live by that define a civilization.

Kindness. . .compassion. . .decency. . .generosity. . .these all are deeply ingrained in the American spirit.

So, too, is a rigorous sense of justice and fair play. Americans are touched by "the better angels of our nature." When we see someone in trouble, we rush to respond. When we see someone in need, we open our hearts and pocketbooks.

As Americans, we believe in freedom. We believe in opportunity. We believe in the inherent rights and dignity of every individual.

We believe in the capacity of the arts and culture to liberate the spirit and elevate the mind.

We believe that the environment we live in is God's gift to us and our trust for the next generation.

We believe in the mutual respect and mutual restraint that allows each of us to live in freedom -- secure in our lives and our homes.

Tonight I would like to talk to you about values in the context of what we do at the United States Department of Justice, about how they impact upon our responsibility for law enforcement throughout this nation.

There is, to be sure, a lot of law-making going on in Washington, in state capitals, and in city halls across the nation. But I suggest tonight that we look beyond what the laws are and what we are told we must do. I suggest the need to polish up, refurbish and treasure those values which are such an important part of our heritage as a nation and our strength as a member of the world community.

Let us look at just three areas where we have important law enforcement responsibilities today. And let me explain what I mean by the important overlay of the values of our society put upon the laws of our society.

I.

One of the major priorities of the Bush Administration is to deal with what the President properly calls the "scourge of drugs". President Bush's strategy to counter drug trafficking and drug abuse is a comprehensive strategy. Within that strategy, law enforcement responsibilities fall to the Department of Justice, and they are enormous. We face a situation today where one-half of those persons in federal prisons are there on drug-trafficking offenses, up from about one-fourth of only a decade ago. Worse than that, in many of our major metropolitan areas, as many as 70% of those arrested on non-drug charges are drug-users. Drug trafficking and its inevitable handmaiden of violence are the greatest threats to what I have always called the first civil right of every American -- the right to be free from fear in our homes, on our streets and in our communities.

Meeting this law enforcement challenge, however, is not the whole of the story. In fact, as I told a somewhat surprised audience much like this on the West Coast not long ago, "If we want to lose the war on drugs. . .we can just leave it to law enforcement." Obviously, by this I did not mean to denigrate the efforts of those men and women who literally put their lives on the line daily in the drug law enforcement area. What I did mean

to say, however, was that there's much more to the war on drugs than just tough law enforcement.

The war on drugs will ultimately be won on the battlefield of values. It won't be won just in the courtroom. It must be won, if at all, in the classroom, in the workplace, in our houses of worship, in the community, through organizations such as this, and, most of all, in the family. It will be won through the nurturing and transmission of values ever more critical in today's society -- human values, spiritual values, American values.

We have grown great in this country and around the world through our own unique American system of values which begins with the individual, is nurtured in the family, and sustained in our communities. And ultimately it is through these social conduits that are transmitted the values that will make the difference in spelling out the contrast between a drug-free lifestyle and the degradation, and often death, that accompanies a drug-dependent lifestyle.

Again this is a struggle not over laws but over values. The values of self respect and self-reliance and, above all, of the integrity of the individual mind and spirit functioning as God designed them to function.

This is a job for everyone and especially for those of you who are leaders in your communities. We'll keep up our efforts in law enforcement. We'll do the best we can to put the drug kingpins in jail, to seize their assets and shut down their operations. But unless and until we reduce the appetite for illegal drugs in this country, reduce the demand for drugs that feeds those multi-national businesses, we're simply not going to lick this problem, no matter how tough we get.

## II.

Let me turn to another example of values and law and how they relate one to the other. The second area I want to talk about tonight is increasingly in the headlines. It's a priority area for the President, and for the Department of Justice. The problem is white-collar crime -- what we sometimes call "crime in the suites" -- and here the public response is vigorous and loud.

You see it today in public concern over savings and loan fraud, where, despite some initial Congressional delay and funding shortfalls, we are now in a position to crack down hard on those criminally responsible for the fiasco that virtually destroyed a true American institution. We are also pursuing with continued vigor those involved in securities and tax fraud and insider trading -- the Michael Milkens, the Ivan Boeskys, the

Drexel Burnham Lamberts -- who are now paying the price for their illegal activities. Our strong anti-trust effort is designed to retain a competitive environment both here and abroad for American companies, large and small, against predatory business practices and other anti-competitive efforts. And we are concerned about environmental crime which, if left unchecked, would despoil the very earth that we inhabit.

These prosecutions are not directed against American business. They are designed to protect the legitimate entrepreneur and the legitimate businessman from those who would violate the law to work their ruin upon competitors and the American consumer alike. These types of criminal activities are truly subversive of the values that are embodied in our free market economy, the most successful economy ever in the history of the world.

These rip-off artists affect the credibility of important institutions: financial institutions and governmental institutions upon which the vitality of this nation depends. And they create harmful, negative role models for America's young people. Role models that are not taken from the entrepreneurs who live out the Horatio Alger stories which are part of the fabric of American aspirations, but rather stress the wiles of the fast buck artists and greed merchants, who put their own

material well-being first and foremost, with little heed to values or the law. We will see that they pay the price for their wrongdoing. And they are.

This week, for example, we were able to point to the results of a two year effort which has seen the conviction of 355 defendants in major savings and loan fraud prosecutions -- a 96% conviction rate -- with prison terms being imposed in 77% of the sentences thus far forthcoming.

Values -- that's what the effort against white-collar crime is about. Not to overregulate, overreach, or harass, but to insure that those who embody the true values of the American business system are free themselves from the harassment and compromise of criminal conduct by others.

### III.

Finally, in our discussion of values, let me touch upon an area in which there has lately been an unfortunate resurgence of concern. I speak of those hate crimes which run counter to every value upon which this nation was founded. Perhaps the most profane form of harassment, racial, religious and ethnic violence and intimidation pose the threat of tearing apart the very moral fabric of our society.



This is not a new concern of mine. I have addressed it throughout my public life and, as Governor of my home state of Pennsylvania, had the great privilege of signing in 1982 our first ethnic intimidation act which made this brand of bigotry a criminal offense.

But we know that we face a mounting threat. Reports such as the Anti-Defamation League's "Young and Violent Report" examine the emergence of skinhead-types of organizations. Such accounts, together with our own intelligence sources, have prompted us to undertake an unprecedented effort to deal with this ghastly insult to American democratic principles.

Our recent indictment of six "skinheads" in Tulsa is but another link in the chain of over 100 successful Justice Department hate crime prosecutions in twenty states in the last two years. From these statistics, it is evident that the problem of hate crimes is widespread, national and serious. But our commitment of additional resources and our prosecutorial determination has clearly ratcheted up the deterrent effect of the law in this criminal area.

Just yesterday, we were able to announce as well the indictment of the individual accused of the mailbomb murders of a distinguished federal judge and a prominent civil rights lawyer

-- acts directly assaulting the sanctity of our courts and the very rule of law upon which we depend for survival.

The bludgeoning stupidity of racially motivated crime is right out of the same sickness that runs through the Ku Klux Klan -- which recently descended on Washington itself to demonstrate -- the Aryan Nation, the American Nazis, and other hate groups. Our continuing course in pursuit of such criminals will be to investigate, indict and punish those who brute their bigotry and intolerance in cowardly acts of anonymous vandalism, abuse and murderous violence.

Whatever their dimensions, there are no bounds within which these acts can be tolerated. Justice in this nation is a principle based, in my view, on a particular value: the essential goodness of the vast majority of Americans. With the support of that goodness, we in law enforcement will fight against those with small minds, and even smaller hearts, who fail this most elementary test of human decency.

#### IV.

We can enforce laws, that's the business we're in. But we can't enforce values. We can only propound them, as a society. We can teach them, as we try to do in the schools and houses of

worship and in professional organizations like this bar association. And most of all, we can represent them. And today, we must represent American values to a much wider audience than just our own nation. An audience that is becoming increasingly truly worldwide.

Think of it. The changes over the last year in the Soviet Union, in Eastern Europe, in Central and South America, have been truly staggering in their dimension. Marxist-Leninist ideology, designed to endure for millennia, now suddenly flourishes only in what might be called the "Communist theme parks" of Cuba, Albania and Vietnam -- and even there, in shaky condition at best.

The fact of the matter is that the citizens of the former Communist countries around the world now look to the United States, our institutions of government, our market economies, yes, our values, as the model which they wish to emulate. Now begins their process of rebuilding and restructuring from societies that have known nothing but totalitarian rule for decades.

During meetings, truly historic in nature, that I have had with my Soviet counterparts over the past year, in both Moscow and Washington, I have had an opportunity to learn first-hand how strong those yearnings are, how powerful is the desire to borrow

from our processes and our institutions. On our agenda were things that were never discussed in the Soviet Union, hushed up, never before raised or examined.

We shared with our Soviet counterparts, including the head of the K.G.B. -- if you can imagine what it's like for the Attorney General of the United States to sit down at the same table with the head of the K.G.B. -- our thoughts on the Bill of Rights, the principle of separation of powers, the concept of checks and balances, due process of law and even our two-party system, all those things which truly embody our democracy. They were eager to learn if, and how, they could incorporate these concepts within their system as they try to adjust to the threatening changes that are now taking place. It is not going to be easy for them. And it may not happen.

But shame on us if we don't extend every opportunity for the export of those most precious of our commodities: democracy itself, the rule of law and concern for human rights.

It is for that reason that I return to the three items that I mentioned earlier. We simply must conquer those challenges to our values that tend today to dominate our front pages. We must show that we can lead the way to becoming a drug-free nation in a world increasingly concerned about the threat of these

substances. We must verify, validate and reinvigorate our commitment to the free market economy, in dealing with those on the fringes who would subvert or denigrate it. And we must emphasize anew our commitment to the full observance of the civil rights of all our citizens and our strong determination to use every weapon available to combat the hate merchant who would use violence and intimidation to subvert those rights.

We have important obligations and vast opportunities available to us during these 1990s. If we can bring home to ourselves and to the rest of the world the enduring worth of our American values, this decade may well turn out to be one of the most exciting in which to ever have been alive.