

MAY 1, 1979

Office of the White House Press Secretary

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THE WHITE HOUSE  
REMARKS OF THE PRESIDENT  
AT  
LAW DAY RECEPTION

The State Floor

3:02 P.M. EDT

Thank you.

My instructions were to be here at 3:00 o'clock, and I think I am right on time, but I think you all know that I have been providing employment for the Attorney General for the last two years or so as a favor to the people of Georgia -- (Laughter) -- and the country. And I think to keep him busy for a few minutes is not out of keeping with our relationship in the last few months.

Mr. Chief Justice and Attorney General Bell, President Tate, distinguished members of the United States Supreme Court, Senator Kennedy and other Members of Congress, distinguished attorneys from around our country, and other guests who are interested in the functions of our system of justice in this Nation:

I am indeed pleased to have you here. This is not my first Law Day speech. (Laughter) And this is always a moving experience for me to meet with professional members of our community who are responsible for our system of justice, as someone who is not an attorney, but who is intensely interested as a life's commitment to realizing the benefits of and enhancing the quality of the legal system.

Today all elements of the legal system are present, from the most interested and famous judges, perhaps in the world, the enforcers of the law, the writers of new law, those who interpret the law through administrative action, private attorneys who are interested in the protection of the rights of corporations and the protection of the rights of indigents, those who are concerned about the elimination of racial or other discrimination, those who are concerned about the quality of our environment, those of you who in a voluntary way are committed to the improvement of the system of justice itself. All of us together share a great responsibility.

Sunday I went to church with a man who 48 hours before was in the Soviet Union as a prisoner. He was in a cattle car being moved from one part of Siberia to another, and Sunday morning he was worshipping with us.

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On occasion, I teach a Sunday school lesson, and it just happened that for many weeks, I had planned to teach this lesson. I described to the class, him included, that the highest purpose of a government, the highest goal that a government or societal structure could hope to achieve is justice. It is an end in itself. It is a means to an end, and it is a pursuit which is never completely realized. There are always challenges to it brought about by the fallibilities of human beings, the intense pressure of competition in a free society, the constraint of liberty where freedom does not exist. It is a responsibility on us, as it is on the shoulders of the leaders of every nation on earth.

The deprivation of justice is a serious matter. It can be observed if we are sensitive, by those of us who don't suffer much from it, who quite often, perhaps inadvertently, benefit from a deprivation of justice, because those who are with power or with wealth or with social prominence, are very likely to benefit when an advantage is meted out in a competitive society by the perhaps less reputable influence of our peers who, in representing themselves for some advantage, cause those advantages to accrue to us.

And if we stand silent and reap the benefits of injustice, then we ourselves are equally culpable with those who initiated the injustice for their own direct benefit and with deliberation. And those who suffer from it are the poor and the black and those who can't speak English well, those who are timid or inarticulate, perhaps even illiterate.

We tend to have an attitude in our own country to take great pride in what we are, and that pride is justified. But we also tend to think that in each millennium, each generation has reached a pinnacle of achievement and all the discriminations that in the past afflicted our society have in general been removed. That is obviously not the case. But when women were given the right to vote, there was a general sense in our Nation that we had indeed eliminated the last vestige of discrimination, not recognizing the fact that black people in many parts of our country couldn't even register to vote or, if registered, couldn't vote without an overt display of personal courage on Election Day. And many of us were part of that system that approved or condoned deprivation of rights in perhaps the freest society on earth.

Today there are still deprivations of justice brought about by confusion, by delay, by complexity, by design, by a demand for personal wealth in order to obtain adequate legal counsel, the remnants of racial or sexual discrimination, the dominance of the powerful over the weak -- those elements of concern still exist in the United States. And a Congressman or a Governor or a President sees examples of that quite often, and when someone like myself raises the question, quite often the final answer is, "Well, that is the law. That is legal." It concerns me. And I know it concerns

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you as well. But with that concern should come action and determination and sacrifice and commitment and a proper degree of courage to challenge the existing system, sometimes when it arouses the displeasure of one's own immediate peer group, because it is not a matter of mutual condemnation when we strive for a higher standard of justice, because a human being has a higher standard that might be reached than justice. A human being can reach a degree of commitment and equality and friendship and ultimately justice, but a human being can also reach love, a genuine desire to sacrifice for others, and to represent in the purest possible form God's ultimate law on which secular law is almost always based.

We are all striving together to contribute as best we can to improve our system because we love our country and we have seen the results of challenge in the past, even challenge to the law as it existed, to change it for the better.

I have a unique responsibility almost in the history of our country, with the exception of perhaps the first President, to choose and to nominate to the Senate about one-third of the total Federal judges in our country. The Attorney General, I, Members of the Senate, advisory commissions, many of you in the ABA, are trying to perform this duty well, because it can shape the quality of justice in our country for many years to come.

First of all, I am concerned about the quality, the wisdom, the knowledge, the training, the experience, the sensitivity of people whom I nominate. And with that commitment unshaken, I am also concerned about equity of opportunity and a representative group of Federal judges. It is time for women to be adequately represented, those who speak Spanish, and the black. And for a Senator or for a selection committee of the most distinguished citizens to choose district judges to say, "Well, I cannot find a qualified black because there are none who serve in the State court system, or there are none who have had 20 years' experience in a distinguished law firm," this in itself is a reason to perpetuate a travesty of justice, because basing present discrimination on past discrimination is obviously not right.

I might, on a few occasions in appointing a woman or a black to the Federal court, who doesn't prove to be as efficient or as effective as they might have been, because they have not been given the opportunity in the past to prove themselves or to get experience as a white Caucasian has--but I will do the best I can to avoid that mistake, because my own experience in politics -- and I know yours in the judicial system, the justice system -- has been that when a person is finally given an opportunity, he or she ordinarily performs very well.

Well, in closing, let me say this: There is no way to prevent change in the law. There is no way to prevent changes in a societal structure, in economics. There is no way to prevent change in politics. But change can be for the better if there is a determination to realize that goal.

James Madison wrote as he was explaining to the American people the essence of our Constitution that either justice had to be pursued or our liberty would be lost. And Thomas Jefferson said that law, in order to be effective in its administration, had to be simple so that it could be understood by, as he said, the common man, and it had to be based not on technicalities, but on common sense.

We have reaped great benefits from the wisdom of our Founding Fathers, and I hope we won't forget the simple lessons which they taught us, because a modern, fast-growing, ever-changing, technological world is naturally inclined to be extremely complex. And the deciphering of the complexities among those who are privileged can accrue to them great benefits at the expense of others unless our system of justice performs well.

I am very proud that I am able to share these responsibilities with you. I am in good company, and I thank God that we live in a Nation where individual concern, individual aspiration, individual ideals, individual ideas and initiative can be harnessed in the most heterogeneous society that the world has ever known in a nation of refugees toward the common good.

We have a lot to be thankful for, and I hope working together we can give an even greater basis for thanks for those whom we serve and those who follow us in service in the greatest Nation on earth.

Thank you very much. (Applause)

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(AT 3:18 P.M. EDT)