



# Department of Justice

PS  
668  
.L45

FOR RELEASE UPON DELIVERY  
TUESDAY, SEPTEMBER 14, 1976

REMARKS

OF

THE HONORABLE EDWARD H. LEVI  
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

EXPO '76  
NATIONAL DIRECTIONS IN EQUAL OPPORTUNITY

10:00 A.M.  
TUESDAY, SEPTEMBER 14, 1976  
J. EDGAR HOOVER AUDITORIUM  
WASHINGTON, D. C.



Yesterday I publicly stated, at what might be considered opening ceremonies - although the week-long program of the Expo '76 had in fact already begun - my enthusiasm for the creative series of lectures, discussions and seminars which had been arranged. I believe the planning has been remarkable and, I trust all of us agree, indicates an understanding in considerable depth of many facets of the meaning of equal opportunity in employment.

Today at this session we are invited to reflect on equal employment as a national objective and upon the role of the Department in helping this objective to be achieved.

Certainly there should be no doubt as to the commitment of this Department and the commitment of each one of us, who have varying responsibilities for the management and direction of the Department's work, to the concept of equal opportunity. We should reaffirm that commitment. We may differ, as I suspect it is inevitable we sometimes do, on the best method of fulfilling that commitment in any particular program, but any difference should not diminish either the objectives or the necessity of finding the best ways to achieve them. I know we recognize a special obligation in the Department to realize, in the performance of our own work, the national faith that equal opportunity represents.

That special obligation results in part from the duty of the Department, together with other agencies of the Government, to enforce the complex of laws that has developed in the last two decades to remedy public and private actions that assigned members of certain minority groups to positions separate from,

and inferior to, the rest of our society -- that excluded such persons, because they were members of minority groups, from positions in which they could achieve the full measure that their talents and energies would allow. These developments in the law were founded in a cardinal tenet of the American spirit, a faith in the dignity and worth of the individual, and a belief in the right of the individual to reach as far as he can, to achieve excellence. There have been departures from that spirit in our history, patterns of departures with consequences that we still face. But it clearly has emerged, and was destined to emerge, as the dominant faith.

It has proved dominant, I believe, because the society has come to know that it is necessary, not only to the happiness and well-being of each individual, but to the well-being of the society itself. The people are the nation's greatest asset, its constant resource. The creativity of a society rests on the intellect and ingenuity of its members, its strength on their individual contributions. Any barrier to individual achievement taxes the society's future. As in the society generally, so in the Department of Justice our work depends for its quality on the quality of those who perform it. To the degree that their opportunities to achieve are advanced, the work of the Department is advanced. The Department's commitment to equal opportunity is a necessary part of its commitment to excellence in carrying out its duties; its special obligation to afford equal opportunity is part of its general obligation of service to the nation.

In fulfilling its commitment the Department, like the society, has had to learn to identify and to eliminate the impediments that have grown up to burden possibilities of achievement. Some of the impediments are remnants of departures in the past that displaced estimations of individual worth with stereotypes born of bigotry and ignorance. Some are the consequences of a changed culture, remnants of conceptions, once almost universally shared, about the proper roles and inherent abilities of men and women that the society gradually has come to reject.

Identification and elimination of these barriers and of the costs they impose, on both individuals and on society, is not easy. It is the more difficult, I think, exactly because they depart, and are known to depart, from the dominant faith, so that their operation, as well as their departure, often is invisible and silent. It is the more difficult, too, because progress in equal opportunity inevitably has been unequal. In seeking to afford equal opportunity, the Department of Justice and other public and private institutions are faced with the consequences of denial of equal opportunity by others, both now and in the past -- the consequences of deprivation and neglect in education and the effects on individual aspiration and achievement that come from a long history of particular experiences. Sometimes this is a matter for

individual remedies. Sometimes it is a matter which particular methods of reform of accustomed practices can effectively change. As the process goes on we must constantly review the kinds of steps which can be taken because we are consciously trying to build the history of our time to incorporate the values we hold dear. This kind of review is particularly important as this Department and other institutions, in their own internal work, seek to achieve the equal opportunity ideal.

In an immediate sense it is the constant obligation of the Department to remove the barriers to achievement within our own control. As part of this we must find and employ the most accurate gauges of quality in work and performance, based on the most accurate definition of what quality of work means. These are inevitably matters of judgment, and all available predictors are imperfect. But the obligation of equal opportunity, and the Department's own commitment to excellence in our work, requires that we do all that we can.

In this period, there may also be a value in symbolism, which can help to overcome the persistence of stereotypes and the perception of barriers that in fact have been removed. Symbolism has its own dangers. It has a way of displacing reality, and it is possible that by trying to achieve the appearance of equal opportunity, the reality and the values it represents can be lost. Some observers have described this as the way the law of

discrimination and the reaction to discrimination have been moving, from equality of opportunity to equality of result, from the rights of the individual and belief in individual worth to notions of the rights of groups, as groups. But I believe this manifestation of what at times have been essentially evidentiary rules, born out of skepticism of effort and good faith, will not change the dominant faith. That dominant faith is the recognition of the dignity and value of each individual, to be judged on the basis of the individual's own capacity with the same right to growth and perfection which each of us seeks, knowing that the strength of our country is greatly enlarged through the individual diversity among us.

Let me add a further word, particularly important, I believe, when change takes place partly through law and partly through a change in customs and institutions. It is a particularly important and difficult point when we realize, as we must, that there has often been resistance to change. And yet we must recognize that the most powerful factor in achieving change is the desire of the community and within ourselves to accomplish the objectives in which we believe. We must make these desires work for us, helping to supply such opportunities as we can, removing barriers, and taking every occasion we can to strengthen and justify that most powerful factor -- which is trust among us.

Surely there is no more important task, difficult as it is, for this Department and for the society it serves.