



REMARKS OF ATTORNEY GENERAL RENO
BEFORE THE
COUNCIL OF WOMEN'S INTERNATIONAL LEADERS

United Nations Building

New York, New York

Tuesday, November 16, 1999

1:00 P.M.

C O N T E N T S PAGE

Remarks by Attorney General Reno

P R O C E E D I N G S

MR. HANS CORELL: Ladies and gentlemen, and might I now add "and gentleman," I have two distinct privileges today. The first one you've already heard about, to moderate a meeting of the Women's Ministers of Justice. I was indeed very enthusiastic when this idea was made known to me, and I would say it was an extremely positive experience this morning, and if I can, those discussions covered many, many interesting topics. And I think that those were very promising for the future for these kinds of meetings. My other distinct privilege today is to introduce someone who really doesn't need an introduction, Janet Reno, the Attorney General of the United States.

Janet Reno was born and raised in Miami, in Florida. We also learned at the table here that she speaks Spanish. We had a Spanish-English

interchange here with the Ministers of Justice of the United States and Costa Rica. Janet Reno received an undergraduate degree in chemistry from Cornell University in 1960 and a law degree from Harvard in 1963, the Harvard Law School. Then she spent the earlier part of her legal career in private practice in two law firms, one where she was a partner, and then she served for the Florida House of Representatives, the judicial committee, where she was staff attorney and also a staff director. She then was promoted to higher functions there, and she was the staff director for the judicial committee between '71 and '72, and the Administrative Assistant State Attorney from 1973 to '76, and the State Attorney from 1978 to '93. And of course, in 1993, Janet Reno was sworn in by President Clinton as the 78th Attorney General of the United States, the first woman to ever serve in that office, Janet Reno.

MS. RENO: Thank you so much, Hans Corell. To all of you, welcome. It is wonderful to see some of you who I have met before and now to meet new colleagues. And to all, to the Council and to everyone that worked so hard to make this meeting possible, I say thank you.

We have come to our respective positions at one of the most exciting and challenging times that anybody could ask for. Some might say it is the most daunting of challenges that we face, but in the six and a half years I've been here, I've tried to apply a principle I learned a long time ago that has held me in good stead. When I was about eight, we lived in a little wooden house. There were four children in the family a year apart, and we were about to outgrow the house. My father, as a reporter, did not have enough money to hire a contractor to build a bigger house. One day my mother announced she was going to build the house, and we said, "What do you know about building a house?" And she said "I'm going to learn." And she went to the brick mason and to the plumber and to the electrician and asked them, "How do you build a house?" She came home, and with her own hands and a pick and shovel, dug the foundation, laid the block. I've always liked plumbers better than electricians because the electricians would not give her a permit because she was a woman. She came home that night, coached my father on what to say and went and stood behind him and coached him to get the permit. The plumbers gave her the permit on her own. My father would help her with the heavy work when he came home from work at night, and she and I lived in that house until she died, just before I came to Washington. Each time I had a knotty or difficult problem, if I came down that driveway through the woods and saw that house standing there, it was a symbol

to me that you can do anything that you really want to, if it's the right thing to do, and if you put your mind to it. That house also taught me another lesson, for in August '92, Hurricane Andrew hit the area almost head on. At about three o'clock in the morning, the winds began to howl. There was the most unearthly noise I've ever heard. Trees were crashing around outside and my mother, who was old and frail, got up, sat in her chair, folded her hands and was totally unafraid, for she knew how she had built the house. She had put in good materials; she did not cut corners. She built it the right way. And those are the simple lessons I have tried to apply, and considering what I think is probably the most wonderful challenge that anybody could have as Attorney General of the United States. That is how you help others build democracy and how you maintain your own democracy in the strongest, most vibrant manner possible.

I have come to appreciate democracy more than I can tell you, for some of you in this room have come to visit me from emerging democracies that seemed so strong and yet so fragile, that are so delicate yet built on such strong senses of purpose. It is a wonderful concept and a beautiful word. As we deal with the issue, I think it requires idealism, courage, dedication and most of all tenacity. We must never give up.

Sometimes I have seen success and sometimes I have seen failure. Sometimes I've seen my colleagues take two steps forward only to take three steps back the next time I see them. I admire them so much for they have succeeded in many instances in weaving the fabric of the law and civilization around the people of their country to give them hope, dignity, equal opportunity and justice, and I know no greater calling. To those of you here today who have done that and to our colleagues around the world who are engaged in that effort, I honor you and I salute you for extraordinary effort and for a wonderful, wonderful result.

But, one of the things that I have learned in these six and a half years is that too many people take democracy for granted. In my country, for example, I resolved, as I watched people struggle to build democracies, to renew my efforts, to remember that democracy is made strong only by constant vigilance. How do you build a democracy? How do you maintain it? I think there are some general principles involved.

The first, the effort must be comprehensive. I think women understand

the need for comprehensive efforts better than men. Men get stuck sometimes on one special issue. They become the specialist in that issue. They become the specialist in the practice of law, and they build just on that. They just build prisoners and they don't look at the other side of the question. They just do law and they don't do the economy. We have got to, if we're going to make democracies work, understand that it is all interrelated. We must work together with our colleagues in our respective cabinets, and the ultimate bottom line of everything we do must be to put the people first, to remember that it is law that is important, but that it is people that are most important, and the law must never become a process that masks a name and a face and a human problem or a human right that needs protection.

The first issue that I'd like to talk to you about is how we build a just democracy, and that means how we give access to all people, how we provide access to the law and to justice. In my country, we have a situation where a significant number of the poor and working poor do not have access to the law, and without that access, the law means little more than the paper it is written on. What are the solutions? We've got to think in terms of specifics, Madam Minister. How we do it, because it is a problem around the world wherever I go. First, I think we must resolve to make our governments simpler; our processes better understood. Lawyers have got to learn to write like people, not like lawyers. We can build constitutions that withstand the test of time and build them in words that people can understand.

Our governments must be as simple and as easily understood as possible so that people can be enabled to solve their own problems to a certain extent. We have got to blend education and the law so that we use our public school systems to teach our young people to solve problems, to communicate with each other, to negotiate with each other, and to resolve conflicts and disputes without knives, guns, fists and arguments. We must in our law schools teach our lawyers not just to try cases in an expensive, combative and hurtful sort of way, but to resolve conflicts carefully, thoughtfully at the early stage in the process with little cost in terms of either emotion or dollars. We must make problem-solving and dispute resolution part of our court system, not just as some citizens dispute settlements center over here with people who may be trained with six hours of negotiation, but we must build our courts around some mediation and arbitration processes that make sense, with people who are well-trained and who are skilled.

The second initiative that I think we must undertake if we are to make justice accessible to all people is to focus once more on the neighborhood and the community in terms of community policing, community prosecution, community probation officers. My favorite story is of the housing department that was about 30 miles from the court system. The young men would get arrested, they would be brought to the juvenile court, and the judge would think they were some poor little young fellow and they would let them out. All the ladies decided they were going to get on the bus one day and go down to the court to tell the court just what was happening in their community, and suddenly the court and the people were working together, not to be punitive, but to hold people accountable while solving the problem that causes the crime in the first place.

Other suggestions include required pro bono efforts, but whatever we do in these next years as we go into the next millennium, we must give the people of this world, all the people of this world, in my country, Native Americans who have been sorely neglected over time, we must give all of our people access to justice, if the justice that we hold dear and the law we fight so hard for is to mean anything, and we must provide quality as we provide access.

We have struggled after a Civil War and after a racist society for a long time to make sure that people are held equal before the law in my country. We have much to learn from you, and it is wonderful to see big countries learn from small, young countries learn from old. There is a collegiality and a universality that is so rewarding because it puts people first. One of the issues that I think is absolutely essential is that we must provide for the defense of indigent defendants. To accuse the people before the law, to take them to jail, to take them to prison, to subject them to penalties without adequate defense again undermines the very purpose of the law, and that reminds me that all of us as Ministers of Justice or as Attorneys General must commit to justice.

One of the things that I'm proudest of is the fact that the governor of Florida once asked me to reinvestigate the case of a man in another jurisdiction who had been prosecuted, convicted and sentenced to death for the poisoning death of his seven children. We did so. We concluded that it was, the evidence had been insufficient to charge him. It was insufficient now; that he was probably innocent and he should go free. For as long as I live, I will always remember that

man walking out of the courthouse, free for the first time in 21 years, and it reminds me again of what the law is all about. It is digging that last step, finding that first fact, interviewing that last witness to make sure that justice is done.

The next issue that I would like to talk to you about is how we build an honest democracy. You have discussed this this morning. We talked in terms of corruption and what can be done, but there are some very practical efforts that can be made to insure an honest democracy. First of all, we've got to make sure that those in government receive a salary that is not exorbitant, but enables them to earn a living salary. Now the call that I get is, "We don't have enough money." 1,000 well-trained, properly paid police officers are better than 2000 police officers on the take. Use our dollars the right way. Disclosure forms that reveal conflicts of interest can be helpful. Investigation and prosecution and prioritizing these crimes as important crimes which undermine the spirit of a community are very important. Mechanisms for removal of corrupt officials is important. I'm amazed in the number of instances in which the people say, "I have no way of getting that person out of office, yet I understand that he is corrupt." Most of all, it is important that we look at the whole system. To have wonderful police officers but not have prosecutors or judges or a correctional system that is honest can undermine everything that we try to do.

Finally, I would like to talk about how we build a peaceful, non-violent democracy, and there you can learn an awful lot from my country. Seven years ago, crime was at its highest rate. We were one of the most violent and still are one of the most violent nations of the world. Crime is now down seven years in a row. Homicide rates are falling. I think part of this has been achieved by a balanced effort that says, "It's not just punishment, it's not just rehabilitation, it's not just prevention." It is prevention, intervention, fair punishment that fits the crime, and re-entry programs that give people a chance to come back to the community without their spirit broken and with a chance of success. It must be community-based. People must feel that they have an ownership in their police department, that the police involve them in determining priorities and an understanding of how crime impacts them. Courts must know the people they work with.

The criminal justice system, however, has two purposes: One is to build and to protect public safety. The second is very important. It

is to build trust, because as Alexander Hamilton said as we formed our constitution, "The courts and the civil and criminal justice systems are where people see the government most of the time," and if they don't trust that government, if they think that government in the form of a community police officer are overbearing, they back away, and the police become less effective and government is held in less regard. The key around the world to reducing violence and producing peace is to make sure that as we leave our jobs and as others take our place that we do everything in our power to end violence against women, violence in the home, and violence against families. If we do not end it in our homes, we will never end it in our streets and around this world, and the first place we have got to start is forming an alliance with the public health system and the medical community.

There again, I think women are better at it than men. They understand that there's a link between the emergency room physician who is the only one who may see that battered woman because she doesn't call the police. There is a positive link to be made on so many different issues: Youth violence, drug abuse, mental health. An alliance around the world can make such an extraordinary difference. We must make sure that there is a zero tolerance in our court system. I discovered when I took office as a chief prosecutor in Miami that 40 percent of the crimes, 40 percent of the homicides related to domestic violence: Husband and wife, girlfriend-boyfriend, ex-spouse. And in those days, people said, "It's a domestic, Janet. Don't worry about it. She just wants to drop charges." And I would sit with her and explain that she couldn't, not for her children or for herself. And things began to change, but things didn't really begin to change until women came to the bench, and now as women serve in the courts of this land, domestic violence is becoming a priority for police, for prosecutors, and all participants in the court system know the importance of these cases.

But ladies and gentlemen, democracy is not going to work around the world unless all of us make an investment in our children, and too often and in too many instances we have forgotten and neglected our children in terms of providing early childhood programs that make a difference, health care that makes a difference, supervision, education, and experience in work. Let me make the connection for you that I think is vital for this world. When the crack epidemic hit Miami in 1985, the doctors took me to the public hospitals to try to figure out what to do with crack-involved infants and their mothers.

They taught me that 50 percent of all learned human response was learned in the first year of life. They taught me that the concept of reward and punishment and a conscience was developed during the first year of life and the first three years. And I suddenly said to myself, What good are all the prisons going to be 18 years from now if this child doesn't understand what "punishment" means? What good is all the higher education going to mean and going to be unless this child has a foundation for education? The medical community has an interest in this. They will be brought to their knees unless we provide primary care that prevents costly tertiary care, and our economy will not function unless we have people with the skills that can maintain this nation and all our nations as strong democracies. In short, it all goes together, and we cannot address the problems of this world or of our nation in the vacuum of the law. We must address it in the vacuum of human experience and fill that vacuum.

But, now we face some new challenges. Sovereignty has always meant our nation. Now we look at what cyber tools and the Internet have done. When a man can sit in his kitchen in Saint Petersburg, Russia and steal from a bank in New York, we understand that we are all in this together, and the investments that we make in just democracy, honest democracies and peaceful democracies will affect all of us all around the world. As one economy is affected so will others be affected. And we're going to have to learn to work together so that the man who steals through the Internet is brought to justice in a fair, firm manner. We're going to have to make sure that we master technology and that we don't let technology master us, and that is easier said than done. And we're going to have to make sure that we use our constitutions, and make sure that they are a living document, not rendered obsolete by technology. And to do that, we're going to have to make sure that there's no safe place to hide.

One of our challenges will be to automate our MLAT systems and our extradition systems so that we have common forms or nuances so that we can push this button on the computer and it will be a nuance for this country, a special provision for this country so that we can bring people to justice in the forum where the crime was committed whenever possible or otherwise in the country that, has custody of the person. If we can't do that, all the investment we make in that wonderful, splendid, magnificent concept of democracy is going to be undermined.

From my experience in these last six and a half years, the Minister

of Justice or the Attorney General has become part of the international arena. When I first came into the office, not that many people came to visit. Now Prime Ministers and Ministers of Justice and security people come to visit all the time, and I am so glad to see them because they remind me of what a wonderful, wonderful institution democracy is, how hard we have to fight for it, and now how important it is that we join arms together and fight for it around the world. The alternative, in Adlai Stevenson's terms, "Staggers the imagination and converts vanity to prayer." When we see what weapons of mass destruction can do and terrorism can do, to undermine everything we hold dear, it becomes imperative that we move forward, disagreeing in a number of instances, but allied in our commitment to democracy and allied in our commitment to the wonderful, wonderful value of people all over the world.

(Applause.)

MS. SPEAKER: Thank you very much, Attorney General Reno, for those very inspiring remarks to all of us. Because of limited time, the Attorney General has graciously agreed to accept questions and comments and observations from the other Ministers of Justice. So, Minister from Iceland.

MS. SOLVEIG PETURSDOTTIR: Attorney General, it is our great honor to be with you here and thank you for this remarkable speech, and I'm sure that we are all greatly impressed. We have had a very good meeting here this morning at the United Nations, and I would like to use the opportunity to thank you all, to thank you, the Council of Women Leaders and Laura Liswood, naturally, for this program. Attorney General Reno, I think all of us have admired the role you have played in fighting crime in this country. All of us have similar problems to cope with, so my first question is, how can we best increase the cooperation between Ministers of Justice in the new millennium? And secondly, can you tell us your secret on how to, how you have been so successful in fighting the drug problem? Thank you very much.

MS. RENO: Well, first of all, I had the occasion to meet with a Minister of Justice from a very small country just before I went to the G-8 Ministers of Justice meeting in Moscow in October, and he told me in no uncertain terms that the small country felt slighted and that we had to do something about that. And as I thought about it, I thought he was entirely correct, and that I realized that the

cyber criminal who is a genius and who knows how to outwit us all who lives in the small countries, can have just as much impact on the world as the cyber criminal who lives in the largest country or the strongest country in the world, so I think crime is going to require cooperation, and I would like to explore, perhaps afterwards, your ideas of how we might achieve that. I think that is vital. One of the issues that is important, though, my portfolio includes the FBI, DEA, the Marshal Service and the Bureau of Prisoners, and the government lawyers, but it's slightly different than Anne McLellan's portfolio and different from others, so how we get everybody to the table and how we develop agendas are very important. I think you have raised a very important point.

Secondly, I get frustrated at times, because I don't know how successful we've been, but I think we're making progress in the fight against drugs. And one of the most, more effective efforts that we have undertaken, we started a drug court in Miami in 1988 that was focused on non-violent first offenders, which most people had overlooked or forgotten or said they weren't going to focus attention on that category because they weren't that dangerous, but they were the people that fueled the whole problem. And what we did was develop a carrot and stick approach: Work with us, test negative, and we'll help you get off on the right foot. If after a year you have remained drug-free, we're going to get you into a job and we'll monitor your performance and help you out. You test positive, you commit another crime, you're going to be back before the judge facing a more certain sanction. In 1998, I went to Miami to the 10th anniversary of the drug court. Instead of ten people in the room, there were some 2,500. Instead of one drug court, there were now over 300 and there are now today over 400. It has spread. It has been evaluated and it has proven very successful, so I recommend that to you and would be happy to provide you some information on it. Any other questions?

Thank you very much.

MS. SPEAKER: Thank you once again for your speech and for providing your insights into the workings of the U.S. judicial system. I had a question because it came up earlier that someone mentioned that there were too many laws. I wonder if you might agree with that in the world.

MS. RENO: I think that's absolutely what I'm talking about when I'm talking about making government simpler so that everybody can

understand it, and we as lawyers write what we do in clear, simple terms. Winston Churchill called it, "use small, old words."

MS. SPEAKER: Thank you. I would like you to continue having your discussion. We have another ten minutes or so before we need to move on to our session and thank you all for coming. For those of you who are friends of the Kennedy School at Harvard University where the Council is located, we specially welcome you today, and to all of you who have made this opportunity possible, we want to extend our thanks to you. Enjoy the rest of the meal and to the ministers, we'll see you shortly.

Thank you.

(Whereupon, the session concludes at 1:35 p.m.)