



# Department of Justice

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ADDRESS

OF

THE HONORABLE EDWIN MEESE III  
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE THE

INTERNATIONAL PLATFORM ASSOCIATION

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NOTE: Because Mr. Meese often speaks from notes, the speech delivered may vary from the text. However, he stands behind this speech as printed.

Thank you, ....

For me, it has been a fascinating three and one half years as Attorney General, and a rewarding seven and a half years with the Administration of Ronald Reagan. Today, it's time to share with you some candid reflections on life in these parts, and an attempt on my part to put it all in perspective.

Perspective of course is very important. And it can be very easy to lose. Some would say that in Washington, it can be very difficult to find anywhere. Those of us here in the nation's capital live in a pressure cooker where the heat of politics is intense. It's easy, under the circumstances, to get a distorted notion of what's important and what's not.

Sometimes its even difficult to get an accurate picture of what is going on here. I know that is particularly true for many people throughout our country, because in certain circumstances the news media does not always give a true picture of the circumstances in our nation's capital.

A good example of this occurred last week, when two disgruntled former employees of the Department of Justice appeared before the Senate Judiciary Committee and gave a false and distorted picture of the situation within the Department. Perhaps you read about it or saw it on television. In any event, one local newspaper, The Washington Post, devoted over 64 column inches to that story. The next day, two officials of the Department appeared before the same Committee, and gave a

truthful picture -- that morale was high and the Department was functioning very effectively. The Washington Post devoted five column inches to that story.

If you do a similar comparison with six of the leading newspapers throughout the country, the results were over 168 column inches devoted to the unfavorable story and only 38 inches portraying the favorable account of the Department the next day.

Eight years ago, I came to Washington with Ronald Reagan, with an Administration willing to challenge the conventional wisdom of Washington. I intend to leave much as I came in: continuing to challenge that conventional wisdom where necessary. Today, therefore, I would like to describe to you Washington as it really is.

#### The Battle Against Drugs

Conventional wisdom in Washington, buttressed by the increasingly partisan attacks of Congressional Democrats, is that somehow we're "losing the war on drugs."

Conventional wisdom in Washington, created and nurtured by some people like Congressman Charles Rangel, is that we need a "drug czar" to direct the executive branch anti-drug efforts.

Conventional wisdom in Washington is that the Administration's anti-drug efforts need more Congressional oversight.

Well, that conventional Washington wisdom on drugs is just wrong.

It fails to recognize that the Reagan Administration has had extraordinary success in battling the scourge of drugs in America, and its success stands in stark contrast to the Administration that preceded it.

- \* For example, the number of DEA agents fell during the four years prior to the Reagan Administration, from about 2,000 in 1976 to barely 1,900 in 1980. Today, by contrast, there are nearly a thousand more DEA agents fighting drug trafficking than when the Reagan Administration began.
- \* In 1982, the Reagan Administration for the first time in history, gave the FBI jurisdiction in drug cases, and well over a thousand of them are now on the front lines of the drug war as well. We've also added thousands of additional personnel at the Departments of Treasury, Transportation and Defense to the anti-narcotic effort.
- \* The Administration's Organized Crime Drug Enforcement Task Force program, started in 1982, has established an impressive record of cracking down hard on high-level drug trafficking enterprises. Through March of this year, these task forces have indicted nearly 17,000 individuals, and more than 800 of them were charged with operating a Continuing Criminal Enterprise, the most serious federal drug

offense, carrying a maximum penalty of life without parole. The task forces have seized assets worth more than three-quarters of a billion dollars, and forfeitures so far are worth more than a quarter of a billion.

- \* We have focused, not just on the supply of drugs, but on the demand for them, with significant results. The most recent nationwide survey of high school seniors showed a decline in both regular and experimental drug use, and a significant shift in student attitudes toward drugs. Moreover, a recent study by the Media-Advertising Partnership for a Drug-Free America found a shift in attitudes against drug use among all age groups. This progress has resulted from the efforts of many people and organizations throughout the country. But President and Mrs. Reagan provided the leadership, which is a real change from the ambivalent and confused attitude towards drugs which existed in the White House ten years ago.

To catalog all of what we've done in the battle against drugs would take far more time than we've got here today, and there are many other topics I want to touch on, however briefly. But before leaving the drug issue, I want to put to rest a couple of other ridiculous bits of conventional wisdom in the area.

The notion that a "drug czar" will somehow be the answer to all our prayers in putting together an effective anti-drug effort is absurd. These "czars" have been tried before, and have always failed miserably. Remember the "energy czars" of the 1970s? Energy problems only got worse during that period, and the situation didn't turn around until the "energy czars" went the way of the dinosaurs, and Ronald Reagan used a healthy dash of free market economics to banish the gas lines and the bureaucracies that produced them.

What has worked in dealing with drugs, and worked very well indeed, is the National Drug Policy Board which I have had the honor of chairing since its creation. The Board is a Cabinet-level group that does the serious work of hammering out strategies and goals that every department and agency can support, as well as, coordinating the federal effort in an effective manner. Creating a "drug czar" is nothing but a sure prescription for failure in the battle against drugs. It is the political hobby horse of a group of Congressmen who would rather tinker with organizational charts than do something substantial to create a drug-free America.

Unfortunately, the temptation of this group of Congressmen to tinker with the organization of the anti-drug effort within the executive branch isn't limited to calls for a "drug czar." Last week, we came perilously close to seeing a House committee adopt language abolishing our Organized Crime Drug Enforcement

Task Forces, which as I mentioned a few minutes ago, have been extraordinarily effective.

Others have bandied around the notion of removing drug enforcement tasks from the Justice Department's Criminal Division, and putting them in a brand new division. Anyone who thinks about it for five minutes will realize that this would cripple drug law enforcement, because it would seriously impede the use of a whole range of laws we use against drug traffickers. Money laundering and other financial crimes, asset seizure, RICO laws, statutes used to fight organized crime, and a whole host of other criminal law weapons are integral to the fight against drug trafficking. The integration of these tools in our narcotics investigations is often the key to successful prosecution, and the system works because they're all handled by the Criminal Division in a fully coordinated attack on drug criminals.

- \* This same Congress was responsible for cutting funding for the Coast Guard's drug interdiction patrols in half this year.
- \* This same Congress is responsible for giving tentative approval to a Justice Department budget that actually cuts funding for our law enforcement efforts in Fiscal Year 1989.
- \* The Congress that's busy trying to create an executive branch "drug czar" to put all power over drugs in the hands of a single individual is the same Congress that

has more than 30 separate committees and subcommittees with some jurisdiction over drug matters, a veritable Tower of Babel when it comes to trying to ascertain just what the position of Congress is on any given drug issue.

- \* The Congressman who chairs the so-called House Select Committee on Narcotics, and who attacks this Administration on a daily basis for what he calls "inaction" on drugs had, as of March of this year, introduced a grand total of 24 bills involving drugs during the 97th, 98th, 99th and 100th Congresses. He managed to get only two of them passed: both of them resolutions which did nothing more than establish and fund his committee! That's the way Washington really is this summer on the drug front.

#### The State of the Justice Department

One of the most certifiably false bits of Conventional Wisdom in Washington is that the Justice Department has somehow been in disarray, an agency "dead in the water" because of political controversies aimed at me. The foolishness of this conventional wisdom is apparent to all who have read beyond the headlines of recent months. During this period, the Department has: moved to take the Teamsters Union out of the hands of organized crime; launched the largest defense procurement fraud case in the history of the Department; convicted and won a

sentence of life without parole for one of the most powerful and notorious drug traffickers of the Medellin Cartel; obtained the arrest and transfer from Honduras of another major drug trafficker, now serving out a long sentence in one of our federal prisons; and smashed a major transatlantic cocaine and heroin trafficking ring in "Operation Cashweb," one of the biggest international drug cases ever.

#### The Reagan Record at the Justice Department

There are a few other areas where it's well worth challenging the Conventional Wisdom of Washington, relating to the Reagan record at the Department of Justice.

Conventional wisdom in Washington would have you believe that we have transformed the Justice Department's Antitrust Division into a place where corporations run wild, without fear of careful scrutiny. The record tells a far different story. We have filed 245 antitrust cases in my term as Attorney General -- 63 percent more than during a similar period in the prior administration. Defendants convicted in these cases served an average of 151 days in jail -- 64 percent more than during the previous tenure of the other party. We have waged a relentless attack on companies seeking to cheat governments at all levels, as well as private concerns, through bid rigging, phony auctions, and other criminal violations of the antitrust laws. We have fought for consumers by filing cases such as those against soft

drink manufacturers who were trying to squeeze competitors off the shelves, hiking prices significantly along the way.

Conventional wisdom in Washington is that the Reagan Administration, and in particular the Justice Department, has been less than sympathetic to civil rights. Nothing could be farther from the truth. The facts show that in 1987 we set a new record for the number of criminal civil rights cases filed in a single year. We did the same with employment discrimination cases.

In this regard, I shouldn't have to remind this audience that this was the Justice Department that has crippled the Ku Klux Klan in states throughout the South. This was the Justice Department that jailed the leaders of the violent neo-Nazi gang called The Order. This was the Justice Department that tracked down the killers of Alan Berg and put them behind bars. We have a Civil Rights record second to none, and one of which I am extremely proud.

By the way, this is one area in which the conventional wisdom in Washington has changed. Back when the Civil Rights Act was being debated, it was the conventional wisdom that racial discrimination was wrong no matter who was responsible.

During the debate on the Civil Rights Act, Hubert Humphrey once said that if the Act was ever used to impose quotas, he would eat a copy of it. Unfortunately if he were around today, he'd have quite a mouthful of congressional paper.

We have argued consistently that hiring and promotion policies should be genuinely non-discriminatory. We have argued that people should be judged by the content of their character, and not by the color of their skin. And for taking this position, we have been viciously attacked by those who believe in making decisions on the basis of race or gender and who regard the "civil rights" issue as their personal preserve.

The conventional wisdom in Washington is that nobody opposes illegal obscenity, despite supreme court rulings denying such dehumanizing material the protection of the Constitution.

The truth is that the Attorney General's Commission on Pornography showed to all unprejudiced observers that the crime that some people call victimless has victims all across the nation, including especially children and teenaged runaways who are often subject to serious abuse at the hands of unscrupulous pornographers. Many of them, we now know, are connected with organized crime.

I am proud to have established the National Obscenity Enforcement Unit, and given momentum to the enforcement of existing obscenity laws. They have begun bringing major cases against the most serious exploiters of women and children in America, even as this unit encourages and trains federal and local prosecutors on how to handle such cases throughout the country. We have also played an important role in the passage of

new laws designed to protect children against the burgeoning child-porn industry.

Last but by no means least, conventional wisdom in Washington is that Constitutional interpretation by judicial fiat is here to stay, and that this is good, because unelected judges are more "progressive" than the citizens they serve. One of my proudest accomplishments is to have led a national debate on the proper interpretation of the U.S. Constitution, coinciding with the Bicentennial of the drafting of that great document. We have insisted, in the face of intense ideological and partisan hostility, that the legitimate way to interpret the Constitution is the way it was meant by those who drafted it and ratified it -

- because no other method of interpretation can claim any democratic legitimacy. It is the text of the Constitution and its amendments that have passed the rigors of democratic ratification. The text, therefore, has democratic legitimacy beyond the mere opinions of judges.

Other methods of Constitutional interpretation may be shortcuts to desirable social reforms. More often they are merely shortcuts to radical social change that the American people have rejected through democratic means. But in any case, all the so-called "flexible" or "evolving" approaches to the Constitution end up being nothing more than undemocratic end-runs around self-government.

One of this Administration's major achievements, led by the Department of Justice, is the selection of hundreds of judicial nominees who understand well the proper role of a judge, and whose quality is demonstrably superior to those of the previous administration. The fact that a virulent and grotesquely unfair attack managed to prevent the confirmation of Robert Bork to the Supreme Court does not diminish my sense of satisfaction at having helped the President transform the federal judiciary into the highest levels of intellectual quality and constitutional integrity.

One important matter is the more than two dozen judicial nominations still pending before the Senate Judiciary Committee. Simple fairness to the individuals involved, as well as fidelity to the office they hold, requires the senators on this committee to take prompt action on these nominations.

Well, these have been a few observations of how Washington really is and an admittedly personal response to the myths of conventional wisdom.

The facts that underlie the record of this Administration, and particularly the record of the Justice Department, provide an important and valuable legacy to the American people. I am grateful to the President for the opportunity to participate on an exciting and successful team, and I am proud to have served the people of our country.