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UNIVERSITY OF GEORGIA LAW DAY
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Let me say at the outset that I feel deeply honored to stand before this distinguished group of Georgians on Law Day 1987. This is a day set aside each year for Americans to renew their commitment to the rule of law and reaffirm our dedication to the partnership of law and liberty.

Since its birth 125 years ago, the Lumpkin School of Law has produced some of the greatest legal minds on both sides of the Mason-Dixon line. The classrooms of Georgia Law are synonymous with personal achievement and public service, from Joseph Henry Lumpkin, first Chief Justice of the Georgia Supreme Court, and Thomas R. R. Cobb, who codified the law of Georgia, to each and every member of the class of 1987.

May I also add my personal congratulations to Dean Beard on his impending retirement. He leaves his own special mark on the Lumpkin School of Law, and all who have studied within it. He has encouraged private endowment for a state institution -- not an easy task -- and he leaves this law school with a \$16 million endowment. Come to think of it, Dean Beard, maybe you'd like to go to work for the Office of Management and Budget up in Washington!

I remember well my first day at Harvard Law School, one of 25 women in a class of 550 eager students. I'll never forget being accosted by a male classmate who demanded to know what I was doing there.

"Don't you realize," he said in tones of moral outrage, "that there are men who'd give their right arm to be in this law school? Men who would use their legal education?" Obviously, he felt I was taking the place of a man. And come to think of it, some may have felt that way when I became Secretary of Transportation.

It's been said that the lawyer's trade consists of questioning everything, yielding nothing, and talking by the hour. Today, I promise to

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try to disprove that adage. I am reminded of a famous story about Ben Franklin at the final session of the Constitutional Convention in Philadelphia. The great sage was unwell, afflicted with gout and suffering anxiety over the future of his country. He pointed at the chair occupied by presiding officer George Washington and the sunburst that was carved into its frame. He had often noticed the design, said Dr. Franklin -- but only now, with their work done and the historic document itself ready for submission to the states, could he conclusively say that it was a rising, not a setting sun that he saw.

How appropriate that this Law Day should be dedicated to the bicentennial of one of history's greatest documents, the American Constitution. In this year of celebration and reflection, we have a very special reason to rededicate ourselves to the principles that gave birth to the world's oldest republic.

I think it is important to put our observance into perspective. The Constitution is not merely an artifact, to be saluted like the passing flags on the Fourth of July, or sealed under glass in a marble shrine. It is the American -- in 1987 as much as in the tense and uncertain summer of 1787.

When we pause to look back at the 55 men who assembled in Philadelphia to write a constitution for an infant republic, we might easily be reminded of Georgia's state motto -- "Wisdom, Justice and Moderation." We may remember little of their day to day deliberations. And most of the individual signers may be lost to the mists of time.

But the idea that brought them together -- that seminal concept of self-government and shared responsibility -- of individual opportunity wedded to social responsibility -- this idea lives on in our fluid, dynamic, highly competitive yet deeply compassionate society. It lives on in the law. It lives on in the arena of politics. It lives on where any one holds to a faith in the power of seemingly ordinary men and women to accomplish extraordinary things; for themselves, their country and their posterity.

Madison and the rest of the Founding Fathers diffused authority among we, the people, in order to prevent too great a centralized authority from encroaching upon our individual liberties. Yet for such a system to work, the people must accept their own obligation to control government and contribute their personal talents to the betterment of all.

One recalls the words of a great jurist, Robert H. Jackson, who wrote in 1950, "It is not the function of our government to keep the citizens from falling into error, it is the function of the citizens to keep the government from falling into error."

That is the challenge and the glory, not only of Democracy but of the legal profession itself. It is the answer to those cynics who dismiss our profession as an exercise in self-enrichment, and it remains the central dilemma facing the people of this country in 1987.

In the decade of the '70's, many Americans felt that as individuals they couldn't make a difference. Yet if we stop believing in ourselves, then how could we believe in Madison's carefully designed system of self-government.

As people turned inward, it came as no surprise that writer Thomas Wolfe dubbed the 1970's the "Me Decade."

Happily, in recent years, the "Me Decade" has been replaced by the "We Decade," as citizens all across the country have regained confidence in themselves and in this country's mission to serve as a beacon of hope on an oppressed planet.

Today we are witnessing nothing less than an American renaissance, a grassroots revival of those fundamental principles that give character to our land and reality to our dreams. We are renewing the ancient ideals of hard work, pride of family, love of freedom and trust in God. We have rediscovered our roots -- and we are reaching for the stars.

For 52 consecutive months Americans have enjoyed the benefits of economic growth. During that time, productivity has risen. Inflation has declined to its lowest level in a quarter century. Unemployment is at a seven-year low, and over 13 million new jobs have been created.

Simultaneously, we are called on to meet the challenge of defending freedom in a dangerous, sometimes desperate era. Since taking office, President Reagan has made significant headway in rebuilding our defenses and making America more secure. This is no time to rest on our laurels, or let down our guard. Skimping on defense now could undo all we have achieved since 1980. It could undermine not only our own security, but that of our closest friends.

History reminds us that there is nothing new to cries for less defense and more domestic spending. During one debate in the Constitutional Convention, a delegate rose to his feet and moved that "the standing army be restricted to 5,000 at any time." This prompted George Washington, as presiding officer, to suggest an amendment of his own -- to prohibit any foreign enemy from invading the American soil with more than 3,000 troops!

But what are we defending? We defend more than factories -- more than shopping malls -- more than territory. We defend the values that have blessed this land and set it apart in the family of nations. And the record of the Constitutional Convention leaves no doubt that our nation's founders were sustained by their faith in God. As George Washington once said, "Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports."

This morning, I am looking at America's first and ultimate line of defense. For surely we share the belief that the source of all our national

strength lies in that inner strength that forms our attitudes, shapes our ambitions, and nurtures our loved ones.

But it is not enough to be a passive observer of the times, or to toss your hat in the air when the parade goes by. In the words of that greatest of American individualists, Ralph Waldo Emerson, "No man can have society upon his own terms. If he seeks it, he must serve it too."

Each of us is called upon to render service in one form or another. In this land of opportunity, that is the corresponding obligation. In my own life, I have tried to make a contribution through public service. In my view, there is no greater satisfaction than grappling with issues and forging policies that can make a positive difference in the lives of millions of one's countrymen.

For the past four years, I've had the rare privilege of directing national transportation policy. It's interesting to note that to reach the Constitutional convention, our founding fathers traveled by foot, by horseback and by boat. Getting there in less than a month's time -- that was the real "miracle at Philadelphia!"

To the men and women of 1787, the internal combustion engine was as exotic a pipe-dream as moving pictures or the Voyager aircraft. Today transportation is an \$800 billion industry that is constantly reshaped by technological breakthroughs. We travel at great speeds to places undreamed of by our forefathers by land, sea, air and, now, space.

The challenges posed by such an intricate and sophisticated system have been to me a source of unparalleled intellectual exhilaration and deep personal satisfaction. Recently, a most exciting event of my life was standing on the floor of the New York Stock Exchange as eager investors bought every last share of the government's stock in Conrail, our freight railroad. In four years I had witnessed a sickly ward of the state transformed into a \$1.88 billion publicly-traded, privately-owned railroad.

At the same time, we finally transferred the only two federally-owned airports -- Washington National and Dulles -- to a regional authority. Eight previous attempts had been made since 1949. I've fought attempts to roll back economic deregulation of the nation's transportation industries -- a reform that has saved American consumers and producers literally billions of dollars in reduced travel and shipping costs.

We have saved lives through grassroots campaigns to get drunk drivers off our roads and highways. DOT is the first outside of the military to come forth with a comprehensive drug abuse program, one that involves random drug testing, insures the safety of the traveling public and safeguards constitutional protections. It hasn't made me the most popular person around the ACLU, but I am committed to ensuring that the American public has what it demands and deserves -- a drug free transportation system.

As I reflect on the challenges that still lie ahead, I'm reminded of a famous story about Justice Oliver Wendell Holmes, who once found himself on a train, but couldn't locate his ticket.

While the conductor watched, smiling, the 88-year old Justice Holmes searched through all of his pockets without success. Of course, the conductor recognized the distinguished Justice, so he said, "Mr. Holmes, don't worry. You don't need your ticket. You will probably find it when you get off the train and I'm sure the Pennsylvania Railroad will trust you to mail it back later."

The Justice looked up at the conductor with some irritation and said, "My dear man, that is not the problem at all. The problem is not, where is my ticket. The problem is, where am I going?"

Where, indeed. Where are we going? My fellow Americans, in this bicentennial year of the Constitution, let us remember that the decisions we make today can affect the lives of other people as dramatically as the Founding Fathers have affected us.

Having lived with Constitutional freedom for two centuries, we can all too easily forget how precious and rare that freedom is. Our ultimate obligation then, is to protect the opportunity that our constitution makes possible. It is an obligation we owe not only to ourselves, but to the framers who risked everything for freedom, and to countless men and women of bravery and vision who have bonded this nation with their blood and toil and sacrifice.

In closing, let me share with you an experience that Bob and I had when we visited the Soviet Union a few years ago for the U.S.- U.S.S.R. Trade Conference -- an experience I will never forget.

At our embassy in Moscow, I talked to members of two families from Siberia, who had sought asylum from the religious persecution they had encountered in their own mother country.

In attempting to reach our embassy's gates, one of the young sons was caught by Russian guards, beaten in full sight of the two families, and then dragged away. Three weeks later, they learned that he had been thrown on a train back to Siberia. It was nearly five years --separated from their friends and family and living in the basement of that embassy --before the Soviet government allowed those families to emigrate to Israel.

As we drove up to the airport to begin our long trip home and I looked at that airplane sitting on the runway with "United States of America" emblazoned on its side, I thanked God I could come home to a country where freedom and democracy are more than just hollow spaces.

Every citizen has a stake in government that lives up to its noblest promises. Each one of us is obliged to pass on to our children the freedoms

that the men of Philadelphia entrusted to us. They created something unique in the annals of history. Let us not only preserve their past -- let us make certain that the present is worthy of preservation, so that in another 200 years, our descendants can say as proudly as we do today, "I am an American."

Thank you and God bless you all.

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