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## 18th Annual Joseph L. Rauh, Jr. Lecture

Eric H. Holder Jr.

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**18TH ANNUAL JOSEPH L. RAUH, JR. LECTURE  
UNIVERSITY OF THE DISTRICT OF COLUMBIA  
DAVID A. CLARKE SCHOOL OF LAW,  
THURSDAY, JUNE 17, 2010**

**Attorney General Eric H. Holder, Jr.\***

Thank you, Wade [Henderson]. It's an honor to join you and to thank you for your leadership and service here at UDC and across this city. Not only is Wade a great professor, he is also an outstanding ambassador for the David A. Clarke School of Law. And he never misses an opportunity to champion this school's unique and provocative approach to legal education.

Of course, much of the credit goes to Dean Broderick and her team of administrators, faculty, and staff. I want to thank you all for inviting me to join you today. I'm especially grateful for the chance to commend the Clarke Law School's extraordinary example of excellence, service, and innovation – an example that inspires the legal community in this city and far beyond.

Tonight also provides a rare and welcome opportunity to do something every attorney, and certainly any Attorney General, regularly should – to reflect on the systemic challenges facing our justice system and to consider the future of legal education in this country. In the spirit of Joseph Rauh, the visionary namesake of this lecture series, that's exactly what tonight is all about: taking a step back from what we do and what we study to consider what we owe – to our country and to our community.

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\* Eric H. Holder, Jr. was sworn in as the 82nd Attorney General of the United States on February 3, 2009 by Vice President Joe Biden. President Barack Obama announced his intention to nominate Mr. Holder on December 1, 2008.

In 1997, Mr. Holder was named by President Clinton to be the Deputy Attorney General, the first African-American named to that post. Prior to that he served as U.S. Attorney for the District of Columbia. In 1988, Mr. Holder was nominated by President Reagan to become an Associate Judge of the Superior Court of the District of Columbia.

Mr. Holder, a native of New York City, attended public schools there, graduating from Stuyvesant High School where he earned a Regents Scholarship. He attended Columbia College, majored in American History, and graduated in 1973. He graduated from Columbia Law School in 1976.

While in law school, he clerked at the N.A.A.C.P. Legal Defense Fund and the Department of Justice's Criminal Division. Upon graduating, he moved to Washington and joined the Department of Justice as part of the Attorney General's Honors Program. He was assigned to the newly formed Public Integrity Section in 1976 and was tasked to investigate and prosecute official corruption on the local, state and federal levels.

Prior to becoming Attorney General, Mr. Holder was a litigation partner at Covington & Burling LLP in Washington.

Mr. Holder lives in Washington with his wife, Dr. Sharon Malone, a physician, and their three children. *Meet the Attorney General*, U.S. DEP'T OF JUSTICE, <http://www.justice.gov/ag/meet-ag.html> (last visited Jan. 29, 2011).

Now, where do we begin? To me, it seems appropriate to start by thinking about the one event that's on a lot of our minds right now – the World Cup. I know that many of you have already cleared your schedules for 10am tomorrow, when the U.S. takes on Slovenia. But more importantly we should also take time to think about where this historic game will be played.

As all of you know, and some remember well, South Africa was – at one time – the last place on Earth where you could imagine people of all cultures coming together. In the era of Apartheid, South Africa's laws supported a system, not of justice but of injustice. Its legal framework enshrined bigotry, enforced discrimination, and spread hate from Cape Town to Johannesburg to Robben Island. This system of oppression enraged citizens within and beyond South Africa. It also motivated American law students like me, who spent a lot of time away from our studies to call for reform from half way across the world.

For my most famous predecessor, Attorney General Robert F. Kennedy, the laws of Apartheid, and of any system of segregation, were particularly offensive. In fact, forty-four years ago this month, he traveled to South Africa to deliver a speech at the University of Cape Town – just minutes from the stadium where many World Cup games are being played. In his now-famous “Day of Affirmation” address, Attorney General Kennedy spoke about the right to justice, the power of action, and the possibilities born from hope. As he said to all those listening in South Africa, and all those watching around the world, “Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope.

“Those ripples,” Robert Kennedy assured us, can “build a current which can sweep down the mightiest walls of oppression and resistance.”

Those were beautiful words, but they were more than rhetoric. They were a call to every member of the global community to embrace the idea – indeed the truth – that, more than any policy or program, any controversy or case, justice begins with individual acts. And it is from many acts of courage, service, and great sacrifice that a nation once known for division is now celebrated and admired around the globe for its method to deal with its past and its power to unite.

So, what exactly are these tiny ripples? Where do we find them? And how do we initiate them? I have grappled with such questions throughout my entire career. And I expect many of you struggle with them, as well.

But I have also learned a few things. And I have seen these so-called “ripples,” time and time again, during a life spent studying and practicing law – first, as a law student, when I spent a summer interning at the N.A.A.C.P.'s Legal Defense Fund, working on some of the civil rights cases of the day. I saw them again after graduation, when I came to work in the Justice Department's new Public Integrity Section.

That, however, was only the start. As a judge in D.C. Superior Court, I saw ripples of hope in the heroic stories of law enforcement officials who stood up for

public safety. I saw them in the uplifting examples of criminals reformed, after rehabilitation, and turned into productive citizens. As U.S. Attorney for the District of Columbia, I saw hope in the activism of community members who came together in times of crisis to safeguard their neighborhoods and help to prevent, not only punish, violence. And when I served as Deputy Attorney General and was asked by President Clinton to lead Lawyers for One America, I saw those ripples of hope in the attorneys, all across this nation, who banded together for the shared purpose of addressing and eliminating racial inequality in our legal system.

Over many years, in many different ways, I have learned that ripples of hope – and rooting out injustice one individual action at a time – can take many forms. There is no one way to fight for what’s right. I have also learned that achieving justice, like accomplishing anything worthwhile, does not come easily. But the path to justice always starts with a single action – and in 2010 it must start with you.

Of course, many of you already know this. The students here, in the tradition of the Clarke School of Law, have already been working to fulfill the promise of justice –long before studying for the Bar Exam. Although this is a small school – with only 300 students – you annually provide more than 85,000 hours of public service to low-income community members. And each UDC law student is required to provide at least 700 hours of clinical service – to helpless tenants, vulnerable seniors, suffering HIV/AIDS patients, needy children, community groups, and businesses.

Seven hundred hours. That’s incredible. Imagine, for a moment, if every law student in the country were to give back, as UDC students do, while earning their degrees. Since there are approximately 150,000 law students at any one time in this country, that would mean about 100 million hours of clinical services combined – enough to turn tens of thousands of ripples of hope into that “current which can sweep down the mightiest walls of oppression and resistance.” I hope that, now, you can start to see my vision, my hope.

Your responsibility to serve others has proven to be not only an effective means of providing your community with much-needed legal assistance, but also an effective means of learning the law. Joseph Rauh predicted it would be – and your example shows that he was right. Today, we can all be encouraged that law schools across the country are taking steps to promote public service and to create opportunities for students to help meet community needs. But I agree with the assertion by UDC’s leadership that all publicly funded law schools should look to the Clarke School of Law for inspiration and consider a similar service requirement. That would be a profound and powerful change. And it would lead, no doubt, to a more just nation and world.

Such a paradigm shift in legal education would also align with what I see as an inflection point in our justice system. I believe we have arrived at a watershed

moment. The choices we now make will reverberate for decades to come. But some important decisions must be made. After all, we face a crisis in our justice system – an environment where, despite our founding promise of justice for all, we still must strive to reach that vaunted goal.

Our indigent defense system, for example, is broken; public defenders in some areas are so overwhelmed that they can spend, at most, an hour per case, many of which present life-altering legal questions and decisions. The situation is no better in the civil arena. More than 50 million Americans qualify for federally funded legal assistance, but over half of those who qualify and seek assistance from a federally funded legal assistance program are turned away. There simply aren't enough resources.

But, fortunately, there are an increasing number of attorneys around the country who are beginning to realize how critical it is that those who have it all – a law degree, a steady job, a good income – help those who have next to nothing, free of charge. And I'm pleased to report that, at the Department of Justice, there is now – at long last – an “Access to Justice” office, which is led by the eminent Harvard law professor Laurence Tribe and dedicated to ensuring the fairness, integrity, and improvement of our legal system.

But let me be clear about something: the Justice Department's Access to Justice Initiative is not rooted in the notion that the government can do it all. Government can't. And that's where each of you comes in. To me, UDC's students, alumni, and supporters represent an attitude change that is reaching its “tipping point” and, I expect, will soon become widely accepted practice – that pro bono work is not merely good, as its Latin name implies, but is necessary - that it defines the notion of what is expected of an attorney. That every lawyer should engage in pro bono practice frequently, whether you are a professor, a partner, a student, an associate, or a Department of Justice attorney.

Granted, we're not quite there yet. An American Bar Association study last year reported a definite rise in pro bono activities among lawyers, but it also noted, and I quote, that “more than three-fourths of those who had performed pro bono service in the past year indicated that they do not seek out pro bono opportunities: the opportunities find them.” And many surveyed still did not participate in pro bono, citing a lack of interest among their employers for such work or the sense that there was no free time to spare.

But all of you, current and future leaders who have regularly engaged in public service and seen the power of these individual and collective acts, can help to fulfill the potential attitude shift that I've just described. And as you do so, you can – indeed, I expect you will – remain engaged in critical pro bono work here in Washington, D.C., not because the opportunities find you, but because you find them. As you know well, there is so much need in this city, and so many different ways to use your skills, training, and talents to help others.

It may not always be easy. Ripples of hope can be easily smothered by waves of resistance. The cases you take up may not be glamorous, and your services may not always be appreciated. And, if you are a student, after you graduate there may no longer be any formal requirement to give back; you'll have to seek out service opportunities.

But I urge you to do just that. Find ways to contribute and to encourage others to serve. Individual acts, performed in the pursuit of justice, must continue and must spread as far and as wide as possible – even, and especially, into conference rooms and classrooms where they previously had no place. That is what this school – and what both David Clarke and Joseph Rauh – stood for: training lawyers, not only to be successful, but to be examples for others and to be reminders about the importance and power of pro bono service.

So tonight, let us renew our commitment to what Robert Kennedy once called in South Africa, “our shared determination to wipe away the unnecessary sufferings of our fellow human beings.” That may not be our only purpose as lawyers, but it is our most sacred and important. It should, and must, define who we are as attorneys and the legal system within which we operate. As leaders in our profession you must spread the philosophy of this great institution and make what is unique commonplace.

Thank you.

