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John F. Sonnett Memorial Lecture Series: The Attorney General: The Federal Government's Chief Lawyer and Chief Litigator, or One Among Many?

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INTRO

BELL: THE OFFICE OF ATTORNEY GENERAL

One of the most important aspects of the legal profession is public service. Throughout his career, John Sonnett entered into public service despite a very successful private law practice. Working for the United States Department of Justice, John Sonnett was an Assistant Attorney General and Chief of the Antitrust Division of the Department of Justice. In his years at the Department of Justice, John Sonnett provided valuable service to our nation and its legal system.

At the head of the Department of Justice, the Attorney General has the largest support staff in the realm of legal public service. This public service position presents an awesome opportunity to shape and affect the laws of our nation. However, the role of the government lawyer is a complex one because many parts must be played simultaneously. The Attorney General's office must balance its political responsibilities owed to each of the three branches of government.

The Attorney General enables the President to fulfill his obligation to faithfully execute the laws of the nation. As both a cabinet member and a presidential appointee, the Attorney General is often used to effectuate presidential policy. For example, in 1991, the Department of Justice exercised its influence when anti-abortion demonstrators blocked access to an abortion clinic in Wichita, Kansas. Despite the legality of abortion under *Roe v. Wade*, Attorney General Richard Thornburgh pressured the local district court judge to refrain from holding demonstrators in contempt for violating an injunction. With the

abortion debate at a fever pitch nationally, the move was a strong indication of the Bush administration's stance on abortion rights.

The Attorney General also offers his opinion on pending legislation to Congress. This role was highlighted after an individual publicly burned the American flag on the steps of a Texas building. In the months following that event, the Bush administration vigorously pressed for a Constitutional Amendment to ban flag-burning. Although the Senate Judiciary Committee rejected the Constitutional amendment, the whole incident displayed how difficult it is for the Attorney General to balance loyalties to both a political party and the law.

Finally, the Attorney General appears before the Judiciary branch in the role of attorney for the government. As such, the Attorney General is subject to the rules of the Judiciary.

In representing these numerous concerns, the Attorney General frequently encounters conflicts of interest. However, the Attorney General or more generally, the government lawyer, must serve an even bigger client than the government -- the American people. In this context, former Attorney General Griffin Bell discusses and attempts to define the role of the government lawyer in his lecture. He contends that a clear concept of the role of the government lawyer will enhance the performance of the government's lawyers and make the federal government more responsive to the needs of the people.