

Remarks of Jeh Charles Johnson '82¹
Columbia Law Graduation
Monday, May 14, 2018

[Extemporaneous introductory remarks]

First, I'd like to first address an issue in remarks that I wrote about 30 minutes ago.

I am aware there are some graduates here who object to me as your keynote speaker, because, for three years as Secretary of Homeland Security, I was responsible for the enforcement and administration of our immigration laws. You are expressing yourselves by turning your backs on me. That is your right and your privilege in this great country. I respect that, though there are those in power today who do not. Indeed, I admire your conviction, and encourage it in my own children.

I offered to meet with you before this program to discuss your concerns. You declined. Had we had a chance to talk, I would have explained to you that in President Obama's last three years in office, while I was Secretary of Homeland Security, the number of deportations actually went down, as I instructed ICE to focus on deporting convicted criminals and public safety, a policy this Administration has chosen to abandon in favor of tearing families apart.

More generally, as you become lawyers, and possibly judges or public servants, you will find that public policy and government decision-making is complex, and is rarely unidimensional. There is rarely an opportunity to act solely on your personal, moral convictions.

In my own private law career, I have represented a Pakistani asylum seeker and mentally ill homeless people pro bono in a lawsuit against the state of New York. In my official life, I have spent hours with children on the border in south Texas, to ensure that the Border Patrol treats them properly, and given the legal sign off for a lot of drone strikes and targeted lethal force to make our homeland safer.

As you cross this stage, some of you may decline to shake my hand. That too is your right. But I will extend my hand to all of you, to congratulate you for graduating from this great law school.

¹ Partner, Paul, Weiss, Rifkind, Wharton & Garrison, LLP; Secretary of Homeland Security (2013-2107); General Counsel of the Department of Defense (2009-2012); General Counsel of the Department of the Air Force (1998-2001); Assistant U.S. Attorney, Southern District of New York (1989-1991).

Graduates, I have one other pointed and serious message for you today.

I speak to you now, not as a former government official, but as member of the legal profession you are about to join, and as a concerned private citizen.

The administration in which I served was not perfect. We had our shares of mistakes and setbacks.

But, like many Americans, I watch with growing despair and alarm as the standards of behavior, decency and ethics among our nation's political leaders spiral downward. New lows are reached on an almost weekly basis. In Washington today false statements, leaks, corruption, betrayal, self-absorption, and allegations of sexual misconduct have become commonplace. Our president routinely denigrates institutions of his own government. Politicians now believe that extreme and offensive positions are the way to win votes. Politics has become the ends, and not the means.

Even more depressing, a significant and increasing percentage of the American people now accept this of their political leaders.

We are watching our government descend into a reality TV show. This may be good for ratings, but it is destroying government of, by and for the people.

What can you do? What must you do?

Well, as my late law partner Ted Sorensen used to say, democracies are self-correcting. If you don't like what we have now, then there's always the next election.

But, in the meantime, in the face of this national spectacle, those of us in the legal profession must take care that a similar downward spiral in standards does not happen to us.

Graduates, the reality is that conduct engaged in today by our nation's political leaders is not acceptable for you.

Therefore, as you enter the legal profession, you must rededicate yourselves to the following:

First, your word is your bond. Do not give your word unless you know you can deliver on that which you have promised. Adherence to a promise breeds trust, and trust is the most valuable currency you own in our profession.

Second, there must be no compromise in our demands for truth and accuracy. There is no “fake news.” There are no “alternative facts.” Those phrases are non-sequiturs, and cannot be allowed to settle into our vocabulary.

Third, in the midst of the current leaks of classified and non-public information from our government, unprecedented in their pace and severity, we must rededicate ourselves to the sanctity of the attorney-client privilege, and the protection of client confidences. These are things that belong to the client, not to you.

Next, rededicate yourselves to treating others with respect. Treat others, superiors and subordinates, men and women, associates, as you would be treated. Never forget what it was like to be the scared first-year law student, the new kid in the dorm, the new clerk in the judicial chambers, or the new first-year associate in the firm, and how you were treated then. Recall those who took the time to mentor you and treat you with courtesy and patience, and, on the other hand, those others who took the opportunity to put you down to build themselves up.

Know that an apology is not a sign of weakness; it is a sign of strength.

Tolerate and celebrate the diversity of this Nation. Respect those who are different, and encourage others to do the same. Intolerance of those who are different reflects a narrow mind and a small heart.

Finally, remember that those who know history learn from it; those who don't know the mistakes of history are bound to repeat them. Those who know history know that our country is great and never stopped being great – for its capacity to grow, self-correct, accept monumental change, unimaginable progress, and to continually proceed toward a more perfect union.

If you are, like me, a little down about the current state of our democracy, take the long view. If there is one thing you remember about this speech, I hope it is this. Thirty-six years ago the speaker at this event was the civil rights leader Andrew Young. Ambassador Young said something to the Columbia Law class of 1982 that I never forgot, and repeat at every commencement or graduation speech I give. Work hard, take chances, experience this great country, and you will witness and accomplish things you never thought you would see in your lifetime.

How do I know this? Because, looking back, I now know that, at the moment Ambassador Young said that, there was another young black man with an unusual African first name who walked this campus at the time, and was enrolled in this university at the time, who I did not know at the time, who would go on to be President of the United States, and ask me to serve in his Cabinet -- something that, for myself or this country, I did not expect then to witness in my lifetime.

Take the long view, and you will know to be optimistic about our great country. The threat of rain this morning at 0800 eventually gave way to blue skies for your graduation this evening.

Consider my father, Jeh Vincent Johnson, who is now 87 years old. In 1949, he was a Columbia College freshman who lived in Livingston Hall. He rode a segregated train from Nashville, Tennessee to get here. 1949 was also the year that my father's father, the sociologist Charles S. Johnson, had to testify before the House Un-American Activities Committee, to deny that he was a member of the Communist Party and defend the patriotism of African Americans. My father has now lived long enough to also see his son testify before Congress about what he is doing to defend the homeland.

Despite the gloom and doom about the current state of our politics, I urge all of you to avoid the golden handcuffs, and consider, at some point in your career, in one form or another, serving the public interest.

I congratulate all those in this class headed to Big Law, including the 10 of you who are about to become my colleagues at Paul Weiss.

I've been in public service for a third of my career, and private law practice the other two-thirds. I will tell you that, though the salary of a cabinet officer charged with the responsibility of protecting the entire U.S. homeland is less than that of a first-year associate, my public service has been by far the most gratifying part of my career. No matter what else I do for the remainder of my private life, my public service will be the first paragraph of my obituary. It occupies the entirety of the scrapbook that I will one day pass to my kids.

You are graduating from one of the best law schools in the country. Whether it's your country, your state, your city, your community, your church, or immigrants at the border, there are people who need you. Within every one of you is a basic, God-given desire to serve and help others. Work to fulfill this desire, and you will draw enormous satisfaction in the practice of our profession.

Thank you and good luck.