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2007-11-15 H. Thomas Wells, Jr. ABA Presidential Speech

H. Thomas Wells Jr.

University of Alabama School of Law

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Thank you, General Harvey. It's good to be in Washington. I've been a litigator in Birmingham, Alabama, for 30 years, but my first job out of law school was at the Pentagon ... as a lawyer in the Air Force General Counsel's Office and a Captain in the Air Force. In this week where we celebrate Veteran's Day, I am proud to be among the many military veterans.

**So I understand ... and I appreciate ...
the vital role of our national security
apparatus. And, as a lawyer, I also
understand ... and I appreciate ... the vital
role in our nation's security that's played
by an independent bar, and an
independent judiciary.**

**For my year as ABA president that
will begin in August, I'd like to build on
the outstanding communication and**

**collaboration we've developed with our
military and national security
communities. It's crucial that we do so.**

**Preserving the rule of law is essential to
preserving our nation's security. But, like
most legal issues, there's a flipside:**

**Preserving our nation's security ... is also
essential to preserving ... the rule of law.**

**Striking the proper balance between
liberty and security is why we're here**

**today. It's a balance we're keenly aware
of as our brothers and sisters on the
bench and bar in Pakistan have been
beaten and jailed or placed under house
arrest—in the name of national
security—for taking to the streets and
insisting that the government follow not
the rule of one man ... or of one party ...
but the rule of law.**

It's why the ABA offers forums such as this 17th annual conference. Like so many of the projects we do, we facilitate open discussion, informed deliberation, and fair debate. We've brought together a diverse group of scholars and policymakers with the lawyers who advise on, oversee, and implement our nation's security strategies. In doing so, we are grateful for the collaboration from the

**Center for National Security Law at the
University of Virginia School of Law, and
from the Center on Law, Ethics, and
National Security at Duke University
School of Law.**

**I am here not only to offer you
encouragement for your valuable work. I
am also here to listen and to learn. In
preparing to lead our 413,000-member
organization, I am preparing myself to**

advocate on a variety of common core values that every lawyer shares—values like an independent bar and judiciary, access to justice, diversity, and the rule of law.

Given our common core values, the ABA's contributions to the national security discussion are valuable and appropriate. Thanks to the hard work of our Standing Committee on National

**Security Law and others in the ABA
community—some of whom are with us
today—our House of Delegates has
adopted policies on treatment and due
process for terrorism detainees, handling
of state secrets, use of surveillance, and
other important national security issues.
These policies are expertly informed and
carefully considered. And, most**

**important, they are steeped in our
profession's common core values.**

**We will continue to provide these
forums, and we will continue to develop
positions on the complex challenges we
face. Our goal is that our executive,
legislative, and judicial branches—
indeed, the American people—will
continue turning to us for guidance. Our
national security, and the very existence**

**of our nation as we know it, depends on
our collaborative efforts.**