Crime, Culture and Law Enforcement

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Abstract

Society spends ever-increasing amounts of money on prisons, and locks up a greater portion of its citizens than ever before, yet the criminal justice system is perceived as ineffective. There is an increasing trend towards violent self-help by those who do not have faith in criminal justice remedies, there is an apparent upswing in violent crime, and the criminal justice system seems barely able to cope with this situation.

In an effort to understand why our system of criminal law is encountering such challenges, it is necessary to examine how the relationship between the criminal law and the society it serves has changed.

Cultural Control and Equal Protection

One key to understanding the role of law enforcement in a society is to identify that portion of society which is in effective control of social institutions (sometimes hereafter "control group"). A contrast can be drawn between criminal laws and law enforcement systems which serve a narrowly defined, powerful elite, and criminal laws and systems which serve a broadly diverse population. If society is controlled by a small, homogeneous elite group, as was the case in Great Britain at the time of the American Revolution, the specific norms or values of that group will often be readily identifiable in the criminal law. In such an instance, an identity between arbitrary cultural preferences and legal mandates becomes apparent, and enforcement of such preferences by the law will tend to exclude and discriminate against members of minority groups.

This is not to suggest that law should, or can be, divorced from morality. Morality, unlike culture, tends to be transcultural and virtually universal in its application. For example, unjustified homicide has been and is universally condemned, at all times and by all cultures. Such a universality suggests that the prohibition on homicide is moral, not merely cultural. Conversely, operating a motor vehicle on one side or the other of the road, or the use of one language or another, is merely cultural, because the distinction is arbitrary, and varies from one society to the next.

If a society's control group enforces its cultural preferences by law, but falsely claims that such laws are morally based, it will eventually lose its credibility. For example, the control group in the pre-Civil War Southern region of the United States made a cultural bias -- the segregation of races -- into a purported moral imperative, and legislated against the mixing of races with the same vigor as truly moral issues such as murder. Human slavery itself was justified in the Old South, by appeals to Christian scriptures, as though such a cultural choice could be justified as a matter of high morality. Naturally, those who attempted to justify segregation of the races, or slavery, as "moral" issues had, and have, virtually no credibility with those who recognize that segregation and slavery are immoral, and merely expressions of cultural biases.

The explanation that challenges faced by law enforcement are the result of a

general "decline" in morality, which has precipitated a general breakdown in society and ordered liberty, is unsatisfactory. This "decline" in morals is more accurately described as the alteration or displacement of the cultural preferences of the former ruling class, in conformity with the Federal Constitution and the increased diversity of the population being served by government. Those who seem most vehement about the "decline" in normative standards are often members of the former controlling elite and their complaints as to changes in the ethical values being promoted, promulgated, or enforced by society may be motivated by a desire to return to more autocratic times, when their own cultural values were enforced by the power of the state, through the criminal laws, on a disenfranchised and diverse population.

In such a way, some control groups seek to merge culture, laws and "morality." What would merely be a cultural variance in a more diverse or more tolerant society, becomes a criminal violation.

It would be naive to suppose that the benefits of the criminal justice system are quickly or easily shared by those who wield political power with those over whom the power is wielded. An apparent impartiality in the law of crimes may mask the law's obedience to the rich or powerful who control the workings of government.

> *The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread. (The Red Lily, Anatole France, 1894.)*

As the twentieth century comes to a close, the greatest change in the way our society works has been the dramatic increase in the variety of persons who have taken and are taking part in the political governance of the United States. Persons historically excluded by law from participation in government; or discriminated against, because of race, ethnic origin, language, gender, sexual orientation, religion, disability, age, or other such categories; are becoming equal participants in the political process. This increasing inclusiveness in our society stands in stark contrast to the portion of society being served by law enforcement agencies at the time of the American Revolution.

At that time, society was controlled by white, male, property-owning, members of the Christian religion. The law, and law enforcement organizations, discriminated against and excluded persons outside of this control group. The common law of England, as codified by Sir William Blackstone in the eighteenth century, illustrates the values of the control group in that society, and shows how their cultural preferences were elevated to the level of morality, and were thereby enforced by their criminal laws.

A most dramatic example of criminal laws enforcing cultural bias is in English laws of the eighteenth century which enforce religious rules and observances. As discussed in more detail below, the religious doctrines of the Church of England were legally enforced by the ruling class on the entire population, regardless of religious affiliation or lack thereof. Large portions of the law of England, including both secular and ecclesiastically based laws, were introduced into American jurisprudence by the Doctrine of Reception, despite the First Amendment's ban on religiously-based laws. Acceptance of such laws, based on the cultural preferences and biases of England's rulers in the eighteenth century, is not surprising in view of the identity between England's power elite and that of the newly created United States of America.

In the two hundred year history of the United States, however, there has been a shift away from such religiously-based portions of the criminal law, and an increased attention to the requirement the any criminal prohibition be secularly, not ecclesiastically, justified. This is consistent with the democratic nature of our society and the increasing diversity among the population exercising political control or influence in the United States.

However, until political control stabilizes, until law enforcement can clearly see the parameters of the newly expanded controlling group, and until the now-inappropriate cultural preferences of the old, controlling elite are modified or removed from the criminal law, there will be tremendous confusion and difficulty on the part of the law enforcement community. The core purposes of law enforcement -- deterrence and retribution -- have remained constant, as have the underlying universal moral imperatives being enforced -- do not lie, cheat, steal, or cause harm to the person or property of another. However, the continuous change in the definition of those whom law enforcement serves, has resulted in social unrest and ambiguous "marching orders" for police, prosecutors, and the Courts.

Purposes of Criminal Law: Civil Order or Salvation

The purpose of criminal law is the regulation of human behavior. Criminal law is generally defined as those of society's rules which are enforced by coercive means, and punishable by a variety of penalties, up to and including death. More specifically, criminal law involves the punishment of behavior defined as "criminal," to provide both specific and general deterrence, and to provide retributive justice to the wronged party or survivors.

It must be remembered that the secular state, as we know it, gradually faded, from the time that the Emperor Constantine established Christianity as the "official" state religion of the Roman Empire, through the fall of the Empire in the fifth century. During the Middle Ages, the Christian church exercised an enormous amount of governmental authority, both directly and indirectly. The Church charged and prosecuted those who violated its doctrines, in its own system of tribunals, using an inquisitorially-based system. Church doctrine was founded on Biblical rules and regulations, as well as glosses and additions to scriptural authority created by ecclesiastical leaders over the centuries.

An entirely new aspect was added to criminal "law enforcement" in the Middle Ages by the fact that it was carried out by church officials. While the purpose of criminal law under Roman rule was secular order, the purpose of criminal law to medieval bishops, was salvation. Accordingly, great amounts of religiously-based rules were imposed by the church and enforced by the coercive power of the criminal law, beginning at the time of the Emperor Constantine and accelerating after the fall of the Empire. After the fall, the Church naturally took on significant responsibility with respect to law enforcement, because it was the only surviving organizational structure in the western world capable of "law enforcement."

Lex Talionis, Mosaic Code, and Roman Law: Origins of Equal Protection

Prior to the advent of Roman law in the Western world, there were two major bodies of criminal law which should be noted. The Code of Hammurabi (ca. 2000 B.C.)

was based on the doctrine of *lex talionis*, or "an eye for an eye and a tooth for a tooth." This was among the earliest of criminal codes, and illustrates that the primary purposes of criminal law (deterrence) and a socially accepted substitute for individual vengeance, were central to the criminal law at even such an early point in time.

The Mosaic Code (ca. 1000 B.C.) was somewhat more detailed, and specified some 33 capital crimes. Under the law of Moses, prostitution was punished by burning the prostitute alive (Genesis 38:24; Leviticus 21:9); a person who sacrificed his or her child to the god Moloch was to be stoned to death (Leviticus 20:2); stubborn or rebellious children were to be stoned to death (Deuteronomy 21: 18-21); adultery, homosexuality, and cursing one's father were all punishable by death (John 8:5; Leviticus 20: 9,12); and if a man had sexual intercourse with a woman and her mother, all three were to be burned alive (Leviticus 20:14). The law of Moses drew no distinction between religion and law. The purpose of the legal system was not to simply bring order into society, but to give appropriate glory to Jehovah, the god of the Jewish people.

Roman law is sharply different from the ancient law of the Jews in several respects. Roman law can be traced back to the "Twelve Tables" (ca. 451 B.C.), the actual text of which has not survived. (Grimal, The Civilization of Rome, New York, 1963, at p. 131.) The Twelve Tables sharply distinguish between law, on one hand, and morality and religion, on the other. (Civilization of the Ancient Mediterranean, ed. by Grant & Kitzinger, New York, 1988, at p. 607.) The Twelve Tables were, according to the many contemporaneous references by which their contents can be discerned, primarily procedural, and firmly codify the notion that law applies universally to all persons, regardless of rank or stature. (Grimal, p. 134.) Subsequent to the Twelve Tables, Rome developed a system of case law, whereunder the decisions of judges in particular cases, influenced or determined the outcome in later, similar cases. (Huxley, The Birth of Western Civilization, New York, 1964, at p. 208.)

The concept that like cases should be decided in a similar fashion was absolutely revolutionary, and gave substantial predictability to case adjudication. That a case would be determined on its merits, and not on the personal -- and irrelevant -- characteristics of the litigants (known now as the doctrine of equal protection of the laws) by a society ruled by an autocratic Emperor and which was built on a slave economy, seems unlikely. However, it was the diversity of the empire's inhabitants which made equal protection of laws historically inevitable, in that only by equitable and predictable enforcement afforded by such a system can the varied members of a society feel that they, too, have a stake in the society.

> *The grandsons of the Gauls who had besieged Julius Caesar in Alesia commanded legions, governed provinces, and were admitted into the Senate of Rome. Their ambition, instead of disturbing the tranquility of the state, was intimately connected with its safety and greatness. (Gibbon, The Decline and Fall of the Roman Empire, Penguin Classics Edition, London, 1985, at p. 60.)*

Roman law, independent of cultural prejudices or religious doctrines, as well as the doctrine of universality of application of law, became the common denominator that bound the disparate parts of a far-flung polyglot empire into a cohesive, manageable whole for hundreds of years of successful existence. Adherence to Roman law did not

require a citizen to obey the arbitrary cultural preferences of Rome's controlling elite. Rather, the law's requirements were simple, universally applicable, and severe. Prior to the acceptance of Christianity as the official state religion by the Emperor Constantine in the fourth century A.D., Roman law did not punish religious nonconformity, racial differences, private consensual sexual behavior, and other such cultural variances. As a result, the distinctions upon which later criminal laws in Christian Europe would depend

> *were obliterated, and (residents of the Empire) coalesced into one great nation, united by language, manners, and civil institutions, and equal to the weight of a powerful empire. (Rome) gloried in her generous policy and was frequently rewarded by the merit and service of her adopted sons. (Gibbon, p. 57.)*

The simplicity and severity of Roman criminal law, in combination with its equal application to all, made it very effective. Roman severity is illustrated in the Twelve Tables, wherein the crime of theft was divided into "manifest" and "nonmanifest," the former referring to thieves caught in the act, the latter to those not caught in the act. A slave caught at manifest theft was beaten and then thrown from a cliff (the Tarpein Rock). A free man so caught was beaten then made the bond servant of the victim. The penalty for nonmanifest theft was double the value of the property stolen. (Grant & Kitzinger, p. 625.)

Ancient Roman law provided a set procedure for searching for stolen property, not entirely unlike modern American law regarding search warrants. Personal injury and robbery with violence were punished in a manner similar to theft, with fines or other, greater penalties in cases where malice was shown by the perpetrator.

The ease with which Roman law was absorbed and applied by the many cultural groups with which Rome had contact, both during the imperial period and after Rome's fall, shows that Roman law embodied a set of core values that were transcultural, as opposed to embodying cultural preferences peculiar to the inhabitants of the city of Rome. After the fall of the Western Empire in the fifth century A.D., Roman law provided a template for the Germanic tribes known as Goths, who took over political control of what had been parts of the western portion of the empire (Grant & Kitzinger, p 627). Alaric II abstracted Roman law for his *Lex Romana Visigothorum* in A.D. 506, and the Burgundian king, Gundobad, issued *Lex Romana Burgundionum*, which restated rather than abstracted Roman legal principles, at approximately the same time (Grant & Kitzinger, p. 627).

After the displacement of the Western Roman Empire by the barbarians, the Eastern Roman Empire continued to promulgate and refine established Roman legal principles, with the most noteworthy being the works completed under the Emperor Justinian (A.D. 527 - 565). Justinian's combined works, known as the *Corpus Juris Civilis*, formed the basis for the study of law in western Europe, when it was ultimately revived at the law school of the University of Bologna in the eleventh century (Huxley, p. 208).

Unlike the Roman Empire, the kingdoms into which Europe broke up after the fall of the Empire were homogeneous. There was no need for the rulers of these small principalities to indulge in what Gibbon characterized as the "generosity" of Rome, by

enforcing tolerance of cultural diversity, and evenhanded application of law. England, from which the United States derived the bulk of its jurisprudence, was no exception to the insularity and xenophobia that characterized Europe through the Middle Ages. Until the Renaissance and the Enlightenment, notions that all persons should be treated equally before the law were forgotten.

The Middle Ages to the Eighteenth Century: Religion as the Basis for Criminal Law

The reemergence of Roman legal principles in the Middle Ages did not result in the immediate application of Roman notions of equal protection to the emerging European nations. However, the Roman principle of systematization was adopted by the Catholic church, which resulted in

> *[t]he creation of a comprehensive and systematic code of church law, (which in turn) facilitated the creation of a great international, ecclesiastical, judicial system centered on the papal court during the twelfth and thirteenth centuries. (Cantor, Medieval History, New York, 1963, p. 377).*

In addition to the adaptation of the rational Roman system of legal procedures to "the disorganized mass of (religious) pronouncements and traditions left over from the early middle ages," (Cantor, p. 376), the revival of the study of Roman law produced the law school graduates who would operate the vast ecclesiastical bureaucracy that developed in Christian Europe during the high-Middle Ages. (Cantor, p. 378).

England did not receive the Roman law to the same extent as the rest of Europe, because between 1066 and 1135, the Roman manuscripts detailing the Code of Justinian were not available north of the Alps. (Cantor, pp. 378 - 80.) The English monarchs were forced to rely on the descendants of the old Germanic "folk moots," or county courts, which were characterized by strictly oral pleading, the use of ordeal to determine the "facts" of a case, and the "domination of the court by the prominent men of the neighborhood or county ..." (Cantor, p. 380.)

The introduction by William the Conqueror of the Franco-Norman procedure known as an "inquest," where judges made factual determinations based on testimony taken both before and from a jury composed of local persons with knowledge of the case, resulted in "greater reliance on the opinions of the leading men of the community, for it was they who comprised the juries and whose testimony was instrumental in deciding the lawsuits ..." (Cantor, p. 381.)

At the accession of Henry II to the throne of England in 1154, there was no conception of equal protection of all persons, regardless of accident of birth, or power in the community.

> *In criminal proceedings common law procedure was strongly biased against the defendant, especially if he came from the lower classes in society. The man who was "ill-famed" in his community had little chance where the opinion of the neighborhood was the determining factor in criminal proceedings and where the investigation of evidence by the court was unknown. (Cantor, p. 381.)*

This system of adjudication by gossip and reputation, with no pretence at objectivity in evaluating evidence, was the parent of the English common law system. Fortunately, notions of case law, and resultant equal protection, developed in the evolving English law, so that by the time Blackstone codified the law in the eighteenth century the rudiments of some of the old Roman notions of procedural objectivity and adjudication based on evidence rather than status or reputation, can be seen. The systematic way in which Blackstone analyzed and categorized the English law is in itself Roman. However, the primitive Germanic enforcement of cultural preferences, as opposed to the Roman idea of equal protection and the enforcement of only the most central or fundamental doctrines, are still apparent.

The first, and best example of the unequal treatment of persons at common law in England is in the doctrine that 'the King can do no wrong.' Blackstone relates that "the king, who, by virtue of his royal prerogative, is not under the coercive power of the law; we will not suppose him capable of committing a folly, much less a crime." (Blackstone, p. 750.)

A person charged with a crime in England, by exercising what has become established as the absolute right to remain silent in the United States, was

> *remanded to the prison from whence he came, and put into a low, dark chamber, and there be laid on his back, on the bare floor, naked, unless where decency forbids; that there be placed upon his body as great a weight of iron as he could bear, and more; that he have no sustenance, save only, on the first day, three morsels of bread, and, on the second day, three draughts of standing water, ... and in this situation should be alternately his daily diet, till he died or till he answered. (Blackstone, p. 920.)*

Remaining silent in the face of accusation was tantamount to conviction of a felony. (Blackstone, p. 921.)

By the eighteenth century, the right to trial by jury in England developed to the point where juries were no longer selected on the basis of having personal knowledge about the case, contrasted to earlier times when juries were made up of "leading citizens" who were deemed to know the most about the facts of the case (Blackstone, p. 934).

Blackstone's Commentaries show that English law at the time of the founding of the United States, embodied large amounts of cultural dogma enforced as criminal law. The major subject area which illustrates the parochial, culture-specific nature of the English law of the eighteenth century, is what Blackstone called "Offenses Against God and Religion." As noted above, the law of Rome before the reign of Constantine I did not enforce the tenets of any specific sect or religious dogma. England's criminal laws enforced the culturally-laden doctrines of the Church of England upon all people living in England, regardless of faith or lack thereof. These crimes "immediately offend Almighty God, by openly transgressing the precepts of religion, either natural or revealed, and medially, by their bad example and consequence ...." (Blackstone, p. 758.)

Although England did not punish apostasy (total renunciation of the Christian faith) with capital punishment, as did the Christianized Roman Emperors Theodosius and Valentinian (Blackstone, p. 759), the 1697 statute on Blasphemy required that any

person raised or educated in the Christian religion who thereafter denied its truth, or denied the divine origin of the Scriptures, was to be denied the right to hold any office of public trust on the first offense, and was to be imprisoned for three years for the second offense. (Blackstone, p. 759.)

"Heresy," defined as doubting some, but not all, Christian doctrines was punishable by the same penalty set forth for apostasy. (Blackstone, p. 764.) Protestant Christians failing to attend church services were fined. Roman Catholic Christians were not allowed to inherit real property, were forbidden to teach school under penalty of life imprisonment, and were fined if they attended a Roman Catholic Mass. The combination of Roman Catholicism and apostasy or heresy was treated as High Treason. (Blackstone, p. 768.) Roman Catholic priests remaining in England for more than three days were adjudged guilty of High Treason as well.

Access to the political system in England was strictly limited to Protestant Christians: the "Corporate and Test Acts" required that no person could legally be elected to political office if he had not "received the Sacrament of the Lord's Supper according to the rites of the Church of England" within twelve months prior to the election, and required that all civil and military officials or officers must be members of the Church of England and receive its sacraments.

"Blasphemy," or the denial of the existence of God or of Jesus Christ, was punishable by fine, imprisonment or corporal punishment; "swearing or cursing" was punishable by a fine and/or imprisonment; and until 1735 "witchcraft" was punishable by death (Blackstone, p. 772.) Blackstone's comments on the last of these "crimes" suggests a hesitant disenchantment with the abuse engendered by this law:

> *These acts (which punished sorcery or witchcraft by death) continued in force till lately, to the terror of all ancient females in the kingdom, and many poor wretches were sacrificed thereby to the prejudice of their neighbors and their own illusions; not a few having, by some means or other, confessed the fact at the gallows. (Blackstone, p. 773.)*

"Sabbath-breaking," the transaction of any secular business on Sunday, was punishable by fine, corporal punishment, or imprisonment, as were drunkenness, lewdness, and having "bastard children." (Blackstone, p. 775-76.)

As a result of these, and many other criminal laws enforced in England in the eighteenth century, the cultural preferences of the ruling class were enforced on the population as a whole. Those who were racially different were generally excluded from England, on pain of death. (Blackstone, p. 822.) Those who dissented from the doctrines of the Church of England were severely punished, and women (but not men) who spoke contrary to those in authority were deemed "communis rixatrix," or common scolds, and were

> *sentenced to be placed in a certain engine of correction called the trebucket, castigatory, or cucking-stool, though it is now frequently corrupted into ducking-stool, because the residue of the judgment is, that when she is so placed therein, she shall be plunged into the water for her punishment. (Blackstone, p. 824.)*

The poor and those who could not work were punished as "vagrants" or "vagabonds," with flogging and imprisonment, and during and after the mid-sixteenth century when statutory enactments made criminal what had been previously prosecuted only by the Church courts, the English state routinely put homosexuals to death as felons (Blackstone, p. 855.)

Design Conflicts: Changes in Purpose, Method of Implementation, and Society Served

As noted above, the United States is in a dynamic period of change, in terms of the inclusiveness of all its citizens in the benefits of the social contract. Although the U.S. Constitution is premised on an abstract equality of humankind, persons of African descent were routinely bought and sold as property until the American Civil War, and females were not allowed to hold property in their own names, or even to vote, until the twentieth century.

Roman society does not provide us with any model of "perfection," to compare with the nature of modern American society. Romans practiced human slavery, as did most nations of the world until the nineteenth century. Women were not accorded equal rights in Roman law, but were subject to the will of their fathers, then their husbands, in the same manner as women have been treated in virtually all nations of the world until the twentieth century.

What the Roman formula for success does give us, is some idea how a diverse, multiracial, multi-religious, and multilingual society can survive and prosper, taking advantage of the diversity of its citizens, rather than seeking to impose an artificial uniformity derived from the cultural prejudices of the ruling class. The Romans, while far from perfect, placed value on diversity, by promoting and protecting the rights of all inhabitants, even slaves, to the extent that those rights being protected did not conflict with the core purposes of the Roman state.

Without deeply analyzing, or speculating, regarding the core purposes of an Empire which has not existed for two millennia, it is not difficult to set forth the core principles upon which the United States was founded. Although we took in the cultural prejudices of England at our founding, core principles of the United States include equal rights, due process of law, and the right of the individual to be protected from others, and from the government, in his or her life, liberty, ownership of property, and in matters of conscience. (See, U.S. Constitution, Amendments I - X.)

As the promises made in the U.S. Constitution have slowly been discovered and then enforced by the courts, and to some extent by the elected branches of government, the "ruling class" in the United States has changed. In the eighteenth and nineteenth centuries, the criminal law, and law enforcement officers served the white, male, Christian property owners who controlled the democratic process. Democracy was applied only to this limited class of citizen, and political participation in this was denied to many persons.

Law enforcement's dilemma is in determining who has now become included in the definition of the "ruling class." Clearly, women and minorities have begun to take their share of the burdens and benefits of self-government, and law enforcement has begun to recognize this change. However, until law enforcement's behavior fully reflects the fact that all citizens are to be served on a fair and equal basis, there will remain

great amounts of residual distrust on the part of those who, for many centuries, have been excluded from law enforcement's protection and have been subject to penalties inflicted by law enforcement. It will take time, and a real behavioral change on the part of law enforcement officials, before citizens of African-American heritage will trust the same law enforcement agencies that hunted their ancestors as "fugitive slaves," enforced racially discriminatory "Jim Crow" laws even after the Civil War, and denied the use of public accommodations to African Americans well into the 1960's. Incidents involving abuse of authority by law enforcement officers against racial or other minorities will only feed the distrust, making the goal of protecting and promoting the diversity of our population more difficult.

Future Trends: Implications for Law Enforcement in the United States.

As recognized by the founders of the United States, legitimacy in government is derived from the consent of the governed. To the extent we continue to exclude those who are "different" (from the old ruling class) from positions of power and responsibility, and to the extent that we permit the machinery of the criminal law to be used in a discriminatory and unfair way against women and minorities, there can be no true consent by the governed, placing the legitimacy of our state in jeopardy.

Law enforcement agencies, reading the demographic "writing on the wall," have begun to implement vigorous training on tolerance and diversity in the work force, and to aggressively recruit officers and officials from those groups of persons historically discriminated against. If these efforts are sincere and are carried through, they will produce a society in which the previously disenfranchised will choose to defend the values of our country. As members of once excluded groups have demanded and gradually obtained incorporation into the political mainstream, law enforcement agencies have struggled to recognize that they are accountable to a larger customer base than had been the case in the past. Law enforcement's response to these societal changes may either perpetuate the perception by persons outside the traditional control group, of a system designed to enforce discriminatory practices that are no longer acceptable, or may act as a catalyst for bringing these changes about in a peaceful and rational manner.

Whether the term "American" comes to characterize the same diversity as did the term "Roman," depends on the extent to which we adopt the philosophy of the ancient Romans, not their brutality and obvious shortcomings but the practical way they put diversity to work, using the differences between people as catalysts for invention and accomplishment, and giving each citizen the feeling of "ownership," or of having a real proprietary interest in the country. If this comes to pass the United States will have made remarkable progress in fulfilling the promises of the Enlightenment, and will have taken great strides in guaranteeing its survival for thousands of years to come.

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Audlin has supervised clinical criminal justice interns for the Florida State University School of Law, has taught courtroom demeanor and trial preparation for the FDLE, the Florida Highway Patrol and the Florida Department of Insurance, and he has spoken on Pyramid Schemes for the Department of Banking and Finance. Audlin is a 1993 graduate of the Senior Leadership Program, and has lectured on the effect of cultural change on law enforcement, based on this paper.