

## Introduction

*Eric H. Holder, Jr.*

This past July marked the 150th anniversary of the establishment of the Department of Justice (DOJ) by President Ulysses S. Grant. When Congress established DOJ, it created “an executive department of the government *of the United States*.”<sup>1</sup> Indeed, the mission of DOJ is to “enforce the law and defend the interests *of the United States* according to the law.”<sup>2</sup> DOJ has been, and should always be, a defender of our country, our Constitution, and our values – not a president, not an administration, not a political party.

DOJ is a moral institution. At its best, DOJ – through all of its components – defends the American people and their interests while adhering to principles that support the rule of law. History has shown that this is not always an easy task. In those times when the leadership at DOJ loses sight of those defining principles, it has lost its way with disastrous consequences for the Department and for the nation. When Presidents have tried to compromise the integrity of DOJ, and its leaders have not resisted, the core of the nation has been negatively impacted.

The Justice Department must always be the place in the Executive Branch where the application of the law melds with policy to support the ideals that must be at the core of government. DOJ is not an entity divorced from the pushes and pulls of political debate. The leadership of the Department is appointed by, and serves at, the will of the President. But that which is political must play a much more diminished role at DOJ than at other executive branch agencies. With the ability to separate citizens from property or their liberty, DOJ must

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1. An Act to Establish the Department of Justice, ch. 150, 16 Stat. 162 (1870) (emphasis added).
  2. *About DOJ*, U.S. DEP’T JUST., <https://www.justice.gov/about> [<https://perma.cc/6QDN-PGLA>] (emphasis added).

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always zealously guard its neutral role and the perception of the American people that it is acting as such.

These have been trying times for our nation. This anniversary is an appropriate time to examine where the Department is and where it must go in order to fulfill its critical mission.

*Eric H. Holder, Jr. served as the 82nd Attorney General of the United States.*