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# Our Heritage of Justice

EXTENSION OF REMARKS OF  
HON. FRANK E. HOOK  
OF MICHIGAN  
IN THE HOUSE OF REPRESENTATIVES

*Monday, October 2, 1939*



AN ADDRESS BY HON. FRANK MURPHY  
ATTORNEY GENERAL OF THE UNITED STATES

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# Our Heritage of Justice

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ATTORNEY GENERAL OF THE UNITED STATES

IN Europe and Asia today, many of the mightiest nations on earth are engaged in arbitrating their differences by the mass destruction of human life. Here, we peacefully celebrate the one hundred and fiftieth birthday of an organization dedicated to the settlement of differences tolerantly, by the rule of reason, under laws that apply equally to all.

That record of impartial justice, impartially administered for a century and a half, is a proud inheritance of all of us who carry on the Department's work. And today, especially, it is a heritage to be guarded jealously. For on its preservation the safety of democracy itself very heavily depends.

Look at the history of the vanished democracies of Europe and of the autocracies that have risen in their stead. Of course, it is partly a picture of economic insecurity and social chaos, but it is also a picture of failure to keep the institutions and processes of democracy clean and efficient. It is a picture of democratic governments that failed not only to keep their people physically secure but also to keep the people's faith in the integrity and the efficiency of their government. And when that happened the governments at fault were inevitably swept away.

We cannot let that happen here. We have managed to keep for a century and a half a system of human living which, despite its imperfections, represents the goal of thoughtful men, great and

humble alike, since the dawn of human history. The thinkers of today—those who love justice and liberty—are looking to America to keep that system safe in a world gripped by war.

Our great duty and obligation is to show that we are worthy of this trust.

With a steady purpose in our hearts, we must free our public life of everything dishonest and unclean. If there is one thing that a democratic people should not excuse in any democratic government, it is official corruption and crime. More than anything else, corruption destroys the integrity of government. More than anything else, it disheartens the people and kills their faith in government. And unless we stamp it out, unless we protect the integrity of government, we should not hope for democracy to succeed.

We have a duty, also, to protect and improve the efficiency of government—to provide the essential services effectively and economically. We know, in the main, how this can be done. We know that there must be freedom from the spoils system. We know there must be high standards and careful methods of choosing personnel, and a modern system of managing personnel once they are chosen.

There is no part of our job more important today than the protection of civil liberties. The world has been racked for many years by waves of intolerance that have destroyed the rights of minorities in other lands and reached even into our own midst. We are told by some that the way to recovery and peace is to crush one group or another that supposedly is to blame for all our troubles.

There is nothing for us in such a course but sorrow and tragedy. America was not built to its present greatness by intolerance, and we will not solve our present troubles by intolerance. We are one people—no matter how many the races and religions and nations that make up our population. Only as one people can we correct the conditions that are holding us back. But we will remain one people only as long as we religiously and meticulously protect the rights and liberties of every individual and group among us.

There is one final duty of this Department and of the entire Nation that I have in mind especially today. It is the duty of being alert and ready to cope with those whose aim or mission it may be to sabotage and undermine this greatest citadel of human freedom left on earth.

We are a nation whose creed is to live and let live. We practice the principles of equal justice and equal rights for all, regardless of race or creed or national origin. We have practiced those principles for a century and a half, even though we have known that by so doing we were giving the enemies of democracy a perfect field of operation. It is our intention to adhere to those principles. But at the same time we do not need to close our eyes to the fact that certain elements in our midst may be willing to take advantage of this situation—to use the protection of those very principles of equal justice and equal rights for all—to promote and foster a system under which the principles themselves would be utterly destroyed.

There are well-meaning individuals who fear that by taking action to protect democracy against that kind of activity we will in fact make inroads upon democracy.

I recognize the sincerity of that position, but I do not believe it is based on a realistic view of the nature of democracy. I do not believe that loyalty to democratic ideals precludes a democratic nation from bracing itself against realities in a world where, for the moment at least, might is the test of survival. I do not believe we would serve democracy by standing silent and apathetic while the agents of autocracy and subversive elements plan and scheme and work to establish a system that would mean the end of democracy and freedom and equal rights for all.

Freedom of speech, freedom of the press, and freedom of religion—these things that are the very heart and soul of our lives can and must be preserved. But while preserving them we can be on guard against the enemy in our ranks and keep ourselves fully informed about their movements. We can be mindful of lurking danger and prepared to act wisely and judiciously, but firmly and effectively, when such action may be necessary to preserve our free institutions from undoing.

That, after all, is the sum and substance of our task—to keep freedom alive in a world where more and more of mankind are seeing freedom slip from their grasp. The voices of humanity call to America to avoid that fate. My conviction is that we will.



One hundred fifty years of progress in the administration of American justice was observed on September 24, 1939, when the Department of Justice marked its sesquicentennial. The Attorney General of the United States, the Honorable Frank Murphy, addressed the employees of the Department of Justice on Our Heritage of Justice, on Monday, September 25, 1939.

"Upon this happy occasion the Department rededicates itself to the task of safeguarding human rights, civil liberties, and equitable justice," Attorney General Murphy said in a statement issued to the press.

The post of Attorney General was created by the Judiciary Act of September 24, 1789, which provided for a Supreme Court with a Chief Justice and five Associate Justices, a District Court and a District judge for each of the States, and three Circuit Courts.

Gov. Edmund Randolph, of Virginia, legal adviser to President George Washington, was nominated to fill the position at an annual salary of \$1,500, and occupied the office of Attorney General in the Federal Capital in New York City.

With the removal of the seat of government to Washington, the various departments were housed in nondescript buildings grouped about President Washington's house. No accommodations whatever were provided for the Attorney General, who was expected to furnish his own quarters, fuel, stationery, and clerk.

In 1822 the Attorney General was furnished with his first official quarters—one room on the second floor of the old War Department Building. There the office was maintained until 1839, when the Attorney General, whose staff now consisted of a clerk and a messenger, and who had acquired the nucleus of a library, moved into rooms located on the second floor of the Treasury Building.

Sixteen years later the office was removed to a brick building on the southeast corner of Fifteenth and F Streets. Here it remained

until 1861 when, upon the completion of the south wing of the Treasury, a suite of rooms was provided on the first floor of the new addition.

Finally, after 81 years of existence, the office of the Attorney General had expanded to such an extent, both in functions and in personnel, that it became in reality one of the executive departments of the Government.

In recognition of this fact, the Congress enacted the law of June 22, 1870, which established the Department of Justice. Today the Department of Justice—the largest law office in the world—is housed in a spacious building, opened October 1934, which occupies an entire city block between Ninth and Tenth Streets.

Today the affairs and activities of the Department of Justice are generally directed by the Attorney General who has, as his chief aides, the Solicitor General, the Assistant to the Attorney General, the Special Assistant Attorney General, six Assistant Attorneys General, the Assistant Solicitor General, the Director of the Federal Bureau of Investigation, the Director of the Federal Bureau of Prisons, the Director of the Bureau of War Risk Litigation, the Director of the Bond and Spirits Division, the Administrative Assistant to the Attorney General, and many special assistants to the Attorney General.

In addition, United States attorneys and their assistants, United States marshals and deputies, personnel in the field offices of the Federal Bureau of Investigation, field employees of the Federal Bureau of Prisons, and others, are among the 11,000 persons employed by the Department of Justice.