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## Eric Holder's Top 10 Rule-of-Law Violations

By Ilya Shapiro

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In light of my two lists of President Obama's top 10 constitutional violations — for 2011 and 2013 – a few readers have asked me to follow up on my short statement about Attorney General Eric Holder's tenure by putting together a list for him. I had started thinking about that, but then came across this item by Hans von Spakovsky (who co-authored with John Fund a book on Holder's missteps), which details Holder's "7 Worst Actions as Attorney General."

Here's a summary of the list:

1. Operation Fast and Furious, for which the House of Representatives held him in contempt.
2. Holder's war on election integrity and how he "racialized and radicalized" the Justice Department's Civil Rights Division.
3. Failing to investigate the IRS's political targeting and enforce the House's contempt citation against Lois Lerner.
4. Handling national security threats as criminal justice issues and going after journalists in leak investigations while turning a blind eye on sensitive administration leaks.
5. Failing to advise President Obama against unconstitutional actions, refusing to enforce/defend federal laws.
6. Engaging in collusive lawsuits with advocacy groups to implement regulations without going through the normal legislative or even administrative course.
7. Treating Congress with contempt.

Now, I would break out a few of these. For example, Holder's election-related lawsuits are a bit of a different animal than his staffing of the Justice Department along racial/partisan lines (both listed at number 2), even they're symbiotically related. And the issue of how Holder handled national security matters is different from his surveillance of journalists (number 4). Most

importantly, the unconstitutional executive actions are so numerous, they surely shouldn't all be bunched together (number 5).

I would also add a few obvious items, which I mentioned in my previous statement:

1. Lawsuits against school choice in Louisiana and Wisconsin, invoking civil rights laws to prevent poor kids from escaping failing schools.
2. Losing arguments at the Supreme Court — including 13 unanimous losses in the last three terms, winning less than 40% of cases two years ago and barely more than half this past term.
3. Divisive enforcement actions (and rhetoric) regarding racial preferences in policy areas ranging from the right to armed self-defense to the Fair Housing Act (related to number 2 above).

But anyway, whether you call it a top 10 or baker's dozen, it's clear that, as one anonymous long-serving Justice Department lawyer put it, "Holder is the worst person to hold the position of attorney general since the disgraced John Mitchell, who went to jail as a result of the Watergate scandal."

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