

Rule of Law

Time Needed:

One to Two Class Periods

Materials Needed:

Student worksheets

Copy Instructions:

Skit Scripts (*One set for each group of actors*)

Skit Reinforcement Worksheet (*2 pages, class set*)

Graphic Organizer (*1 page, class set*)

Review Worksheets (*2 pages, class set*)

Learning Objectives.

Students will be able to:

- Define "Rule of Law"
- Explain how the rule of law protects individual rights and preserves the common good
- Recognize the influence of the rule of law on the development of the American legal, political, and governmental systems
- Analyze the necessity of establishing and enforcing the rule of law
- Examine how the rule of law affects everyday life
- Identify the effect of *Marbury v. Madison* and its relationship to the rule of law

STEP BY STEP

- ANTICIPATE** by asking students to imagine what life would be like if there were nobody to enforce the laws. What might happen? Have each student think of at least one possibility, then call on students to share what they thought of.
- EXPLAIN** that they will be learning about the rule of law by performing and watching skits. Explain that they will learn about six factors that make up the rule of law, and there will be one skit for each factor. Explain that the skits show what might happen if there were NO rule of law. (Note: The factors were adapted from those used by the U.S. Agency for International Development. USAID's model includes some factors that are not included in this lesson.)
- GROUP** students together and assign each group a *Skit Script*. Let students choose their roles. (The number of roles in each skit varies, so check that before you form the groups.)
- ALLOW** the groups to read and practice the skits for 10 minutes.
- REGROUP** the class and distribute a *Skit Reinforcement Worksheet* to each student.
- BEGIN** the skit performances with the skit for the first factor. **After each skit, have students complete the corresponding activity on the *Skit Reinforcement Worksheet*.** The idea is to have them identify the concepts illustrated by each skit.
- REVIEW** the answers to the skit reinforcement activity before going on to the next skit.
- FINISH** all skit performances.
- DISTRIBUTE** a *Graphic Organizer* to each student. Explain that they will use the bold words on the *Skit Reinforcement Worksheet* to fill in the blanks on the *Graphic Organizer*.
- ALLOW** students to complete the *Graphic Organizer*.
- REVIEW** the answers to the *Graphic Organizer*.
- DISTRIBUTE** the *Review Worksheet* and go through the directions for each activity.
- ALLOW** students to complete the *Review Worksheet*. Consider doing the "Rule of Law—Where Does It Come From?" activity together as a class.
- CLOSE** by asking students to silently recall all six factors of the rule of law. Call on students until all six factors discussed in the lesson have been named.



Skit #1: Order and Security

Roles:

Friend #1
Friend #2
Robber
Officer

Summary:

Two friends are attacked by a robber on the street. After searching for half an hour, they finally find a police officer. The police officer doesn't know how to help them. Even when the officer catches the robber, there is no jail where the officer can keep the robber, and the officer does not have the skills to figure out what is going on. The officer suggests the injured friend seek justice through a local council instead of in the court system.

Skit:

FRIEND #1: You always want to go to the mall. Let's go see a movie this time.

FRIEND #2: But the movie will get out after dark, and it's too dangerous to be on the street after dark.

FRIEND #1: It's always dangerous on the street! I mean, even right now we could—Hey!

[Robber comes up.]

ROBBER: Give me all your money!

FRIEND #1: I don't have any money!

ROBBER: The watch! Give me the watch! [robber gets into a fight with Friend #1, and Friend #1 is badly injured]

FRIEND #1: Okay, okay! Take the watch. [Friend #1 removes his watch]

[Robber takes watch and runs away.]

FRIEND #2: Help! Police!

FRIEND #1: There aren't any police around here.

FRIEND #2: Let's try to find one. Can you walk?

FRIEND #1: I think so. [they walk]

FRIEND #1: We've been looking for half an hour, and there's no—

FRIEND #2: There! Help! Police!

[Officer comes over]

FRIEND #2: Officer! Help! Someone robbed and beat up my friend.

OFFICER: Do you know where he is?

FRIEND #1: No. He ran away.

OFFICER: Hm. Don't know what I can do, then.

FRIEND #2: Find him!

OFFICER: In this city? I wouldn't know where to start. And even if I found him, what would I do with him? We don't have anywhere to put him. The jail has been shut down for years.

FRIEND #2: You can't do anything?

FRIEND #1: Hey! There he is!

[Officer runs after Robber and catches him by the arm.]

OFFICER: This is the guy?

FRIEND #1: Yes! See? He has my watch!

OFFICER: [to robber] Is this your watch?

ROBBER: Yes. My mother gave it to me.

FRIEND #1: That's a lie!

OFFICER: Look. There's no way for me to know who's telling the truth. [lets robber go]

FRIEND #2: You're just going to let him go? He needs to be punished!

FRIEND #1: And he has my watch!

OFFICER: Take it up with the local council. They can figure out what to do.

FRIEND #1: I don't want to go to the council. I want to go to court.

OFFICER: The council is better for this kind of thing.

FRIEND #1: So you're not going to do anything?

OFFICER: [shrugs] Nothing I can do. You'll have to solve it yourself, or talk to the council.



Skit #2: Legitimacy

Roles:

Builder
Friend #1
Friend #2
Friend #3

Summary:

One person is building a house while a friend sits and reads the newspaper. When another friend arrives and questions whether the roof looks legal, the builder laughs at the laws that are in place. The laws were borrowed from a different country and do not make sense in this country. But the lawmakers don't care what the citizens need and aren't interested in listening. A third friend arrives, who is breaking the law with his smelly car. But the law is stupid and impossible to follow, so why try?

Skit:

FRIEND #2: What are you building?

BUILDER: A house! What does it look like?

FRIEND #2: Looks like it's about to fall down, if you ask me. Isn't it against the law to build the roof like that?

BUILDER: Yeah, but the law requires tiles. Who's ever seen tiles around here?

FRIEND #1: [reading paper] We were just talking about this new building code they passed. What a joke!

FRIEND #2: You mean they took a break from lunch long enough to pass a law?

FRIEND #1: Ha ha! Guess so. Doesn't have anything to do with us, though. It's all about building fancy hotels and skyscrapers.

BUILDER: They make a law about fancy places, but they won't change the law that says I'm supposed to use tiles for my roof. You can't even get tiles in this country!

FRIEND #2: That's what you get when you borrow a bunch of laws from some country halfway around the world. They must have plenty of tiles there.

BUILDER: [grumbling] Good thing there's no money to pay any inspectors.

FRIEND #2: One of these days, we ought to vote those people out of office. When are they going to listen to us about the laws *we* need?

BUILDER: Ha! Never, that's when. They don't want input from people like us.

FRIEND #3: [drives up in a car] Hey, guys! How's it going?

FRIEND #1: Great. Nice set of wheels! Awful lot of smoke coming out of that tailpipe, though.

FRIEND #3: I know! Can you believe they said I have to pass an emissions test?

BUILDER: With that thing? Good luck!

FRIEND #3: I know. Even if I wanted a new car, who's ever seen one for sale in this country?

FRIEND #1: Not me. We don't even have any car makers here.

FRIEND #3: I can't even get new parts. But the law still says all the cars have to pass emissions. It's stupid.

FRIEND #2: You going to do it?

FRIEND #3: Heck, no. Why should I?

FRIEND #2: Because it's the law?

FRIEND #3: Ha ha! Good one! See you around, guys. [speeds off]



Skit #3: Checks and Balances

Roles:

President
Legislator #1
Legislator #2
Legislator #3

Summary:

The President's friend wants a new law that will help his business make more money. The President asks the legislature to pass the law. He assures the legislators that Bob Smith will reward them for their cooperation. Nobody is worried that the law won't hold up because the court system is too disorganized. Even if someone does take the law to court, the President or the legislators can just bribe the judges.

Skit:

PRESIDENT: Hi, guys. Listen—Bob Smith came to see me. His coal business isn't making enough money, and he wants us to let up on the safety rules. It costs a lot to keep those mines safe. I told him we could pass a law doing away with some of those mine safety rules.

LEGISLATOR #1: Maybe we could, but what's in it for us?

PRESIDENT: Don't worry. He said he would be sure to take care of you.

LEGISLATOR #2: Sounds good to me. What do you want the law to say?

LEGISLATOR #3: Wait a minute—can we do that?

LEGISLATOR #1: Who's going to stop us?

LEGISLATOR #3: The judicial branch. Somebody might challenge the law in court.

LEGISLATOR #2: Let them try! The court is so disorganized, it loses track of half the cases.

LEGISLATOR #1: Yeah. Most of them never even go to trial. And we hardly have any judges. We may as well not have any judicial branch at all.

PRESIDENT: Which makes things a lot easier for us. But don't worry. If someone does challenge the law in court, we'll just do the judge a little favor, if you know what I mean.

LEGISLATOR #3 [to the President]: Yeah, I know what you mean. But I've got a letter here from a guy who says he voted for me. He works in the coal mines and he says a lot of people are getting hurt. He says we need more safety rules, not less.

LEGISLATOR #2: How much money is he going to give us for passing more safety laws?

LEGISLATOR #3: Aw, come on. Aren't some things more important than money?

PRESIDENT: Look here. You'd better get on board with this or you might not be representing anybody. Bob Smith can do a lot for us. Besides, he's a family friend.

LEGISLATOR #3: [Looks at the letter, then at the President] You think he'll let me use his yacht for a couple weeks? My kids could use a vacation.

LEGISLATOR #1: Sounds like we're going to get this law passed without any problems.

PRESIDENT: Don't you worry. You'll be sunbathing on the waves before you know it. Send me the bill as soon as it's passed, and I'll sign it right away.



Skit #4: Equal Application of the Law

Roles:

Judge
Thief
Officer
Town Mayor

Summary:

After sentencing a thief to five years of hard labor for stealing potatoes at the market, the judge finds the town mayor waiting in his office. The mayor had a problem at the market, too. He lost his temper with a vendor because of the vendor's high prices. The mayor broke things in the vendor's shop and broke the vendor's arm. Because of the mayor's position, the judge agrees to overlook the offense.

Skit:

JUDGE: I find you guilty of stealing two sacks of potatoes from the market. I sentence you to five years of hard labor and a \$1,000 fine.

THIEF: But Your Honor, I don't have any money!

JUDGE: Then you should not have broken the law. Case closed! I'm going to take a break.

THIEF: Wait! This isn't fair!

OFFICER: Settle down. Let's go.

THIEF: It was only potatoes! My kids didn't have enough to eat!

OFFICER: Be quiet, or I'll have to gag you!

[in the judge's chambers]

JUDGE: Hey there! This is a surprise. Good to see you.

TOWN MAYOR: Listen. I've got a small problem.

JUDGE: Oh?

TOWN MAYOR: I had an issue with this vendor at the market. You know how it is. These guys and their prices—they try to get away with murder these days! I might have let my temper get a little out of hand.

JUDGE: How out of hand?

TOWN MAYOR: I might have broken a few things. Including his arm.

[judge sighs]

TOWN MAYOR: Look. I've known you for a long time. Since before you got this job, if you understand my meaning.

JUDGE: I understand very well. But you don't need to pull that with me. You're the mayor—I'll take care of things.

TOWN MAYOR: That's what I figured, but I wanted to talk to you in person.

JUDGE: Doesn't sound to me like there was any problem at the market at all. [laughs] Those vendors should learn how to treat a customer right.

TOWN MAYOR: [laughing] I am the mayor, after all!

Rule of Law

Name: _____



Skit #5: Procedural Fairness

Roles:

Jail Guard
Prisoner #1
Prisoner #2
Prisoner #3

Summary:

Three prisoners end up sharing the same cell. One prisoner has been in prison for two years without being told why and without ever seeing a judge. Another prisoner is taken to court after spending only a short time in jail. There is no clear reason why that prisoner gets to go to court when the other one did not. A third prisoner has been jailed for not being able to pay the court fee. The court fee is decided by the judge on a case-by-case basis.

Skit:

[Jail Guard throws Prisoner #2 into the jail cell, where Prisoner #1 is already living.]

PRISONER #1 [to the jailer]: Hey! Hey, have you found out anything yet?

JAIL GUARD: Not my job to find out things. I just make sure people don't escape.

PRISONER #1: Come on—you said you'd try to find out why I'm in jail.

JAIL GUARD: Probably because you did something wrong.

PRISONER #1: But I didn't do anything! Come on—Can't you find someone who can tell me why I'm here?

JAIL GUARD: Shut up and eat your dinner.

[Jail Guard leaves]

PRISONER #1: I've been in here for two years and I still can't get them to tell me what's going on. I've never seen a courtroom—nothing.

PRISONER #2: Seriously? You mean I could be in here for years without seeing a judge?

PRISONER #1: Maybe. But then, I've seen people get out after a few weeks. Who knows why.

PRISONER #2: Probably because they've got money. That leaves me out—I got caught stealing a loaf of bread.

[Door opens]

JAIL GUARD: You guys have got company.
[Guard throws another prisoner in the cell.]

PRISONER #3: It's not fair! You can't put me in here!

JAIL GUARD: Tell it to someone who cares. [shuts the door]

PRISONER #3: This is awful. How am I ever going to get out of here?

PRISONER #1: Ha. Maybe you won't.

PRISONER #2: What happened to you?

PRISONER #3: They took me to the judge, but he set the fee for my case really high. Five hundred dollars! I couldn't afford it.

PRISONER #1: What crime did you commit?

PRISONER #3: I didn't commit a crime. I owe my neighbor money, and she sued me. The judge said since I couldn't pay my neighbor and I couldn't pay the court fee, I had to come here.

PRISONER #2: That is so unfair!

PRISONER #3: And get this: The guy before me only had to pay \$75 for his case. I don't know how the judge decides what the fee is going to be.

[Door opens]

JAIL GUARD [to Prisoner #2]: Hey, you—yes, you. Come on.

PRISONER #2: Where are you taking me?

JAIL GUARD: They said the judge is ready to hear your case.

PRISONER #2 [pointing at Prisoner #1]: What about him? He's been in here longer than me.

JAIL GUARD: I don't know anything about him. Are you coming or not?

PRISONER #2: Good luck, you two...



Skit #6: Access to Justice

Roles:

Tamara (woman with a problem)
Robert (Tamara's male friend)
Angela (Tamara's female neighbor)
Court Clerk
Man (Files a case in court)

Summary:

Tamara wants to take a man to court for refusing to stop farming her land, but the local court is almost always closed. The nearest court is in the capital city, but Tamara can't afford to travel that far. When the local court opens for a day, Tamara thinks she'll be able to file her case. But women are not treated the same as men, and as a woman, Tamara did not get enough schooling to be able to read the forms. Without access to justice, Tamara has no way to enforce her rights.

Skit:

TAMARA: I don't know what to do! I've told him a hundred times he can't farm that land. It's my land, but he won't leave.

ROBERT: I can think of a few ways you could get him to leave.

TAMARA: I'm sure you could. But I don't need to go to prison. [sighs] Maybe the court will open soon.

ROBERT: Ha! It's been closed for six months. If you want to take him to court, you'll have to travel to the capital city.

TAMARA: I can't afford to travel five hundred miles to the city. They've got to get a judge out here soon. They can't just leave the court closed forever.

ROBERT: That would take money. Besides, you would never win. You're a woman.

TAMARA: Yeah, you're probably right.

ANGELA: Hi, guys! Guess what? I was just in town and the court is open. Can you believe it?

TAMARA: Really? Maybe if I go there right now I can file a case.

ROBERT: [sarcastically] Good luck.

ANGELA: I'll go with you. Let's go.

[Tamara and Angela go to the courthouse]
[at the clerk window]

TAMARA: Excuse me. Excuse me!
[clerk ignores her]

TAMARA: Excuse me! I want to file a case.

CLERK: Fill out this form.

TAMARA: Can you help me fill this out? I don't understand it.

CLERK: Nope. You've got to do it on your own.

MAN: Excuse me. I'd like to file a case.

CLERK: You need to get out of the way, ma'am. Fill out this form, sir.

MAN: Okay. [takes form and fills it out]

TAMARA [to Angela]: I can't read this.

ANGELA: I had two years of school. Let me try. [looks at form] I can read some of it, but I don't really understand what it's about. I don't know anything about how the courts work.

TAMARA [to clerk]: Isn't there any other way I can see the judge?

CLERK: Nope. Sorry.

TAMARA [to Angela]: Let's just go. I'll have to find some other way to get that man off my land.

Rule of Law

Name: _____

Did You Get It? After you watch each skit, complete the cause/effect activity that goes with the skit.



SKIT #1: ORDER AND SECURITY

Causes

- ___1. The victims knew the law enforcement was not effective.
- ___2. The police did not have **procedures** for dealing with crime.
- ___3. Criminals do not face any **consequences**.
- ___4. The police thought the local council was better than the court.

Effects

- A. People commit crimes knowing they will get away with it.
- B. They could not stop crime or keep order in society.
- C. They did not encourage people to use the courts.
- D. They did not feel **safe** on the streets and they worried about being out after dark.



SKIT #2: LEGITIMACY

Causes

- ___1. The laws in this country were borrowed from another country.
- ___2. Lawmakers only pass laws to help their friends.
- ___3. People are expected to follow the law even though it was sometimes impossible.

Effects

- A. The rest of the people the lawmakers represent have no **input** in the lawmaking process.
- B. The laws do not meet the needs of the people in this country, and people do not see them as **worthy** of following.
- C. Citizens do not **respect** the law because they don't see it as **fair** and reasonable.



SKIT #3: CHECKS AND BALANCES

Causes

- ___1. The judicial branch is disorganized and doesn't have enough judges.
- ___2. Lawmakers are only interested in what they can get from the wealthy.
- ___3. The lawmakers do what the President wants them to.
- ___4. Judges are willing to take favors from lawmakers.

Effects

- A. It cannot **function** effectively
- B. The judicial system is not **independent** from the lawmaking branch.
- C. Power is not really **divided** between the legislative and executive branches.
- D. They do not care about the other **people** they represent.

Did You Get It? (Continued...)



SKIT #4: EQUAL APPLICATION OF THE LAW

Causes

- ___1. The judge saw the mayor as being too important to punish.
- ___2. The poor person was not able to influence the judge.
- ___3. The mayor knew he could control the judge.

Effects

- A. He did not think he needed to obey the law.
- B. In court, he was not treated the **same** as a rich or influential person would have been.
- C. He let the mayor be **above** the law.



SKIT #5: PROCEDURAL FAIRNESS

Causes

- ___1. There were no **rules** for bringing prisoners to court quickly.
- ___2. The government did not have to **follow** set procedures.
- ___3. No law required that prisoners be told why they are being held.

Effects

- A. One prisoner didn't know why he was in jail.
- B. The prisoners had no idea how long they would be in jail.
- C. Every case proceeded differently, and the legal system was not **fair**.



SKIT #6: ACCESS TO JUSTICE

Causes

- ___1. Tamara and Angela did not have much education.
- ___2. The nearest court was too far away.
- ___3. The man who came to court had an easier time than Tamara did.
- ___4. Tamara was not able to file a case.

Effects

- A. She had no way to **enforce** her rights.
- B. Men had easier access to justice than women.
- C. They did not have the **knowledge** to understand the court system.
- D. No court was **available** where Tamara could seek justice.

Rule of Law

Name: _____

Organize. Use the **bold words** in each cause/effect skit activity to complete the chart below:

Rule of Law



Order and Security

- Citizens feel _____ during daily activities
- Police have _____ for dealing with crime
- Criminals face _____



Legitimacy

- Citizens see the law as _____ of following
- Citizens have _____ in the lawmaking process
- Citizens _____ the law and see laws as _____



Checks & Balances

- Power is _____ among branches of government
- All branches _____ effectively
- The judicial system is _____ from other branches
- Elected officials must answer to the _____



Equal Application of the Law

- Nobody is _____ the law, not even elected officials
- The judicial system treats everyone the _____



Procedural Fairness

- The government has _____ for legal proceedings
- The government _____ those rules
- The rules for legal proceedings are _____



Access to Justice

- Citizens have a way to _____ their rights
- Citizens have the _____ they need to get justice
- The justice system is _____ for people to use

Rule of Law

Name: _____

A. Rule of Law—Where Does It Come From? Our nation was built on the rule of law. Read each statement below and decide which Rule of Law factor it describes.

O = Order and Security

L = Legitimacy

C = Checks and Balances

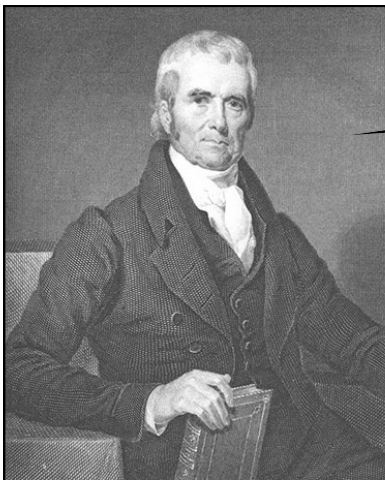
E = Equal Application of the Law

P = Procedural Fairness

A = Access to Justice

- ___1. Every state sent representatives to help write the U.S. Constitution, and all of those representatives signed the Constitution when it was finished.
- ___2. The 14th Amendment to the U.S. Constitution says that states must give everyone "the equal protection of the laws."
- ___3. The 6th Amendment to the U.S. Constitution says that people accused of a crime have the right to have a lawyer help them defend themselves.
- ___4. The Preamble to the U.S. Constitution says one goal of the Constitution is to make sure our country is secure and peaceful.
- ___5. The U.S. Constitution splits the government's power between a legislative, an executive, and a judicial branch.
- ___6. The U.S. Constitution says that people accused of a crime have the right to a "speedy" trial.
- ___7. In the case *Marbury v. Madison* in 1803, the Supreme Court said that the judicial branch has the power to strike down laws that violate the Constitution, even though another branch of government passed that law.
- ___8. Congress has created the Federal Rules of Criminal Procedure, which lists the procedures that must be followed in every criminal case.
- ___9. The U.S. Constitution did not become the law of our nation until nine states approved it.
- ___10. Every state has laws that say children must go to school until a certain age.
- ___11. In the case *Marbury v. Madison* in 1803, the Supreme Court said that the Constitution is superior to all other laws and even the government must follow it.
- ___12. The U.S. Constitution says that nobody can be "deprived of life, liberty, or property without due process of law."

B. Explain It to a 4th Grader. In 1803, Chief Justice John Marshall wrote the Supreme Court's decision in *Marbury v. Madison*. He had something to say about the rule of law. How would you explain it so a little kid could understand?



"The government of the United States has been ... termed a government of laws, and not of men."

Chief Justice Marshall was trying to say that...



Rule of Law

Name: _____

C. Fun with Rule of Law! Find 20 key words in the puzzle.



First, find the 6 factors of Rule of Law:

- _____ and _____
- _____
- _____ and _____
- _____ Application of the _____
- Procedural _____
- _____ to _____

Now find these other key terms:

- | | |
|--------------|-------------|
| INPUT | RESPECT |
| PROCEDURES | BRANCHES |
| SAFE | ENFORCE |
| CONSEQUENCES | INDEPENDENT |
| RULES | PEOPLE |



D. Would This Work? Debra doesn't think so, but she might be wrong. Look at each pair of Rule of Law factors. Would it be possible to have one without the other? If so, how? Watch out—this could be a brain twister! Use your graphic organizer for help.

<p style="text-align: center;"><u>CHECKS & BALANCES / EQUAL APPLICATION OF THE LAW</u></p> <p><input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...</p>	<p style="text-align: center;"><u>ACCESS TO JUSTICE / PROCEDURAL FAIRNESS</u></p> <p><input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...</p>
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Did You Get It? After you watch each skit, complete the cause/effect activity that goes with the skit.



SKIT #1: ORDER AND SECURITY

Causes

- D 1. The victims knew the law enforcement was not effective.
- B 2. The police did not have **procedures** for dealing with crime.
- A 3. Criminals do not face any **consequences**.
- C 4. The police thought the local council was better than the court.

Effects

- A. People commit crimes knowing they will get away with it.
- B. They could not stop crime or keep order in society.
- C. They did not encourage people to use the courts.
- D. They did not feel **safe** on the streets and they worried about being out after dark.



SKIT #2: LEGITIMACY

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- B 1. The laws in this country were borrowed from another country.
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Effects

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SKIT #3: CHECKS AND BALANCES

Causes

- A 1. The judicial branch is disorganized and doesn't have enough judges.
- D 2. Lawmakers are only interested in what they can get from the wealthy.
- C 3. The lawmakers do what the President wants them to.
- B 4. Judges are willing to take favors from lawmakers.

Effects

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Did You Get It? (Continued...)



SKIT #4: EQUAL APPLICATION OF THE LAW

Causes

- C 1. The judge saw the mayor as being too important to punish.
- B 2. The poor person was not able to influence the judge.
- A 3. The mayor knew he could control the judge.

Effects

- A. He did not think he needed to obey the law.
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- C. He let the mayor be **above** the law.



SKIT #5: PROCEDURAL FAIRNESS

Causes

- B 1. There were no **rules** for bringing prisoners to court quickly.
- C 2. The government did not have to **follow** set procedures.
- A 3. No law required that prisoners be told why they are being held.

Effects

- A. One prisoner didn't know why he was in jail.
- B. The prisoners had no idea how long they would be in jail.
- C. Every case proceeded differently, and the legal system was not **fair**.



SKIT #6: ACCESS TO JUSTICE

Causes

- C 1. Tamara and Angela did not have much education.
- D 2. The nearest court was too far away.
- B 3. The man who came to court had an easier time than Tamara did.
- A 4. Tamara was not able to file a case.

Effects

- A. She had no way to **enforce** her rights.
- B. Men had easier access to justice than women.
- C. They did not have the **knowledge** to understand the court system.
- D. No court was **available** where Tamara could seek justice.

Organize. Use the **bold words** in each cause/effect skit activity to complete the chart below:

Rule of Law



Order and Security

- Citizens feel safe during daily activities
- Police have procedures for dealing with crime
- Criminals face consequences



Legitimacy

- Citizens see the law as worthy of following
- Citizens have input in the lawmaking process
- Citizens respect the law and see laws as fair



Checks & Balances

- Power is divided among branches of government
- All branches function effectively
- The judicial system is independent from other branches
- Elected officials must answer to the people



Equal Application of the Law

- Nobody is above the law, not even elected officials
- The judicial system treats everyone the same



Procedural Fairness

- The government has rules for legal proceedings
- The government follows those rules
- The rules for legal proceedings are fair



Access to Justice

- Citizens have a way to enforce their rights
- Citizens have the knowledge they need to get justice
- The justice system is available for people to use

A. Rule of Law—Where Does It Come From? Our nation was built on the rule of law. Read each statement below and decide which Rule of Law factor it best describes.

O = Order and Security

L = Legitimacy

C = Checks and Balances

E = Equal Application of the Law

P = Procedural Fairness

A = Access to Justice

L 1. Every state sent representatives to help write the U.S. Constitution, and all of those representatives signed the Constitution when it was finished.

E 2. The 14th Amendment to the U.S. Constitution says that states must give everyone "the equal protection of the laws."

A 3. The 6th Amendment to the U.S. Constitution says that people accused of a crime have the right to have a lawyer help them defend themselves.

O 4. The Preamble to the U.S. Constitution says one goal of the Constitution is to make sure our country is secure and peaceful.

C 5. The U.S. Constitution splits the government's power between a legislative, an executive, and a judicial branch.

P 6. The U.S. Constitution says that people accused of a crime have the right to a "speedy" trial.

C 7. In the case *Marbury v. Madison* in 1803, the Supreme Court said that the judicial branch has the power to strike down laws that violate the Constitution, even though another branch of government passed that law.

P 8. Congress has created the Federal Rules of Criminal Procedure, which lists the procedures that must be followed in every criminal case.

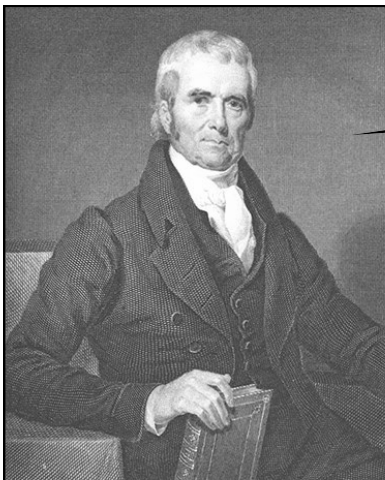
L 9. The U.S. Constitution did not become the law of our nation until nine states approved it.

A 10. Every state has laws that say children must go to school until a certain age.

E 11. In the case *Marbury v. Madison* in 1803, the Supreme Court said that even the government must follow the Constitution.

P 12. The U.S. Constitution says that nobody can be "deprived of life, liberty, or property without due process of law."

B. Explain It to a 4th Grader. In 1803, Chief Justice John Marshall wrote the Supreme Court's decision in *Marbury v. Madison*. He had something to say about the rule of law. How would you explain it so a little kid could understand?



"The government of the United States has been ... termed a government of laws, and not of men."

Chief Justice Marshall was trying to say that...

... laws control how our government works, not people.

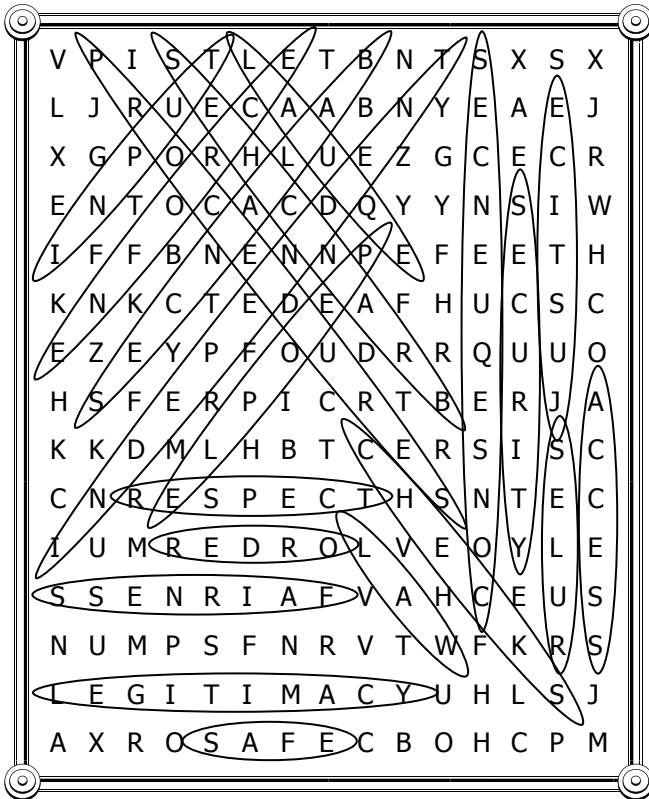
(answers will vary)



Rule of Law

Name: ** *TEACHER GUIDE* **

C. Fun with Rule of Law! Find 20 key words in the puzzle.



First, find the 6 factors of Rule of Law:

- Checks and Balances
- Legitimacy
- Order and Security
- Equal Application of the Law
- Procedural Fairness
- Access to Justice

Now find these other key terms:

- | | |
|--------------|-------------|
| INPUT | RESPECT |
| PROCEDURES | BRANCHES |
| SAFE | ENFORCE |
| CONSEQUENCES | INDEPENDENT |
| RULES | PEOPLE |



D. Would This Work? Debra doesn't think so, but she might be wrong. Look at each pair of Rule of Law factors. Would it be possible to have one without the other? If so, how? Watch out—this could be a brain twister! Use your graphic organizer for help.

<p style="text-align: center;"><u>CHECKS & BALANCES / EQUAL APPLICATION OF THE LAW</u></p> <p><input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...</p> <p><i>Answers will vary. Sample answers:</i></p> <p><i>You could have one without the other if the three branches could check each other's power, but the judicial system did not treat everyone the same in court.</i></p> <p><i>You could have one without the other if the legislative branch had all the power but everyone was treated the same by the judicial system.</i></p> <p><i>They have to exist together because if one branch had all the power, that branch might be considered "above the law."</i></p>	<p style="text-align: center;"><u>ACCESS TO JUSTICE / PROCEDURAL FAIRNESS</u></p> <p><input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...</p> <p><i>Answers will vary. Sample answers:</i></p> <p><i>They have to exist together because if the procedures aren't fair, some people will be treated differently and will have less access to justice.</i></p> <p><i>You could have one without the other if the court procedures were fair, but some people, such as women, had no education and could not access the courts.</i></p> <p><i>You could have one without the other if the procedures were fair, but there was no money to run the courts, so the courts were always closed.</i></p>
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