Lesson #6: Independent Judiciary, Judicial Review, and the Rule of Law
Activity 6.1: The Rule of Law

[1]

The idea of the rule of law dates back to early civilizations, when some of the first laws were recorded on stone tablets and scrolls.

The idea of the rule of law is one of the most important Constitutional principles in the United States. It is the foundation of what gives people the confidence to speak their minds and live their lives peacefully, as they know what the rules are in advance and know that all people will be held accountable to the same standards and expectations. Imagine that one of your friends changed the rules in the middle of a card game you were playing...you would be frustrated, and you would not want to play with that friend again! Our laws are stable, and the rules of the game cannot suddenly change. This gives people peace of mind and confidence in our government.

Social Studies Benchmark:

9.1.4.6.6: Evaluate the importance of an independent judiciary, judicial review and the rule of law.

Writing Benchmark:

9.14.4.4: Produce clear and coherent writing in which the development, organization, and style are appropriate to discipline, task, purpose, and audience.

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[1] <http://upload.wikimedia.org/wikipedia/commons/8/80/Scroll.jpg>

Learning Target:

I can evaluate the importance of independent judiciary, judicial review and the rule of law.

- I can explain the concept of the rule of law.
- I understand the importance of the rule of law.

Essential Question:

What is the importance of an independent judiciary, judicial review and the rule of law?

- What is the rule of law, and why is it important?

To complete Activity 6.1 please follow the steps below:

Complete the tasks listed below and submit your responses by uploading a file to the "Add Submission" box. Respond to the critical thinking questions below. Please submit your responses to each question using the text submission box located at the bottom of this moodle page. Please answer with proper response construction and make sure to include your name properly on the assignment. Name, Course, Grade, Date.

STEP 1: Anticipatory Set[2]

The focus of this lesson is on the rule of law. As you start to think about this term, please answer the following questions to the best of your ability:

1. Identify what you consider to be the five most important laws. What are they?
2. What makes our system of law different from many other countries?
3. What is your definition of "the rule of law"?

STEP 1: Constitutional Principles Video & Viewing Questions

While you watch this "Constitutional Principles" video about the importance of the rule of law, answer the following questions. Record and save your answers in a document.

1. Why does the rule of law matter?
2. Why is our system set up so that one individual person cannot pass a new law themselves?
3. Why does the rule of law most greatly benefit the "common person"?
4. Below is a list examples of ways the Constitution and/or Bill of Rights ensures the rule of law is followed.
    a. Laws may not single out _____ person. (Article I Section 9)
    b. Government cannot suddenly declare an action _____ and then punish people who did it in the _____. (Article I Section 9)
    c. All criminal trials will be tried by a _____. (Article III)

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[2] "RULE OF LAW LESSON #2." 2011. 3 Jul. 2014 <http://ruleoflaw-vba.org/wp-content/uploads/2011/04/Rule-of-Law-Lesson-4-What-is-the-Rule-of-Law1.pdf>

d. The police cannot _____ you or your property without getting a _____ from a judge by showing _____ _____. (4th Amendment)
e. People accused have crimes have many rights to _____ _____...to know what they are being _____ with, to consult with a _____, to confront their _____, call _____ in their own defense, and have their trial take place in a _____ manner. (5th & 6th Amendments)
f. A government cannot try a defendant _____ and _____ until it gets a guilty verdict. (5th Amendment)
g. Excessive fines and _____ and _____ punishments are forbidden. (8th Amendment)
h. The most serious crimes require a _____ _____ to bring charges, and the act of _____ can only be proven by the testimony of _____ witnesses to the same overt act, or on confession in open court. (Article III)

5. Explain the meaning of statement: "The rule of law depends **less** on its being written down somewhere in a legal document and **more** on citizens' commitment to it." Do you agree or disagree?
6. How can individuals change or enact new laws if they believe changes are necessary?
7. Why is it important that there is a set of laws that are **above** the government?

STEP 2: "Rule of Law" Points to Remember:[3]

- We are a nation of laws...not a nation of people.
- Everyone is treated fairly and equally under the same set of laws.
- The laws allow people to enjoy a peaceful existence with others.
- Our laws are based on the Constitution and protected by the courts.
- No one is above the law...no one is below the law.
- The "rule of law" is like the rules of the road...you must follow the laws to protect the safety of all.
- The "rule of law" is an agreement that everyone will play by the rules.
- We are governed by rules that are in the best interest of our country...not in the best interest of us personally.
- In America, we follow the "rule of law." We do not serve men or women; we serve "The Law."

[3] "Rule of Law Lesson Plan #1: Defining the Rule of Law." 2011. 3 Jul. 2014 <http://ruleoflaw-vba.org/wp-content/uploads/2011/04/Rule-of-Law-Lesson-2-Defining-the-Rule-of-Law1.pdf>

STEP 3: Media Scavenger Hunt[4]

Find a current news article, song, cartoon, or work of art that you feel illustrates the rule of law. In your answer document, include a link to the media and a brief description of it. Explain why it illustrates the rule of law.

STEP 4: Processing

In a paragraph, explain the meaning of this quote:

"The true idea of a republic is an empire of laws and not of men." - John Adams (1776)[5]

Do you agree or disagree? Why?

Upload your responses to the "Add Submission" box!

1. Open document to your computer
2. Complete the Activity
3. Click "Save As" and save it onto a special place on your computer
4. Click "Upload a File"
5. Upload the file to this Moodle page
6. Click Save

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[4] "RULE OF LAW LESSON #2 - Rule of Law Project." 2011. 3 Jul. 2014 <http://ruleoflaw-vba.org/wp-content/uploads/2011/04/Rule-of-Law-Lesson-6-Using-the-Media-to-Teach-the-ROL1.pdf>

[5] "Founding Father Quotes - John Adams." 2009. 3 Jul. 2014 <http://www.foundingfatherquotes.com/father/id/1/s/30>