

# **RULE OF LAW LESSON: THE RULE OF LAW AND CONTEMPORARY JUSTICE**

## **Description:**

The students will examine primary documents to determine if the rule of law is being fairly applied to a specific situation. The teacher and visiting lawyer will guide the discussion.

## **Virginia SOLs covered:**

CE.1a, g – The student will (TSW) develop the social studies skills citizenship requires, including the ability to (a) examine and interpret primary... source documents; (g) select and defend positions in writing, discussion, and debate.

CE.2a – TSW will demonstrate knowledge of the foundations of American constitutional government by explaining the fundamental principles of the ... rule of law....

## **Objectives:**

1. To examine and interpret primary documents – Bush Administration Department of Justice memos on approved interrogation techniques for suspected terrorists and President Obama’s response to the release of these memos.
2. To draw conclusions about President Obama’s reactions to these memos relative to the rule of law.
3. To demonstrate how the rule of law leads to an orderly society in which “The Law Rules.”

## **Suggested Grade Levels:**

Civics and Economics, seventh and eighth grades

## **Materials Needed:**

1. Department of Justice memos and President Obama’s written response (Available at [www.teachablemoment.org/high/torturememos.html](http://www.teachablemoment.org/high/torturememos.html).)
2. Chart paper and markers
3. VBA video and projector equipment
4. Rule of Law Posters

## **Time:**

One class period

## **Procedure:**

1. Distribute DOJ memos as reading assignment the day before the visit. Remind students to bring memos to the next class.
2. Place copies of the Obama response document on student desks prior to beginning of class.
2. Organize students into small groups (2 to 4 depending on size of class).
3. Provide each group with a sheet of chart paper and a marker.

4. Each group selects a recorder to copy their responses to the following question about President Obama's response:

"The president concludes by declaring, 'The United States is a nation of laws.' The U.S. State Department's Introduction to the 'Principles of Democracy defines the rule of law as follows: 'Rule of law means that no individual, president or private citizen, stands above the law.... Laws should express the will of the people, not the whims of kings, military officials, religious leaders, or self-appointed political parties.'"

"Is the president acting in accordance with the 'rule of law'? Why or why not?"

5. After the groups have completed their reading and discussion, they share their charts with the class and the visiting lawyer for further discussion.

6. After the discussion, view the VBA video and discuss its content as it applies to the students' responses to the document.

Video points to remember:

- 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."

7. Allow time for the lawyer to summarize the lessons learned from the class activity.

**NOTE: The above lesson is adapted from "Torture Memos and the Rule of Law" by Alan Shapiro and is available in its full version, complete with the four Department of Justice memos, at [www.teachablemoment.org/high/torturememos.html](http://www.teachablemoment.org/high/torturememos.html).**

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475 Riverside Drive Suite 550  
New York, NY 10115  
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