

The Virginia Bar Association

# Rule of Law Project

[www.ruleoflaw-vba.org](http://www.ruleoflaw-vba.org)

*Teachers, Lawyers and Judges Collaborating to Teach the Rule of Law*

## Definition

In the first sentence of *On the Rule of Law: History, Politics, Theory*, Brian Tamanaha writes, “The rule of law is the most important political ideal today, yet there is much confusion about what it means and how it works.” Tamanaha’s comment reflects the general consensus that a definition of the rule of law is not only confusing but evasive as well.

The VBA Rule of Law Project defines the rule of law as the universal ideal by which the rights of individuals and the collective rights of community are equally recognized by consent under a set of core principles which, through government, are guaranteed and protected.

We at the VBA Rule of Law Project are not alone in our efforts to define the rule of law. The World Justice Project, an independent, international, non-profit organization working with scholars and advocates representing multiple disciplines and diverse nationalities, has published the following premises and definition to strengthen the rule of law worldwide:

- Basic Premises about the Rule of Law:
  - First, the rule of law is the foundation for communities of opportunity and equity; and
  - Second, multidisciplinary collaboration is the most effective way to advance the rule of law
- The Definition of the Rule of Law is Based on Four Universal Principles:
  1. The government and its officials and agents are accountable under the law.
  2. The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property.
  3. The process by which the laws are enacted, administered and enforced is accessible, fair and efficient.
  4. Access to justice is provided by competent, independent, and ethical adjudicators, attorneys or representatives and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.

As lawyers and educators we have an obligation to help students examine and understand the important responsibility all citizens have – not just American citizens – in preserving the rule of law as an ideal so that it will not become a confusing, evasive or divisive political dilemma. Only through education will the ideal of the rule of law be understood and nurtured, so it may manifest itself as the foundation for opportunity and equality for all people everywhere.