

SS.7.C.1.9

Define the rule of law and recognize its influence on the development of the American legal, political, and governmental systems.

SS.7.C.1.9 Benchmark Clarification 3: Students will evaluate the impact of the rule of law on governmental officials and institutions (accountability to the law, fair procedures, decisions based on the law, consistent application, enforcement of the law, and transparency of institutions).

Government officials – whether they are police officers, senators, judges, or presidents – are accountable (responsible) to the law. An **independent judiciary** makes sure that government leaders are accountable for their actions. The **rule of law** ensures that no one, regardless of her or his position of power, is above the law.

If laws are going to apply to everyone, they must be applied equally and fairly. Judges must use the same laws and procedures no matter who is on trial. The legal process starts with the Sixth Amendment, which requires that people accused of crimes be told the charges against them (what they are being accused of). The rule of law also means that judges and juries make their decisions based on the law, and that they apply the law equally to everyone regardless of wealth, power, and other things that make people different from each other. The rule of law applies to **enforcement** of the law too. Preventing crimes requires the cooperation of federal, state, and local officials who we trust to apply law enforcement fairly.

To make sure the rule of law stays strong, citizens must be able to know what the laws are, participate on juries, understand how the legal system works, and know what is in the Bill of Rights. If the legal system is not transparent, or clear, the rule of law is even harder to protect. A transparent legal system requires that the general public know the court system's rules and procedures, which serve as common tools to guarantee justice for all.

enforce - to carry out effectively

independent judiciary - the principle that decisions from the courts are fair and impartial and are not influenced by the other branches of government

rule of law – the idea that those who govern us must follow all laws; no one is above the law



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