

- Explain the "Rule of Law" using the following information:

### The Rule of Law

The basis for the "Rule of Law" is the belief that it is better to be ruled by laws than to be ruled by leaders who act any way they like. For example, if a king, queen, or dictator rules us, it is simply a person exercising power without guidelines. If the law rules us, leaders cannot use their power any way they like. They must apply the laws or guidelines to everyone, including themselves.

The law should apply to everyone. No one should be exempt from the law because he or she holds a position of power.

If we have a system of law, everyone must respect and obey the law. We also need to have peaceful and orderly ways to change the law. There must be guidelines about how to change the law that can be understood and used by everyone.

This idea of the "rule of law" is demonstrated in our political and legal system. Our political system allows us to control how our laws are made through a democratic, parliamentary process. This process gives us an organized way to change the law. At the same time, our "leaders" are representatives of the public who are elected and responsible to us. They cannot act arbitrarily, in any way they like, just because they have power. If they do, they can be defeated in the next election. If they break the law, they can be charged.

In our legal system, police, lawyers and judges are also accountable. They cannot charge or convict people of crimes just because they want to. In all of their work, they must follow the law. If they do not, their decisions or actions could be invalid. They could be disciplined, charged with a crime or lose their jobs.

*Lawmaking* suggests the following characteristics of a good rule or law:

- is fair (and worthwhile)
- is communicated to those persons affected by it
- is flexible and can be changed (as circumstances change)
- is possible for society to follow (in keeping with values of society)
- says who or which groups will be expected to obey it
- states the penalty for a person or group who disobeys
- can be enforced
- has no vague words
- explains the meaning of words people may not understand (is understandable)
- doesn't conflict with another law (is consistent)

## No Vehicles in the Park

The town of Beautifica has established a lovely park because the Town Council wanted to preserve some elements of nature - undisturbed by city noise, traffic, pollution and crowding. It is a place where citizens can go to find grass, trees, flowers and quiet. At all entrances to the park the following sign has been posted: "No Vehicles in the Park."

The law seems clear, but some disputes have arisen over the interpretation of the law. Pretend you are the local judge, and interpret the law in each of the following cases. As you make a decision remember the intent of the law while following the letter or exact wording. Your decision should be fair to the Town Council who represent the people of Beautifica, as well as to the individuals mentioned in each situation below:

1. Joan Smith lives on one side of the town and works on the other side. She can save ten minutes if she drives through the park.
2. There are many garbage cans in the park, so that people may deposit all litter there and keep the park clean. The sanitation department wants to drive into the park to collect the garbage.
3. An ambulance carrying a dying accident victim is racing to the hospital. The shortest route is through the park.
4. Some adults who visit the park want to ride their bicycles there.
5. Some children who visit the park want to ride their bicycles there.
6. A senior citizen likes to skateboard in the park.
7. A monument to the town's citizens who died in World War II is being constructed. A tank, donated by the government, is to be placed beside the monument.

Decisions :

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)