

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 2: Students will assess the importance of the rule of law in protecting citizens from arbitrary and abusive uses of government power.

The **rule of law** is meant to protect citizens from the government. The Founding Fathers feared that government would become too powerful and look like a **monarchy** or some other form of abusive government.

The Constitution makes sure that government does not become too powerful by separating the powers of government into the executive, legislative, and judicial branches, and then making each branch accountable to the others with the principle of checks and balances.

Having a written set of laws that must be approved by elected representatives also protects citizens against abuses of government powers.

Also, the laws apply to people accused of crimes. The **Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments** to the U.S. Constitution guarantee that citizens accused of crimes have laws that protect them from unfair treatment.

Eighth Amendment - an amendment to the U.S. Constitution that provides freedom from excessive bail or fines and freedom from cruel or unusual punishment for a person accused of a crime

Fifth Amendment - an amendment to the U.S. Constitution that provides protections to a person accused of a crime, including the right of due process.

Fourth Amendment - an amendment to the U.S. Constitution that provides freedom from unreasonable searches and seizures; this amendment also states that warrants must only be issued with probable cause (evidence that gives someone a reason to think that a crime has been or is being committed)

Fourteenth Amendment - an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves and defines voters as males at least 21 year of age

monarchy - a form of government headed by a king or queen who inherits the position, rules for life, and holds power that can range anywhere between limited to absolute

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

Sixth Amendment - an amendment to the Constitution that provides protections and rights to a person accused of a crime, including the right to a speedy trial with an impartial jury