

# VBA News Journal

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## HAS TECHNOLOGY CHANGED THE WAY WE THINK?

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# Lawyers as Teachers

*"Teach the children so it will not be necessary to teach the adults." Abraham Lincoln*

BY G. MICHAEL PACE, JR.

For me, one of the most exciting parts of the fall season in Virginia is the beginning of a new school year. Students everywhere in the state are now midway through their first semester, and 7th and 8th graders in civics class are studying how our government works. But are they learning why it works?

*"Ours is a government of liberty by, through and under law. No man is above it, and no man is below it." Theodore Roosevelt, 1903*

There is not, in my opinion, a sufficient awareness of or appreciation for this statement in America today. Yet, this is the defining characteristic of our representative form of democracy that has inspired other nations and their citizens to adopt our model. If Americans do not honor and respect the rule of law, how can others?

What would happen if "the law of the land" was not the guiding principle in our society? What if there were not lawyers or judges to interpret or enforce the law? How different things would be here. Consider Pakistan where the government imprisoned its lawyers and judges to promote a political regime.

Citizens' rights are protected in the United States by laws that limit political power and inappropriate government interference, ensure equal protection, judicial independence, freedom of speech, religion and association and promote the peaceful resolution of disputes. We simply cannot allow respect for the rule of law to be viewed as of lesser importance than any other consideration. These are the times in which citizen lawyers assume their rightful role as educators and protectors of the public interest. This is especially true, now, when there is a public lack of confidence, erosion of judicial independence and fundamental legal principles and government and economic turmoil. Government has done little to reduce anxiety or to educate citizens about the serious domestic and international challenges we face as a nation.

An educated and enlightened citizenry, especially about the preeminence of the rule of law in our history and in our society today, is vital to the perpetuation of our system of government.



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*"There can be no free society without law administered through an independent judiciary. If one man can be allowed to determine for himself what is law, everyman can. That means first chaos, then tyranny. Legal process is an essential part of the democratic process." Felix Frankfurter, United States v. United Mine Workers, 1947.*

There has never been a more critical time for the citizen lawyers of The Virginia Bar Association to fill this need for education by assisting Virginia teachers in giving students a larger awareness that people in the United States live free because of laws. Consider this a call to duty. Collectively, we can help them become active and engaged adults who understand our fundamental character as a nation of laws, not as men and women. It is in this way we perpetuate the common bond we share as American citizens.

*"But where, some say, is the King of America? . . . In America the Law is King. For as in absolute government, the King is law, though in free countries the law ought to be King; and there ought to be no other." Thomas Paine, Common Sense 1776.*

This is the message of the VBA Foundation Rule of Law Project, and lawyers are uniquely positioned to deliver it.

The Rule of Law Project, funded by a grant from the Virginia Law Foundation, is well underway, with plans to begin teaching the Rule of Law in 7th and 8th grade classrooms in Roanoke City, Roanoke County and Salem beginning in February. Here is a report of activities thus far:

- A Rule of Law Task Force has been

organized and is at work planning the curriculum and setting goals and priorities.

- The production companies for the DVD and website developer have been selected.

- The Roanoke Bar Association has formed a rule of law committee to identify citizen lawyer volunteers and train them to teach the rule of law in the classrooms.

- Dean Rod Smolla of Washington and Lee University School of Law has agreed to host a scholarly symposium for middle school history and civics teachers about the rule of law.

- *Virginia Business* magazine featured the Rule of Law Project in its September edition.

I am energized by the level of excitement, commitment and appreciation expressed by educators, administrators, and lawyers about this project. I now understand its full potential: Students will have an awareness of the rule of law that they will take with them into adulthood. Teachers will be enriched by scholarship. Lawyers will gain a higher degree of satisfaction by educating students on a principle that reminds us of why we become lawyers in the first place. There will be an enhanced image of lawyers dedicated to serving the public. And we will have better educated and informed citizens. This is what will keep America strong and free.

I expect that the pilot program will be successful and, with your help, that it will spread to other school districts throughout Virginia. I hope you will be one of the citizen lawyers who will participate in the Rule of Law Project. If you want to teach in your local schools or if you want to train other lawyers to teach, I am available to help.

# The Virginia Bar Association Foundation Rule of Law Project Summary

The Virginia Bar Association Foundation Rule of Law Project is an educational program taught by volunteer citizen lawyers in Virginia, specifically designed to enhance the teaching of the Rule of Law to 7th and 8th grade civics students in public and private schools throughout Virginia. The purpose of this unique educational program is to better inform middle school students in Virginia about the role of the rule of law as the foundation for our unique representative form of governmental democracy and the freedoms we enjoy, with the intention of making them more active and engaged citizens of the world.

The VBA Rule of Law Project is funded by a partnership grant from the Virginia Law Foundation. The Virginia Law Foundation promotes through philanthropy the Rule of Law, access to justice and law-related education.

The educational program materials for the Rule of Law Project will consist of:

- A DVD featuring prominent lawyers and judges talking about the history and meaning of the Rule of Law.
- A web-based curriculum that includes:
  - a description of the Rule of Law Project;
  - lesson plans, materials and resources;
  - a short segment of the DVD;
  - a practicum for use by teachers in preparing their students beforehand; and,
  - a form for use by teachers in evaluating each class as an enhancement to the general civics curriculum.

The content of the course materials will be developed by a task force comprised of educators, administrators, parents, judges, lawyers and others in collaboration with local school officials. The course materials will be consistent with and satisfy the requirements of the Virginia Standards of Learning (SOLs).

The Rule of Law Project will be taught by citizen lawyers in the 7th and 8th grade public and private school classrooms in each region of the state. Prior to teaching a class, each volunteer citizen lawyer will be required to complete a training program on how to teach the rule of law to 7th and 8th grade students.

An initial pilot program will begin in February 2009 in the 7th and 8th grade civics classes in Roanoke City, Roanoke County and Salem City Public Schools. Thereafter, it is expected that the Rule of Law Project will be introduced to public and private schools throughout Virginia, with citizen lawyers in each locality making the arrangements in collaboration with the administrators and teachers of the local school district in each area.

As a part of the Rule of Law Project, the administration and faculty of Washington and Lee University School of Law have agreed to sponsor a symposium for teachers on how to teach the rule of law in their classrooms. The members of the task force will work directly with representatives of W&L Law School and with representatives of each participating school district in the development and implementation of this teacher enhancement program.

The Rule of Law Project and related educational materials are intended to be generally available on the internet to anyone else who wishes to use them, including other schools, civic groups, law schools, local bar associations and others to better educate the public about the significance of the rule of law in America.