

RULE OF LAW AND UNIVERSAL HUMAN RIGHTS

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Global History 12

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Recap of Last Class

- Justice as balance, harmony;
Vengeance as payback and
chaos

Rule of Law

"The principle that all people and institutions are subject to and accountable to law that is fairly applied and enforced."

"The Rule of Law" implies that every person is subject to the law, including people who are lawmakers, law enforcement officials and judges.

HOW ARE LAWS CREATED?

- Three branches of Government: Executive, Judicial, and Legislative
- Legislative is the "Legislature" (House of Commons), they are elected, and they pass laws
- These elected representatives (Members of Parliament in Canada) vote on bills, which become laws

HOW ARE LAWS ENFORCED?

- The next branch is the "Judiciary," which consists of the courts, police, and corrections
- Police respond to incidents of citizens violating the law, and process them based on their legal training
- The courts will determine if the Police were right and issue their "Verdict," which will also include the "Sentence," if applicable

What could go wrong?

WHEN THE LAW ISN'T JUST

- Segregation laws
- Laws against Women's Suffrage
- Laws that prohibit practicing a religion

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Problems with the Legislature

- Representatives who vote on laws are elected, elections aren't always free and fair
- Those who win won't or often cannot vote their conscience, they must vote based on Politics
- In a majority Government, the party in power can pass any law they want

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Problems with the Judiciary

- Police officers are loyal to the badge, not to Society, and do NOT need to know the law
- Courts are bound by the laws they interpret, regardless of whether they are just or not
- Judges, Police Officers, Corrections Officers, are all subject to their own Biases

Breonna Taylor

- "No Knock" warrant issued on her apartment by plain- clothes police officers
- Police were investigating her boyfriend, who assumed the police were burglars and fired a warning shot
- Police returned fire with 32 shots, hitting Taylor 6 times and killing her
- One of four officers was found guilty of reckless endangerment for the bullets that missed Taylor

SOLUTION?



UNIVERSAL HUMAN RIGHTS



Rights versus Laws

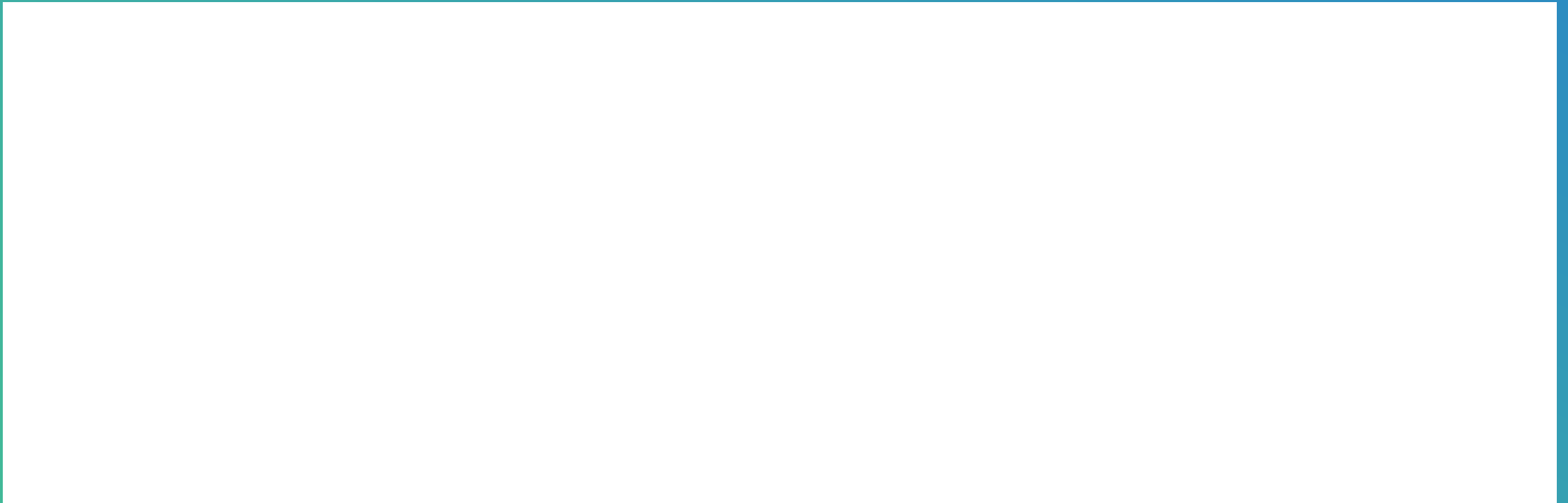
Rights

- Inalienable
- Based on the Individual
- Protects the Individual from society

Laws

- Subject to change
- Based on the Collective
- Protects Society from the Individual

- + . **WHAT ARE SOME
UNIVERSAL
HUMAN RIGHTS?**
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Recap:

- Society is based on Rule of Law to ensure the **Common Good**
- Laws protect society from the individual, rights protect the individual from the society's government
- Protections for the individual are dictated by **Common Law**, where a judge makes a decision based on the outcomes of previous legal cases, known as **Precedent**



VOCABULARY ASSIGNMENT

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- Next Class: the Israel Palestine Conflict

- Our legal system can only serve justice if we as individuals are all truly equal under the law. How can justice be found on an international scale, when nations are entirely unequal, and are under no truly enforceable laws?