

The Rule of Law: Creating a Social Contract

Class: Middle School or High School Social Studies Classes

Unit: Beginning of the School Year/ Rule of Law

Lesson Title or Topic/Essential Question:

Why do we have laws? What makes a law fair?

Estimated Classroom Time Required for the Lesson:

Determined by User

Content Standard Alignment:

9-12.G.4.1.3 Explain the central principles of the United States governmental system including a written constitution, rule of law, popular sovereignty, limited government, separation of powers, checks and balances, majority rule with minority rights, judicial review, and federalism.

Lesson Objectives/Instructional Outcomes:

Students will

- define the Rule of Law
- explain how the Rule of Law protects individual rights
- analyze the necessity of establishing the Rule of Law
- explain how the rule of law affects everyday life.

Lesson's Relationship to Unit Structure:

This lesson is to be used at the beginning of the school year, providing groundwork for history and civics instruction.

Instructional Materials/Resources:

Vocabulary: rule of law, precedent, voice, accountability, enforcement, social contract

Materials:

- Playing cards
- [Slide Deck on Creating a Social Contract](#)
- [Reading from iCivics on the Rule of Law](#)
- Chart or Butcher Paper for the brainstorm session (Students will use this data to create their "official" social contract.).

Methods and Instructional Strategies

Concept Prerequisites:

A familiarity with rules and an ability to explain why we have them.

Anticipated Student Misconceptions:

That rules only apply to certain students or that some rules are arbitrary.

Introduction/Anticipatory Set:

- Organize students in groups of 3-5, assigned randomly or by student/teacher choice.
- Begin by having the students play a simple game with the playing cards. (Examples: Slapjack, Old Maid, Go Fish, etc.)
- Do not clearly explain the rules of the game. While students are playing the game change the rules arbitrarily. Do this several times. For example, the person who has the "Old Maid" will give it to the person on their right, or if you have red hair, you automatically lose no matter what. (Have fun and be creative. The goal of this is make the rules ambiguous or unfair, causing chaos and frustration.)

Instructional Activities:

- Show the students **slide 3** of [this slide deck](#), and poll them to see if they thought the game was fair. Ask volunteers to explain their reasoning as to why or why not the game was just or unjust.
- Ask students to discuss in their groups the question, “What makes a good rule?” (**Slide 4**) Have one representative from each group share a characteristic of a good rule.
- Distribute the [iCivics article on the Rule of Law](#). Give the students time to read the article. Have students explain the characteristics of the Rule of Law. How do our current laws demonstrate voice and accountability? How are they enforced in an efficient and fair manner? (**Slide 6**)
- Explain that laws and school rules are similar, and that school rules have been created to protect the individual rights of the staff and students at school. Ask students to discuss some school rules that they are aware of. Why were they created? What rights do they protect? How are students accountable to follow them?
- Explain what a precedent is, and why certain district or school rules are in place now. (**Slide 7**) You can show students school violations (precedents) on **slide 10**.
- Let students know that they are going to help create a social contract for the class. This contract will allow for their voice to be heard, it will apply to all students, and it will be enforceable. Students will follow the rule of law.
- Ask students to discuss in their small groups the following questions:
 - How do you want to be treated by your classmates?
 - How do you think you should treat your classmates?
 - How do you want to be treated by adults?
 - How do you want to be treated in times of conflict? (Here you can discuss procedural steps in the discipline process, etc. The important part of this is to get student buy-in. They should feel as though they had a voice in this process.)
 - Is there anything else you think should be included in the contract?
- For each question give the students 2-3 minutes to discuss, and then have their spokesperson share what they came up with as a group. Then begin the next round of questioning.
- Use chart paper to record student thoughts. If similar themes or ideas occur, point them out to students.
- Once students complete the contract, compile their work, and create an official contract for students to sign.

Differentiation According to Student Needs:

Below Grade Level Students

Group student heterogeneously and have students participate in all group discussions. If need be, simplify the iCivics reading to make it more comprehensible for the students’ reading level.

Above Grade Level Students

Ask these students to be their group’s spokesperson.

Wrap Up- Synthesis/Closure:

Create an official social contract based on the students' ideas. Have students sign it and refer to the contract any time undesirable behavior occurs.

Please refer to this activity when you discuss the rule of law again in your class.

Assessment (Formative and Summative):

Formative Assessment: Observe, evaluate, and adapt instruction as student participation, discussion, and activity elements are conducted.

Summative Assessment: At the end of the lesson, create an exit ticket asking students to **explain the rule of law and how it protects individual rights and preserves the common good**.

Extension and Evaluation of the Lesson

In upcoming civics lessons, when reviewing the rule of law, ask students what they remember from this activity and how it relates to the United States government system. This activity will deepen their understanding of the concept.

