

Why Law Day?



“The thing we want people of the whole world to know is that in our country we are more proud of our moral principles as expressed in the concept of our government of laws than we are of any materialistic accomplishment or achievement of our people. It is the purpose of “Law Day-U.S.A.” to highlight this basic fact—thereby throwing a spotlight upon the rule of law in America—expressing to the people of the world our admiration and respect for the rule of law as the key to individual freedom and justice.” Charles Rhyne

Grade Levels: High School-College

Academic Standards: Various Academic Standards for Civics and Government.

Time Required: This can be done in as little as 10 minutes or over the length of a full class, depending on the depth of the lesson.

OBJECTIVES:

As a result, students will be able to:

1. Explain the origins of Law Day; and
2. Examine the rights and responsibilities of American citizens in the 21st Century.

Walk into the class and explain that you are here to celebrate Law Day. Ask the students if they have ever heard of Law Day. Explain that Charles Rhyne, the president of the American Bar Association in 1957 who is credited with being the person who thought up the idea of Law Day USA, said in a speech in 2000 looking back on the founding of the event that “The justifications for a Law Day were two-fold, one timeless and one very much a product of its times ... The timeless notion was the use of law to achieve individual and social justice. The application of that notion to the Cold War, to contrast democracy with Communism, was a product of its times, but one which, I think, is relevant to the new democracies which have replaced the Communist regimes.” (More detailed quotes are provided as a supplement to this lesson)

Ask the students to tell you whether they agree or disagree with attorney Rhyne on whether law can be used to achieve individual and social justice. Ask students to support their answers by reference to examples. Follow-up with a question on the second part of Rhyne’s justification — is there still a reason for Law Day in the comparison and contrast of democracy to other forms of government around the world today? (see supplemental quotes)

Additional reference materials

- How Law Day Began: Charles Rhyne's Law Day 2000 Speech (<http://www.abanet.org/publiced/lawday/2007/history/rhyne2000.shtml>)
- “The Original Creation and Future Impact of Law Day: Law Empowering People to Be Free from 1958 to the New Millennium”
Address by Charles S. Rhyne, Former President of the American Bar Association, and Originator of the Idea of Law Day USA
Law Library of Congress Law Day Celebration
Monday, May 1, 2000 at the Thomas Jefferson Building in Washington, D.C.
- Law Day Speech for Voice of America, Text of the original radio broadcast by Charles S. Rhyne Delivered on the first Law Day, May 1, 1958 <http://www.abanet.org/publiced/lawday/2007/history/rhyne58.shtml>)

Lesson Supplements— Additional items for discussion

These are quotes from Charles Rhyne’s original May 1, 1958 Law Day Radio address. They may be helpful to enrich your lesson and discussion. His full radio address is provided on the following pages.

You may want to ask students to consider current world governments and acts of terror instead of the world governments at the time of Mr. Rhyne’s address in 1958. Do his words apply to our lives today in this country and throughout the world. How do they or how don’t they apply?

Mr. Rhyne ended his address by expressing his serious concerns for world peace and international relations. Keep in mind his remarks in 1958 were strongly influenced by nuclear weapons and threats of nuclear attacks during the Cold War. Ask students to consider the last two excerpts below from his address in the current global context.

- Down through the centuries mankind’s strongest yearning has been for individual freedom and equal justice, nationally, and for peace internationally. In our country the principles of individual liberty and equality are guaranteed to our people by the Constitution of the United States...Under it we have a system of laws which govern our nation.
- This liberty and equality through our system of government under law stands in stark contrast to the system of government by Communism where the tyranny and caprice of Communist leaders hold all men in constant terror. In America law reigns supreme. No man in our Country is above law, not even the President of the United States. In Russia the Kremlin rulers are not only above the law but they are “the law” just as were the Czars and Kings of ancient times. The rulers under Communism govern by might alone. Government by terror does not exist in America and cannot exist under our government of law.
- The ancestors of modern day Americans carried in their minds a dream of a government under law which would transfer sovereignty from ruler to the ruled, thus guaranteeing individual freedom. The draftsmen of our Constitution wrote from experience under the lashes of monarch and military dictatorship. They believed in and sought through the wording of our Constitution to insure that great moral principle of our Declaration of Independence, from England, that the true purpose of government is the protection of the fundamental rights of man. The Constitution was so worded as to make their dream of this protection of individual rights a reality.
- Law is the intangible force that makes freedom and progress possible in our democracy. It is law that brings order into the affairs of men—that enables them to lift their sights above mere survival, to accumulate possession, to develop the arts, to pursue knowledge, and to enjoy life among their fellows. Law gives the individual security that he could obtain in no other way; it protects the family and other groups organized for advancement of common interests; it permits the growth of great cities and the development of vast enterprises. In other words, it is the cement that holds our free society together.
- Man’s relation to man is the most neglected field of study, exploration and development in the world community. It is also the most critical. The most important basic fact of our generation is that the rapid advance of knowledge in science and technology has forced increased international relationships in a shrunken and indivisible world. Men must either live together in peace or in modern war we will surely die together. History teaches that the rule of law has enabled mankind to live together peacefully within nations and it is clear that this same rule of law offers our best hope as a mechanism to achieve and maintain peace between nations.
- In our country ignorance of the value of law in international relations and what it could do for the people of the world is appalling. A major purpose of “Law Day-U.S.A.” is therefore to demonstrate to our people that the need for law in the world community is the greatest gap in the growing structure of civilization. And we lawyers of America are anxious to work with lawyers and men of good of all nations in filling this gap in that structure. We believe that no greater challenge exists for any profession and that no greater service to mankind can be performed.

Student Handout

Selected quotes from Charles Rhyne's original May 1, 1958 Law Day Radio address

- Down through the centuries mankind's strongest yearning has been for individual freedom and equal justice, nationally, and for peace internationally. In our country the principles of individual liberty and equality are guaranteed to our people by the Constitution of the United States...Under it we have a system of laws which govern our nation.
- This liberty and equality through our system of government under law stands in stark contrast to the system of government by Communism where the tyranny and caprice of Communist leaders hold all men in constant terror. In America law reigns supreme. No man in our Country is above law, not even the President of the United States. In Russia the Kremlin rulers are not only above the law but they are "the law" just as were the Czars and Kings of ancient times. The rulers under Communism govern by might alone. Government by terror does not exist in America and cannot exist under our government of law.
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- Law is the intangible force that makes freedom and progress possible in our democracy. It is law that brings order into the affairs of men—that enables them to lift their sights above mere survival, to accumulate possession, to develop the arts, to pursue knowledge, and to enjoy life among their fellows. Law gives the individual security that he could obtain in no other way; it protects the family and other groups organized for advancement of common interests; it permits the growth of great cities and the development of vast enterprises. In other words, it is the cement that holds our free society together.
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Law Day Speech for Voice of America

Text of the original radio broadcast by Charles S. Rhyne Delivered on the first Law Day, May 1, 1958
<http://www.abanet.org/publiced/lawday/2007/history/rhyne58.shtml>

May First has been proclaimed by President Eisenhower, governors of the states and by the mayors of more than 1,000 cities as “Law Day-U.S.A.” President Eisenhower, Chief Justice Warren and Attorney General Rogers head an imposing list of more than 20,000 “Law Day” speakers who will call upon the people of America to rededicate themselves to the rule of law in our nation. These speakers will appear on television and radio and before high schools, colleges, universities, civic clubs and other associations and in courthouses in communities throughout America. Never in all history have so many men and women spoken on the same subject on the same day.

Throughout America public observance of May First as “Law Day-U.S.A.” will be an event without precedent or parallel in our nation’s history. This nationwide salute to the law and its place in American life has struck a responsive cord in the deep and abiding faith of our people in the rule of law and their determination to strengthen it at this crucial turning point in the history of mankind.

In America we recognize that May First is also the occasion for celebration by the Communists of the accomplishments of their way of life. We in America welcome a comparison between our way of life and government under laws with the way of life that exists behind the Iron Curtain under the international Communist conspiracy. In any such comparison we could match and exceed with facts rather than vainglorious boasts any claims of the Communists with respect to scientific, technological and other achievements. But the world knows of our leadership in material things, and of the high standard of living which our system has produced for our people. The thing we want people of the whole world to know is that in our country we are more proud of our moral principles as expressed in the concept of our government of laws than we are of any materialistic accomplishment or achievement of our people. It is the purpose of “Law Day-

U.S.A.” to highlight this basic fact—thereby throwing a spotlight upon the rule of law in America-expressing to the people of the world our admiration and respect for the rule of law as the key to individual freedom and justice.

Individual freedom and justice under law is the great principle that distinguishes our form of government and our way of life from the Communist system. On May Day we in America therefore challenge the Communists to match this achievement of our system of government and grant the people behind the Iron Curtain individual human rights and that freedom and liberty under law which exists in our country.

Down through the centuries mankind’s strongest yearning has been for individual freedom and equal justice, nationally, and for peace internationally. In our country the principles of individual liberty and equality are guaranteed to our people by the Constitution of the United States, which was ratified 169 years ago. Under it we have a system of laws which govern our nation.

This liberty and equality through our systems of government under law stands in stark contrast to the system of government by Communism where the tyranny and caprice of Communist leaders hold all men in constant terror. In America law reigns supreme. No man in our Country is above law, not even the President of the United States. In Russia the Kremlin rulers are not only above the law but they are “the law” just as were the Czars and Kings of ancient times. The rulers under Communism govern by might alone. Government by terror does not exist in America and cannot exist under our government of law.

The ancestors of modern day Americans carried in their minds a dream of a government under law which would transfer sovereignty from ruler to the ruled, thus guaranteeing individual freedom. The draftsmen of our Constitution wrote from experience under the lashes of monarch and military dictatorship. They believed

in and sought through the wording of our Constitution to insure that great moral principle of our Declaration of Independence, from England, that the true purpose of government is the protection of the fundamental rights of man. The Constitution was so worded as to make their dream of this protection of individual rights a reality.

Law is the intangible force that makes freedom and progress possible in our democracy. It is law that brings order into the affairs of men—that enables them to lift their sights above mere survival, to accumulate possession, to develop the arts, to pursue knowledge, and to enjoy life among their fellows. Law gives the individual security that he could obtain in no other way; it protects the family and other groups organized for advancement of common interests; it permits the growth of great cities and the development of vast enterprises. In other words, it is the cement that holds our free society together.

“Law Day-U.S.A.” is therefore an occasion when our people will pause to recognize the tremendous contribution that law has made in our way of life as a promoter of our progress and as an insurer of the human rights which made that progress possible.

From the birth of our nation to the present day we as a people have glorified law rather than men. The phrase “Equal Justice Under Law” is our creed and birthright. Our Constitution guarantees every citizen equal protection under the law. Not some protection, but equal protection. And this means equal justice under the law to the poor and to the rich, to the weak and powerful alike. Before our courts of justice the most humble citizen stands on a basis of equality with those of great wealth. And all citizens come before our courts as equals even with the powerful government of the United States itself.

Respect for and adherence to law is one of the most ingrained traits of an American. While the average individual is not learned in the law, there is intense sense of justice which burns within him. There is in our nation an almost instantaneous adverse public reaction to any

unlawful or illegal action. We believe in, and we live under the law. We are a “law-ful” people.

Law and courts exist to protect every citizen of the United States in his person and property and in his individual rights and privileges under the Constitution. The ultimate power to change or expand the law in our system remains with its source, the people. They can elect as lawmakers those who will vote for wise laws and vote out of office those who do not. They can also amend the Constitution as experience dictates the necessity of change.

In these days of soul-searching and re-evaluation and inventorying of basic concepts and principles brought on by the expansion of man's vision to the new frontiers and horizons of outer space, we want the people of the world to know that we in America have an unshakable belief in the most essential ingredient of our way of life—the rule of law. The law we honor is the basis and foundation of our nation's freedom and the freedom for the individual which exists here. And to Americans our freedom is more important than our very lives.

The rule of law has been the bulwark of our democracy. It has afforded protection to the weak, the oppressed, the minorities, the unpopular; it has made it possible to achieve responsiveness of the government to the will of people. It stands as the very antithesis of Communism and dictatorship.

When we talk about “justice” under our rule of law, the absence of such justice behind the Iron Curtain is apparent to all. When we talk about “freedom” for the individual, Hungary is recalled to the minds of all men. And when we talk about peace under law—peace without the bloodbath of war—we are appealing to the foremost desire of all peoples everywhere.

The tremendous yearning of all peoples for peace can only be answered by the use of law to replace weapons in resolving international disputes. We in our country sincerely believe that mankind's best hope for preventing the tragic consequences of nuclear-satellite-missile warfare is to persuade the nations of the entire world to submit all

disputes to tribunals of justice for all adjudication under the rule of law. We lawyers of America would like to join lawyers from every nation in the world in fashioning an international code of law so appealing that sentiment will compel its general acceptance.

Man's relation to man is the most neglected field of study, exploration and development in the world community. It is also the most critical. The most important basic fact of our generation is that the rapid advance of knowledge in science and technology has forced increased international relationships in a shrunken and indivisible world. Men must either live together in peace or in modern war we will surely die together. History teaches that the rule of law has enabled mankind to live together peacefully within nations and it is clear that this same rule of law offers our best hope as a mechanism to achieve and maintain peace between nations.

The lawyer is the technician in man's relationship to man. There exists a worldwide challenge to our profession to develop law to replace weapons before the dreadful holocaust of nuclear war overtake our people.

It is said that an idea can be more powerful than an atom because strength today resides in man's mind—not his muscle. We lawyers of the world

must take the idea of peace under the rule of law and make it a force superior to weapons and thus outlaw wars of weapons. Law offers the best hope for order in a disordered world.

The law of force or the force of law will rule the world. In the field of human conduct the law has never confessed failure. The struggle for a world ruled by law must go on with increased intensity. We must prove that the genius of man in the field of science and technology has not so far outstripped his inventiveness in the sphere of human relations as to make catastrophe inevitable. If man can conquer space he can also solve the need for legal machinery to insure universal and lasting peace.

In our country ignorance of the value of law in international relations and what it could do for the people of the world is appalling. A major purpose of "Law Day-U.S.A." is therefore to demonstrate to our people that the need for law in the world community is the greatest gap in the growing structure of civilization. And we lawyers of America are anxious to work with lawyers and men of good of all nations in filling this gap in that structure. We believe that no greater challenge exists for any profession and that no greater service to mankind can be performed.