

Power Has Limits

How the rule of law protects rights and limits government power

SS.8.CG.1.3 "Explain the importance of the rule of law in the United States' constitutional republic."

NAME _____

DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline three details that show government power is limited, and circle two details that show laws must be applied fairly. These details explain why the rule of law matters.

Rules, Rights, and Government Power

- ① In the United States, the rule of law means that laws guide both people and government officials. A mayor, police officer, judge, and student must follow the law. Government power comes from the Constitution and other laws, not from one person's wishes. The Constitution divides power among branches and limits what each branch may do. These limits help prevent leaders from using power unfairly. In a constitutional republic, voters choose representatives, but representatives must still obey the Constitution.
- ② Imagine a city council that dislikes a planned peaceful parade. It passes a rule allowing parades that praise the council but banning parades that criticize it. The rule of law requires officials to act within constitutional limits, even when they dislike a message. Police may enforce lawful rules that protect public safety, such as equal permit requirements, but they cannot punish people merely for criticizing government. Applying rules equally keeps officials from favoring their friends or targeting their opponents.
- ③ When a person is accused of breaking a law, the government must use fair procedures. The person has the right to know the charge and a chance to respond in court. A judge must apply the law, rather than decide a case based on personal preference. Courts can also review government actions and rule when an action conflicts with the Constitution. These procedures protect individual rights and build trust that disputes will be decided by rules instead of by raw power.

2 ANSWER WITH EVIDENCE _____ Use the passage

1 Why must elected representatives obey the Constitution even though voters chose them?

2 What is unfair about the city council's parade rule, and what principle of the rule of law does it violate?

3 Name two fair procedures the passage says a person should have after being accused of breaking a law.

4 How do courts help prevent government decisions from being based on raw power?

3 YOUR TURN _____ Your own words

A county official wants to deny building permits only to residents who supported a rival candidate. Write exactly four sentences explaining whether this plan follows the rule of law. Include constitutional limits, equal application of rules, and one fair way a resident could challenge the official's action.

PART 1 • READ AND MARK

Underline three details that show government power is limited, and circle two details that show laws must be applied fairly. These details explain why the rule of law matters. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	Why must elected representatives obey the Constitution even though voters chose them?	Government power comes from the Constitution and laws, not from a representative's personal wishes. The Constitution limits what government branches may do.
2	What is unfair about the city council's parade rule, and what principle of the rule of law does it violate?	The rule allows praise of the council but bans criticism. It violates the principle that officials must act within constitutional limits and apply rules fairly, not target opponents.
3	Name two fair procedures the passage says a person should have after being accused of breaking a law.	The person should know the charge and have a chance to respond in court.
4	How do courts help prevent government decisions from being based on raw power?	Courts review government actions, decide whether they conflict with the Constitution, and apply the law rather than personal preference.

PART 3 • YOUR TURN (SAMPLE ANSWER)

This plan does not follow the rule of law because the official is using power to punish political opponents. Government officials must act within constitutional limits instead of following personal wishes. Permit rules should apply equally to all residents who meet the same requirements. A resident could challenge the denial in court, where a judge could review the action.

Accept equivalent explanations that connect the rule of law to constitutional limits, equal treatment, fair procedures, or court review. For the open response, accept a reasonable court challenge or another lawful review process, as long as the student explains why personal political favoritism is improper.