Who Sets the Limits?

Read how legal rules shape a response to a shared river problem.

8.P.2.1.C "Examine the impact of constitutions, laws, treaties, and international agreements on the limits of government, including the concepts of sovereignty and the rule of law."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline what the constitution and the law allow or limit. Number the treaty and the international agreement 1 and 2, then circle one phrase showing sovereignty and one showing the rule of law.

A River Shared by Two Countries

1. Imagine two neighboring countries, Northbank and Southbank, sharing the Silver River. After a chemical spill, Northbank's president promises to close every factory beside the water. But Northbank's constitution gives its legislature, not the president, the power to pass nationwide factory rules. The president can propose a plan, yet cannot create a new criminal penalty alone. This limit is part of the rule of law: officials must follow the same legal process as everyone else. Even during an emergency, a good goal does not erase a constitutional limit.

2. Northbank's legislature then passes a River Safety Law. It sets a pollution limit and allows inspectors to test water at factory outlets. Inspectors must follow written procedures, and factories can challenge a fine in court. The law gives officials power to protect the river but also limits how they use that power. A factory owner cannot ignore the law simply because a cleanup costs money. Under the rule of law, both the government and factory owners must obey the rules, while courts can review whether officials acted lawfully.

3. Pollution also crosses into Southbank. The two countries sign a binding treaty promising to share test results and reduce spills. Each country remains sovereign: it governs its own territory, but it has chosen to make a commitment to the other. Their environment agencies also sign a separate, nonbinding international agreement to hold monthly planning meetings. That agreement guides cooperation but does not itself create fines for factories. Neither document gives Northbank's president permission to bypass the constitution or cancel the River Safety Law. Cooperation can shape government choices without replacing domestic legal limits.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why can't Northbank's president create a new criminal penalty for factories alone, even after the spill?

2. How does the River Safety Law give inspectors power while limiting their use of it?

3. How can Northbank remain sovereign while making a binding treaty with Southbank?

4. Why can't the agencies' international agreement be used to fine factories or bypass Northbank's constitution?

3 YOUR TURN

Your own words

Invent a new problem that affects two neighboring countries. In 4 to 5 sentences, explain a constitutional limit, a limit set by a law, and a treaty or nonbinding international agreement the countries make; explain why each country remains sovereign.

ANSWER KEY

Who Sets the Limits?

GRADE 8 · 8.P.2.1.C

PART 1 · READ AND MARK

Underline what the constitution and the law allow or limit. Number the treaty and the international agreement 1 and 2, then circle one phrase showing sovereignty and one showing the rule of law. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why can't Northbank's president create a new criminal penalty for factories alone, even after the spill?	**The constitution gives the legislature, not the president, the power to pass nationwide factory rules. The emergency does not remove that limit.**
2	How does the River Safety Law give inspectors power while limiting their use of it?	**It allows inspectors to test water at factory outlets, but they must follow written procedures. Factories can also challenge fines in court.**
3	How can Northbank remain sovereign while making a binding treaty with Southbank?	**Northbank still governs its own territory, but it has chosen to commit to sharing test results and reducing spills.**
4	Why can't the agencies' international agreement be used to fine factories or bypass Northbank's constitution?	**The agreement is nonbinding and does not itself create fines. It also does not give the president permission to bypass the constitution or cancel the River Safety Law.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

When wildfire smoke drifts from Alder into Birch, Alder's leader wants to send crews across the border. Alder's constitution requires its legislature to approve spending for crews, so the leader cannot fund the trip alone. Alder's safety law requires crews to get a landowner's permission before entering private land, which limits how they respond. Alder and Birch sign a treaty to share smoke reports, but each remains sovereign because its own government decides how to carry out that promise under its laws.

Accept invented scenarios that clearly distinguish a constitutional limit from a limit set by a law. The treaty or agreement should involve cooperation between countries without implying that either country gives up control of its territory.