What is the Rule of Law?

Watch the video explaining the rule of law and fill in the gaps. The video can be found at ruleoflaw.org.au under the Legal Studies tab – Video 1 – The Rule of Law

What is the rule of law and who does it affect?

The rule of law is an abstract concept which is hard to define. The most important concept within the rule of law is that the law applies to everyone __________ and __________. It can also be used more broadly to support ideas like fundamental __________ __________and the __________ of __________.

What is the separation of powers and how does it relate to the rule of law?

The separation of powers requires that the three arms of government are ____________, and perform _____________ functions. The ____________ are the parliament who create the law. The ____________ who ____________ the law, and the judiciary who make ____________ on the law. The separation of powers ensures that all arms of government function _____________ law.

How is the Rule of Law Applied to Human Rights?

The rule of law is the underpinning factor for the existence of human rights The rule of law is seen as being key to maintaining the right to _____________, _____________ and _____________.

Pre-Test

1. A law is best defined as a:
   a) rule set by a person with power
   b) rule that applies only to those who follow it
   c) rule which is enforceable and applies to all
   d) custom which is commonly accepted by all

2. Justice is achieved when the law is:
   a) fair, equal and accessible to all
   b) practical, ruthless and consistent
   c) consistent, fair and equal for some
   d) fair, equal and acts to protect the innocent

3. Laws are different to rules because:
   a) rules are hard to define
   b) not all rules are laws
   c) rules cannot be laws
   d) not all rules are fair

The Rule of Law Institute of Australia www.ruleoflaw.org.au
How is the rule of law applied to human rights internationally?

The ______________________________ mentions that the rule of law is one of its foundations, and the _______________________________ uses it as a key determinant in their processes.

What are the main principles associated with the rule of law?

It is generally agreed that five principles are vital to the operation of the rule of law:

<table>
<thead>
<tr>
<th>Principle</th>
<th>Description</th>
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<tbody>
<tr>
<td>Fairness</td>
<td>The rule of law means the law should apply to everyone, ___________.</td>
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<tr>
<td>Rationality</td>
<td>Laws must be able to be ____________.</td>
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<tr>
<td>Predictability</td>
<td>Certainty about what the law is, and the outcome for ____________ it.</td>
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<td>Consistency</td>
<td>Knowing that the law is being applied to all in the same way.</td>
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<tr>
<td>Impartiality</td>
<td>That there is an impartial ____________ free from influence by the other arms of government or external forces.</td>
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Where did the rule of law originate?

The concepts we associate with the rule of law can be traced back to the Magna ____________ (1225), which stated that no person could punished except under the _____________. They also can be found in Greek philosopher Aristotle’s Ideas for Good Governance. The term ‘rule of law’ can be traced back to the British Professor of English at Oxford University, AV Dicey in 1885.

Why is the rule of law important?

The key concept in the rule of law is equality and government ruling under the law. A government that is above the law leads to ____________, or a society not following the law at all leads to _____________.

Here are the answers in order, but try not peek unless you need to! Equally, fairly, human rights, separation, powers, separate, separate, legislature, executive, administer, judgements, under, life, security, liberty, Universal Declaration of Human Rights, European Court of Human Rights, equally, followed, breaking, judiciary, Carta, law, tyranny, anarchy.