

OVERVIEW

INTRODUCTION

By definition, refugees have a well-founded fear of persecution, often from government authorities or from other powerful social entities. As refugees prepare to come to the United States, many are unfamiliar with the U.S. laws that protect their rights. Once they arrive, they may need encouragement to engage with their new government with trust.

This lesson plan is designed to introduce refugees to some fundamental concepts related to the rule of law and due process in the United States context. It is designed to instill confidence in their safety and build a sense of civic pride and responsibility.

KEY MESSAGES

- In the United States, rule of law is guided by the United States Constitution which provides the overarching framework for federal, state, and local laws.
- In the United States, rule of law is designed to treat everyone, including refugees, equally; this includes the right to due process of law (due process).
- Due process is the right to legal fairness, and in the United States these rights are protected by the Fifth and Fourteenth Amendments of the United States Constitution.
- Persons in the United States (including refugees) are also responsible for upholding rule of law, including knowing the laws.

LESSON OBJECTIVES

After this lesson, refugees will be able to:

- Understand that the United States is governed by rule of law and identify examples of U.S. laws.
- Understand and explain the concept of due process and what this means in the United States.
- Recognize the benefits of following the rule of law and having due process.
- Explain that there are many laws governing behavior in the United States.
- Identify some possible consequences of not following the rule of law.

APPLYING SUPPLEMENTAL LESSON PLANS

This supplemental lesson plan is not required, but may assist Cultural Orientation (CO) providers who are looking for ways to enhance the U.S. Laws section of their CO curriculum. CO providers and their supervisors can decide to incorporate this lesson into their curriculum based on the needs of the refugee populations they serve. The lesson plan is a suggested guide and can be adapted according to circumstances and the creative wisdom of CO providers and their supervisors. It can be used in whole, or in part, depending upon need and time available.

The lesson includes the following sections:

- Overview
- Activity Bank
- Appendix
- Acknowledgements

This lesson can be used with the following companion resources:

- **Rule of Law** fact sheet or podcast

SESSION PLAN

The following is a proposed session plan of how all three activities provided in this lesson plan can be used together. CO providers may decide to select any number of activities based on other lessons being delivered, the group of participants, and/or time and resources.

| Title | Description Overview |
|---|---|
| Guided Discussion | Begin the session by conducting the Guided Discussion, which allows participants to understand the concept of rule of law, and begin to see the similarities and differences between laws in the United States and their country/ies of origin and/or protection, as well as the consequences of breaking the law. |
| Chopped Tree Scenario | After the Guided Discussion, facilitate the Chopped Tree Scenario. This activity is designed to broadly explain the concept of due process, and how it works in the United States under the Fifth and Fourteenth Amendments. The scenario can be changed and altered to be more appropriate for the cultural context. |
| Rule of Law in the United States Activity | Following the Chopped Tree Scenario, the Rule of Law in the United States Activity provides participants the opportunity to learn about rule of law in the United States, focusing on the Fifth, Sixth, and Fourteenth Amendments. |

SESSION PREPARATION

- Review the key vocabulary for the lesson
- Select images for Guided Discussion
- Review Chopped Tree Scenario and adjust as necessary
- Review Rule of Law Guided Worksheet

MATERIALS NEEDED

- **Rule of Law** fact sheet or podcast
- Copies of the Rule of Law fact sheet (1 per participant) (optional)
- Speakers and media player for Podcast (optional)
- Copies of images for Guided Discussion (as selected)
- Copies of Rule of Law Guided Worksheet (Participant Version) (optional)
- Flip-chart
- Markers

KEY VOCABULARY

- Due process
- Fairness
- Justice
- Law
- Rules
- Transparency

ACTIVITY BANK

GUIDED DISCUSSION

PURPOSE

To understand the concept of rule of law and see the similarities and differences between laws in the United States and country/ies of origin and/or protection, as well as consequences of breaking the law.

INSTRUCTIONS

1. Lead participants in a discussion about how they would proceed in a given social situation. For example, the CO provider could start by asking participants: How are they participating in the class today? Are they raising their hands? Are they listening to the other participants? Then ask: How did you know to participate in those ways? Why didn't you yell at others in the classroom when you disagreed? Or provide other examples that would show disorder or lack of respect for rules.
2. Use the given social situation to explain how there is an understanding between you and the participants regarding class structure and rules. Draw attention to how the rules were established. Ask them what happens when someone does not respect the rules, or if they do not follow the rules.
3. Use this example to draw an analogy to the concept of rule of law and the United States, highlighting the following key points:
 - Rule of law relies on all parties involved taking responsibility for their actions (for example, citizens are responsible for obeying the law, while law enforcement is responsible for obeying and enforcing the law).
 - Rule of law assumes that there are just laws. Laws should be clear, and everyone should know how laws are enforced, and the consequences for not upholding the law.
 - Rule of law also includes a system by which the people impacted by the laws can dispute them or advocate for changes in the law affecting them.
4. Take the conversation back to a more global level, by asking: What are the laws in your country of origin? Are there any laws that exist in your country, but are not enforced by the government?
5. Distribute U.S. law pictures to participants. You may use existing photos from the Welcome Guide or Making Your Way curriculum, or there are suggested [images in the Appendix](#). Participants discuss pictures and sort into three groups: images that show activities that are legal, illegal, or both depending on circumstances, in the United States. Participants can explain their responses.
6. After sorting pictures, the CO provider discusses any errors with the groupings. This is also an opportunity to make distinctions between laws in the United States and country/ies of origin and/or protection.
7. Finally, take a moment to brainstorm potential consequences for breaking the law in the United States. Be sure to explain that there are many laws in the United States and it's their responsibility to know the laws, that laws can change, and that the laws vary from one state to another.

MODIFICATIONS & TIPS

- CO providers may modify or add questions based on the group of participants and their experiences, as well as the comfort of the provider with the subject. For example, you could make connections earlier in the discussion about what might happen if participants don't follow rules in the U.S.
- An activity can be done as a collective discussion, and the sorting of images (step 5) can be done in groups or together with all participants.

CHOPPED TREE SCENARIO

PURPOSE

To explain the concept of due process and how it works in the United States.

INSTRUCTIONS

1. Ask participants to form pairs, or conduct this as a collective, depending on size and make-up of the group.
2. Provide or explain Chopped Tree Scenario provided. It may be helpful to provide a visual.

MODIFICATIONS & TIPS

- The Chopped Tree scenario provided is meant to serve as a metaphor, but can be adapted and modified for the context of the group.

Scenario for Chopped Tree:

There is a family and they have planted a beautiful fruit tree on their property. After many years, the tree has become quite tall and plentiful with fruit. However, their neighbor frequently complains about the fruit landing on his/her property and threatens to chop the tree down. One day, the family is not at home, and when they come home, they find that their tree has been chopped down. They immediately accuse their neighbor.

3. Ask participants: What could happen next?
4. After discussing, provide participants with the following additional information on the scenario:

The neighbor denies that he/she cut the tree down, but the family is convinced. They demand that the neighbor compensate them for the loss of the fruit. The neighbor, wanting to avoid further argument, pays the family a large sum of money that he/she had been saving.

5. Ask participants: Was this the correct decision? Is it fair? Why or why not? What are the advantages of this choice? What are the challenges?
6. Now ask participants to consider the phrase: "right to due process". What do you think this means? Provide this definition: the right to be treated fairly through the use of certain procedures if one is accused of a crime. Explain that in the United States, the Fifth and Fourteenth Amendments require due process. You may want to provide participants with the **Rule of Law** fact sheet for more details. See [Appendix for more additional links on the Fifth and Fourteen Amendments](#).
7. Ask participants to consider the scenario. Was what happened to the family fair? What about the neighbor? How could having a system of due process have helped or changed the outcome?

RULE OF LAW IN THE UNITED STATES ACTIVITY

PURPOSE

To provide participants the opportunity to learn about rule of law in the United States, focusing on the Fifth, Sixth, and Fourteenth Amendments.

INSTRUCTIONS

1. Provide participants with the Rule of Law Fact Sheet, or play the podcast, and use the [Rule of Law in the United States Guided Worksheet in the Appendix](#) to guide participants in learning about rule of law, and in particular the Fifth, Sixth, and Fourteenth Amendments.
2. Conduct the general debrief or review provided.

GENERAL DEBRIEF OR REVIEW

The following is a series of debrief questions that can be used at the end of the entire lesson as a review or can be incorporated, as relevant, throughout the different activities listed above to reinforce key messages and concepts. CO providers may add questions connected to the U.S. laws section of CO. If they haven't already, CO providers can also provide the **Rule of Law** fact sheet as a part of the debrief or review.

| Questions | Answers |
|--|---|
| Are the laws the same in the country/ies of origin and/or protection, and in the U.S.? | The laws are not always the same and in the United States laws may also vary from state to state. |
| How do you feel after learning about the laws in U.S.? | <i>Answers will vary based on participants.</i> |
| What are the consequences of not following the law? | They will vary, but again, it is the responsibility of participants to learn what the consequences will be. It is important to note that possible consequences could affect their citizenship and result in a criminal record. |
| What should you do to ensure you do not break the law? | Take the initiative to learn the laws. |
| Who is the law for? How is it developed? Why is there a rule of law? | The law is meant to govern society and to protect individuals. In the United States there is a process for how laws are developed and carried out. The U.S. Constitution is the foundation for laws in the U.S., but again laws can vary from state to state. |

APPENDIX

RULE OF LAW IMAGES

These are suggested images. CO providers may also use photos they have already identified for U.S. laws, as well as those that are featured in the Welcome Guide or the Making Your Way Curriculum.



Smoking indoors



Smoking marijuana



Consuming alcohol



Voting



Physical abuse of partner



Using the cell phone while driving



Jaywalking

RULE OF LAW GUIDED WORKSHEET (PROVIDER VERSION)

If using the **Rule of Law** fact sheet or podcast, the following worksheet can be used to guide participants' understanding of the materials.

PART I: TRUE OR FALSE/AGREE OR DISAGREE

Ask participants to answer the following questions. You may first ask them to answer without the **Rule of Law** fact sheet or podcast, and then provide them with the **Rule of Law** fact sheet to check for themselves. You may give them the statements to complete independently, or in groups, or read them out loud.

1. Refugees are not protected by the laws in the United States. (False)
2. Refugees are responsible for knowing and following the law. (True)
3. There is a federal government and each of the 50 states in the United States has a state government. (True)
4. Federal laws are proposed by the executive branch. (False)
5. There are no local governments in the United States. (False)
6. The right to due process is the right to be treated fairly through the use of specified legal procedures if accused of a crime. (True)

PART II: MATCHING

Ask participants to match the statements to the correct amendment. You may have participants complete this activity independently using the worksheet provided, or by cutting out the amendment and statement cards provided below, or you may read the statements out loud, and ask them to identify the correct amendment. Participants can draw on the **Rule of Law** fact sheet or podcast to complete the activity.

Fifth Amendment

- Establishes the right of due process if a person is accused of a crime.
- Establishes the right of due process if a person's property interests are to be taken by the government.
- It prohibits a person being charged for the same crime twice.
- A person cannot be compelled to be a witness against themselves in a criminal case.
- A person's private property cannot be taken for public use without just compensation.

Sixth Amendment

- A person accused of a crime has the right to a speedy and public trial by an impartial jury.
- A person accused of a crime has the right to legal counsel.
- Persons have the right to be informed of the charges against them.
- The person accused has a right to confront the witnesses against them.
- The accused has a right to provide witnesses in their defense.

Fourteenth Amendment

- Prohibits states from making or enforcing laws that violate most of the rights of the people that are provided by the United States Constitution.

RULE OF LAW GUIDED WORKSHEET (PARTICIPANT VERSION)

PART I: TRUE OR FALSE/AGREE OR DISAGREE

Identify whether the following statements are True or False. Circle the correct answer.

- | | | |
|--|--|--------------------------------|
| 1. Refugees are not protected by the laws in the United States. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |
| 2. Refugees are responsible for knowing and following the law. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |
| 3. There is a federal government and each of the 50 states in the United States has a state government. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |
| 4. Federal laws are proposed by the executive branch. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |
| 5. There are no local governments in the United States. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |
| 6. The right to due process is the right to be treated fairly through the use of specified legal procedures if accused of a crime. | True <input checked="" type="checkbox"/> | False <input type="checkbox"/> |

PART II: MATCHING

Match the provided statements to one of the three amendments listed in the box below.

| Fifth Amendment | Sixth Amendment | Fourteenth Amendment |
|-----------------|-----------------|----------------------|
|-----------------|-----------------|----------------------|

1. Establishes the right of due process if a person is accused of a crime. _____
2. It prohibits a person being charged for the same crime twice. _____
3. The accused has a right to provide witnesses in their defense. _____
4. Establishes the right of due process if a person's property interest are to be taken by the government. _____
5. Prohibits states from making or enforcing laws that violate most of the rights of the people that are provided by the United States Constitution. _____
6. A person's private property cannot be taken for public use without just compensation. _____
7. Persons have the right to be informed of the charges against them. _____
8. The accused has a right to confront the witnesses against them. _____
9. A person accused of a crime has the right to legal counsel. _____
10. A person cannot be compelled to be a witness against himself or herself in a criminal case. _____
11. A person accused of a crime has the right to a speedy and public trial, by an impartial jury. _____

ADDITIONAL RESOURCES

The following resources provide details about the rights outlined in the Fifth and Fourteenth Amendment.

- **Constitution Center – Fifth Amendment**
- **Constitution Center – Sixth Amendment**
- **Constitution Center – Fourteenth Amendment**
- **United States Courts – Fifth Amendment Activities**
- **United States Senate – Landmark Amendments**

ACKNOWLEDGEMENTS

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Cultural Orientation Resource Exchange
www.coresourceexchange.org



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