

To Establish Justice

Constitution Day

September 17

Preamble of the Constitution

*We the People of the United States,
in Order to form a more perfect Union,*

Establish Justice

Insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States.

Colonial America



⌘ During colonial times in America, justice was determined only by order of the King of England.



- ⌘ The King's injustices took many forms, including
- ❖ Stamp Acts
 - ❖ Tea Acts
 - ❖ Townsend Acts
 - ❖ Quartering British troops in private homes

Declaration of Independence

- ❧ The colonists accused the King on nine counts of denying them basic rights.
- ❧ They created a new concept of justice for an independent nation.



“We hold these truths to be self evident, that all men are created Equal.”

The Constitution



“The administration of Justice is the firmest pillar of government.”
-George Washington

- ❧ The Constitution created a new system of laws based on the goal of justice for all.
- ❧ It established the framework for stable government.
- ❧ It also provided checks and balances among the three branches of government.
- ❧ Citizens would not live under British tyranny any longer.

The Bill of Rights



“Nor be deprived of life, liberty, or property, without due process of law.”

-Fifth Amendment



- ❧ The first Ten Amendments specify rights all citizens have.
- ❧ These rights are secured by the courts.

Upholding Justice



*"Justice, sir, is the great interest
of man on Earth. It is the
ligament which holds civilized
nations together."*

-Daniel Webster



Federal Courts: Guardians of Justice



Supreme Court of the United States

- Highest court and interpreter of the Constitution
- Cases come from federal or state courts
- Nine justices sit in Washington, D.C.
- The Court decides which cases to hear

Courts of Appeals

- Intermediate level of the federal court system
- 12 regional, circuit courts including Washington, D.C.

District Courts

- Trial courts on the first level of the federal system
- 94 judicial districts serve 50 states and the U.S. territories
- Starting point for most cases

Trying Times for Justice



Several Supreme Court cases have been indicators that the journey toward justice has not always been a straight line.

Dred Scott v. Sandford

Plessy v. Ferguson

Korematsu v. U.S.



Justice For All



"Justice denied anywhere, diminishes justice everywhere."

-Dr. Martin Luther King Jr.

❧ *Brown v. Board of Education* showed that courts can correct mistakes of the past.

❧ In *Brown*, the Supreme Court affirmed the importance of equal access to education.

❧ The journey toward justice for all continues today in the courts.



What Does Justice Look Like?

Examples:

- ❧ The expression of unpopular views
 - *Johnson v. Texas*

- ❧ Access to public education
 - *Cooper v. Aaron*

- ❧ Free exercise of religion
 - *Wisconsin v. Yoder*



"Justice has nothing to do with what goes on in a courtroom, but what comes out of a courtroom."

-Clarence Darrow

Upholding Justice Today

⌘ Judges and jurors are partners in justice.



⌘ Jurors find the facts and judges apply the law.

You As a Partner in Justice



- ❧ Jury service is a citizen's direct participation in the judicial process.
- ❧ Race or gender cannot exclude citizens from serving on a jury.
- ❧ *Batson v. Kentucky*
 - ❖ Race cannot be a barrier to serving.
- ❧ *J.E.B. v. Alabama*
 - ❖ Gender cannot be a barrier to serving.

Questions



1. Why was the goal of establishing justice listed first in the Preamble of the Constitution?
2. How is justice the foundation for your way of life, your quality of life, and your dreams for the future?
3. Give examples of how injustices have been corrected by the courts.

