

The Role of The Law in America

By: Ryan Yuan

Newtown Middle School, 7th grade

Laws are a system of rules which citizens in a society have to follow. The law may be enforced using strict punishments. In past civilizations, laws have been used for many reasons. For example, the Hammurabi code was made in 1754 BC to ensure that there was a reliable law that could be used to solve problems. Similarly, laws in the U.S. also serve multiple purposes. They establish order, structure the government, protect the rights of the citizens, and ensure fairness for everyone.

First, the role of the law in America is to establish order. The law sets clear boundaries on how citizens should act. It defines illegal actions such as theft, assault, fraud, arson, murder, and more. The law also enforces punishments for such acts, such as jail time, fines, and probation. The law in America also enforces smaller minor offenses such as petty theft, shoplifting, minor drug possession, trespassing, and traffic violations. Punishments for these crimes are less severe than for other major offenses, but are still important nonetheless. Laws also help establish what citizens should do on a daily basis. The law forbids speeding, jaywalking, underage drinking, tax evasion, and more. This causes everyone in the U.S. to maintain social order and stay out of trouble. Across the country, there are multiple signs that warn citizens of these laws. For example, there might be "no trespassing" signs to inform citizens that trespassing would be illegal there, and it may be enforced if such an act was committed.

Secondly, the Constitution, known as the "supreme law of the land," organizes the U.S. government. The U.S. is a democracy and relies on a system of checks and balances. There are three governmental branches in America: the executive branch, legislative branch, and the judicial branch. The executive branch is responsible for enforcing and implementing laws. This branch is made up of the president, vice president, the cabinet, and other agencies. The legislative branch is responsible for creating laws, declaring war, regulating commerce, controlling taxing, and deciding on spending policies. The legislative branch is made up of the Congress, which is divided into the Senate and House of Representatives. The judicial branch essentially acts like a check for the executive branch and legislative branch. They help to interpret laws and apply them to real-world situations. They also determine if the laws are constitutional. Moreover, the judicial branch has courts which help settle disputes. If someone breaks the law or wants to sue someone, it can be handled in the courtroom. This is where lawyers and their clients debate to convince the judge to side with them.

According to the official webpage of the U.S. court system, "Courts provide a peaceful way to decide private disputes that people cannot resolve themselves. Depending on the dispute or crime, some cases end up in the federal courts and some end up in state courts." This shows that court cases are a useful tool of the U.S. legal system and help the U.S. maintain balance and order. To sum it all up, these three branches make up a near-perfect system of checks and balances. No one branch is more powerful than the other, and they all work together to make America a safe and orderly place. For example, if the president wants to declare war, then he needs approval from the legislative branch first to do so. Then, if the legislative branch wants to make a law, they need approval from the president first in order to pass the law. The Judicial branch also does not get power over the others. The judicial branch cannot write or pass laws, but they can check laws passed from the legislative branch and approved by the executive branch to overturn them. Some countries are not as organized as the United States. The U.S. is a democracy, but other countries rely on other systems of government, such as monarchies, dictatorships, anarchies, and more. A monarchy is when a country is ruled by a king or queen. Unlike the United States, a single person has all the power. This can create a problem because it can make the government unreliable, unfair, and easily corruptible. Another problem is when the monarch dies and leaves no heir. Does a relative become the new ruler, or is there another way to decide? Dictatorships are undoubtedly one of the worst types of government. A dictatorship is when a single person or a small group has complete control over a society. This presents a problem because it restricts freedom. On the other hand, anarchy is when there is no government. This gives too much freedom to the citizens and leads to chaos. This shows that the law and government of America is much better than other types of government, helping America maintain balance and order.

Not only do laws establish order, but they also protect the rights of citizens. According to The Judicial Learning Center, "Laws protect our general safety, and ensure our rights as citizens against abuses by other people, by organizations, and by the government itself. We have laws to help provide for our general safety. These exist at the local, state and national levels." This shows that another role of laws is to protect and allow citizens to express their rights. There are a total of 27 amendments that protect our rights. The first ten amendments are called the Bill of Rights. In the Bill of Rights, the First Amendment guarantees freedom of religion, speech, the press, assembly, and the right to petition the government. Afterwards, the Second Amendment states, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." This gives U.S. citizens the right to legally own weapons. The Fourth Amendment states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue,

but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” Essentially, this protects U.S. citizens from unreasonable searches. The Fifth Amendment protects citizens from being forced to testify against themselves in court, also known as the right to remain silent, and protects against double jeopardy, which is being tried twice for the same crime. The Sixth Amendment ensures that those that have been accused of a crime can testify and defend themselves. The Eighth Amendment states, “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.” Lastly, the Tenth Amendment states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” In short, this amendment clarifies that powers not specifically given to the federal government are instead given to the state and local governments. Other than the first ten amendments, there are also seventeen more. These include amendments such as the Fourteenth Amendment, which guarantees citizenship to all persons born in the United States, including formerly enslaved people, and the Twenty-Fourth Amendment, which abolishes and forbids the federal and state governments from imposing taxes on voters during federal elections. In summary, the U.S. has many different laws that protect the rights of its citizens.

Moreover, the law in America also ensures fairness to all, which is why America is nicknamed “Land of the Free”. Back in the late 1700s and early 1800s, owning slaves was a common practice in America. It was not until 1865 when the U.S. passed the Thirteenth Amendment: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” Even with slavery gone, African-Americans were still discriminated against and did not have many rights. Another group that did not have rights was women. It was not until 1920 when the Nineteenth Amendment was passed: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.” The Civil Rights Act was then passed in 1964 and ended legal discrimination against African-Americans. Other smaller laws like the Equal Pay Act of 1963, as well as the Americans with Disabilities Act of 1990 and the Equality Act, all spread equality no matter race, heritage, gender, and others. The Equal Pay Act of 1953 ensured that women working the same job as men were paid the same. The Disabilities Act of 1990 was made to make sure that people with disabilities were given equal treatment and not discriminated against. The law in America also promotes equality because, as stated before, U.S. citizens get freedom of speech, religion, assembly, and the press. Freedom of speech gives all citizens of the U.S. rights to speak out their ideas without fear of interference or punishment from the government. The freedom of religion

gives all members of the U.S. the power to practice their religion privately and publicly without interference. The freedom of assembly ensures people can gather and meet. Last but not least the freedom of the press allows American citizens to publish thoughts, information, or opinions without interference from the government. The U.S. also ensures fairness to all because, unlike monarchies, any U.S. citizen that satisfies the right conditions is able to hold a political position. The only requirements for running for president is that you have to be at least 35 years old, you have to be born in the United States, and you have to be a resident of the U.S. for at least 14 years. Many U.S. citizens meet these requirements. Other political offices, like the senate, require you to be at least 30 years old and be a citizen for at least nine years. Another political role is the House of Representatives, which requires you to be at least 25 years of age and be a citizen of the U.S. for at least seven years. The principle "equality before the law" means that everyone, including the government, is subject to the same laws and legal processes, making sure everyone gets the same, fair treatment.

In conclusion, the role of the law in America is to establish order, protect the rights of the citizens, and ensure fairness to all. In America, the law is extremely important because it provides the rules and instructions on how citizens should act. If America did not have laws, then things would quickly fall apart. The order would descend into chaos. Some other countries are not as lucky as the United States. Countries such as Nazi Germany during 1933-1945 were corrupt because they did not have a system of law like ours. Nazi Germany was a corrupt country because they believed in fascism, which created many problems. This restricted the freedom of the citizens, so they did not have freedom of speech, religion, assembly, and the press, as well as the right to bear arms. There was not a system of checks and balances. Instead, there was just one person in power. This led to many wrongful actions like Jewish persecution, waging wars, and believing one race was better than another. So next time you think about the law, remember that the law in the U.S. is what helps us stay organized, protect our rights, and ensure fairness to everyone.

Citations

The Bill of Rights: a Transcription. (2024, July 10). National Archives.

www.archives.gov/founding-docs/bill-of-rights-transcript

Bill of Rights, U.S. Constitution, Constitutional Amendments, Civil Liberties, American History, Individual Rights, Legal Protections. (n.d.). Bill of Rights Institute.

<https://billofrightsinstitute.org/primary-sources/bill-of-rights>

Branches of the U.S. government (n.d.). www.usa.gov/branches-of-government

Constitutional Amendments – Amendment 24 – “Elimination of Poll Taxes.” (n.d.).

Ronald Reagan Presidential Library and Museum

www.reaganlibrary.gov/constitutional-amendments-amendment-24-elimination-poll-taxes#:~:text=Constitutional%20Amendments%20%E2%80%93%20Amendment%2024%20%E2%80%93%20%E2%80%9CElimination%20of%20Poll%20Taxes%E2%80%9D,-Political%20cartoon%20by&text=Amendment%20Twenty%2Dfour%20to%20the,on%20voters%20during%20federal%20elections.

Court Role and Structure. (n.d.). United States Courts.

www.uscourts.gov/about-federal-courts/court-role-and-structure

Davis, K. (n.d.). *Checks and balances.* bensguide.gpo.gov/j-check-balance

The Judicial Learning Center. (2019, August 7). *Why do we need laws? The Judicial*

Learning Center. The Judicial Learning Center | an Online Companion to the Judicial Learning Center in St. Louis, Missouri.

judiciallearningcenter.org/law-and-the-rule-of-law/#:~:text=Laws%20protect%20our%20general%20safety,Laws%20about%20food%20safetu