

On Thursday December 6, 2018, the Connecticut Bar Association and the Commission on Women, Children and Seniors will gather Connecticut attorneys, judges, lawmakers, journalists, business leaders, and students to examine the rule of law, why it matters to the success of our community, and to ensure that we preserve its sanctity. We hope you will be a part of this day of learning and action.



What is the rule of law? It is the ideal that posits that while individuals write, interpret and enforce the law, no one person is above the law. It is part of the foundational fabric of our country. The Due Process Clause of the Fifth Amendment to the U.S. Constitution, the separation of powers, including an independent judiciary, the freedom of speech and press, and equality before the law all exist to safeguard the rule of law. It is the way we care for the promise we make each other to be fair.

The rule of law is under attack. When a judge makes a decision that is unpopular, even if well-reasoned, it may be assailed as motivated by other factors. The media is criticized as distributing “fake news” and as biased, at a time where our sources for news continue to change. According to a recent Pew study, two-thirds of all American get at least some of their news from social media. Social media does not apply the same journalistic standards as traditional media, and we have seen public opinion manipulated through social media. These are all attacks on the rule of law.

Preserving the rule of law is not simply an exercise in admiring static principles in well-worn tomes. In an increasingly connected and interdependent society, each of us is a participant in preserving the rule of law. We must continually strive to uphold the very principles upon which it operates: A vibrant and robust media infrastructure that adheres to time-honored principles of truth and well-researched fact over conjecture and falsity, even as journalism enters new communicative spaces at ever increasing speed; a measured executive branch that follows the will of the people and defends our country from threats foreign and domestic; a legislature that reflects and represents the people it serves; and a judiciary that is free from bias, preserved from influence, and empowered by its charge to interpret and defend the Constitution. The balance of these powerful infrastructures are our rule of law, as envisioned by the architects of our founding, and made truer by the modern champions of our success as a nation.

Specifically, the interplay between the “four estates” in preserving the rule of law has never been more relevant. Freedom of speech and freedom of the press allow us to criticize the actions of the government and hold the government accountable without fear of reprisal. Without this freedom, the rule of law is undermined at best, and at worst, undone. Judicial independence is likewise necessary to protect the rule of law. Our judiciary must be free to make decisions independent of political influence, private interests or popular public opinion.

How do we preserve the rule of law in the modern age? One hundred eighty years ago, in one of his earliest published speeches, Abraham Lincoln spoke before the Young Men's Lyceum of Springfield, Illinois. A 28-year old Lincoln had grown alarmed about the "increasing disregard for law which pervades the country."

A paraphrase of his response to that very question rings true today: "Let reverence for the laws, be breathed by every American ...let it be taught in schools, in seminaries, and in colleges; let it be written in Primers, spelling books, and in Almanacs;--let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the *political religion* of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its altars."

We must continue to advance the rule of law with a renewed sense of urgency. We must be reminded of the importance of the rule of law and the role each of us plays in advancing its ideals. This conference will gather government leaders, attorneys, judges, journalists, business and community leaders and students, our young leaders of today and the future, to discuss and emphasize the importance and continued relevance of the rule of law, and the increasing need to safeguard the rule of law through necessarily different but cooperative perspectives. Only through the continued recognition and constant defense of the rule of law will it continue to prevail and govern our society. We will explore these issues and develop a Report and Action plan to address the issues raised and actions to follow to ensure the rule of law continues to guide us.