

American Bar Association Commission on Civic Education and the Separation of Powers

Current tensions among the executive, legislative, and judicial branches have brought to the fore the basic principles of separation of powers that have supported and sustained our republic for more than 200 years. Recent attempts to intimidate judges, cut court budgets, and dramatically alter the jurisdiction and other fundamental characteristics of courts have raised serious concerns about unhealthy and unwarranted infringements on the separation of powers, and their effect on public perception of the judiciary and public understanding of the importance of separation of powers. Supreme Court Justice Sandra Day O'Connor and former US Senator Bill Bradley are Honorary Co-Chairs and Robert Rawson, Esq. of Cleveland is Chair of the new ABA Commission on Civic Education and the Separation of Powers.

The Commission will build upon existing ABA policy and programming in a coordinated effort to expand and enhance educational programs and public messages on core aspects of the separation of powers, with a particular emphasis on the role of an independent judiciary. The Commission will undertake a national outreach campaign on separation of powers and independence of the judiciary, which will include the celebrations of Constitution Day in September 2005 and Law Day in spring 2006.

The Commission will also encourage state and local bar associations, other ABA entities, and a broad range of civic, legal, and educational organizations to develop and promote civic education programs on the separation of powers. Members of the Commission will work with educational organizations and experts to review current curricula on separation of powers in U.S. civics, government, and history classrooms and make recommendations on improving citizen understanding of separation of powers and the role of the judiciary. Specific products of this initiative will include a "Dialogue" program on separation of powers and independence of the judiciary designed for use by schools and civic organizations and related resources for a wide range of audiences.

Another critical component of this initiative is a redoubling of the organized bar's commitment to promoting, defending, and enhancing the independence of the judiciary. Recent attacks on judges are a threat to separation of powers and to the republic. To address this disturbing trend, the Commission on Civic Education and the Separation of Powers will advise the ABA as it works with state and local bar associations and other ABA entities to develop a coordinated program to respond to threats facing the judiciary and promote dialogue among the three branches of government.