



## Corruption and Judicial Independence—Lesson Plan

### Student Outcomes

At the conclusion of this lesson, students will be able to:

- Define the term *judicial independence*.
- Give examples of how governments can establish independent judiciaries.
- List at least three reasons to support and three reasons to oppose the election of judges.
- Explain why transparency, accountability, and controlling the abuse of power are fundamental principles of democracy.
- Evaluate which principles of democracy may be in conflict when judges are appointed or elected.
- Identify areas of agreement and disagreement with other students.
- Reach a decision, individually and collectively, on the deliberation issue using evidence and sound reasoning.
- Explain the importance of deliberating this question in a democratic society.

### Question for Deliberation

*Should our democracy elect judges?*

### Topic Materials

- Reading
- Glossary—Supplemental Handout
- Quotations—Supplemental Handout
- Judicial Selection in Your Country—Supplemental Handout
- Selected Resources

### Deliberation Materials

- Deliberation Procedures
- Handout 1—Deliberation Guide
- Handout 2—Deliberation Notes
- Handout 3—Deliberation Reflection

## Corruption and Judicial Independence—Reading

### *Should our democracy elect judges?*



Source: Clay Bennett, “Blind Justice,” *Christian Science Monitor*,  
[www.claybennett.com/pages2/blindish.html](http://www.claybennett.com/pages2/blindish.html) (accessed July 22, 2011). Reprinted with permission.

1        Blind Justice: Justice that is fair because it is neutral and objective. It weighs facts and law,  
2        but is “blind” to the relative wealth, status, or identity of those facing judgment. This concept  
3        comes from ancient Rome, where the goddess of justice, Justitia, was often depicted holding a  
4        set of scales and wearing a blindfold. But what happens when the system of justice is corrupted  
5        by outside influences? As John Wester observes, “All it takes is one bad judge to create  
6        enormous human misery.”<sup>1</sup>

7        Judges decide if someone broke the law and what punishment he or she should face. They  
8        decide which laws and legal procedures are consistent with the constitution and which are not.  
9        While *corruption* may exist in any part of the government, the effect of corrupt judges is  
10        chilling. People guilty of crimes may not be punished because of their wealth or influence.  
11        Innocent people may be sent to jail or be stripped of their property. Lawmakers may be able to  
12        make unjust or unconstitutional laws. Government officials may be able to abuse their powers  
13        with *impunity*. Such acts of corruption may cause people to lose confidence in their government  
14        and the very concept of justice.

15        Today, justice is strained in many places around the globe.

- 16 • In Mexico, more than 100 federal judges and court employees were punished for  
17 “dishonesty, impartiality, sexual harassment, and abuse of power” in a two-year period  
18 ending in March 2011.<sup>2</sup>
- 19 • In the United States of America, a juvenile court judge drew attention because he put  
20 children in detention two or three times more than judges in nearby courts. He was  
21 convicted in February 2011 in a “kids for cash” scheme. The owners of a for-profit  
22 private detention center had paid him nearly \$1 million in kickbacks to place juveniles in  
23 their facility.<sup>3</sup>
- 24 • In Ecuador, President Correa has promised to overhaul the country’s judiciary system. He  
25 says his plan will fix big problems in the justice system, and in May 2011, voters  
26 approved a constitutional amendment allowing him to implement his plan. Critics say the  
27 president’s plans allow him to fire judges who rule against his ideas and hire judges loyal  
28 only to him.
- 29 • In Peru, several judges were accused in 2008 of intentionally delaying the proceedings of  
30 a corruption trial of a government official who accepted bribes from an oil company.  
31 Many people suspected the judges were being paid to act in the official’s favor. This  
32 raised many doubts about the legitimacy of the courts.<sup>4</sup>

### 33 **Transparency, Accountability, Judicial Independence and Selecting Judges**

34 Corruption is, at its core, an abuse of power. Democratic governments try to control the  
35 abuse of power in many ways. They give the media and citizens access to information. This  
36 *transparency* allows people to see who makes government decisions and why those decisions are  
37 made. Government officials also must be *accountable* to the people. They must perform their  
38 duties according to the wishes of the people, and not for their own personal gain.

39 In a democracy, judges should be free to make decisions based on law. They should not have  
40 to worry about losing their jobs because the president or the people do not like their decisions.  
41 An *independent judiciary* allows judges to make decisions without external pressure. In some  
42 cases, judges have to settle disputes between different parts of the government. Judges are the  
43 final decision makers when deciding which government actions violate the constitution and  
44 which do not. Because of these responsibilities, it must be independent of executive and  
45 legislative branches of government.

46 Major judicial reform efforts are underway across Latin America and the United States of  
47 America. In some cases, the whole system of justice is being overhauled. Reform initiatives are  
48 different in each country. One common focus is how judges are selected. Different governments  
49 have different ways to select their judges. Most countries use a combination of methods.  
50 Generally, judges are selected in one of four ways:

- 51 • Judges are *appointed* by the chief executive. In some places, the appointment must be  
52 *confirmed*, or approved, by the legislature. This is the process for Supreme Court justices  
53 in Mexico and all federal judges in the United States of America.
- 54 • In many Latin American countries, a *commission* of experts chooses judges. These  
55 panels may include judges and people chosen by the executive and legislative branches.  
56 For example, in Colombia, the Superior Judicial Council nominates judges. Their peers in  
57 the Supreme Court of Justice make the final choice based on these nominations.
- 58 • Voters choose some judges through *contested elections*. The elections may be partisan or  
59 nonpartisan. In Peru, rural judges known as *justices of the peace* are elected by the  
60 peoples' vote.<sup>5</sup> This is also the case for many state-level judges in the United States of  
61 America.

62 • Some U.S. states use a *merit selection system*, in which a judge typically is  
63 recommended by a commission and then appointed by the governor. Later, that judge  
64 must face a *retention election*. In this kind of election, voters decide if the judge should  
65 stay in office.

66 Judges can be corrupt whether they are appointed or elected. Government officials,  
67 corporations, labor unions, or other special interest groups can try to interfere with judges who  
68 are elected or appointed. The question is whether one method of selecting judges reduces  
69 corruption and increases judicial independence better than others. For many people, the answer is  
70 to allow voters to elect their judges.

## 71 **Judicial Elections: Supporters and Opponents**

72 Supporters of judicial elections offer the following reasons:

- 73 • Elections make judges more accountable to the public. In the words of a California group  
74 called Better Courts Now, “As a branch of the government, judges don’t get to hold  
75 themselves apart from the people – they are servants of the people.”<sup>6</sup>
- 76 • Elections are more transparent than appointments and the merit selection process. With  
77 the other processes, judges are selected from lists created by political and legal elites.<sup>7</sup>  
78 Sometimes these groups may meet privately or make secret deals. Elections give more  
79 direct power to the people.
- 80 • Elections enhance judicial independence. They lessen the role of other branches of  
81 government. This is especially important where the chief executive has fired judges  
82 without a valid reason or completely taken apart the judiciary. Such firings of judges  
83 occurred in Ecuador in 2004. In Peru the president dismantled the courts in 1992.<sup>8</sup>

- 84 • Concerned groups can take steps to reduce fears that judges who have to raise money for  
85 campaigns may be partial to their contributors. In the U.S. state of Minnesota, judges  
86 standing for election are asked to pledge not to use negative advertisements or make  
87 promises to contributors. The state *bar association* makes public the list of candidates  
88 who sign and those who do not sign the pledge.<sup>9</sup>
- 89 • Governments can require judges to *recuse* themselves in cases where they might  
90 personally benefit. Nine U.S. states currently have rules that disqualify judges from  
91 hearing cases involving individuals or companies that contributed money to their election  
92 campaigns.<sup>10</sup> Governments can also require that judges disclose their assets each year.  
93 The United Nations recommended this practice to the government of Mexico when it  
94 asked for suggestions to help make its judiciary more independent.<sup>11</sup>

95 Opponents of judicial elections offer the following reasons:

- 96 • Accountability is usually positive. But judges should make decisions based on the law,  
97 not public opinion. When judges must stand for election, they are naturally influenced by  
98 what the public thinks. In the U.S. state of Iowa, for example, three Supreme Court  
99 justices were voted out of office in a 2010 retention election. Along with four others, the  
100 trio had ruled that the state's law prohibiting same sex marriage was unconstitutional.  
101 They are the first Iowa justices who failed to be retained since 1962.<sup>12</sup> Fear that they  
102 could face a similar fate might affect judges who face reelection battles.
- 103 • Elections might make the judiciary more independent of the executive and legislative  
104 branches. However, they make judges more dependent on campaign contributors. In the  
105 U.S. state of West Virginia, a justice received \$3 million in contributions from a single  
106 corporate supporter. He narrowly won election to the Court. He then voted in a case that

107 involved his contributor. His vote favored the contributor. The U.S. Supreme Court later  
108 ruled that the judge needed to recuse himself from the case.<sup>13</sup>

109 • Judicial elections give the impression that justice is for sale. Campaign spending on U.S.  
110 state judicial elections has more than doubled in 20 years.<sup>14</sup> According to one poll, more  
111 than 90 percent of local judges said they are under pressure to raise money in election  
112 years. Ninety-seven percent of judges on the states' highest courts said they were under  
113 some or a "great deal" of pressure to raise money in the years they faced election.<sup>15</sup>

114 Critics warn that this situation will get even worse due to a 2010 U.S. Supreme Court  
115 decision. That decision allows unions and corporations to make unlimited campaign  
116 contributions to federal and state candidates. This includes judicial candidates.<sup>16</sup>

117 • When voters are uninformed or unmotivated, ineffective judges may be selected. Voter  
118 turnout for statewide judicial elections in the United States of America is often very low.  
119 For example, in 2008, in North Carolina, 28 percent of the people who voted for the  
120 president left blank the part of the ballot where they could vote for a judicial candidate. In  
121 the same state, a recent poll showed that 40 percent of voters did not even know judges  
122 were elected in their state.<sup>17</sup>

123 • No method to reduce the influence of money on elected judges is fool proof. Some judges  
124 will not recuse themselves. Some judges will take large campaign contributions. Some  
125 governments will not require those limitations. Merit selection and appointments are  
126 better methods.

127 Fair treatment by government, including the judiciary, is a basic human right. Citizens should  
128 expect judges to be ethical and "blind" to interference and pressure. Whether electing judges  
129 makes the system more transparent, accountable, and just is a question for every democracy.

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- <sup>1</sup> Quoted in Mark Binker, “North Carolina Voters Don’t Know Much About Judicial Elections,” *News-Record.com* (September 20, 2010), [www.news-record.com/content/2010/09/18/articlewith\\_judge](http://www.news-record.com/content/2010/09/18/articlewith_judge) (accessed July 10, 2011).
- <sup>2</sup> Maria Luz Gonzales, “Poder Judicial Sanciona 108 de sus miembros,” *El Universal* (March 24, 2011), <http://www.eluniversal.com.mx/nacion/184334.html> (accessed July 7, 2011).
- <sup>3</sup> Richey Warren, “‘Kids for Cash’ judge sentenced to 28 years for racketeering scheme,” *Christian Science Monitor* (August 11, 2011), <http://www.csmonitor.com/USA/Justice/2011/0811/Kids-for-cash-judge-sentenced-to-28-years-for-racketeering-scheme> (accessed September 2, 2011).
- <sup>4</sup> Elsa Chanduvi Jana, “Peru: A Year After Petrogate,” *Latin American Data Base/Latin American Institute* (2009), <http://www.thefreelibrary.com/PERU+A+YEAR+AFTER+PETROGATE.-a0210733042> (accessed August 9, 2011).
- <sup>5</sup> Judge María Elena Guerra Cerrón, “Justice of the Peace in Peru: An efficient justice service,” *7<sup>th</sup> Annual Conference on Legal & Policy Issues in the Americas* (University of Florida Levin College of Law, 2006), [http://www.law.ufl.edu/cgr/conference/06confmaterials/3\\_Panel/3\\_MariaElenaGuerraCerron-Justicia\\_de\\_Paz\\_en\\_el\\_Peru\\_ENG.pdf](http://www.law.ufl.edu/cgr/conference/06confmaterials/3_Panel/3_MariaElenaGuerraCerron-Justicia_de_Paz_en_el_Peru_ENG.pdf) (accessed August 9, 2011).
- <sup>6</sup> Andrew Cohen, “The Case Against Judicial Elections: Keep Politics Out of the Law,” *Politics Daily* (June 6, 2010), <http://www.politicsdaily.com/2010/06/06/the-case-against-judicial-elections-keep-politics-out-of-the-la/> (accessed July 10, 2011).
- <sup>7</sup> Chris W. Bonneau, “A Bum Rap On Elected Judges.,” *Washington Post Forum* (May 25, 2011), [http://www.washingtonpost.com/opinions/why-we-should-keep-judicial-elections/2011/05/26/AGt08HCH\\_story.html](http://www.washingtonpost.com/opinions/why-we-should-keep-judicial-elections/2011/05/26/AGt08HCH_story.html) (accessed July 9, 2011).
- <sup>8</sup> Country Report: Ecuador, 2011 (Washington, DC: Freedom House, 2011), <http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8030> (accessed July 11, 2011); and Country Report: Peru, 2010 (Washington, DC: Freedom House, 2010), <http://www.freedomhouse.org/template.cfm?page=22&country=7898&year=2010> (accessed July 11, 2011).
- <sup>9</sup> Kelly Francis, “I’m Running For Judge, and I Approve This Message,” *Minnesota Lawyer* (October 27, 2011), <http://minnlawyer.com/jdr/2010/10/27/im-running-for-judge-and-i-approve-this-message/> (accessed July 9, 2011).
- <sup>10</sup> “2 Years After Landmark Ethics Case, Courts Lag on Campaign-Cash Rules, press release (New York: Brennan Center for Justice, June 6, 2011), [http://www.brennancenter.org/content/resource/2\\_years\\_after\\_landmark\\_ethics\\_case\\_courts\\_lag\\_on\\_campaign-cash\\_rules/](http://www.brennancenter.org/content/resource/2_years_after_landmark_ethics_case_courts_lag_on_campaign-cash_rules/) (accessed July 11, 2011).
- <sup>11</sup> *Intervencion de la Sra. Gabriela Knaul, Relatora Especial de la ONU Sobre La Independencia de Magistrados y Abogados al Concluir su Visita En Mision Oficial a México (1-15 de Octubre 2010)* (Geneva, Switzerland: United Nations Office of the High Commissioner for Human Rights, October 15, 2010), <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=10447&LangID=S> (accessed July 19, 2011).
- <sup>12</sup> Grant Schulte, “Iowans Dismiss Three Justices,” *The Des Moines Register* (November 3, 2010), <http://www.desmoinesregister.com/article/20101103/NEWS09/11030390/Iowans-dismiss-three-justices> (accessed July 11, 2011).
- <sup>13</sup> *Caperton v. Massey*, 556 U.S. \_\_\_\_ (2009), <http://supreme.justia.com/us/556/08-22/> (accessed July 18, 2011).

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- <sup>14</sup> James Sample, Adam Skaggs, et al ., *The New Politics of Judicial Elections, 2000-2009: Decade of Change* (New York: The Brennan Center for Justice and the National Institute of Money in State Politics, August, 16, 2010), [http://www.brennancenter.org/content/resource/the\\_new\\_politics\\_of\\_judicial\\_elections](http://www.brennancenter.org/content/resource/the_new_politics_of_judicial_elections) (accessed July 11, 2011).
- <sup>15</sup> Adam Liptak, “Rendering Justice, With One Eye on Re-election,” *The New York Times* (May 25, 2008), [www.nytimes.com/2008/05/25/us/25exception.html](http://www.nytimes.com/2008/05/25/us/25exception.html) (accessed July 11, 2011); and *Justice at Stake – State Judges Poll, 2001* (Washington, DC: Greenberg, Quinlan, Rosner Research, 2001), [http://www.justiceatstake.org/media/cms/JASJudgesSurveyResults\\_EA8838C0504A5.pdf](http://www.justiceatstake.org/media/cms/JASJudgesSurveyResults_EA8838C0504A5.pdf) (accessed July 11, 2011).
- <sup>16</sup> *Citizens United v. F.E.C.* 558 U.S. 08-205, 130 S. Ct. 876 (2010).
- <sup>17</sup> Binker.



## Corruption and Judicial Independence—Glossary

**Accountable:** The principle that government officials should represent the wishes of and answer to the public they serve.

**Appointed:** Selected or designated to fill a certain job or position.

**Bar association:** A professional organization for licensed lawyers and judges.

**Confirmed:** Officially approved.

**Commission:** A special panel of experts, usually chosen by government officials, and charged with making policy recommendations or suggesting judicial nominees.

**Contested election:** An election in which voters choose between more than one candidate.

**Corruption:** The misuse of power for personal gain or for illegitimate reasons.

**Impunity:** The concept of exempting certain people from punishment for crimes they commit because of their power or influence.

**Independent judiciary:** A court system that is free from outside pressure from other government officials or powerful interests who might try to influence decisions.

**Justice of the peace:** A magistrate who typically works in a court system's lowest court and has authority to make decisions about matters such as granting marriage licenses, administering oaths, referring matters to state courts, etc.

**Merit selection system:** A method for choosing judges that typically includes a commission of experts recommending nominees to the chief executive, who then appoints the judge. Later, that judge must face a retention election.

**Recuse:** Disqualify oneself from judging a case, especially to avoid the appearance of a conflict of interest.

**Retention election:** A process in which voters decide by popular vote if a sitting judge should continue to serve in office.

**Transparency:** Openness, communication, and accountability in the way government is conducted.



## Corruption and Judicial Independence—Quotations

“Sometimes we used to lose, most of the times we used to win, but we never bought the judges. Now that you are president, you own the ball, you own the soccer field and it’s not good that you become the owner of the judges. We have to apply fair play.”

~ Fabricio Correa, *brother of Ecuador’s president, urging people to vote against the proposed restructuring of the nation’s court system (2011)*

Fabricio Correa, “Ñño, esta vez no,” [www.youtube.com/watch?v=l4zM8xtIfwk](http://www.youtube.com/watch?v=l4zM8xtIfwk) (accessed July 9, 2011).

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“When you enter one of these courtrooms, the last thing you want to worry about is whether the judge is more accountable to a campaign contributor or an ideological group than to the law. In our system, the judiciary, unlike the legislative and the executive branches, is supposed to answer only to the law and the Constitution. Courts are supposed to be the one safe place where every citizen can receive a fair hearing.”

~ Sandra Day O’Connor, *retired U.S. Supreme Court Justice (2010)*

Sandra Day O’Connor, “Take Justice Off the Ballot,” *The New York Times* (May 22, 2010), [www.nytimes.com/2010/05/23/opinion/23oconnor.html](http://www.nytimes.com/2010/05/23/opinion/23oconnor.html) (accessed July 10, 2011).

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### Questions to Consider

1. What concerns does each speaker raise?
2. How are their concerns similar? Different?
3. Do you think electing judges will address their concerns? If you agree, how do you think elections will help? If you disagree, what system might better address their concerns?



## Corruption and Judicial Independence—Judicial Selection in Your Country

### Judicial Selection on the National Level

Each **country** has its own court system. What are the names of the various courts in your country? List them in the boxes below, starting with the highest court in the top box. Then, summarize how judges are selected.

<b>Name of the court (from highest to lowest)</b>				
<b>How are judges selected for this court?</b>				
<ul style="list-style-type: none"> <li>• <b>Who is involved in the selection process?</b></li> <li>• <b>Which branch(es) of the government, if any, participate in the selection process?</b></li> <li>• <b>If a commission is involved, who sits on the commission?</b></li> </ul>				

## Judicial Selection on the State Level

In some countries, each **state** has a separate court system. If this is true in your country, complete the chart below.

<b>Name of the court (from highest to lowest)</b>				
<b>How are judges selected for this court?</b>				
<ul style="list-style-type: none"> <li>• <b>Who is involved in the selection process?</b></li> <li>• <b>Which branch(es) of the government, if any, participate in the selection process?</b></li> <li>• <b>If a commission is involved, who sits on the commission?</b></li> <li>• <b>If judges are elected at this level,</b> <ul style="list-style-type: none"> <li>• <b>Is the election partisan (in which each candidate is supported by a party) or nonpartisan?</b></li> <li>• <b>Is it a contested election or a retention election?</b></li> </ul> </li> </ul>				

### Judicial Selection on the Local Level

In some countries, each **county** or **municipality** has a separate court system. If this is true in your country, complete the chart below.

<b>Name of the court (from highest to lowest)</b>				
<b>How are judges selected for this court?</b>				
<ul style="list-style-type: none"> <li>• <b>Who is involved in the process?</b></li> <li>• <b>Which branch(es) of the government, if any, participate in the selection process?</b></li> <li>• <b>If a commission is involved, who sits on the commission?</b></li> <li>• <b>If judges are elected at this level,</b> <ul style="list-style-type: none"> <li>• <b>Is the election partisan (in which each candidate is supported by a party) or nonpartisan?</b></li> <li>• <b>Is it a contested election or a retention election?</b></li> </ul> </li> </ul>				



## Corruption and Judicial Independence—Selected Resources

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## Deliberation Procedures

### PART I (In class the day before)

1. **Introduction.** Teachers review the meaning of deliberation, the reasons for deliberating, and the rules for deliberation. (Handout #1)

### PART II (approximately 30 minutes)

2. **Careful Reading of the Text.** Students read the text individually, in small groups of 4 or as a whole class in order to reach a common understanding of the reading. If students do not understand the reading, the deliberation will not be successful. As a whole class or in their small groups, students agree on at least three interesting facts and/or ideas. (Handout #2).

**Note on Supplemental Resources.** Each deliberation includes both a basic reading and one or more supplemental resources. Supplemental resources may be a graph, a political cartoon or image, a glossary, a page of expert quotes, or a primary source or independent news story. These supplemental resources are optional materials that can be used to provoke discussion and critical thinking. These materials may be used by teachers as part of the lesson—as part of the *Introduction (Step 1)*, *Careful Reading of the Text (Step 2)*, *Presentation of Positions (Step 4)*, *Reversal of Positions (Step 5)*, or *Reflection (Step 8)*. Teachers can use these materials to differentiate instruction with some or all the students in class. Supplemental resources also can add depth or enrich the deliberation.

3. **Clarification.** After checking for understanding of the terms and content, the teacher makes sure students understand the deliberation question. (Handout #2)
4. **Presentation of Positions.** Students work in small groups of 4 divided into pairs (A & B). Each pair is assigned a position. The position of the A's is to find at least two compelling reasons to say YES to the deliberation question. The position of the B's is to find at least two compelling reasons to say NO to the deliberation question. A's teach B's at least two reasons to say YES to the deliberation question. B's teach A's at least two reasons to say NO to the deliberation question. (Handout #2)
5. **Reversal of Positions.** The pairs reverse positions. The B pair now adopts the position to say YES to the deliberation question; the A pair adopts the position to say NO to the deliberation question. The A's & B's should select the best reason they heard from the other pair and add at least one additional compelling reason from the reading to support their new position. (Handout #2)

### PART III (approximately 15-20 minutes)

6. **Free Discussion.** Students drop their assigned roles and deliberate the question in their small groups. Each student reaches a personal decision based on evidence and logic.



## **PART IV (approximately 10-15 minutes)**

- 7. Whole Class Debrief.** The teacher leads the whole class in a discussion to gain a deeper understanding of the question, democracy, and deliberation.
- What were the most compelling reasons for each side? What were the areas of agreement? What questions do you still have? Where can you get more information?
  - What is your position? (Poll the class on the deliberation question.) In what ways, if any, did your position change?
  - Is there an alternative policy that might address the problem more effectively? What, if anything, might you or your class do to address this problem?
  - What principles of democracy were inherent in this discussion? Why might deliberating this issue be important in a democracy?
  - Add other questions relevant to your curriculum.

## **PART V (15-30 minutes either in class or for homework)**

- 8. Student Reflection.** Students complete the reflection form either at the end of class or for homework. (Handout #3)



## **Handout 1—Deliberation Guide**

### **What Is Deliberation?**

Deliberation is the focused exchange of ideas and the analysis of multiple views with the aim of making a personal decision and finding areas of agreement within a group.

### **Why Are We Deliberating?**

People must be able and willing to express and exchange ideas among themselves, with community leaders, and with their representatives in government. People and public officials in a democracy need skills and opportunities to engage in civil public discussion of controversial issues in order to make informed policy decisions. Deliberation requires keeping an open mind, as this skill enables people to reconsider a decision based on new information or changing circumstances.

### **What Are the Rules for Deliberation?**

- Read the material carefully.
- Focus on the deliberation question.
- Listen carefully to what others are saying.
- Understand and analyze what others are saying.
- Speak and encourage others to speak.
- Refer to the reading to support your ideas.
- Use relevant background knowledge, including life experiences, in a logical way.
- Remain engaged and respectful when controversy arises.



## Handout 2—Deliberation Notes

The Deliberation Question:

Review the reading and in your group determine at least three of the most important facts and/or interesting ideas. Ask about any terms that are unclear.

Reasons to Support the Question - YES	Reasons to Oppose the Question - NO



## Handout 3—Deliberation Reflection

**What I think:**

1. What did I decide and why? Did I support or oppose or have a new idea?
  
2. What did someone else say or do that was particularly helpful?
  
3. What, if anything, could I do to address the problem?

**What we think:**

1. What did we agree on?
  
2. What, if anything, could we do to address the problem?

**Rate yourself and the group on how well the rules for deliberation were followed:**

(1 = not well, 2 = well, 3 = very well)

	Me	Group
Read the material carefully.		
Focused on the deliberation question.		
Listened carefully to what others said.		
Understood and analyzed what others said.		
Spoke and encouraged others to speak.		
Referred to the reading to support ideas.		
Used relevant background knowledge and life experiences in a logical way.		
Remained engaged and respectful when controversy arose.		

1. What can I do to improve my deliberation skills?
  
2. What can the group do to improve the deliberation?