



THE LEGACY OF JOHN ADAMS

Learning Objectives: The students will...

1. Understand and evaluate the role of John Adams in the establishment of the democratic principles of the rule of law in the United States.
2. Research a controversial court case to understand the importance of the rule of law and the rights of the accused in the United States.

TEKS: Govt. 1D, Govt. 12A

Materials Needed: Copies of The Legacy of John Adams Handout for each student, access to research of an assigned court case, access to ABA website (www.lawday.org "John Adams and His Legacy").

Teaching Strategy:

1. Begin the lesson by asking the students to explain what they think the rule of law means. These ideas should be recorded on the board or butcher paper for future reference.
2. Post the following statement: The rights of the accused must be protected in a criminal trial.
3. Conduct a continuum discussion on the statement by first having each student decide whether they **strongly agree, agree, disagree, or strongly disagree** with this statement. After the students have decided, randomly ask students to explain their position and the reasons for their choice.
4. Explain to the students that a past theme for Law Day for the nation was "The Legacy of John Adams: From Boston to Guantanamo." In 1958, Law Day was established by President Dwight D. Eisenhower as "a day of national dedication to the principles of government under law." Since then, every president has proclaimed May 1 as a yearly chance to reaffirm the nation's commitment to the "rule of law." John Adams, one of our nation's founders was our first lawyer-President and devoted his life and career to this principle.
5. Hand out the reading on "The Legacy of John Adams," which is summarized from the ABA website article. After the students have read the article, discuss their opinions of Adams' commitment to serving as the defense attorney for British soldiers even though at the time it was very unpopular to do so. Ask if their original opinion on the continuum has changed based on the facts of this case.
6. Explain that they are going to research another case where an attorney had to defend an unpopular client or clients. Break the class into groups and assign them one of the five cases. NOTE—If only four groups, some groups will have the same case.
7. Allow the students time to research their case. After they have finished, allow the groups that had the same case to meet together and discuss their findings. With this group, they should select four students to present the case to the class.
8. One at a time, each group is to present their analysis of the case and answers to the four questions to the class. Students should take pertinent notes on the other cases as they will need evidence from all five cases for the final writing assignment.
9. After all cases have been discussed, have the students individually answer questions to assess their understanding of the legacy of John Adams and his commitment to the rule of law. Explain they should use information from their notes on all of the cases to support their opinions on the following questions:

- a. Which case do you feel you would have been the hardest for you to serve as the defense attorney? Explain your answer.
- b. Which case do you feel would have been the easiest for you to serve as the defense attorney? Explain your answer.
- c. How would you explain the importance of the role of John Adams and the principle of rule of law in the United States to someone who is not familiar with either?
- d. Explain your final opinion on this statement: The rights of the accused must be protected in a criminal trial.

The Legacy of John Adams

One of the major contributions of John Adams to American history comes from his practice as a defense attorney. Believing strongly in the “rule of law” and the rights of the accused to an effective defense, Adams first gained fame with his defense of the captain of the British soldiers accused of firing into a crowd of protesters in Boston, March 5, 1770. This became known as the “Boston Massacre” due to the fact that five colonists died. The incident began when the colonists, upset by what they considered unfair taxes imposed by Parliament, began to protest in the streets and the shipyards. The colonists met the British soldiers charged with maintaining order and enforcing taxes imposed by Parliament. Unruly crowds began to taunt and insult the soldiers, throwing snowballs and other objects at them. Shots rang out and after five colonists lay dead, Captain Preston and eight of his men were arrested for murder, even though it was unclear who had ordered shots to be fired. Adams was strongly criticized by his fellow Bostonians for taking the case of the British soldiers. However, believing strongly in the “rule of law” and the rights of the accused, Adams defended Captain Preston. He argued that it wasn’t clear that Captain Preston was the person who ordered the soldiers to fire on the unruly mob. Winning acquittal for the Captain, he later defended the eight soldiers. Six of the soldiers were acquitted and the two who fired their weapons were convicted of manslaughter. Adams later commented on the role as the defense attorney in this case, “Judgment of Death against those Soldiers would have been as foul a Stain upon this Country as the Executions of the Quakers or Witches...The Verdict of the Jury was exactly right.” His strong principles set a standard of excellence for lawyers to follow from that point on to today.

Below are several cases where the lawyer(s) have been charged with defending an unpopular client:

1. William Freeman Murder Trial
2. Trial of the Haymarket 8
3. Trial of the Scottsboro Boys
4. Trial of Terry Nichols
5. Legal Defense of the Guantanamo Detainees

Research the case assigned to you to find out the following:

1. Who are the defendant(s)? Attorney(s)?
2. What are the facts of the case (date, location, and background)?
3. Why are the defendant(s) unpopular?
4. What was the outcome in the case?

Each person in the group should have all four answers to the questions and be prepared to present the entire case to the class.

Source: “John Adams and His Legacy: From Boston to Guantanamo” (www.lawday.org)