



RULE OF LAW

**U.S. Representative Ed Case
Hawai'i-First District**

**Hawai'i State Senate
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Rule of Law

“A durable system of laws, institutions, norms and community commitment that delivers four universal principles: accountability, just law, open government and accessible and impartial justice.”

-World Justice Project

Rule of Law Foundations

- United States Constitution
- Federal Laws
- Separation of Powers/Checks and Balances
 - Executive/President
 - Legislative/Congress
 - Judicial/Supreme Court

U.S. Rule of Law Summarized

- It all starts and ends with the Constitution
- Congress makes our laws
- The President executes our laws
- The Supreme Court is the final decider on whether Congress or the President are following the Constitution and laws
- We all buy into our system of government and agree to abide by its results

Oaths of Office

- **President:** "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."
- **Congress:** "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."
- **Supreme Court:** "I do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as [position] under the Constitution and laws of the United States. So help me God."

My duties as a U.S. Representative

- Support and defend the Constitution
- Formulate laws and policies for our country
- Act as part of a separate, independent and co-equal branch of government
- Provide a check and balance on the other two branches of government as needed
- Maintain loyalty to Constitution, country and constituents, not to any President

What the Rule of Law is Not About

- Policies
- Personality
- Other

Selected Actions Taken by the Trump Administration that are Contrary to the Rule of Law

- Destruction of federal agencies and funding already directed by law (such as DOGE, USAID)
- Withholding already appropriated funds without an opportunity for Congress to object per law (pocket recission)
- Removal of Inspectors General from key federal agencies
- Firing of key federal officials from independent agencies (Federal Reserve)
- Failing to comply with letter and spirit of federal court orders
- Attacking the integrity of the federal courts when decisions are unfavorable
- Eroding the independence of key federal agencies such as the Department of Justice
- Removal of dissenting or independent opinions
- Abuse of power to intimidate opponents and leverage others to fall in line
- Attempted intimidation of the press

Summing It Up

A widespread and coordinated effort to maximize power in the executive branch generally and President Trump specifically, eliminate dissent and independent voices, and neuter Congress and the federal courts and any effective check and balance, all to the detriment of the rule of law and the foundations of our country.

What are the Checks and Balances?

Congress: a Republican majority and thus far no effort to disagree or provide effective oversight

Federal courts:

- The only real check and balance currently
- Over 406 lawsuits against the administration in federal court now, most against the administration
- Examples: birthright citizenship; federal funding halts; dismantling departments; release citizens personal data

The People:

- The vote
- Mid-terms 2028 critical

What Can People Do?

- Discuss this threat to our foundations civilly but directly with your families, friends and communities
- Share your thoughts with your elected officials
- Share personal stories about how you are affected
- Support national organizations that are opposing these actions especially in the courts
- Contact family and friends in other states and ask them to ask their Member of Congress to do our job as a check and balance
- If you support the President's policies, ask yourself if you believe that tearing at our foundations and ignoring the rule of law is the way to achieve them

Mahalo

- I appreciate Chair Rhoads and the Senate Judiciary Committee highlighting the critical importance of the rule of law to our country
- More information on my thoughts, actions and activities is at case.house.gov
- Please email me with your thoughts at ed.case@mail.house.gov
- Please also join my live Tele-Talk Story next **Thursday, October 2nd at 6PM Hawai'i time.** (Details at case.house.gov)