

## **Governing in Crisis Teaching Guide**

Harry Litman, Former U.S. Attorney and Deputy Assistant Attorney General  
Maintaining Law and Order While Preserving our Democracy

### **Interview Summary**

In the wake of nationwide protests following the killing of George Floyd, armed right-wing extremist groups have responded with counter demonstrations, resulting most recently in the deaths of two protesters in Kenosha, Wisconsin. Harry Litman, former Deputy Assistant Attorney General, former U.S. Attorney for the Western District of Pennsylvania and national syndicated columnist for the Los Angeles Times, critiques the president's refusal to condemn right-wing violence and discusses actions taken by the administration that have eroded the rule of law. He also examines the tradition of peaceful transitions of power and the likelihood of election litigation during the 2020 general election.

### **Video Topics**

- (0:00) Introduction
- (6:12) Law and Order versus the Rule of Law
- (16:26) Domestic Political Violence
- (25: 57) President Trump and the Rule of Law
- (32:06) Peaceful Transitions of Power and Potential Election Litigation
- (49:07) Closing

### **Potential Uses:**

- Post a governance series video on Canvas and ask students to respond to a discussion question about the video, as well as comment on 1-2 of their classmates' posts.
- Show a clip of the video during class to enrich learning, emphasize a point, and/or contextualize a topic.
- Create a resource folder on Canvas that includes governance series videos, accompanied by "learn and do more" documents, as well as other links to support student growth related to current events.
- Incorporate a governance series video into pre-class readings for a live discussion using or adapting the questions below.

### **Suggested Written Reflection Questions**

- After hearing from Mr. Litman, what do you think is the difference between "rule of law" and "law and order"?

- ❑ [Pew Research Center](#) has found that Americans trust in government is declining. Why do you think that trust has been lost? What recommendations would you propose in order to restore trust in our government?
- ❑ What did you find interesting in the interview? What is something that you disagreed with?

## Suggested Classroom Discussion Questions

- ❑ What are democratic values? What threats to democracy do we witness today? How has misinformation threatened democracy in the U.S.?
- ❑ Like *Bush v. Gore*, should the Supreme Court hear political matters that may arise following the 2020 presidential election. If it does hear cases like *Bush v. Gore*, will the Court's legitimacy be undermined?
- ❑ Why is Pennsylvania an important state to watch during the 2020 election process? What does this mean for Pennsylvania voters?

## Related Reading

- ❑ Read Time's *Trump Declared Himself the 'President of Law and Order.' Here's What People Get Wrong About the Origins of That Idea*
- ❑ Read the *Bush v. Gore* opinion.
- ❑ Check out *The Protecting Our Democracy Act Draft* and *Fact Sheet*.
- ❑ Read Adam Schiff's op-ed in the LA Times, *Why my colleagues and I are introducing the first major democracy reforms since Watergate*.
- ❑ Listen to *Talking Feds*, a podcast hosted and produced by Mr. Litman.
- ❑ Discover how the U.S. ranks in comparison to other countries with *Freedom House*.

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