



THE POWER OF ONE CITIZEN

Lesson Plan for Grades 4-12

Student Handout: Excerpts from The Federal Prosecutor by Robert H. Jackson (speech given April 1, 1940)

Excerpt 1: The Power and Responsibility of a Prosecutor

“The prosecutor has more control over life, liberty, and reputation than any other person in America. His discretion is tremendous. While the prosecutor at his best is one of the most beneficent forces in our society, when he acts from malice or other base motives, he is one of the worst.”

Discussion Questions:

- Why does Jackson say the prosecutor’s discretion is “tremendous”?
- What can happen if a prosecutor acts unfairly or with malice?
- How does this idea relate to citizens’ rights and protections?

Excerpt 2: The Danger of Personal Bias

“If the prosecutor is obliged to choose his cases, it follows that he can choose his defendants. Therein is the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted.”

Discussion Questions:

- Why is it dangerous for a prosecutor to pick defendants based on personal feelings?
- How does this relate to fairness in law and in other parts of life?
- What qualities should a citizen or leader have to prevent this kind of abuse?

Excerpt 3: Fairness and Civil Liberties

“Only by extreme care can we protect the spirit as well as the letter of our civil liberties... A sensitiveness to fair play and sportsmanship is perhaps the best protection against the abuse of power, and the citizen’s safety lies in the prosecutor who tempers zeal with human kindness, who seeks truth and not victims, who serves the law and not factional purposes, and who approaches his task with humility.”

Discussion Questions:

- What does Jackson mean by “seeks truth and not victims”?
- How does fairness in law enforcement support democracy?
- How can citizens act to ensure fairness in their own communities?