

The Democracy Commitment

A Project by Lawyers Defending American Democracy, in partnership with the legal profession, to protect the rule of law and the fundamental right to vote, ensure our public officials act with integrity, and promote civil discourse in our communities.

1. **Why is a democracy commitment needed?** At this moment in our history, the preservation of our democracy is at stake. This is not hyperbole; it is the view of legal experts and historians who are writing with alarm about threats to our core institutions. It is also the view of highly respected sources of international data.

For example, the World Justice Project annually ranks countries around the globe according to critical Rule of Law Factors. In its [2021 Rule of Law Index](#), the United States declined in its standing. Similarly, in the [2021 Global State of Democracy](#) Report issued by the International Institute for Democracy and Electoral Assistance, the United States was identified as a democracy that is “backsliding.” The Report stated that the U.S. has “experienced gradual but significant weakening of Checks on Government and Civil Liberties, such as Freedom of Expression and Freedom of Association and Assembly, over time.” The Report further noted that the U.S. has fallen victim to “authoritarian tendencies.”

2. **What is the goal of the Democracy Commitment?** The goal of this effort is to recruit lawyers throughout the country, including in law firms, corporate law departments, law schools, and bar associations at the national, state, regional, and local level, to use their voices and influence to protect our democratic institutions and, in doing so, uphold the oath they each took to defend the Constitution. The rule of law depends on free and fair elections where we can rely on the accurate reporting of the votes in the ballot box, impartiality in the counting of ballots, and that any disputes be resolved in the courts, and not through intimidation, violence, or falsehoods. Maintaining our democracy in the face of false statements about voter fraud, dishonesty in our public discourse, and threats against those who serve as public officials is becoming the greatest challenge of our lifetime. Changing the current path we are on will require focused attention and a significant commitment.
3. **Why lawyers?** Since the formation of our country, lawyers have had the responsibility to defend the underlying constitutional values and norms of political behavior on which our democracy depends. This responsibility is manifested by a lawyer’s duty, upon becoming a member of the bar, to take an oath to defend the Constitution. Lawyers hold a special role in society to protect the rule of law, the values of our democratic institutions, and our justice system.

Lawyers of all political views are especially suited to play a key role in reversing the increased virulence seen in the tenor of public discourse, by using their status, skills, legal expertise, and convening authority to engage the profession and collaborate with civic and governmental leaders to:

- a. Reject and repudiate verbal or physical intimidation, or other coercive measures, against government officials at any level and in any capacity, against candidates holding or seeking political office, or against journalists working to ensure a free and open society;
 - b. Restore civility and honesty in public discourse;
 - c. Ensure that all members of the electorate are treated with dignity and provided equal access to vote; and
 - d. Promote the rule of law, including working to ensure that those who take an oath to protect the Constitution are held accountable if they violate that oath.
4. **What are the core principles of the Democracy Commitment?** Lawyers who participate in this project agree to take concrete steps to engage the profession and the larger community in a commitment to the adherence of certain fundamental principles:
- a. Public discourse about the issues at stake must be allowed to take place in an atmosphere that promotes civility and robust debate, and rejects threats and intimidation.
 - b. Threats, intimidation, or violence aimed at government officials or candidates for political office at any level, or at members of the media, are fundamental threats to our democracy and warrant an immediate response from the legal profession.
 - c. The right to a free and fair election is the most fundamental right we have as Americans and that right must be protected. That includes ensuring that state and local election officials with no stake in the outcome be allowed to safely administer the election process and carry out their oath to protect the Constitution.
 - d. Each member of the electorate is entitled to be treated with dignity and to have equal and unfettered access to the polls in order to exercise their right to vote.
5. **What specifically would lawyers do?** Lawyers can be leaders in undertaking a variety of educational programs and projects in their geographical and social areas of influence. Each such effort would be focused on ways to protect the rule of law and to mobilize citizens in responding to and rejecting dishonesty, threats, intimidation, and violence, regardless of their source, to protect democracy. Such actions can include:
- a. Galvanize the legal community in a collaborative effort to address the goals of the Democracy Commitment.
 - b. Develop a series of symposia, colloquia, community conversations, and other vehicles to implement specific action plans to encourage stakeholder dialog and reject intimidation or threats to democracy.
 - c. Engage business, community, and religious leaders in the importance of restoring democratic norms and principles as a fundamental priority. This includes creating opportunities for facilitated conversations about ways to eliminate dishonesty, threats, verbal or physical intimidation, and violence against those lawfully carrying out the functions of government.
 - d. Develop an action plan for ensuring that volunteers speak at town hall meetings, business round-tables, rotary clubs, chambers of commerce, and other

organizations about the essential importance of voting rights, free and fair elections, honesty and integrity in political debates, and adhering to democratic norms and principles.

- e. Partner with local schools and community organizations to teach the importance of our democratic system and its dependence on honest discourse and free and fair elections.
6. **The role of [Lawyers Defending American Democracy \(LDAD\)](#):** LDAD is a non-profit, non-partisan organization focusing on threats to our democratic institutions and the rule of law, with a particular emphasis on ways to galvanize the legal profession to become engaged in ameliorating these threats. The organization was founded on the belief that the legal profession has a special obligation to protect the rule of law, to speak up when democracy is threatened, and to lead by inspiration and example. LDAD commits to being a major resource to the profession in the implementation of the Democracy Commitment, assisting with the development of program ideas, toolkits, curricula, and other ways to ensure that the profession speaks with a more powerful voice on behalf of our democratic institutions.