



Lesson Two:

Lesson Two: *Sources of Law in Qatar* Teacher's Version

Introduction

This lesson unit introduces students to the main sources of law in Qatar and asks them to research and discuss how these sources of law relate to one another. The sources of law discussed in the lesson include:





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- Islam
- Qatari Customs and Traditions
- The Qatar Constitution
- Treaties with Other Nations
- National and Local Laws
- Families

Lesson Two is divided into nine activities, which may be combined into larger activities for large blocks of time, or used independently to cover smaller ideas. The student activities involve short readings, small group research, student writing, and classroom discussion. All activities may be adapted to fit your students' interests and abilities. This lesson is aligned with the Qatar English Standards, and uses Recommended Vocabulary K-9 words, as outlined throughout the activities.

Activity 1: Let's Get Talking!

Students begin talking about sources of law by brainstorming where rules and laws come from and how they impact everyone's daily lives.

Activity 2: Sources of Law in Qatar

Uses an illustrated chart to examine the significant sources of law in Qatar, and how they relate to one another. Students analyze the chart, and discuss how the sources of law they brainstormed in Activity 1 fit into the larger scheme of Qatari law depicted on the chart.

Activity 3: Looking at and Analyzing the Qatar Constitution

Students will examine the Qatar Constitution as a document, paying attention to length, structure, sections, organization, and learning how each part is important for establishing the Rule of Law in Qatar. A handout offers students an opportunity to help a character named Jamal put his mixed up Qatar Constitution back in order, teaching students the overall order and structure of the document.

Activity 4: Reading the Qatar Constitution

Using excerpts from the four sections of the Qatar Constitution, this activity asks students to take an in-depth look at parts of the document. Students learn what each section of the Qatar Constitution means, and how it impacts their daily lives.

Activity 5: Reading Treaties with the Qatar Constitution

Article 68 of the Qatar Constitution explains how the Amir and other members of the Qatari government may enter into treaties. Treaties are very important for preserving the Rule of Law around the world, beyond the borders of Qatar. Students will read and analyze Article 68, learn about treaties, and look at excerpts of a treaty that Qatar is part of with other countries around the world.

Activity 6: What is the Qatar Constitution?

The final activity in Lesson Two is a writing activity asking students to explain what they have learned about the Qatar Constitution. They are asked to explain to their grandparents what the constitution is, how it is organized, and why it is important that everyone in Qatar learn about its importance for preserving the Rule of Law.





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The estimated time required to complete Lesson Two: 3-4 class periods

Student Handouts Used in Lesson Two

- 2.1 Lesson Two Vocabulary Words
- 2.2 Sources of Law in Qatar
- 2.3 Writing the Qatar Constitution
- 2.4 Reading the Qatar Constitution
- 2.5 Analyzing Treaties with the Qatar Constitution
- 2.6 What is the Qatar Constitution?





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Lesson Two Vocabulary Words

Student Handouts:

Handout 2.1: Lesson Two Vocabulary Words

Article: one of the essays or paragraphs that make up a publication, such as magazines, or the Qatar Constitution. (Recommended Vocabulary K-9, Qatar English Standards, Grade 7)

Citizen: a native or naturalized member of a state or nation who owes allegiance to its government and is entitled to its protection. (Recommended Vocabulary K-9, Qatar English Standards, Grade 8)

Constitution: a document that sets forth the basic principles and laws that define a country's system of government, the powers of the government, and the rights and duties of citizens. The authority of a constitution is grounded in the will of the people, who agree to be governed according to the constitution's terms.

Culture: the beliefs, social forms, and material traits that define a social group. (Recommended Vocabulary K-9, Qatar English Standards, Grade 7)

Custom: a long-established practice common to many people from a particular place or habit, which is considered an unwritten law. (Recommended Vocabulary K-9, Qatar English Standards, Grade 4)

Declarations and reservations: statements that clarify how a nation plans to interpret or implement a treaty.

Government: the office, authority, or functioning organization that makes laws and controls a political unit such as a city, state, or country. (Recommended Vocabulary K-9, Qatar English Standards, Grade 7)

Right: a claim or title, whether legal, prescriptive, or moral: You have a right to say what you please. (Recommended Vocabulary K-9, Qatar English Standards, Grade 8)

Tradition: an established, customary and characteristic pattern of thought, action, or behavior such as a social or religious practice, passed from generation to generation by word of mouth or example. (Recommended Vocabulary K-9, Qatar English Standards, Grade 9)

Ratify: to formally agree to the terms of.

Shari'a Courts: Courts governed by the body of Islamic law.

Treaty: an agreement between two or more nations.





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Activity 1: Let's Get Talking!

1. Begin with a discussion of rules, and laws, and ask students: where do we get rules and laws? Students should brainstorm some of the following sources:

- Islam
- Qur'an
- Cultural customs and traditions
- Amir
- Government
- Qatari Constitution
- City leaders
- Parents
- Sports
- Grandparents
- Family members
- Teachers
- Schools
- Nature
- Games
- Offices
- Employers
- Treaties with other countries

As students brainstorm, list responses on the board at the front of the classroom. Be sure to leave plenty of room after each item on the list in preparation for the next step of this activity. Also, be sure to save the list for use in the next activity.

2. Once you have a list, take a step back and ask students to brainstorm one or two example rules from each of the sources of law.
3. Ask students to look at the list of sources of rules and laws. They should study the list as they answer the following discussion questions:

Discussion Questions

1. What does the length of this list tell us about the sources of law?
The list is long, so that means that there are many sources of law. The long list also tells us that law comes from many different areas of our everyday lives, some of which we don't even think about.
2. Do you think about all of the rules and laws as you are following them?
No, we follow so many rules that we often do not notice that we are doing so. There are also many unwritten rules, such as customs, traditions, and games, so we don't always remember that they are there. Rules and laws are such a part of our society that it is not difficult to follow them in our everyday lives.





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3. Are some of the sources of law more formal than others? Why?

Students' responses should include:

- *Yes, some sources are more formal than others—i.e. the Amir and Constitution are more formal than unwritten cultural traditions. These rules are written.*
- *Yes, some sources are more formal than others because they have more serious punishments for violations—i.e. parents' rules vs. arrested by the police*
- *Yes, some sources are more formal than others because the consequences of not following them are more severe—i.e disobeying parents vs. disobeying traffic laws*

The chart below will help distinguish students' answers from formal or informal sources of law:

FORMAL

INFORMAL

Islam	Amir	City Leaders	Parents	Schools	Sports
Qur'an	Government		Grandparents	Teachers	Games
	Constitution		Family Members	Offices	Nature
	Customs and Traditions			Employers	



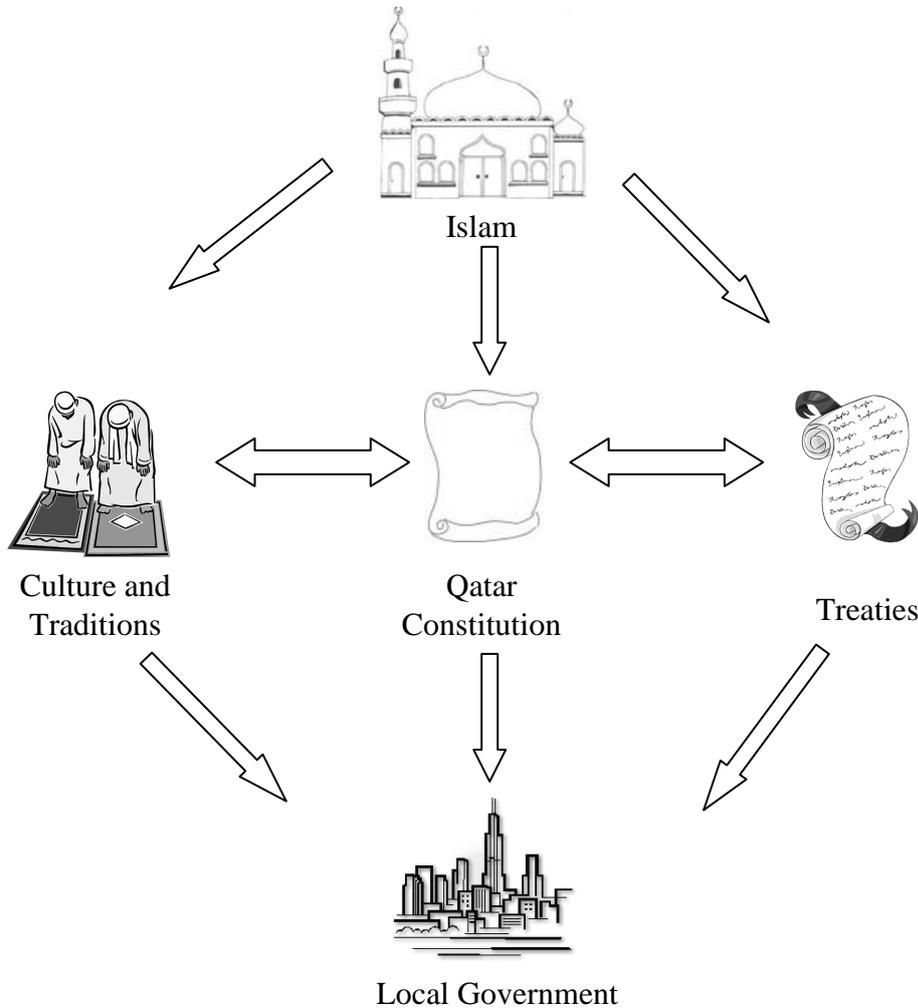


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Lesson Two: Sources of Law in Qatar Activity 2: Sources of Law in Qatar

Student Handouts:

Handout 2.2: Sources of Law in Qatar



1. Distribute Student Handout 2: Sources of Law in Qatar to students, then explain that they will be looking at how sources of law in Qatar interact. Students may be grouped into smaller groups of 4-5 students, or the entire class may participate as a whole in the coming discussion. Explain to students that the chart above illustrates sources of law in Qatar, and the relationships among them. Ask students to study the chart, the arrows, and meanings. Discuss any confusing words, pronunciations, definitions, and what the arrows mean.
2. Refer to the list of sources of law that the class made earlier, and ask students where some of their ideas would fit onto the chart. Discuss as students study the illustration.
3. Point out what is at the top of the chart: Islam. Islam is the source of specific laws, including those involving marital affairs and rights, legacies, and crimes prohibited by Islam that are applied in Qatar's **Shari'a Courts**. Islam is also the source of more general beliefs





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that inform the **customs and traditions** of Qatar's people and provide guidance to Qatar's government and political leaders when they make, enforce, and interpret laws.

4. Ask students to use the chart to answer the following discussion questions:

Discussion Questions

1. Why is Islam at the top of the chart? How does it relate to the other sources of law represented on the chart?
Islam is the most important source of law in Qatar; Islam informs the other sources of law in Qatar.
2. The chart shows Islam as a source for Qatari customs and traditions. Describe a Qatari custom or tradition that reflects Islam.
Possible responses could include food, clothing, prayer rituals, holiday customs.
3. According to the chart, what are sources of law for the Constitution?
Islam, Customs and Traditions, and Treaties
4. Why is it important for Islam, customs and traditions, and treaties to be sources of law for the Qatar Constitution? What do the Constitution's sources tell us about the Constitution?
By having Islam, customs and traditions, and treaties as the sources of law for the Qatar Constitution, the Qatari government is aligning new laws with laws already in place and familiar to Qataris. This means that Qataris will respect the Constitution as law.
5. According to the chart, what is the relationship between the Constitution and local government laws? What does this mean? Why is this important?
Students' responses should include these ideas:
 - *The Constitution is above local government on the chart.*
 - *This means that the constitution is more important as a source of law in Qatar than the local laws. The local government must obey the constitution.*
 - *This relationship is important because it creates a stable government for Qatar, where the constitution is superior to local governments, and no particular governments may abuse power amongst its people.*
6. Where would your school's rules fit on the chart? What does this mean?
Students' responses should include these ideas:
 - *School rules would be below the bottom of the chart, below local government.*
 - *This means that school rules are not as important, or formal, as local government, the constitution, or Islam.*
7. Out of all of the sources of law on the chart, which sources are most important to you in your everyday life? How important are they to informing law in Qatar on the chart? Are they as important on the chart as they are in your life? Why do you think there may be differences?





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The less formal sources of law are lower, or at the bottom of, the chart, but have a larger impact on students' everyday lives.





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Activity 3: Looking at and Analyzing the Qatari Constitution

Student Handouts:

Handout 2.3: Writing the Qatar Constitution

Distribute copies of the Qatari Constitution to all of the students. If you are unable to locate the Qatar Constitution elsewhere, it is available online at: [<http://english.mofa.gov.qa/details.cfm?id=80>]. Ask them to simply examine the document as you discuss some of its characteristics. Students should understand that the Constitution sets forth the basic principles and laws that define a country's system of government, the powers of the government, and the rights and duties of citizens. The authority of a constitution is grounded in the will of the people, who agree to be governed according to the constitution's terms.

Discussion Questions

1. How long is the Constitution?
Acceptable responses include: 16 pages, 4 parts, or 150 articles
2. When did the Constitution become law?
2002
3. How is the constitution structured?
 - *The constitution is broken down into 4 sections:*
 1. **The State and Bases of the Rule**—establishes Qatar as an independent Arab state, outlines basic governmental structure, and basis for governmental authority
 2. **The Guiding Principles of the Society**—establishes social values of Qatar, security, stability, and equality as standard rules for the operation of the government. Also outlines the State's duties to its citizenry.
 3. **Public Rights and Duties**—lists the public's rights, citizen's rights and duties within the government of Qatar.
 4. **Organization of Powers**—practical blueprint for the actual person-by-person organization of the Qatar government, from the Amir, to Members of Council, to judges within the courts.
 - *The constitution is made up of 150 articles, all subheadings under the four parts. Each article acts as a rule or law within the Qatar government.*
 - *Students may also notice that the beginning of the Constitution is an introduction, a history of the government of Qatar. Article 150 formally announces the entire document as law.*





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4. Why do you think the four sections of the constitution were placed in the order that we see here?

Section 1 is first because the government must establish itself as the ruling body, or the government with the authority to do so, before it may begin explaining legislation. The government must establish itself as the government in order for people of Qatar to listen, believe, and obey the laws.

Section 2 is next because it is important for the government of Qatar to explain how it plans to retain its basis for rule of law, and legislative powers over the people. It outlines explicitly for Qataris what the government will do for them.

Section 3 follows sections 2 because it is only fair that after Qataris learn what the state will do for them that they then learn what the state expects in return. The rule of law will only prevail if Qatari people uphold it, and Section 3 explains how to do so.

Section 4 is last because it is the very practical outline of how the government outlined in the previous three sections will actually work amongst the people of Qatar. It's a how-to for making a government in Qatar. It also ensures that everyone understands their rights, duties, and responsibilities to and from the state prior to any one person being granted political powers within the government.

5. Where could you get copies of the Constitution?

The government, school books, teachers, libraries...

6. Who may read the Constitution? Should everyone read the document? Why or why not?

Students' responses should include the following ideas:

- *Everyone may read the Constitution.*
- *Everyone, especially Qatari citizens, should read the Constitution so they know their rights and responsibilities to and from the government.*
- *Non-citizens in Qatari should read the Constitution because it explains how the country they live in will work. People need to read and understand the Constitution for it to be effective. Otherwise laws would be ignored, not enforced, and society chaotic.*

7. Do you think it is important for Qatar to have a Constitution? Why or why not?

It is important for Qatar to have a Constitution so that all of the laws are clear and may be followed by everyone. It is important for everyone's rights to be protected by the Constitution.





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Activity Four: Reading the Qatar Constitution

Student Handouts:

Handout 2.4: Reading the Qatar Constitution

1. Read Article 1 of the Qatar Constitution with students. Students should understand that Article 1 proclaims Islam and Shari'a law's role as a main source of law for Qatar. This means that law makers in Qatar should remain mindful of Islam and Shari'a law when enacting new legislation.

Article 1

Qatar is an independent sovereign Arab State. Its religion is Islam and Shari'a law shall be a main source of its legislations. Its political system is democratic. The Arabic Language shall be its official language. The people of Qatar are a part of the Arab nation.

Discussion Questions

1. What relationship does this article establish between Islam and the Constitution?
What is the significance of this relationship?
Islam is the state religion of Qatar. Islam is the source of law for Qatar, and governs the Qatari courts.
2. Thinking back to the chart of the sources of law, how is this relationship reflected?
Islam is at the top of the Sources of Law chart.

2. Read Article 8 of the Qatar Constitution with students. Students should understand that Article 8 outlines succession based on paternal heredity within the Al Thani family.

Article 8

The rule of the State is hereditary in the family of Al Thani and in the line of the male descendants of Hamad Bin Khalifa Bin Hamad Bin Abdullah Bin Jassim. The rule shall be inherited by the son named as Heir Apparent by the Emir. In the case that there is no such son, the prerogatives of rule shall pass to the member of the family named by the Emir as Heir Apparent. In this case, his male descendants shall inherit the rule. The provisions of the rule of the State and accession shall be determined by a special law that shall be issued within a year commencing as from the date of coming into force of this Constitution. This law shall have the power of the Constitution.

Discussion Questions

1. According to the Constitution, how are rulers of the State determined? How is rule of the State passed from person to person?
The rule of the State is hereditary in the family of Al Thani and in the line of the male descendants of Hamad Bin Khalifa Bin Hamad Bin Abdullah Bin Jassim. The rule shall be inherited by the son named as Heir Apparent by the Emir.
2. On the chart, customs and traditions are on the same level as the Constitution.
Customs and Traditions are an important part of every country's **culture**. Customs and traditions serve as unwritten laws or codes of conduct that are passed from generation to generation. These customs and tradition inevitably influence a country's government and its written laws. Students should understand that Qatari customs and





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traditions are reflected in the Constitution. How does Article 8 of the Qatar Constitution reflect Islamic customs and traditions?

Students should recognize that the paternal inheritance of leadership within the Al-Thani family is a custom.

3. Look over the following excerpt from Part 2 of the Qatar Constitution with students. They should read various Articles to determine what the Qatari State will provide to citizens, and recognize what characteristics are important to Qatari society. Among the guarantees outlined in Part 2 of the Qatari Constitution are: justice, benevolence, freedom, equality, high morals, security, stability, equal opportunities, national unity, cooperation, fraternity, family protections, maternity, childhood, old age, care for children, public health, science, the arts, and education.

PART TWO

The Guiding Principles of the Society

Article 18

The Qatari society is based on the values of **justice, benevolence, freedom, equality, and high morals.**

Article 19

The State shall maintain the pillars of the society and ensure **security, stability, and equal opportunities** for all citizens.

Article 20

The State shall strive to strengthen the spirit of **national unity, cooperation, and fraternity** among all citizens.

Article 21

The family is the basis of the society. A Qatari family is founded on religion, ethics, and patriotism. The law shall regulate **adequate means to protect the family, support its structure, strengthen its ties,** and protect **maternity, childhood, and old age.**

Article 22

The State shall provide **care for the young,** and protect the same from **corruption, exploitation,** evils of **physical, mental and spiritual neglect.** The State shall also create **conducive circumstances** for developing their capabilities in all fields based on sound education.

Article 23

The State shall foster **public health;** provide means of **prevention** from diseases and epidemics and their cure in accordance with the law.

Article 24

The State shall foster, preserve and help disseminate **sciences, arts, cultural and national heritage,** and encourage scientific research.

Article 25

Education is one of the basic pillars of social progress. The state shall ensure, foster, and endeavor to spread it.





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Discussion Questions

1. According to the Constitution, what are some of the things that the State of Qatar will provide to its citizens?

Among the guarantees outlined in Part 2 of the Qatari Constitution are: justice, benevolence, freedom, equality, high morals, security, stability, equal opportunities, national unity, cooperation, fraternity, family protections, maternity, childhood, old age, care for children, public health, science, the arts, and education.

2. How does the State provide these services already?

Answers may include schools, health care, police, fire protection, traffic laws, roads, sewers, technology, military, city governments, museums, and Islam.

3. What impact do these promises made by the Qatari government in the Qatar Constitution have on the citizens of Qatar? The non-citizens?

Students' responses should include:

- *All Qatari citizens should know what the government guarantees them so that they may help to preserve the rule of law and be active citizens.*
- *All Qatari residents, citizens or not, should know the government guarantees so they have a sense of how the country will operate, and so that they may also help to preserve the rule of law.*

4. Look over the following excerpt from Part 3 of the Qatar Constitution with students. They should understand what rights are guaranteed them by the Qatar Constitution, and what impact those rights have on their daily lives, their families, and their communities. Citizens' rights include: equality, personal freedom, due process, privacy, entry, expression, press, publications, education, and religious practice. Students should understand that the State protects these rights through government institutions and laws; and that no right is more important than another.

PART THREE

Public Rights and Duties

Article 34

The Citizens of Qatar shall be equal in public rights and duties.

Article 35

All persons are **equal before the law** and there shall be no discrimination whatsoever on grounds of gender, race, language, or religion.

Article 36

Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.





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Article 37

The sanctity of human **privacy** shall be inviolable, and therefore interference into privacy of a person, family affairs, home of residence, correspondence, or any other act of interference that may demean or defame a person may not be allowed save as limited by the provisions of the law stipulated therein.

Article 38

No citizen shall be banished neither shall he be denied re-entry to his country.

Article 39

An accused person is **presumed innocent** until his conviction is proved before a court of law wherein the necessary guarantees of the right of self-defense are secured.

...

Article 44

The right of the citizens to **assemble** is guaranteed in accordance with the provisions of the law.

...

Article 46

Individuals have the right to **address public authorities**.

Article 47

Freedom of expression of opinion and scientific research is guaranteed in accordance with the conditions and circumstances set forth in the law.

Article 48

Freedom of press, printing and publication shall be guaranteed in accordance with law.

Article 49

All citizens have the right to **education**; and the State shall endeavor to make general education compulsory and free of charge in accordance with the applicable laws and regulations of the State.

Article 50

Freedom to practice religious rites shall be guaranteed to all persons in accordance with the law and the requirements of the maintenance of public order and morality.

Discussion Questions

1. According to the Constitution, what rights are guaranteed to its citizens?
Citizens' rights include: equality, personal freedom, due process, privacy, entry, expression, press, publications, education, and religious practice. Students should understand that the State protects these rights through government institutions and laws; and that no right is more important than another.
2. How does the State protect these rights?
Answers may include: the Constitution, Rule of Law, police, teachers, officials, parents, citizenry.





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3. What do you think is the most important right guaranteed by the Constitution? Why?
Students should have different answers to this question, and that is good. Students should know that there is no “correct” answer to this question—all rights are protected equally, and no right is more or less important than another.
5. Look over the excerpt from Part 4 of the Qatar Constitution, describing the general organization of the Qatari government. Students should understand that the Qatari Constitution provides a blueprint for organizing government, and get an idea of what such a plan would look like for Qatar. Students should understand that key elements of the Qatari government include: people, Legislative Authority, Judicial Authority, Executive Authority, Council of Ministers, separation of powers, Al-Shoura Council, and the Emir. Students should also acknowledge their responsibilities to the State of Qatar, including the preservation of the Rule of Law as described in Lesson 1.

PART FOUR

Organization of Powers

Chapter One: General Provisions

Article 59

The **people** are the source of power, and they shall exercise the same in accordance with the provisions of this Constitution.

Article 60

The system of Government is based on the **separation of powers** and shall be exercised in collaboration with the manner specified in this Constitution.

Article 61

The **Legislative Authority** shall be vested in Al-Shoura Council as prescribed in this Constitution.

Article 62

The **Executive Authority** shall be vested in the Emir and he shall be assisted by the Council of Ministers as specified in this Constitution.

Article 63

The **Judicial Authority** shall be vested in courts of law as prescribed in this Constitution; and court judgments shall be pronounced in the name of the Emir.

Discussion Questions

1. According to the Constitution, what are key elements of the Qatari government?
Answers may include: people, separation of powers, Legislative Authority, Executive Authority, and Judicial Authority.
2. What responsibilities do we have to Qatar in order for this Constitution to govern its citizens?
To enforce the Constitution and maintain the rule of law.





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3. How might we preserve the Rule of Law?

Answers may include: report injustices, advocate for injustice, work in the legal profession, do not break laws or participate in illegal activities, and respect one another as people of Qatar.





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Activity 5: Analyzing Treaties with the Qatar Constitution

Student Handouts:

Handout 2.5: Analyzing Treaties with the Qatar Constitution

1. Read Article 68 of the Qatar Constitution with your students. They should understand what a treaty is, and that the Emir has the power to make treaties with other countries. The term “treaty” may be introduced here, as part of Constitution Article 68, with attention to the Emir’s power to conclude treaties and similar agreements. Article 68 should serve as an introduction to treaties, which will be examined more in depth in the next activity.

Article 68

The Emir shall conclude treaties and agreements by a decree and refer them to Al-Shoura Council accompanied with appropriate explanatory notes. The treaty or agreement shall have the power of law after ratification and publication in the official Gazette; however, reconciliation treaties and treaties pertaining to the territory of the State or those relating to the right of sovereignty or public or private rights of the citizens, or those that involve an amendment of the laws of the State shall come into force when the same are issued as a law. Under no case may a treaty include secret conditions contradicting its publicized conditions.

Discussion Questions

1. Based on your reading of Article 68, what is a treaty?
Something to the effect of, “an agreement between two or more nations”
2. According to the Constitution, who may make treaties?
The Emir
3. May treaties contain any secret conditions? Is this a good idea? Why or why not?
Answers will vary, but students should realize that secret conditions in treaties are threats to national security, may lead to corruption in government, and violate the Rule of Law.
2. Discuss the definition of a **treaty** with students. What is a treaty? Why might countries make treaties with other countries?
3. Introduce the idea that Qatar is part of several global treaties. An important treaty that Qatar has ratified is the United Nations Convention on the Rights of the Child. You may locate the treaty at <http://www.unhcr.ch/html/menu3/b/k2crc.htm>, but copies of the treaty, which is 19 pages long, are not necessary.
4. Explain to students that when nations **ratify** international treaties, they often make **declarations and reservations**. Read Qatar’s reservation to the United Nations Convention on the Rights of the Child with, or to, students:

Reservation made upon signature and confirmed upon ratification:

[The State of Qatar] enter(s) a general reservation by the State of Qatar concerning provisions incompatible with Islamic Law.





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Discussion Questions

1. What does Qatar's reservation to the treaty above mean?
Qatar's reservation indicates that any provisions of the treaty that violate Islam would not be enforceable within Qatar.
2. How does Qatar's reservation relate to statements made in the Qatar Constitution?
Islam is the supreme source of law.
3. Where are treaties on the chart, from Activity 2? Does this reservation fit into that model?
Yes, Islam is at the top of the chart, and points down to treaties, so Islam may dictate laws about treaties.





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Activity 6: What is the Qatar Constitution

Student Handouts:

Handout 2.6: What is the Qatar Constitution?

The final activity in Lesson Two is a writing activity asking students to explain what they have learned about the Qatar Constitution. They are asked to explain to their grandparents what the constitution is, how it is organized, and why it is important that everyone in Qatar learn about its importance for preserving the Rule of Law. This is meant to be a review activity, summarizing everything students learned in Lesson Two.

Student responses may review the following:

- *Sections of the Qatar Constitution, and what each one means*
- *Articles of the Qatar Constitution*
- *Powers and guarantees of the Qatari government to Qatari citizens*
- *Rights and duties of citizens*
- *Importance of the Qatar Constitution for establishing the Rule of Law in Qatar and protecting citizens*

