

# Lingua e traduzione inglese

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# UNITED STATES

## **The Declaration of Independence**

IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen United States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good. He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have

reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

### **The Declaration of Independence (analysis)**

The **Declaration of Independence** is the statement adopted by the Second Continental Congress meeting at Philadelphia, Pennsylvania on July 4, 1776, which announced that the thirteen American colonies, then at war with the Kingdom of Great Britain, regarded themselves as thirteen newly independent sovereign states, and no longer under British rule. Instead they formed a new nation—the United States of America. John Adams was a leader in pushing for independence, which was unanimously approved on July 2. A committee of five had already drafted the formal declaration, to be ready when Congress voted on independence. The term "Declaration of Independence" is not used in the document itself. We have to underline that the reason of independence is caused by the high taxation and political issues because they weren't able to have a representation in the local country.

The language is simple even though there are words that we don't use in our nowadays language. The text is divided in 5 parts; thanks to the distribution of the text, it is possible to divide it.

- The *first part* is the preamble of the Declaration, in which there are the jusnaturalistic's principals. Furthermore there are some words that makes us understand that the declaration wants only to dissolve the relationship with the mother country not to have a fight.
- The *second part* can be considered the most important part of the declaration because there are the principles of independence. It outlines a general philosophy of government that justifies revolution when government harms natural rights.
- The *third part* there is a list of particulars documenting the George III repeated injuries and usurpations of the Americans' rights and liberties.
- The *fourth part* essentially finished the case for independence. The conditions that justified revolution have been shown.
- The *fifth part* is the conclusion of the Declaration. The signers assert that there exist conditions under which people must change their government, that the British have produced such conditions, and by necessity the colonies must throw off political ties with the British Crown and

become independent states. The conclusion contains, at its core, the Lee Resolution that had been passed on July 2.

## **The Constitution of United States of America**

The *United States Constitution* is the supreme law of the United States of America. It was adopted on September 17, 1787 by the Constitutional convention in Philadelphia and ratified in 1789 in each US state in the name of The People. The Constitution, originally comprising seven articles, delineates the national frame of government; it has been amended twenty-seven times. In general the first ten amendments are known as the Bill of Rights. It provides the framework (struttura) for the organization of the US government and for the relationship of the federal government to the states, to citizens, and to all people within the United States. The firsts three articles defines the three main branches of government: legislative branch, executive branch, judicial branch. The Us Constitution consists of s preamble, seven original articles and twenty-seven amendments. The US Constitution is an elastic one.

**Article 1.** Describes the Congress which is the legislative branch of federal government. (in USA non esiste il Parliament)

**Article 2.** Creates the Presidency. Section 1 states that the executive power is vested in a President.

**Article 3.** Describes the Court System including the Supreme Court which have the judicial power.

**Article 4.** Describes the relationship between the states and the federal government and amongst the states.

**Article 5.** Describes how to amend the Constitution. The amendments may proposed by: the US Congress; a national convention (2/3 of the several states); to become valid amendments may be ratified by a ratifying conventions (3/4 of the several states).

**Article 6.** Describes the federal power.

**Article 7.** Describes the ratification of the US Constitution.

The Bill of Rights is composed by ten amendments.

**Amendment 1.** Analyse the rights of freedom, of religion, of speech, of press, of assembly, of petition.

**Amendment 2.** Gives the right of individuals to possess firearms.

**Amendment 4.** Guards against searches, arrests, and seizures of property without a specific warrant, provable or cause.

**Amendment 5.** Forbids punishment without the due process of law, and that an accused person may not be compelled to testify against himself or herself.

**Amendment 6.** Guarantees a speedy public trial for criminal offences

**Amendment 7.** Assures trial by Jury in civil cases

**Amendment 8.** Forbids cruel and unusual punishment

**Amendment 10.** Reserves to the states respectively, or the people, any power the US Constitution did not delegate to the US.

## **The Legislative branch**

The Legislative Power is given to the Congress, which is divided into House of Representatives and Senate. The main functions of the Congress are law-making, forming structures and programs to implement policy and advising the President on foreign affairs and appointments. While the chambers

of Congress are in theory equally powerful, there are several differences in their membership, organization and practices. The House of Representatives respond more quickly than the Senate to the electorate's mood; in fact elections are every two years allow representatives to more closely reflect the current views of local voters than do senators, elected every six years. Anyway Senators are divided into three groups, the first group is elected every two years, the second group is elected every four years, and the third group is elected every six year; These divided elections allow an unique election with the House, in the way to respect the Constitution.

The number of seats of the House of Representatives is 435 and it is proportional to population. To qualify for a seat in the House of Representatives a candidate must have these requirements: 25 years old, 7 years a Citizen, 7 years a resident of the district in which he want to be elected. The number of seats of the Senate are 100, that means that every state have 2 seats. To qualify for a seat in the Senate a candidate must have these requirements: 30 years old, 9 years a Citizen, 9 years a resident of the state where elected. The president of the House of Representatives is the Speaker who is chosen by the majority party. In the Senate the president is the Vice-President of the United States, and senators elect a president pro tempore to chair the chamber in the Vice-President's absence; usually the pro tempore president is the senior senator.

The steps in the law-making process are similar in both chambers. Bills can be introduced in one chamber first or in both simultaneously. The bill is referred to a committee, which usually refers it to a subcommittee. There members analyze the text, agrees on changes in the bill. It is then turned to the committee for another mark-up session before it goes to the whole chamber for debate and vote on passage. If a bill passes both chambers, amendments added on one of both house may results in different texts. Then a conference committee with members from both chambers produces a compromise text. If it passes final voting in the House and Senate, the compromise bill is sent to the President, who may sign or veto it.

## **The Executive branch**

The executive branch is given to the President of the United States of America. He nominates the highest officials in the executive branch, but these appointments must be approved by the Senate. Only the members of the EOP (Executive Office of the President) are filled without congressional approval. The mains components of the EOP that operate outside the White House are the Council of Economic Advisers, the National Security Council, the Office of Management and budget and the CIA (Central Intelligence Agency). To be President of the United States is requested that the candidate must be a resident of the USA for at least 14 years; he must be a natural-born citizen; he must is 35 years old. He is more independent of the legislature than the chief executives of most democratic governments, because he is elected without a vote of no-confidence.

The office of the President last 4 years, and every 4 years USA should have Presidential elections even if the President has resigned. The President became the nation's ceremonial head of state by default, he became the national leader of his party. As chief of administrator, the President is required to see that the laws written by Congress are carried out. This is understood to mean managing the bureaucracy and enforcing existing policies. The President's role ad legislative leader developed in part from constitutional clauses requiring him to inform Congress about the "state of nation" and to suggest the measures he considers necessary or expedient. Another clause allows him to convene a special session of Congress if he deems it necessary.

Vetoes can take place in two ways: with veto message giving presidential objections or by no action being taken within ten days of the adjournment of Congress on bills that come to the White House.

The President's veto power is limited. Congress may override it with two-thirds majorities. In part to counter such tactics by members of Congress, presidents have made expanded use of the signing statement. The signing statement defines how the executive intends to implement the law. It defines provisions that the president finds unclear, politically unacceptable or unconstitutional and so announces that these will not be carried out or will be acted on according to the president's interpretation.

**Presidential Elections** - Electing the President is a long, complicated and costly affair. After conferring with political advisors, individuals hold press conferences eighteen months or more before the election to announce that they are running for President. Over the following months these candidates "test the water" to see whether support for their candidacy in different parts of the nation is warm enough to raise the tens of millions of dollars necessary to pay for the upcoming primary-caucus campaign. The pre-primary started earlier, "wanna-be" candidates for both parties lined up for an unprecedented number of debates in the autumn before the election year. From January to June of the presidential election year the states conduct the process of narrowing the field of candidates to one from each party through two electoral procedures, caucuses or primaries. Both procedures are indirect: party voters choose delegates to the party's national convention and give these delegates the authority to make their official nomination of a candidate. Because both the state legislatures and the national party committees issues decisions about the timing and nature of caucuses and primaries this part of presidential elections is frequently unique and surprising. Big states receive most or all the attention because their large populations give the largest number of voting delegates at the national convention.

During the primary session the media keep a running count of the delegates pledged to each candidate and track the front runners' progress towards a majority of delegate votes at the party conventions in July and August. Because the convention is televised, both parties present a "packaged media show" of unity designed to demonstrate that the internal disagreements of the primary season are forgotten. From late August until the beginning of November: The parties and their candidates face each other in the post-convention campaign. Candidates criss-cross the country to make known their platform. In November people go to vote and, although the President is said to be directly elected, the official vote is made by an electoral college, also called *Great Electors*.

On election day the television networks display huge maps of the country to track two different tallies of results. One is the popular vote, but it does not determinate who wins. Not only are the candidates chosen in an indirect fashion through the primaries, but the final election is also decided indirectly. In accordance with rules in the Constitution, the popular vote is not counted nationally, but by state. The second tally on election-day television screens is the electoral-college vote. Each state has a number of votes in the college equal to its members in Congress (two senators plus its number of representatives in the House). The candidate who wins a state receives all the votes in the college. The system is supposed to reward small states which get three electoral votes no matter how small their population.

## **The Judicial branch**

The only court specifically mentioned in the US Constitution is the *Supreme Court*. The power given to Congress to establish lesser federal courts has resulted in "three-tier system", as well as special courts for specific areas (such as tax, military law, etc.). This system is pyramidal, in the sense that the first tier is the lowest one.

1. The first tier is given to *District Courts* that have original jurisdiction in most federal cases.

2. The second tier is given to *US Courts of Appeal* because most decisions deliberated by the *District Courts* are appealed to these ones.
3. The third tier is given to the *US Supreme Court*. Its work consist of hearing cases from *US Courts of Appeal*.

The *Supreme Court* has the power of “judicial review”: to evaluate whether state, congressional and presidential acts are in accordance with the Constitution. If cases raise questions not clearly answered by the existing law, the court should leave those questions for the elected politicians to decide. The *Supreme Court* has judges called Justices. The Head of the *Supreme Court* has the title of Chief Justice of the United States. The office of Justices, included the Chief Justice, are for life, unless a Justice decide voluntary to retire himself from the office. The number of justices has varied between five and ten, according to the will of Congress, but in recent history has been eight plus the Chief Justice.

Impeachment is the procedure by which a public official in the US, including the President, is charged with acting illegally and may be forced to leave the office. The impeachment-trial procedure is divided in two steps:

1. In the first step the House of Representatives must first pass “articles of impeachment” by a simple majority.
2. In the second step the Senate tries the accused. In the case of the impeachment of the President, the Chief Justice provides over the proceedings. Otherwise the vice-President, in his capacity as President of the Senate, provides. A two-thirds of majority of the Senators present is required in order to convict the accused.

The US Constitution gave the power to Congress in order to create the lower federal courts. In fact, States also usually have courts that handle specific legal matters in the way to not give too much work to the *Supreme Court*.

## **UNITED KINGDOM**

### **The Constitution of United Kingdom**

The constitution of the United Kingdom is the sum of laws and principles that make up the body politic of the United Kingdom. It concerns both the relationship between the individual and the state, and the functioning of the legislature, the executive and judiciary. Unlike many other nations, the UK has no single constitutional document. This is sometimes expressed by stating that it has an uncodified or "unwritten" constitution. Much of the British constitution is embodied in written documents, within statutes, court judgments, works of authority and treaties. The constitution has other unwritten sources, including parliamentary constitutional conventions. British Constitution consists of laws and documents, as well as customs and conventions stretching back over centuries (= risalgono nel corso dei secoli). Saying that (= dire che) Britain has no written Constitution does not mean that none of their rules and practice are set out in writing, but that they have never been brought together in a single statement/document.

A characteristic of States with written Constitutions is that a particular category of law is superior to all other laws and made difficult to change. For instance, in US the agreement of two-thirds of both Houses of Congress, followed by at least three-quarters of the States is necessary before any article in the Constitution can be changed. In Britain no distinction between ordinary law and Constitution

law is made and the Constitution is much more flexible and easily changed. Britain is a unitary state in the sense that authority rests in a single legislative body: the Parliament. In a federal state, a number of smaller states are permanently linked together to form a Federation. A Federal Government deals with questions of concern to all states such as: Foreign Policy and defence. Individual States have power over other areas of policy such as: education and justice. Acts of Parliament are bills which have received the approval of Parliament – that is, the Monarch, the House of Lords and the House of Commons. On rare occasions, the House of Commons uses the "Parliament Acts" (the Parliament Act 1911 and the Parliament Act 1949) to pass legislation without the approval of the House of Lords. It is unheard of in modern times for the Monarch to refuse to assent to a bill, though the possibility was contemplated by George V in relation to the fiercely controversial Government of Ireland Act 1914. Acts of Parliament are among the most important sources of the constitution. According to the traditional view, Parliament has the ability to legislate however it wishes on any subject it wishes. For example, most of the iconic mediaeval statute known as Magna Carta has been repealed since 1828, despite previously being regarded as sacrosanct. It has traditionally been the case that the courts are barred from questioning any Act of Parliament, a principle that can be traced back to the mediaeval period. There are two chambers/houses through which a Bill (*progetto di legge*) must pass before it can become law. In Britain the House of Commons (*Camera Bassa*, lower house) is more powerful than the House of Lords (*Camera Alta*, upper house). Britain is one of the few countries in which the hereditary monarchy has survived. But the political importance has declined over the centuries. It is usually said that the "Queen reigns but does not rule".

There is a two-party system: this does not mean that only two parties are allowed to exist (there is no limit to the number of Parties). It means that because of the Electoral System, power has in the past tended to alternate between two parties.

## **UK General Elections**

When Parliament is dissolved every seat in the House of Commons becomes vacant and a general election is held. Each constituency (= *circoscrizione elettorale*, territorio suddiviso in relazione alla densità della popolazione) in the UK elects one Member of Parliament (MP) to a seat in the House of Commons. Usually the political party that wins the most seats in the House of Commons forms the Government. A general election is an opportunity for people in every part of the UK to choose their MP - the person who will represent their local area (constituency) in the House of Commons for up to five years. There is normally a choice of several candidates in each constituency, some of which are the local candidates for national political parties. People can only vote for one of the candidates and the candidate that receives most votes becomes their MP. Usually the political party that wins the most seats in the House of Commons at a general election forms the new government and its leader becomes Prime Minister. If no party wins a majority of the seats, a situation which is known as a *Hung Parliament*, then the largest party may form a minority government or there may be a coalition government of two or more parties. In case of *Hung Parliament* the previous government might remain in position whilst there is a period of negotiation to build a coalition, or they might decide to try and govern with a minority of Members of Parliament. The Prime Minister appoints ministers who work in the government departments, the most senior of these sit in Cabinet. Parliament is dissolved every five years, under the Fixed-term Parliaments Act 2011 a Parliament is dissolved 25 working days before the general election. When Parliament is dissolved, every seat in the House of Commons becomes vacant. All business in the House comes to an end. There are no Members of Parliament. MPs revert to being members of the public and lose privileges associated with being a Member of Parliament. Members of the House of Lords are appointed, not elected. Members of the

House of Lords retain their positions, but all business in the House comes to an end when Parliament is dissolved. The Government does not resign when Parliament is dissolved. Government ministers remain in charge of their departments until after the result of the election is known and a new administration is formed. The Prime Minister is appointed by the Sovereign. Ministers are appointed by the Sovereign on the advice of the Prime Minister.

Is given the right to vote to all citizen who are 18 years old and registered in the *electoral register*. Citizens vote in a *polling booth* (cabina elettorale) using a *ballot paper* (scheda elettorale). The day of General Elections is called *polling day*. There is the possibility to vote *by proxy*, that means getting someone else to vote for you. You can only apply for a *proxy vote* under certain circumstances, including: being away on polling day, having a medical issue or disability, not being able to vote in person because of work or military service.

## The UK Parliament

Parliament is the supreme legislative authority in Britain. The main functions of Parliament today are to pass laws, to vote on financial bills, to examine government policies and administration. Parliament is supposed to legislative according to the rule of law (= ruolo della legge o del diritto), precedents and tradition. There is a set of check and balances such as party discipline, the official opposition, public reaction and pressure groups. Assemblies are a unified body only on ceremonial occasions, such as the state opening of Parliament by the monarch in the House of Lords. Here it listens to the monarch's speech from the throne (the speech outlines the government's broad legislative programme for the coming session). Parliament consists in: House of Lords, House of Commons and formally the Queen.

The **House of Lords** is the upper House of the British Parliament, whose members are not elected. Its work consists mainly of: examining and making changes to bills from the House of Commons; discussing important matters which the House of Commons cannot find time to discuss; it also acts as the final court of appeal ( the Supreme Court). House of Lords consists in: Lords Temporal, Lords Spiritual, the Archbishops of York, the Archbishop of Canterbury and 24 diocesan Bishops of the Church of England. Lords Temporal are Members of the House of Lords who are not bishops. They are members of the peerage or peers (Pari d'Inghilterra, ovvero titoli nobiliari che compendono: duca, marchese, conte, visconte e barone) and peeresses (moglie o vedova di un Pari d'Inghilterra). There are *Hereditary peers* who are peers or peeresses who inherit their title; *Life peers* who are peers and peeresses who have been created by political parties and cannot pass it on to their son or daughter; *Law Lords of appeal* who act as the ultimate court of appeal for most purposes, under the chairmanship (= presidenza) of the Lord Chancellor. There are two important acts referring to Peers and Peerage rather:

*The Life Peerage Act 1958*: Before the 1950s it was recognized that to choose members of the 2nd chamber purely on the basis of the birth was not only unjustified but also inefficient. The idea is that Life Peerage chosen on the basis of ability and attitude and not passing their title on to an heir (= erede) were weeded to inject (= introdurre) new life into the chamber. *The Peerage Renunciation Act 1963*: Prior to that period, anyone inheriting a peerage was prevented. From having a seat in the House of Commons. This act allows any hereditary peer/peeress to disclaim his/her title within 12 months. The most important thing is that any act of renunciation was not affect the right of heir to the peerage his/her parent has surrendered.

The **House of Commons** is the elective chamber. It consists of Members of Parliament, the *Speaker* and *Whips*. The speaker is elected by the Member of Parliament has the casting vote in the event of a

tie (= stallo). Each party has its own whips to maintain the discipline in both House of Parliament.

Both the House of Commons and the House of Lords meet in the Palace of Westminster (also called the House of Parliament). Those chambers have several rows of seats facing each other where members of the Government sit on one side and members of the Opposition sit on the other side. Each period of Government lasts a maximum of five years and is divided into one-year periods called sessions.

## UK legislative Procedure

The three main sources of English law are the *common law*, *statute law* and *European Union law*. The oldest is the *common law*, based on the customs of early settlers and invaders. *Statute law* was originally made by the monarch. But the Westminster Parliament gradually became the legislating authority because of its growing power against the monarch. Much British law today is in statute form and shows the influence of the state in citizens' lives. *European Union law* became part of British law following Britain's entry in 1973. EU law takes precedence over British domestic law in certain areas and judges must apply EU law when there is a conflict with Acts of Parliament.

Every law begins as a bill (= *proposta di legge*) and becomes an Act of Parliament with the royal assent. The Public Bills are public bills promoted by the government; the Private Members' Bills are bills promoted by the Members of Parliament who are not members of the government; the Private Bills are bills promoted by royal authority. The Legislative procedure is divided into four parts:

1. **Preparation:** once a decision has been taken to include a bill in the legislative programme for a session, the Parliamentary Counsel, a group of experienced lawyers, prepare the bill line by line. The bill, once prepared, is returned to the Cabinet (*consiglio dei ministri*) for approval, after which it is printed.
2. **First reading**, formal presentation: the bill is read out (*letto ad alta voce*). The Minister responsible for the bill names (*indica*) a day for the second reading. The day for the second reading is usually two or three weeks later.
3. **Second reading**, debate on general principles: This is a debate on the main principles of the Bill, held in the chamber. A Government minister will open the debate by setting out the case for the Bill and explaining its provisions. The Opposition will respond and then other members are free to discuss it. The Government will close the debate by responding to the points made. No amendments can be made to the text of the Bill at this stage, although members may give an idea of the changes they will be proposing at later stages. At the end of the debate the House will vote on the Bill. If the vote is lost by the Government, the Bill cannot proceed any further, though it is rare for a Government Bill to be defeated at this stage.

Now the Bill is sent to a *Standing Committee* in order to discuss it. *Standing Committee* may propose changes; However, there are limits to what can be added to a particular Bill, as the amendments must be sufficiently close to its subject matter when introduced. After the Committee Stage there is the Report Stage that takes place in the chamber, in this stage only amendments are discussed.

4. **Third reading**, final debate: In the Commons this is another general discussion of the Bill which invariably takes place immediately after Report. No amendments are possible. In the Lords, Third Reading will take place on a later day, and tidying up amendments can be tabled. Both Houses must agree on the text of a Bill before it can become an Act. This means that if the Bill is amended in the second House, it must return to the first House for those amendments to be considered. The

first House can reject the amendments, make changes to them or suggest alternatives. A Bill may move backwards and forwards between the two Houses before agreement is reached, so this stage is sometimes called *ping pong*. A Bill that has been passed by both Houses becomes law once it has been given *Royal Assent* and this has been signified to Parliament. It will then become an Act. Even then the Act may not have any practical effect until later on. Most provisions in an Act will either come into operation within a set period after Royal Assent (commonly two months later) or at a time fixed by the government. This gives the government and those people who are directly affected by the Act time to plan accordingly.

Government has various means to restrict the time available for debate. Bill will lapse unless completed by the end of a session. By the use of *closure* any member parliament, but usually government whips, moved “that the question now be put”. If the speaker allow a vote on the motion and if this is carried, the debate ends. At the Committee stage government can resort to other methods in order to quicken proceedings: by means of the *guillotine* a time limit is established for the consideration of certain groups of clauses; the use of *kangaroo* gives the power to the chairman to select clauses for discussion and ignore others completely.

## **UK Monarchy**

The continuity of English Monarchy has been interrupted only by the Cromwell Republic of 1649-1659. Succession to the throne is still hereditary. The monarch has a number of roles: she serves formally as head of state; she is commander in chief of the armed forces; she is the supreme governor of the Church of England; The monarch reigns but does not rule; She is expected to be politically neutral; She acts only on the advice of ministers; She summons, open, adjourns and dissolves Parliament; She gives the Royal Assent to Bill that have been passed both Houses of Parliament; She appoints ministers, grants, honors, gives pardons to some convicted criminals, fulfils international duties as Head of State; The most important function is the appointment of the Prime Minister.

## **UK Government**

Government normally consists of over a hundred of ministers and other officials is chosen both Houses of Parliament. Prime Minister is appointed by the Monarch and is normally the leader of the majority party in Commons. He has the majority support in Parliament; He can choose and dismiss ministers; He has the leadership in the party in the country; He has a control over the policymaking; He sits in the Commons as do most of the ministers; He has been the connection between the parliamentary government and the Monarch; He is responsible for Cabinet agendas and Cabinet proceedings. Cabinet is usually composed of up to 20 senior ministers from the government. all Ministers (including those outside the Cabinet) share a collective responsibility for government action and policy.

## **UK Legal System**

In Britain, for historical reasons, the system of law used in Scotland is different from that in England and Wales. When making decisions Scottish courts look for an appropriate general principle and apply to a particular situation. English courts look at precedents for the case being tried (= *sotto processo*) and make a similar judgment. A basic principle of law in Britain is that anyone accused is innocent until proven guilty, so it is the job of the prosecution to prove beyond reasonable doubt that the defendant (the person accused) has broken the law as stated in the charge. If this cannot be proved the person must be acquitted (= allowed to go free, with no blame). British law is divided into civil

law that concerns disagreement between individuals (such as business contracts), and criminal law that deals with offences that involve harm to a person resulting from somebody breaking the law. In civil cases, the plaintiff (the person who claims to have been wronged) brings an action against the defendant in the hope of winning damages (= a financial payment) or an injunction (= a court order preventing the defendant from doing something). In England and Wales, every town has a Magistrates' Court where minor cases are judged and more serious cases are passed to higher courts by three magistrates called Justices of the Peace, specially trained members of the public. The more serious cases are heard in a Crown Court by a judge and a jury. Minor civil cases (such as divorce and bankruptcy) are heard in the County Courts and more serious ones in the High Court of Justice. Appeals against decisions from the Crown Court or the High Court go to the Court of Appeal and a few cases, where a question of a law is in doubt, are passed to the House of Lords. Currently a process of reform is in operation. The Lord Chancellor's office (which for 1400 years maintained the judiciary), has now been replaced by the Ministry for Justice who administers the court system. The Appellate Committee of the House of Lords (previously the highest court in the land) was, by way of the Constitutional Reform Act 2005, replaced by the Supreme Court in October 2009 to allow the judiciary to operate in total independence from the government. The court of appeal in all legal matters other than criminal cases in Scotland.

## **Great Britain**

*Great Britain* is a geographical area consisting of large island that is divided into England, Wales and Scotland. It is often called Britain. It was first used in a political sense after the Act of Union of Scotland with England and Wales in 1707. British Isles describes the geographical area of Great Britain, all of Ireland (including the independent Republic of Ireland), and all the smaller offshore islands, including the Orkney Islands and Scilly Isles.

The United Kingdom of Great Britain and Northern Ireland (called for short the United Kingdom or UK) refers to the political state that includes the countries of England, Wales, Scotland and Northern Ireland. It does not include the Isle of Man or the Channel Islands which are crown dependencies. The United Kingdom was formed in 1801 when the Irish parliament was joined with the parliament for England, Wales and Scotland in London, and the whole of the British Isles became a single state. In 1922 the South of Ireland became the Irish Free State and in 1949 a completely independent republic. The name Great Britain and United Kingdom are often used to mean the same thing. *Britannia* is the name the Romans gave to the province which covered most of England. *Albion* was the original Roman name for England, *Caledonia* for Scotland, *Cambria* for Wales and *Hibernia* for Ireland. The people of UK are British/ Britons is used in the media. Only people from England are English. People from Wales are Welsh. People from Scotland are Scots or Scottish. Brits is used informally, often humorously.

## **The European Union**

The ideal of a united Europe, strong in economic and political institutions, became increasingly attractive to European statesmen after the Second World War. The foundations for a more integrated Europe were established in 1957 when six countries (West Germany, France, Belgium, Netherlands, Luxembourg and Italy) signed the *Treaty of Rome* and formed the *European Economic Community* (EEC). Britain distanced itself from closer European connections in the 1950s and saw its future in the trading patterns of the Commonwealth and an assumed special relationship with the USA. It regarded itself as a commercial power and did not wish to be restricted by European relationships.

However, in 1960s Britain wants to join the EEC were vetoed by the French President, Charles de Gaulle. He was critical of Britain's relationship with the USA - particularly on nuclear weapons policies – and he didn't want Britain as a potential rival to the leadership of the EEC. De Gaulle resigned from French presidency in 1969, and new British negotiations on membership began in 1970 under the pro-European Conservative Prime Minister, Edward Heath. In 1972, Parliament voted in favour of entry, so Britain with Denmark and the Irish Republic, formally joined the EE on 1 January 1973. But a new Labour government in 1974 was committed to giving the British people a referendum on continued membership. The referendum was held in 1975, the first in British political history. The pro-marketeters (a person employed in marketing) won. The EEC was based initially on economic concerns and instituted harmonization programmes, such as a common agricultural and fisheries policies, abolition of trade tariffs between member states and development aid to depressed areas within its borders. In 1986 was created the *Single European Market*, in which goods, services, people and capital could move freely across national frontiers. Some politicians had always hoped that increased economic integration would lead to political initiatives and a more integrated Europe. The *Maastricht Treaty* ratified in 1992, was a step in this process as a result of which the *European Community* became the *European Union*. The Treaty provided for the introduction of a common European currency (Euro), a European Bank and a common defence, foreign and social policies. The institutions involved in the running of the EU are:

- *European Council*: consists of government leaders who meet several times a year to discuss and agree on broad areas of policy.
- *Council of Ministers*: is the principal policy-implementing body and is normally composed of Foreign Ministers from the member-states.
- *European Commission*: is the central administrative force of the EU, proposing programmes and policy to the Council of Ministers.
- *European Parliament*: in which Britain has 87 seats, is directly elected for a five-year term on a party-political basis from the EU-wide electorate. It advises the Council of Ministers on Commission proposal and determines the EU budget.
- *European Court of Justice*: comprises judges from the member-states. It settles disputes concerning EU law and is very influential factor because it also determines the application of EU law in the domestic systems of the member-states.

Critics argue that Britain's sovereignty and independence are threatened by EU developments. Some British politicians want economic and political integration on federal lines, while others see the EU as a free-trade area in which national legal rights and interests are firmly retained. Polls show that Europe is considered to be relatively more important to Britain than the USA and the Commonwealth are. Europeanism seems to be more easily and naturally accepted by younger people.

Really actual is the event of *Brexit* that is an abbreviation of "British exit", it refers to the possibility that Britain will withdraw from the European Union. The country will hold an in-out referendum on its EU membership on June 23.