

## **TEXTS**

### **ABOUT MYSELF**

I'd like to introduce myself. My name is Elmira, Elya for short. My full name is Elmira Marsovna Galeeva. Marsovna is my patronymic. Galeeva is my surname.

I was born and live in the city of Kazan, the capital of the Republic of Tatarstan.

I am eighteen. After the final examinations at school, I decided to enter the Kazan Law Institute of MIA of Russia. Now I am a first-year student and a private of police. My choice is not casual. My parents work in police. My father is a colonel, my mother is a juvenile officer. My cherished desire is to be a good lawyer and to be necessary for our society.

We study different subjects: Criminal Law, Criminal Procedure, Administrative Law, Civil Law, Logic, Philosophy, History, Investigation Activity, English, Physical Training etc. Our working day begins at 7 a.m. and ends at 5.10 p.m. The students of our Institute have all conditions for getting a good education: well-equipped classrooms, laboratories, lecture halls, gymnasiums, libraries. The term of studies lasts 5 years. After graduation the students of our Institute get a Diploma in Law and become lieutenants of police. The graduates of the Kazan Law Institute of MIA of Russia work in all police services: as detectives, investigators, traffic inspectors, divisional inspectors, juvenile inspectors, etc.

## MY FAMILY

We are a small family. There are only 4 of us: my parents, my younger brother and myself. We live in Kazan in a nice district. My parents are rather young. They are about forty. My father is a colonel. He works in police. He goes to work very early and comes home very tired. But sometimes he is very cheerful and talkative, and takes us, his children, to the cinema or to the theatre and we enjoy these days very much. Father explains his good spirits by the fact that he could do something really good to people.

My mother is a doctor. She works in the hospital. She is two years younger than my father. She is a pleasant-looking woman, kind, gentle, full of joy and energy. She manages the house, our father and us, children very well. She is very practical and full of common sense like most women. She teaches us to do a lot of things – to do the house, to cook and a lot of other things.

I am a student of the Kazan Law Institute of MIA of Russia. I am a freshman. I want to be a lawyer. Though there are a great many professions in the world and they are all good, interesting and useful in their own way, I think that the profession of a lawyer is very important and nowadays it is especially essential.

The profession of a lawyer is very complicated, because it deals with people and laws. Doctors and teachers also deal with people, whereas lawyers deal not only with people's life, but with the life of nations all over the world.

My younger brother is a schoolboy. He is 5 years my junior. He studies well and he is especially good at mathematics. He is strong in body and character. My brother loves animals and keeps a dog in our flat. He has to walk his dog twice a day: early in the morning and late in the evening.

Our parents love us, their daughter and son. They are proud of us and I am the apple of their eye.

We've got other relatives. Our grandparents on our mother's side do not live with us. They live with my mother's sister – my aunt Ann, her husband – my uncle Alex and their daughter – my cousin Olga. We often see each other and I am proud that we are a friendly family.

## **GREAT BRITAIN**

The United Kingdom of Great Britain and Northern Ireland occupies territory of the British Isles which are situated to the north-west of Europe. They consist of two main islands: Great Britain and Ireland. England is in the south of the island of Great Britain, Scotland is in the north and Wales is in the west. Northern Ireland is situated in the north-eastern part of Ireland. Its western coast is washed by the Atlantic Ocean. In the east the island of Great Britain is washed by the North Sea. The Irish Sea, the North Channel and the St. George's Channel separate Ireland from Great Britain. Great Britain is separated from France by the English Channel, which is 32 km wide in its narrowest part. In everyday speech "Great Britain" is used to mean the UK.

The climate of Britain is usually described as cool, temperate and humid. As the weather changes with a wind, and Britain is visited by winds from different parts of the world, the most characteristic feature of Britain's weather is its variability. Summers are not hot and winters are not cold in Britain. The snow never lies for long on the ground. As a rule there is no ice on the waters of rivers and lakes. So we may say that the British climate has 3 main features: it is mild, humid and changeable. That means that it's never too hot or too warm. English is the official, but not the only language used in the country. The Romans conquered most part of Britain, but were unable to subdue the fiercely independent tribes in the West and in the North. Further waves of invaders followed: Angels, Saxons, Jutes, Vikings and Normans. All these contributed to the mixture we call English. For many centuries this country was known simply as England. It had a strong army and navy. It waged numerous colonial wars. England, once the "work shop of the world", was the first to become a highly industrial country.

There are no big rivers in Great Britain. The biggest are Severn and Thames. There are a lot of mountains in Great Britain, but they are not high. The highest mountain - Ben Nevis - is in Scotland. The flora of the British Isles is much varied and the fauna is similar to that of the north-west of Europe. The country is not very rich in natural resources but they were suffice for the Industrial Revolution to start.

London is the capital of the UK. It was founded by the Romans. The population of London is over 11 million people.

The largest cities of Great Britain besides London are: Birmingham, Glasgow, Liverpool, Manchester, Sheffield, Bristol, Leeds and Edinburgh. The most important seaports are: London, Liverpool, Belfast, Glasgow and Cardiff.

## LONDON

There are many beautiful cities in the world and London is one of them. Every city has its own face, so has London. There are a lot of beautiful sights of interest here and I'd like to tell about some of them.

The heart of London is Trafalgar Square with Nelson`s column in the middle of it. The square was called so in memory of the victory of the British Fleet over the combined Fleets of Spain and France at the place of Trafalgar. The victory was won at the cost of Nelson`s life, the famous English Admiral at that time. There is a bronze lion at each corner of the monument.

Trafalgar Square is situated in one of the four districts of London, Westminster. Westminster is known as the district of governmental offices. Here in Westminster Palace is the House of Parliament, called so because there are two houses in the British Parliament – the House of Lords and the House of Commons. Both are situated in one and the same building, but at the opposite ends of it. On the highest towers of the building there is the clock and bell «Big Ben», called after the chief Commissioner of Works at that time Sir Benjamin Hall, a very tall stout man, whose nickname was "Big Ben".

Not far from the Westminster Palace is Westminster Abbey which was built by the architect Sir Christopher Wren. Westminster Abbey is famous for the Poets` corner, because many of the greatest writers and poets are buried here: Dickens, Tennyson, Kipling etc.

The other districts of London are: the West End, the East End and the City. The West End is a fashionable district. There are a lot of expensive shops, restaurants, hotels, bars, big houses, theatres, cinemas, picture galleries.

The East End is not so beautiful and fashionable as the West End. Here are factories, plants, poor little houses, narrow streets. The East End is the hands of London.

The City is a business center of London. Here are all business offices and firms. It is the oldest part of London. During the day the City has a population of half a million, but at nights there`s no traffic and very few people.

Great Britain is a monarchy but one cannot but mention the Buckingham Palace, the residence of the British Queen and her family. Her small residence is Windsor, not far away from London.

When speaking on London one cannot but mention its parks. Londoners are proud of such parks as Hyde Park, Regent Park, Kensington Gardens in which they forget that there is a large city around them so beautiful and restful they are. Hyde Park is especially known for its Speakers` Corner.

## **BRITISH TRADITIONAL HOLIDAYS**

Great Britain is famous for its old traditions. Some of them existed in ancient times and survived through centuries. Some of them appeared when Christianity came to British Isles. Speaking about religious holidays one can't but mention Easter, Pancake Day and Mother's Day. The dates of these holidays aren't strict; they depend on the date of Easter that varies every year.

Pancake Day is the popular name for the Shrove Tuesday, the day before the first day of Lent. In the middle ages people on that day made merry and ate pancakes. The ingredients of pancakes are all forbidden by Church during Lent that is why they have to be used the day before. The most common form of celebrating this day in the old times was the all town ball game or tug-of-war, in which everyone was tearing here and there, trying to get the ball or rope into their part of the city. Today the only custom that is observed throughout Britain is pancaking eating.

For the English people the best-known name for the fourth in Lent Sunday is Mothering Sunday or Mother's Day. For 3 centuries this day has been a day of small family gatherings when absent sons and daughters return to their homes. Gifts are made to mothers by children of all ages. Flowers and cakes are still traditional gifts. Violets and primroses are most popular flowers. Sometimes the whole family goes to church and then there is a special dinner at which roast lamb, rice-pudding and home-made wines and served.

Easter is one of the most important holidays in Christianity. In England it's a time for giving and receiving presents, mostly Easter eggs. We can say that the egg is the most popular emblem of Easter, but spring-time flowers are also used to stress the nature's awakening. Nowadays there are a lot of chocolate Easter eggs, having some small gifts inside. But a real hard-boiled egg, decorated and painted in bright colors, still appears on breakfast tables on Ester Day, or it's hidden in the house or garden for children to finny. In egg that is boiled really hard will last for years. Egg-rolling is a traditional Easter pastime. You roll the eggs down a cloth until they are cracked and broken, after they are eaten up.

## WASHINGTON

The capital of the USA is the city of Washington, which is a very different sort of place. Washington, indeed, is like no other city of the USA.

The flag of the USA has about 50 stars on a blue background. Each of these stars represents one of the fifty states. But the city of Washington is not in any of these states. It is said to belong to all of them and kept by all of them.

Washington is the world's largest one-industry town. That industry is government.

Other American cities exist for a variety of reasons: New York is a center of finance, of shipping, of fun; New Orleans deals in cotton; Chicago will sell wheat. But Washington was created to be the seat of government of the nation. Its streets and buildings were laid out that intention.

There is a law against building structures more than 90 feet high in this city, so it presents a different appearance from New York with its skyscrapers.

Not far from the Capitol is the Library of Congress, built to hold five million books. The law of 1870 makes it obligatory to send to the library two copies of every book, newspaper or any other published item.

Washington does not have a subway system, there are only buses and street cars.

The city of Washington is divided into four quarters as North-east (NE), North-west (NW), South-west (SW) and South-east (SE). Street addresses usually have these marks to make postal delivery easier.

From miles around can be seen the tall structure of the Washington Monument, set up to commemorate George Washington also called "the pencil". It is on the hill behind the White House. The Monument is 500 feet high.

Many tourists come to Washington every summer to see the nation's capital. Many planes land on two Washington's airfields – the National and Friendship Air Ports.

The city's pride is the Union Railroad Station. It is bigger than the Capitol itself. Twenty train tracks enter the station on the upper level and twelve on the lower. It is so big that can hold an army of fifty thousand men.

## MOSCOW

Moscow is the capital of Russia. It is one of the biggest and the most beautiful cities in the world. Moscow is the center of Russian economy, politics, and culture. It is the place where the government of our country works. Moscow is a modern city. The population of the city is more than 10 million people. Moscow was founded in 1147 by Yuri Dolgoruky. The total area of Moscow is about nine hundred square kilometers. Moscow is famous for its historical and architectural monuments that were built by outstanding architects. The Red Square is the central and the most beautiful square in Moscow. It is a place of parades, meetings and demonstrations. There is a Cathedral of St. Basil built in 1552. It is a masterpiece of Russian architecture. The heart of Moscow is the Kremlin. There is a wonderful architectural ensemble with 3 cathedrals, the Bell Tower of Ivan the Great, palaces, fortress walls and 20 towers. The most famous of the towers is the Spasskaya Tower with a big clock. The Kremlin with golden domes and towers makes a strong impression on tourists. Young people like to visit the Central Military Museum. There are many tanks, guns and war documents there. One can see the Kremlin and Red Square in the city's center. There are many fine buildings, wide streets, green parks, large squares, churches and monuments in Moscow. It is of cultural importance to mention such famous monuments as monuments to the great Russian writer Alexander Pushkin and to the great Russian painter Ivan Fedorov. Tourists and foreigners from all over the world see these magnificent monuments, when they come to Moscow.

The skyscrapers decorate Moscow, including Moscow University and the Ministry of Foreign Affairs. Moscow is a scientific and cultural center with a lot of institutes, universities, libraries, museums.

The city is rich in historical life. It has a lot of cinemas, clubs, concert halls, more than 40 drama and musical theatres, including the Bolshoi Theatre, the Art Theatre, the Maly Theatre, the Vakhtangov Theatre. Moscovites are proud of their museums: the Tretyakov Gallery, Pushkin Museum of Fine Arts and many literary museums. Crowds of people visit the Tretyakov Gallery admiring beautiful pictures of Russian painters. There are a lot of big plants and factories in Moscow that produce cars, lorries, home electrical appliances and so on.

## **KAZAN**

There are a lot of beautiful cities in the world. Every city has its own face, so has Kazan. The heart of Kazan is the Kremlin. It's very ancient and unique architectural monument with the mosque Kul Sharif and Syumbike Tower. Kul Sharif is the largest and the most beautiful mosque in Europe.

Kazan is the place, where east and west crosses. People of different nationalities live here.

Kazan is the student's city. There are a lot of educational establishments in Kazan, e.g., universities, institutes, colleges, academies, research institutes.

Kazan is not my native city, but I love it, and miss it, when I am far away.

The Universiade took place in Kazan. So, a lot of sport complexes, gyms, stadiums and swimming pools were built here.

Kazan is rich in historical monuments. You can find monuments to well-known and outstanding Russian and Tatar scientists, poets, writers and even to fairy tale heroes (I mean Shurale).

They say, your home is where your heart is. My home is Kazan, great city with unique history.

## **THE JUDICIAL BRANCH OF THE USA**

The judicial branch is headed by the U.S. Supreme Court, which is the only court specifically created by the Constitution. In addition, Congress has established 13 federal courts of appeals and, below them, about 95 federal district courts. The Supreme Court meets in Washington, D.C., and the other federal courts are located in cities throughout the United States. The Supreme Court consists of a chief justice and eight associate justices. With minor exceptions, cases come to the Supreme Court on appeal from lower federal or state courts.

Article III of the United States Constitution establishes the judicial branch as one of the three separate and distinct branches of the federal government. The other two are the legislative and executive branches.

The federal courts are often called the guardians of the Constitution because their rulings protect rights and liberties guaranteed by the Constitution. Through fair and impartial judgments, the federal courts interpret and apply the law to resolve disputes. The courts do not make the laws. That is the responsibility of the Congress.

The Founding Fathers of the nation considered an independent federal judiciary essential to ensure fairness and equal justice for all citizens of the United States. The Constitution they drafted promotes judicial independence in two major ways. First, federal judges are appointed for life, and they can be removed from office only through impeachment and conviction by Congress of “Treason, Bribery, or other high crimes and Misdemeanors.” Second, the Constitution provides that the compensation of federal judges “shall not be diminished during their Continuance in Office,” which means that neither the President nor the Congress can reduce the salary of a federal judge. These two protections help an independent judiciary to decide cases free from popular passions and political influence.

The US court system is complex: the judiciary is divided into the federal and state judiciary. Individuals fall under the jurisdiction of two different court systems, their state courts and federal courts. Each state runs its own court system, and no two are identical. There is also a system of federal courts which coexist with the state courts. People can sue in either system but the majority of cases go to the state courts.

The system of federal courts is like a pyramid. The lowest courts in the Federal Court system are the district courts where litigation begins. There are

about ninety district courts in different parts of the USA and about two hundred district judges. Most criminal and civil cases are tried by district courts. The district court is the only Federal court where trials are held, juries are used, and witnesses are called.

## **POLITICAL SYSTEM OF RUSSIA**

The Russian Federation is a Presidential (or a constitutional) republic. The President is the head of the state and is elected directly by the people for a term of 6 years. In fact he has much power, he controls all the three branches of power. The President can even dissolve the Duma. The President has his administration, but it's not part of the Federal Government. The President is involved in the work of the legislative and executive branches.

The Federal Assembly represents the Legislative branch of power. It's made up of the two houses: the Federation Council and the State Duma, which make laws. The Federal Assembly is also called the Parliament, but it's not its official name. Both chambers are headed by chairmen sometimes called speakers. The Duma consists of 450 deputies (one half is elected personally by the population, and the other half consists of the deputies who are appointed by their parties after voting). The members of the Federation Council are elected on a different basis. There are two representatives of each subject of the RF (89 subjects). Every law to be adapted must be approved by the State Duma, the Council of Federation and signed by the President. The President can veto laws passed by the Federal Assembly, but it can pass laws over the President's veto a two-thirds majority.

The Federal Government represents the executive branch of power. The President appoints its head, the Chairman of the Government, but the Duma must approve his appointment.

The juridical branch of power consists of the Constitutional Court, the Supreme Court and lower Courts. The responsibility of the Constitutional Court is to analyze the new laws to make sure they correspond to the laws of the state. The Constitutional Court has the right to declare actions of the President, the Federal Assembly and the Federal Government unconstitutional. The Supreme Court is the highest instance for civil and criminal cases.

**The Federal Assembly** – Федеральная Собрание (the Russian Parliament)

**The Council of Federation** – Совет Федерации

**The State Duma** – Государственная дума

**The Council of Ministers** = The Cabinet of Ministers – Совет министров (правительство)

**The** Chairman of government = The Prime Minister – Председатель  
правительства

**The** Supreme Court – Верховный суд

**The** Constitutional Court – Конституционный суд

## **Constitution for the United States of America**

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

### **Article I.**

**Section 1.** All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

**Section 2.** The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

*Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons* [Modified by Amendment XIV]. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chose their Speaker and other Officers; and shall have the sole Power of Impeachment.

**Section 3.** The Senate of the United States shall be composed of two Senators from each State, *chosen by the Legislature thereof* [Modified by Amendment XVII], for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; *and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies* [Modified by Amendment XVII].

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

**Section 4.** The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, *and such Meeting shall be on the first Monday in December* [Modified by Amendment XX], unless they shall by Law appoint a different Day.

**Section 5.** Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

**Section 6.** The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

**Section 7.** All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States;<sup>[2]</sup> If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

**Section 8.** The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

**Section 9.** The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

**Section 10.** No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## **Article II.**

**Section 1.** The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years,

and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President [Modified by Amendment XII].*

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not

have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

*In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected* [Modified by Amendment XXV].

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: — "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

**Section 2.** The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

**Section 3.** He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

**Section 4.** The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### **Article III.**

**Section 1.** The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

**Section 2.** The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — *between a State and Citizens of another State* [[Modified by Amendment XI](#)]; — between Citizens of different States; — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

**Section 3.** Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

#### **Article IV.**

**Section 1.** Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

**Section 2.** The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

*No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due [Modified by Amendment XIII].*

**Section 3.** New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

**Section 4.** The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

#### **Article V.**

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### **Article VI.**

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### **Article VII.**

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson Secretary done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

Go. WASHINGTON — Presidt.

and deputy from Virginia

New Hampshire {

JOHN LANGDON

NICHOLAS GILMAN

Massachusetts {

NATHANIEL GORHAM

RUFUS KING

Connecticut {

WM. SAML. JOHNSON

ROGER SHERMAN

New York . . . .

ALEXANDER HAMILTON

New Jersey {

WIL: LIVINGSTON

DAVID BREARLEY.

WM. PATERSON.

JONA: DAYTON

Pennsylvania {

B FRANKLIN

THOMAS MIFFLIN

ROBT MORRIS

GEO. CLYMER

THOS. FITZ SIMONS

JARED INGERSOLL

JAMES WILSON  
GOUV MORRIS

Delaware {

GEO: READ  
GUNNING BEDFORD jun  
JOHN DICKINSON  
RICHARD BASSETT  
JACO: BROOM

Maryland {

JAMES MCHENRY  
DAN OF ST THOS. JENIFER  
DANL CARROLL

Virginia {

JOHN BLAIR  
JAMES MADISON jr

North Carolina {

WM. BLOUNT  
RICHD. DOBBS SPAIGHT  
HU WILLIAMSON

South Carolina {

J. RUTLEDGE  
CHARLES COTESWORTH PINCKNEY  
CHARLES PINCKNEY  
PIERCE BUTLER

Georgia {

WILLIAM FEW  
ABR BALDWIN

In Convention Monday, September 17 th, 1787.

Present

The States of

New Hampshire, Massachusetts, Connecticut, MR. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Resolved,

That the preceeding Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention, that it should

afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification; and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled. Resolved, That it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which have ratified the same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution. That after such Publication the Electors should be appointed, and the Senators and Representatives elected: That the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the Unanimous Order of the Convention

Go. WASHINGTON — Presidt. W. JACKSON Secretary.

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### **Notes:**

1. The title was not a part of the original document. It was added when the document was printed.
2. Our scanned images show this as a semi-colon, which can be seen in the image at the [National Archives](#).

### **Bill of Rights**

The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added.

**Article the first** [Not Ratified]

After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

**Article the second** [Amendment XXVII - Ratified 1992]

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

**Article the third** [Amendment I]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**Article the fourth** [Amendment II]<sup>[4]</sup>

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

**Article the fifth** [Amendment III]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

**Article the sixth** [Amendment IV]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Article the seventh** [Amendment V]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be

subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Article the eighth** [Amendment VI]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

**Article the ninth** [Amendment VII]

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

**Article the tenth** [Amendment VIII]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Article the eleventh** [Amendment IX]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Article the twelfth** [Amendment X]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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**What would be the role of the USA in the modern world [26]**

It is impossible to discuss a future role of the United States of America in the world without understanding the global processes that have been taken place in the world over the last several years. September 11, without doubt, was a break point event in these processes. First, it showed people a danger

of an international terrorism. Second, the event brought about a confrontation between two different viewpoints on the development of world politics. On the one hand, politicians from many countries believe that any active actions to preserve world order must be organized only by United Nations. On the other hand, the United States is pushing forward its aggressive unilateral policy that is based only on Washington's sometimes biased understanding of the current international situation. This US strategy was clearly demonstrated in Iraq.

Now, after two and a half years of the war, the question must be asked if this policy achieved its goals. Did it bring a peace and stabilization in the post-Sadam country? Yes, the military operation itself was a success. Actually, it was difficult to imagine any other result of that war considering that the conflict was between a mighty US and Iraq, a third level military power.

Despite the military successes, this strategy did not produce desirable results. The USA cannot stabilize the situation, and the Iraqis continue to organize attacks against the US and coalition forces. Maybe the USA had another reason to start the war? Some people in Russia, anyway believe that a real goal of US policy in the Middle East is to take under control a so-called the world's hydrocarbon ellipse.

It is obvious, that a power controlling that region would become a master of the world in this century. Now, the USA is in much less favorable economical position than some other countries potential America's enemies. So, the US efforts to extend its influence over that area are an attempt to liquidate this imbalance once and for all. But this goal could hardly be achieved by military means. If the USA decided to occupy some other states in that area, they would surely face a guerrilla resistance, like in Iraq and Afghanistan. History proved that the only way to suppress insurgency is a policy of mass terror, and I doubt that America will ever use it. The attempts to organize puppet democratic governments will fail too. Such regimes will be hated by the general population and overthrown as soon as US army leaves the country. By the way, why did Bush's administration decide to occupy a sovereign country to fight international terrorism? What is the connection between an organized group of criminals and an independent state? Why not occupy Italy to fight the Italian Mafia? I think that a Washington's current unilateral policy is useless and even dangerous. It is

increased a general instability in the World. Iraq became a place that attracts terrorism from all over the globe.

The wave of anti-Americanism grew up in the world, even in Western Europe, a traditional ally of the United States. The danger of a terrorist attack on the territory of the United States is even higher than it was before the Iraq war. It seems that the only purpose of US actions is to remain the world's single superpower by any means. I believe that the USA will not be able to continue its unilateral policy anymore because it goes against objective processes in the world economy and international relations. First of these processes is globalization that does make the world more and more interconnected and interdependent place. Another factor is a steady development of a multipolar world. I doubt that China would joint a unipolar structure and be obedient to US decisions. The EU would become another world's center of power. The political regimes in European countries are very close to American, so any military confrontations are very unlikely at this point. But an economical competition would be intense. I would say that the other war, between the euro and the dollar, is already on, and the dollar is loosing so far.

There is another potential threat to the USA. Only a few years ago, a dollar was almost equivalent to gold. People and businesses all over the world tried to keep their savings in dollars. A huge amount of American currency was accumulated in foreign countries. Now, when a dollar is getting cheaper, many try to get rid of it and buy euros. What would happen if all this dollar cash came back to the USA? India, Japan, and Russia will probably also try to make their influence on the world politics comparable with their economical potential. Also, it is possible that the USA will return to the policy of partial isolationism to concentrate on its own problems. First, US troops should be withdrawn from Iraq. This action will greatly destabilize the situation in the Middle East, and Iraq, probably, will become a new center of Islamic fundamentalism. Islamic radicals will increase their activity and the situation will become very dangerous for many countries, but not for the USA. The terrorists simply could not reach the United States. It will be a real danger for the EU and Russia, American adversaries. In Russia the war could spread from

Chechnya to the whole Caucasus region. In European countries the danger of terrorist acts would increase dramatically. Of course it would be terrible act

an immediate withdrawing of the troops from a moral point of view, but the States have already shown several times that they care only about their own interests. Money and troops released after the war would be used to protect borders. The threat of terrorist attack using a weapon of mass distraction is real, and the open borders are the easiest way to get in the States. Borders should be guarded not by overweight volunteers gathering around an American flag, but by elite troops. Some funds would be used to improve security services I think they need more informers. The terrorists can strike only from inside of the United States. That is why the only way to fight them is to put everything in order in your own country. In conclusion, no one can say how the world will look like even in the nearest future we can only predict.

One thing is clear, however, the future of the country directly depends on today s policy.

## **History of the police in Great Britain and the USA [2]**

Police is a judicial and executive system, and an *organized* civil force for maintaining law and order and enforcing the laws.

There are traces to be *found* in every *organized* society of some system of rules for the maintenance at peace and order. At the same time, a system at police in the special modern sense of the term did not exist in ancient times.

In England, from the time of the Saxon kings, there had *existed* an organization of a partially voluntary character for the repression of crime and arrest of criminals, and the maintenance of good order. In 1828 Robert Peel (hence the term “Bobbie” or “Peeler” applied to the British, police) secured the passage of a statute creating the Metropolitan Police Force, and leading the way to the adoption of a uniform system for the whole country. The Metropolitan Police Force dates from 1829. Its office is New Scotland Yard; near the Houses of Parliament.

London is *divided* into four districts in charge of chief constables. Under the latter are the superintendents, most of them in charge of divisions *embracing* from 500 to 1.000 men. In rank follow the inspectors, the sergeants, and the constables.

In the USA, the English system was *followed*. In 1857 the State Legislature of New York copied the London plan, but in 1870 abandoned it in favour of local control. In New York City, the Police Department is under the supervision of a commissioner *appointed* for a term of five years; he may be *removed* by the mayor or by the Governor of the State. He has five deputies, also *appointed* by the mayor. The city is divided into 17 inspection districts, each in charge of an inspector, and the districts are *divided* into precincts, each in charge of a captain.

## **Administration of Justice in Great Britain and the USA [7]**

Persons offending against the law are summoned before a court of law. The summons issued by a court states the charges moved against the offender by the persons suing him. When a defendant is brought before a court the charge is read out to him and he is asked whether he pleads guilty or not guilty. If he pleads guilty he is sentenced by the court. If he pleads not guilty, a jury of 12 persons must be formed and summoned to attend the court. When the jurors are sworn the trial proceeds.

The trial is carried on by opening the case for the prosecuting party and hearing the evidence of the witnesses for the prosecution. On the completion

of the plaintiff's case and evidence, the defendant's case is stated and evidence is heard in support of it.

The accused is entitled to be defended by a counsel. Witnesses for the prosecution may be cross-examined by the accused or his counsel and the accused may call witnesses or give evidence in his own defence. At the conclusion of the evidence, and after speeches on both sides, the judge sums up the case to the jury, who considers its verdict.

If they decide that the accused is not guilty, i.e. if they acquit him, he is immediately discharged. If the jury return the verdict of guilty, sentence is pronounced by the judge.

The punishments that can be inflicted for crime are as follows:

Electrocution (U.S.); life imprisonment; imprisonment consisting in corrective training or preventive detention; Borstal training, approved schools, detention centres, etc. for juvenile delinquents, i.e. persons between 16 and 21, convicted of offences punishable with imprisonment; fine - a money penalty, generally imposed for minor offences; probation - placing the offender under the supervision of a probation officer; and so on.

The defendant may appeal against the sentence to the Court of Appeal. If a point of law of exceptional public importance is involved, a further appeal is permitted to the House of Lords which is the supreme judiciary body of Great Britain (in the USA it is the U.S. Supreme Court).

In England, minor cases are dealt with summarily (i.e. without a jury) by magistrates' courts presided over by Justices of the Peace (JPs).

Juvenile courts are magistrates' courts which deal with young people under 17 years of age.

Courts of quarter sessions are held four times a year in counties and boroughs. Their jurisdiction covers all but the most serious offences.

The most serious offences, such as murder, can be tried only by the courts of assize. Assizes are held three times a year in county towns and in certain big cities. Trial before the assize courts is by judge and jury. The court of assize for London is the central criminal court, held at the Old Bailey.

The court of first instance in the United States is the district court. The districts are grouped into judicial circuits, in each of which is a court of appeals (a circuit court) to review decisions of district courts within its territory.

The U.S. Supreme Court is composed of a Chief Justice and eight associate Justices all of whom are appointed by the President and hold office “during good behaviour”. Among the cases to which the federal judicial power extends are all cases arising under the Constitution and the laws of the United States.

### **Entering the Profession [7]**

How does someone become a lawyer? As with doctors and other professionals enjoying a high level of trust because of the specialised knowledge, lawyers are subject to standardised examination and other controls to regulate their competence. In some countries in order to practice as a lawyer it is necessary to get a university degree in law. However, in others, a degree may be insufficient; professional examinations must be passed. In Britain, it is not in fact necessary to have a degree, although nowadays most people entering the profession do. The main requirement is to have passed the Bar Final examination (for barristers) or the Law Society Final examination (for solicitors). Someone with a university degree in a subject other than law needs first to take a preparatory course. Someone without a degree at all may also prepare for the final examination, but this will take several years. In most countries, lawyers will tell you that the time they spent studying for their law finals was one of the worst periods of their life! This is because an enormous number of procedural rules covering a wide area of law must be memorised. In Japan, where there are relatively few lawyers, the examinations are supposed to be particularly hard: less than 5 percent of candidates pass. Even after passing the examination, though, a lawyer is not necessarily qualified. A solicitor in England, for example, must then spend two years as an articled clerk, during which time his work is closely supervised by an experienced lawyer, and he must take further courses. A barrister must spend a similar year as a pupil.

In most countries, once a lawyer is fully qualified he receives a certificate proving his right to sell his services. There are also insurance provisions so that if a lawyer is ever successfully sued by a client for professional incompetence there will be funds available to enable him to pay damages - which may be extremely large in the case of lawyers dealing with property transactions. Even if a lawyer is very competent, he must take care not to break the many rules of procedure and ethics set by the body which regulates his profession. In England, the body regulating the conduct of

solicitors is the Law Society. Among other things, it sets rules for lawyers' accounting procedures and investigates complaints against lawyers by their clients. There is also a Solicitor's Disciplinary Tribunal with the power to suspend or even disqualify (or strike off) a solicitor. Since its members are themselves solicitors some people fear that it may not be completely impartial. But members of the public do, of course, have the right to sue their solicitor. However, since the 1967 case of *Rondel vs. Worsley* and the 1978 case of *Saif Ali vs. Sydney Mitchell*, barristers in England and Wales may not be sued for negligent services in the courtroom. One reason for this is the fear that almost anyone who lost a court case would try to sue his barrister.

In most legal systems, conversations between a lawyer and his client are privileged: the client should know that what he says will not be passed on to someone else without his permission. In theory, this could pose difficult ethical problems for a lawyer; for instance, what could he do in a criminal case if he believes his client is guilty? The lawyer must first decide how sure he is of the client's guilt. It can happen that someone thinks he has committed a crime when in fact he lacked the necessary mental state to be guilty. In any case it is the prosecution's job to prove guilt, not the defence's to prove innocence. A lawyer could therefore defend his client simply by trying to point out weaknesses in the prosecution case.

Another ethical problem for a lawyer arises when he has two clients whose stories contradict each other; for example, each says that he is innocent and the other person is guilty. In such a case the lawyer must transfer one of the clients to another lawyer.

### **British State System [2]**

The party which wins the most seats in the General Election forms the government in Britain. The leader of the winning party becomes Prime Minister. As leaders of their political parties and leaders of the country. Prime Ministers are powerful because they have the majority support in Parliament and they can choose their own ministers and government. The Prime Minister, chooses a committee of ministers called the Cabinet. This is made up of a selection of senior MPs from the House of Commons and some members of the House of Lords. Each member of the Cabinet is a minister responsible for a government department: for example, the Secretary of State for Education and Science is responsible for all the schools, universities and teachers in Britain. The Cabinet of ministers runs the country. The Cabinet

meets at the Prime Minister's house 10 Downing Street. The cabinet works as a team and all ministers must accept the decisions of the "group". The team of ministers must always agree in public because they are collectively responsible for the decisions they make. If a minister cannot agree with all the others, he usually resigns from the cabinet. Cabinet meetings are held in private and the details must remain secret for at least 30 years. Margaret Thatcher tried to change this style of the Cabinet and was forced to resign when the other ministers could not agree with her. Cabinet ministers cannot, however, do as they please! They are responsible to Parliament and must answer questions from backbenchers from the House of Commons. Even the Prime Minister must answer questions every Tuesday and Thursday in the Commons — this is called Prime Minister's Question Time Everyone wants to know what has been decided behind the closed doors of the Cabinet Room.

Britain is administered from the Palace of Westminster in London. This is also known as the Houses of Parliament. Parliament is made up of two chambers — the House of Commons and the House of Lords. The members of the House of Lords are not elected: they qualify to sit in the House because they are bishops of the Church of England, aristocrats who have inherited their seats from their fathers, people with titles. There has been talk of reform in this century because many Britons think that this system is undemocratic. The House of Commons, by contrast, has 651 seats which are occupied by Members of Parliament (MPs) who are elected by the British public. The United Kingdom is divided into constituencies, each of which has an elected MP in the House of Commons. Each of the major political parties appoints a representative (candidate) to compete for each seat. Smaller parties may have a candidate in only a few constituencies. There may be five or more parties, fighting for one seat, but only one person — the candidate who gets the greatest number of votes — can win. Some parties win a lot of seats and some win very few, or none at all. The Queen, who is the Head of State, opens and closes Parliament. All new laws are debated (discussed) by MPs in the Commons, then debated in the Lords, and finally signed by the Queen. All three are part of Parliament in Britain.

Parliament is the most important authority in Britain. Parliament first met in the 13th century. Britain does not have a written constitution, but a set of laws. In 1689 Mary II and William III became the first constitutional monarchs. They could rule only with the support of the Parliament.

Technically Parliament is made up of three parts: the Monarch, the House of Lords and the House of Commons. The continuity of the English monarchy has been interrupted only once during the Cromwell republic. Succession to the throne is hereditary but only for Protestants in the direct line of descent. Formally the monarch has a number of roles. The monarch is expected to be politically neutral, and should not make political decisions. Nevertheless, the monarch still performs some important executive and legislative duties including opening and dissolving Parliament, signing bills passed by both Houses and fulfilling international duties as head of state. The present sovereign is Queen Elizabeth II who was crowned in Westminster Abbey in 1953.

The House of Lords comprises about 1 200 peers. The house is presided over by the Lord Chancellor. The House of Lords has no real power but acts as an advisory council for the House of Commons. As well as having legislative functions, the Lords is the highest court of appeal. The House of Commons consists of Members of Parliament who are elected by the adult suffrage of the British people in general elections which are held at least every five years. The country is divided into 650 constituencies each of which elects one Member of Parliament. The Commons, therefore, has 650 Members of Parliament. The party which wins the most seats forms the Government and its leader becomes the Prime Minister. The functions of Commons are legislation and security of government activities. The house is presided over by the Speaker. The government party sits on the Speaker's right while on his left sit the members of the Opposition.

Officially Great Britain is a state of the constitutional monarchy that means that at the head of the state is a monarch, but the power of the monarch is not absolute, but limited by Parliament. British State System comprises three main rule bodies: Monarchy (or the Crown), Parliament and Government. The oldest of the three institutions is Monarchy.

Monarchy in GB goes back to the 9<sup>th</sup> century. The continuity of Monarchy has been broken only once but by Republic and lasted only 11 years (1649-1660). Monarchy is founded on inherited principle. The succession passes to the oldest male child or in absence of male to the oldest female. Now the succession passes to the oldest child irrespective of its sex.

The coronation of the sovereign follows some months or a year after accession to the throne.

By the Act of Parliament the monarch must be a Protestant.

Now in new headline the queen in Parliament as the head of the state the queen formally opens Parliament at the beginning of each session with a speech from the throne. For Assent is required for bills before they can be Law and she summons, prorogues and dissolves Parliament.

The monarch is also the head of the Church of England and the Prime-Minister advises him on the appointment of bishops.