
THE BRITISH CONSTITUTION AS A SAFEGUARD OF INDIVIDUAL RIGHTS AND LIBERTIES

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In Western political philosophy, the principle of constitutional government often have been based on a belief in a higher law, a body of universal principles of right and justice that is superior to detailed, everyday law.

Constitution is a set of rules and principles that define the powers of government and the rights of people. In actual operation, constitutions in most democratic countries are written. A major exception is Great Britain. The British constitution consists of all the documents and traditions that have contributed to Britain's form of government. Customs and how various governmental bodies interpret the constitution are equally important and sometimes dominant. There are two kinds of rules by which Great Britain is governed: RULES OF LAW and RULES OF CUSTOM [2].

The Rule of Law means that the government must be carried on according to law. It also means that anyone who interferes with another person's freedom or property without legal authority is liable, whether he or she is a private citizen or a public official. The RULES OF LAW are those set out in such historic declarations as Magna Carta, one of the oldest written constitutional papers. The Magna Carta is regarded as a cornerstone of British liberties.

Some more basic instruments of the British unwritten constitution are the Bill of Rights, the Act of Settlement of 1701, the Reform Act of 1832 and the Parliament Act of 1911 which continued a process that inevitably led to democracy. The constitutional history of Great Britain shows growth of individual rights and liberties based not so much on law but on the ideas of traditional freedoms [3].

The British unwritten constitution establishes the following individual rights and freedoms to all people of the state. It guaranties the protection of the legitimate right and interests of British people with no exemption or discrimination.

Personal freedom. Any restriction placed upon a person's freedom is unlawful unless it can be justified on some lawful ground. This is one of the basic principles of the common law. But the law recognizes some restrictions on freedom. The most important instrument for the protection of personal freedom is the writ of Habeas Corpus [1].

Freedom of speech means that all people are free to speak, write, or print what they like. But if a person does overstep these bounds, commits the crime of seduction, obscenity, blasphemy, or criminal libel, or the torts of libel or slander he is punished by the state [1].

Freedom of assembly is the right to assemble peacefully for any lawful purpose. But this does not mean that people can hold a meeting anywhere they like. The police have the power to direct the routes that processions must take. Meetings are lawful only so long as they are peaceful. If three or more people assemble together intending to use force, the authorities may use as much force as is necessary to disperse them [1].

Thus, all citizens of Great Britain have equal rights and freedoms and all of them are declared equal before the law. The British Constitution confirms the orientation of the state for key global values. The state considers the rights and freedoms of every individual its ultimate value and securing them its ultimate objective.

Bibliography

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