Role of Courts in Parliamentary Sovereignty

[Name of the writer]

[Name of the institution]

Role of Courts in Parliamentary Sovereignty

Every state follows its own laws that determine the acceptance of an act in a particular state. The judges decide to accept or reject plea agreements, release the offenders, sentence the convicted. The court hierarchy has power through which it protects the right of an individual to defend their rights and place in society. The primary role of the court is to decide on a legal dispute among two different parties, based on the constitution. There exist three main purposes of the Constitution including authorization of an organization for a smooth flow, elaborate the duties and authority of those in power, and protect the people against abuse of power. The administrative law encompasses laws related to government actions including immigration, taxation, the role of supervisory bodies, special tribunals and examinations concerning the decision of challenges involving the government. Apart from the ordinary law, every country follows a set of documents known as ‘Written Constitution’ which states the basic rights and laws. We believe that the Court of Justice plays a vital role in the smooth run of self-governing states. If any individual violates the rights of a citizen, he or she must be dealt with according to the law.

The court in the UK legal system is an authority that empowers a person to decide based on the laws. Varying court levels are established including Magistrate’s Court, the Appellate Court, County Court, Crown Court, and Her Majesty’s Court to deal with different conflicts. A judge considers legislation and precedent for ruling a case, according to the Common Law System.

In the eminent case of Donoghue V Stevenson, the court surprisingly changed the negligence law by justifying through older cases and without passing any legislation. The Court system of the UK provides equality, fairness, and neutrality in accordance to the law system. These courts also review and evaluate the constitution and if they find any issue, they refer it to the higher courts and Parliament. According to the Separation of Power, there are three main law bodies including executive, legislative, and judiciary. While each of them is independent, yet the operation of one affects the other.

Some cases illustration that the court has the obligation to act according to the constitution, regardless of the situation. The Thoburn v Sunderland safety Council case determined that a hierarchy of acts of parliament exists, which state constitutional rights and affect the relationship between state and citizens. In the R V Secretary of State for Transport case, a new English enactment proposed that for registering a ship in England, it is necessary that the majority of the proprietors possess English nationality. The Spanish anglers asserted that this law went against the European Community laws. The issues arose due to the inconsistency among residential and European Community Enactment, however, the law of European Community Enactment is considered dominant.