

متون حقوقی (۳)

حقوق اساسي و سيستم هاي حكومتي

Types of monarchy

Countries with monarchy attributes are those where a family called the **royalty**, represents **national identity**, with power traditionally assigned to one of its **individuals**, called the monarch, who mostly rule kingdoms. The actual role of the monarch and other **members of royalty** varies from partial and restricted (constitutional monarchy) to **completely despotic** (absolute monarchy). Traditionally and in most cases, the post of the monarch is **inherited**, but there are also **elective** monarchies where the monarch is elected.

Term	Definition
Absolute monarchy	A traditional and historical system where the monarch exercises ultimate governing authority as head of state and head of government. Many nations of Europe during the Middle Ages were absolute monarchies. Modern examples include mainly Islamic countries such as Saudi Arabia, UAE, Oman, Brunei
Constitutional monarchy	Also called parliamentary monarchy, the monarch's powers are limited by law or by a formal constitution , ^{[19][20]} usually assigning them to those of the head of state. Many modern developed countries , including the United Kingdom, Norway, Netherlands, Australia, Canada, and Japan, are constitutional monarchy systems.

Theocracy is a form of government in which a **religious institution** is the source from which all authority derives. The *Oxford English Dictionary* has this definition:

1. a system of government in which **priests** rule in the name of God or a god.

1.1. the **commonwealth** of Israel from the time of Moses until the election of Saul as King

The **Sunni branch** of Islam stipulates that, as a head of state, a **Caliph** should be elected by Muslims or their **representatives**. Followers of Shia Islam, however, believe a Caliph should be

an Imam chosen by God from the Ahl al-Bayt (the "Family of the House", Muhammad's direct descendants).

Types of **republic**

Rule by a form of government in which the people, or some **significant portion** of them, have **supreme** control over the government and where **offices of state** are elected or chosen by elected people. A common simplified definition of a republic is a government where the head of state is not a monarch. Montesquieu included both democracies, where all the people have a share in rule, and **aristocracies** or **oligarchies**, where only some of the people rule, as republican forms of government.

Term	Definition
Constitutional Republic	Republics where there is rule by a government whose powers are limited by law or a formal constitution, and chosen by a vote amongst at least some sections of the populace (Ancient Sparta was in its own terms a republic, though most inhabitants were disenfranchised). Republics that exclude sections of the populace from participation will typically claim to represent all citizens (by defining people without the vote as " non-citizens "). Examples include the United States, South Africa, India, etc.
Democratic republic	Republics where the running of the country is considered a " public matter " (Latin: res publica), not a private concern or property of rulers, and where offices of states are subsequently, directly or indirectly, elected or appointed – rather than inherited – where all eligible citizens have an equal say in the local and national decisions that affect their lives.
Parliamentary republic	Republics, like Germany, India or Singapore, with an elected head of state, but where the head of state and head of government are kept separate with the head of government retaining most executive powers, or a head of state akin to a head of government, elected by a parliament.
Presidential Republic	Republics with an elected head of state, where the head of state is also the head of the government. Examples include United States, Mexico, Brazil, and

Term	Definition
	Indonesia.
Federal republic	Republics that are a federal union of states or provinces Examples include United States, Argentina, Austria, Brazil, Germany, India, Mexico, Russia, and Switzerland.
People's republic	Republics that include countries like China and Vietnam that are de jure governed for and by the people, but with no direct elections. The term <i>People's Republic</i> is used to differentiate themselves from the earlier republic of their countries before the people's revolution, like the Republic of China.
Islamic Republic	Republics governed in accordance with Islamic law. Examples include Afghanistan, Iran, Mauritania, and Pakistan.

Types of autocracy

Autocracies are ruled by a single entity with absolute power, whose decisions are subject to neither external legal restraints nor regular mechanisms of popular control (except perhaps for implicit threat). That entity may be an individual, as in a dictatorship or it may be a group, as in a one-party state. The word despotism means to "rule in the fashion of despots" and is often used to describe autocracy.

Historical examples of autocracy include the Roman Empire, Nazi Germany and Soviet Union.

Term	Definition
	A dictatorship where power resides in the hands of one single person. That person may be, for example, an absolute monarch or a dictator, but can also be an elected president.
Civilian Dictatorship	The Roman Republic made dictators to lead during times of war; but the Roman dictators only held power for a small time. In modern times, an autocrat's rule is one that not stopped by any rules of law, constitutions, or other social and political institutions. After World War II, many governments in Latin America, Asia, and Africa were ruled by autocratic governments.

Military
Dictatorship

A dictatorship primarily enforced by the military. Military dictators are different from civilian dictators for a number of reasons: their motivations for seizing power, the institutions through which they organize their rule, and the ways in which they leave power. Often viewing itself as saving the nation from the corrupt or myopic civilian politicians, a military dictatorship justifies its position as “neutral” arbiters on the basis of their membership within the armed forces. For example, many juntas adopt titles, such as “National Redemption Council”, “Committee of National Restoration”, or “National Liberation Committee”. Military leaders often rule as a junta, selecting one of them as the head.

Types of democracy

Term	Definition
Direct democracy	Variant of democracy; government in which the people represent themselves and vote directly for new laws and public policy.
Representative democracy	Variant of democracy; wherein the people or citizens of a country elect representatives to create and implement public policy in place of active participation by the people.
Totalitarian democracy	Variant of democracy; refers to a system of government in which lawfully elected representatives maintain the integrity of a nation state whose citizens, while granted the right to vote, have little or no participation in the decision-making process of the government.

Forms of government by power structure

Term	Definition
Unitary State	A unitary state is a state governed as a single power in which the central government is ultimately supreme and any administrative divisions (sub-national units) exercise only the powers that the central government chooses to delegate. The majority of states in the

world have a unitary system of government. Of the 193 UN member states, 165 are governed as unitary states.

Federation A federation (also known as a federal state) is a political entity characterized by a union of partially self-governing states or regions under a central (federal) government. In a federation, the self-governing status of the component states, as well as the division of power between them and the central government, is typically constitutionally entrenched and may not be altered by a unilateral decision of either party, the states or the federal political body. Alternatively, federation is a form of government in which sovereign power is formally divided between a central authority and a number of constituent regions so that each region retains some degree of control over its internal affairs.

Confederation A confederation (also known as a confederacy or league) is a union of sovereign states, united for purposes of common action often in relation to other states. Usually created by a treaty, confederations of states tend to be established for dealing with critical issues, such as defense, foreign relations, internal trade or currency, with the general government being required to provide support for all its members. Confederalism represents a main form of inter-governmentalism, this being defined as 'any form of interaction between states which takes place on the basis of sovereign independence or government.

The **D'Hondt method** or the **Jefferson method** is a highest averages method for allocating seats, and is thus a type of party-list proportional representation. The method described is named in the United States after Thomas Jefferson, who introduced the method for proportional allocation of seats in the United States House of Representatives in 1791, and in Europe after Belgian mathematician Victor D'Hondt, who described it in 1878 for proportional allocation of parliamentary seats to the parties. There are two forms: closed list (a party selects the order of election of their candidates) and an open list (voters' choices determine the order).

A **presidential system** is a democratic and republican system of government where a head of government leads an executive branch that is separate from the legislative branch. This head of government is in most cases also the head of state, which is called *president*.

In presidential countries, the executive is elected and is not responsible to the legislature, which cannot in normal circumstances dismiss it. Such dismissal is possible, however, in uncommon cases, often through impeachment.

The title "president" has persisted from a time when such person personally presided over the governing body, as with the President of the Continental Congress in the early United States, prior to the executive function being split into a separate branch of government.

A presidential system contrasts with a parliamentary system, where the head of government is elected to power through the legislative. There is also a hybrid system called semi-presidentialism.

Countries that feature a presidential or semi-presidential system of government are not the exclusive users of the title of president. Heads of state of parliamentary republics, largely ceremonial in most cases, are called presidents. Dictators or leaders of one-party states, popularly elected or not, are also often called presidents.

A **parliamentary republic** is a republic that operates under a parliamentary system of government where the executive branch (the government) derives its legitimacy from and is accountable to the legislature (the parliament). There are a number of variations of parliamentary republics. Most have a clear differentiation between the head of government and the head of state, with the head of government holding real power, much like constitutional monarchies (however some head of states, regardless whether the country's system is a parliamentary republic or a constitutional monarchy, are given 'reserve powers' to use at his/her discretion in order to act as a non-partisan 'referee' of the political process and ensure the nation's constitution is upheld).^{[1][2]} Some have combined the roles of head of state and head of government, much like presidential systems, but with a dependency upon parliamentary power.

For the first case mentioned above, the form of executive-branch arrangement is distinct from most other government and semi-presidential republics that separate the head of state (usually designated as the "president") from the head of government (usually designated as "prime minister", "premier" or "chancellor") and subject the latter to the confidence of parliament and a lenient tenure in office while the head of state lacks dependency and investing either office with the majority of executive power

A **constitutional monarchy** is a form of monarchy in which the sovereign exercises authority in accordance with a written or unwritten constitution.^[1] Constitutional monarchy differs from absolute monarchy (in which a monarch holds absolute power) in that constitutional monarchs are bound to exercise their powers and authorities within the limits prescribed within an established legal framework. Constitutional monarchies range from countries such as Morocco, where the constitution grants substantial discretionary powers to the sovereign, to countries such as Japan and Sweden where the monarch retains no formal authorities.

A **military dictatorship** is a form of government wherein a military force exerts complete or substantial control over political authority.

A military dictatorship is different from civilian dictatorship for a number of reasons: their motivations for seizing power, the institutions through which they organize their rule and the ways in which they leave power. Often viewing itself as saving the nation from the corrupt or myopic civilian politicians, a military dictatorship justifies its position as "neutral" arbiters on the basis of their membership within the armed forces. For example, many juntas adopt titles such as "Committee of National Restoration", or "National Liberation Committee". Military leaders often rule as a junta, selecting one of themselves as a head

حقوق اداری و عمومی

489- public law /'pʌb.lɪk//lɔː/

Means the part of the law that deals with the constitution and functions of the organs of central and local government, the relationship between individuals and the state

۴۸۹- حقوق عمومی

به معنی بخشی از حقوق است با قانون اساسی و وظایف و عملکردهای ارگان‌های حکومت مرکزی و محلی و روابط بین اشخاص و دولت رابطه دارد (سروکار دارد)

the part of the law

بخشی از حقوق

that deals with

سروکار داشتن

the constitution

قانون اساسی

functions of the organs

عملکرد ارگان‌ها

central government

دولت مرکزی

local government

دولت محلی

administrative law /əd'mɪn.ɪ.strə.tɪv/ /lɔː/

Is concerned with the work of official agencies in providing services and in regulating the activities of citizens

Concerned with the executive authority and bodies associated with it

حقوق اداری

شاخه‌ای از حقوق است که به کار نمایندگی‌های رسمی در فراهم کردن خدمات و تنظیم فعالیت‌های شهروندان مربوط می‌شود.

مربوط به مقام اجرایی و ارگان‌های مرتبط با آن می‌باشد.

the work of official agencies

کار نمایندگی‌های رسمی

in providing

فراهم کردن

services

خدمات

regulating the activities of citizens

تنظیم فعالیت‌های شهروندان

the executive authority

مقام اجرایی

bodies associated with it

ارگان‌های مرتبط با آن

administrative power /əd'mɪn.ɪ.strə.tɪv/ /paʊər/

Means discretionary powers of an executive nature that are conferred by legislation on government ministers, public and local authorities

اختیار اجرایی

به معنی قدرت غیر مقید دارای ماهیت اجرایی که توسط قوه مقننه به وزرای حکومت و مقامات دولتی و محلی واگذار می‌شوند.

discretionary powers	قدرت غیر مقید
an executive nature	ماهیت اجرایی
conferred	اعطا شده، واگذار شده
Legislation	قوه مقننه، قانونگذاری
government ministers	وزرای دولت یا حکومت
public authorities	مقامات دولتی یا عمومی
local authorities	مقامات محلی

administrative court /əd'mɪnɪstrətɪv/'kɔ:rt/

is a type of court specializing in administrative law, particularly disputes concerning the exercise of public power. Their role is to ascertain that official acts are consistent with the law. Such courts are considered separate from general courts.

In the majority of cases, administrative courts grant judicial protection in disputes between a citizen and a public authority

دادگاه اداری

یک دادگاه متخصص در حقوق اداری، به نحو خاص اختلافات در مورد اعمال قدرت عمومی می‌باشد. نقش آنها اثبات کردن اعمال رسمی می‌باشد که مطابق با قانون باشد چنین دادگاهی متمایز از دادگاه‌های عمومی می‌باشد. در اکثریت پرونده‌ها، دادگاه اداری در اختلافات بین مردم و مقامات عمومی حمایت قضایی اهدا میکند

court	دادگاه
specializing in	متخصص در
administrative law	حقوق اداری
particularly	به نحو خاص
disputes	اختلافات
the exercise of public power	اعمال قدرت عمومی
role	نقش
to ascertain	اثبات کردن
consistent with	مطابق بودن با
separate	متمایز یا مجزا
general courts.	دادگاه‌های عمومی
majority of cases	اکثریت پرونده‌ها
grant	اهدا کردن
judicial protection	حمایت قضایی

disputes

اختلافات

Citizen

مردم یا شهروندان

public authority

مقام عمومی

The **Administrative Court**

is a specialist court within the Queen's Bench Division of the High Court of Justice of England and Wales. It deals mainly with administrative law matters and exercises the High Court's supervisory jurisdiction over inferior courts and tribunals and other public bodies (exercised mainly through the procedure known as "judicial review").

The Administrative Court may sit with a single judge or as a Divisional Court (i.e. with two or more judges). A Divisional Court of the Administrative Court usually consists of a Lord Justice of Appeal sitting with a judge of the High Court. Although the Administrative Court is within the Queen's Bench Division (reflecting the historical role of the Court of Queen's Bench in exercising judicial review), judges from the Chancery Division and the Family Division of the High Court are also assigned to sit

We review decisions made by people or bodies with a public law function, eg local authorities and regulatory bodies. We can:

- carry out a judicial review of decisions made by other courts, tribunals and public bodies
- hear challenges to decisions made by certain people or bodies (eg ministers or local government) where legislation has given the right to challenge

We also hear:

- applications for 'habeas corpus', (a legal procedure where the court decides to rule on whether the detention of an individual is legal)
- applications to prevent someone who continues to initiate groundless legal proceedings (a 'vexatious litigant') from continuing to do so without first obtaining permission from a court
- all applications under the Coroners Act 1988 (which deals with the appointment and conduct of coroners)
- appeals 'by way of case stated' from the Crown Court or magistrates' courts (where our opinion is sought on a particular point of law where a mistake may have been made)
- applications for an order to imprison a person for contempt of court
- appeals under the Extradition Act 2003 (which deals with extradition requests to and from the United Kingdom and bail)
- appeals against decisions made by some professional bodies, eg the Nursing and Midwifery Council
- applications for 'restraint orders' or 'certificates of inadequacy' where assets have been frozen or confiscated

ombudsman /'ɒm.budz.mən/

official appointed to investigate individuals' complaints against a company or organization, especially a

public authority.

دادآور

Official	مأمور
Appointed	منصوب شده
to investigate	بررسی یا تحقیق
complaints	شکایات
public authority	مقام عمومی

Syn public advocate

Employment tribunals

are tribunals in England and Wales and Scotland which have statutory jurisdiction to hear many kinds of disputes between employers and employees. The most common disputes are concerned with unfair dismissal, redundancy payments and employment discrimination. The Tribunals are part of the UK tribunals system

دادگاه های استخدام

دیوان هایی هستند در انگلستان، ولز و اسکاتلند که صلاحیت موضوعه جهت رسیدگی به اختلافات گوناگون مابین کارفرمایان و کارگران دارند رایج ترین اختلافات عبارت اند از اخراج غیر منصفانه، پرداخت زائد و تبعیض استخدامی. دادگاه ها (استخدامی) بخشی از نظام قضایی انگلستان می باشند

statutory jurisdiction	صلاحیت موضوعه
to hear	جهت رسیدگی
disputes	اختلافات
employers and employees.	کارفرمایان و کارگران
The most common disputes	رایج ترین اختلافات
unfair dismissal	اخراج غیر منصفانه
redundancy payments	پرداخت زائد
employment discrimination	تبعیض استخدامی
part of	بخشی از

کامن لا و سیستم انگلستان

Common law is generally uncodified. This means that there is no comprehensive compilation of legal rules and statutes. While common law does rely on some scattered statutes, which are legislative decisions, it is largely based on *precedent*, meaning the judicial decisions that have already been made in similar cases. These precedents are maintained over time through the records of the courts as well as historically documented in collections of case law known as yearbooks and reports. The precedents to be applied in the decision of each new case are determined by the presiding judge. As a result, judges have an enormous role in shaping American and British law. Common law functions as an adversarial system, a contest between two opposing parties before a judge who moderates. A jury of ordinary people without legal training decides on the facts of the case. The judge then determines the appropriate sentence based on the jury's verdict.

National sources

Legislation Legislation is the prime source of law. and consists in the declaration of legal rules by a competent authority. Legislation can have many purposes: to regulate, to authorize, to enable, to proscribe, to provide funds, to sanction, to grant, to declare or to restrict. A parliamentary legislature frames new laws, such as Acts of Parliament, and amends or repeals old laws. The legislature may delegate law-making powers to lower bodies. In the UK, such delegated legislation includes Statutory Instruments, Orders in Council,. Delegated legislation may be open to challenge for irregularity of process; and the legislature usually has the right to withdraw delegated powers if it sees fit.

Most legislatures have their powers restricted by the nation's Constitution, and Montesquieu's theory of the separation of powers typically restricts a legislature's powers to legislation. Although the legislature has the power to legislate, it is the courts who have the power to interpret statutes, treaties and regulations. Similarly, although parliaments have the power to legislate, it is usually the executive who decides on the legislative programme. The procedure is usually that a bill is introduced to Parliament, and after the required number of readings, committee stages and amendments, the bill gains approval and becomes an Act.

496- Separation of powers /,sep.ər'eɪ.fən/ /paʊər/

Means that different branches of state are independent
the vesting of the legislative, executive, and judiciary powers of state in separate bodies

۴۹۶- تفکیک قوا

قوای گوناگون کشور مستقل هستند (از یکدیگر)

branches of state	واگذاری اختیارات قانونگذاری، اجرایی و قضایی کشور به نهادهای مجزا
independent	قوای گوناگون کشور
the vesting of	مستقل
the legislative	واگذاری
executive	قانونگذاری
judiciary powers of state	اجرایی (قوه اجرایی)
separate bodies	اختیارات قضایی کشور
	نهادهای مجزا

Case Law

Judicial precedent (aka: case law, or judge-made law) is based on the doctrine of *stare decisis*, and mostly associated with jurisdictions based on the English **common law**, but the concept has been adopted in part by Civil Law systems. Precedent is the accumulated principles of law derived from centuries of decisions. Judgements passed by judges in important cases are recorded and become significant source of law. When there is no legislature on a particular point which arises in changing conditions, the judges depend on their own sense of right and wrong and decide the disputes from first principles. Authoritative precedent decisions become a guide in subsequent cases of a similar nature. The dictionary of English law defines a judicial precedent as a judgement or decision of a court of law cited as an authority for deciding a similar state of fact in the same manner or on the same principle or by analogy. Another definition^[15] declares precedent to be, "a decision in a court of justice cited in support of a proposition for which it is desired to contend".

Compared to other sources of law, precedent has the advantage of flexibility and adaptability, and may enable a judge to apply "justice" rather than "the law".

Equity (England only)

Equity is a source of law peculiar to England and Wales. Equity is the case law developed by the (now defunct) Court of Chancery.^[16] Equity prevails over common law, but its application is discretionary. Equity's main achievements are: trusts, charities, probate, & equitable remedies. There are a number of equitable maxims, such as: "He who comes to equity must come with clean hands".

Parliamentary Conventions (UK mainly)

(not to be confused with International Conventions)

Parliamentary Conventions are not strict rules of law, but their breach may lead to breach of law. They typically are found within the English legal system, and they help compensate for the UK's lack of a single written constitution. Typically, parliamentary conventions govern relationships, such as that between the House of Lords and the House of Commons; between the monarch and

Parliament; and between Britain and its colonies. For instance, after the Finance Act 1909, the House of Lords lost its power to obstruct the passage of bills, and now may only delay them. The prerogative powers are subject to convention, and in 2010, the monarch's power to dissolve Parliament was abolished. Britain's tradition with its colonies is that they are self-governing (although, historically, rarely with universal suffrage), and that the mother-country should stay aloof.

Customs (England & Commonwealth Nations)

A "General Custom" as a source of law is not normally written, but if a practice can be shown to have existed for a very long time, such as "since time immemorial" (1189 AD), it becomes a source of law.

A "Particular Custom" (or "private custom") may arise and become a right with the force of law when a person, or a group of persons has from long usage obtained a recognised usage, such as an easement.

Primary legislation

In the United Kingdom, and other Commonwealth nations, primary legislation can take a number of different forms:

- An Act of Parliament.
- An Order in Council made under the Royal Prerogative
- Church of England Measures – the instruments by which changes are made to legislation relating to the administration and organisation of the Church (UK only).

Secondary legislation

Main article: Delegated legislation in the United Kingdom

In the United Kingdom, secondary legislation (also referred to as *delegated legislation* or subordinate legislation) is law made by an executive authority under powers delegated from by an enactment of primary legislation, which grants the executive agency power to implement and administer the requirements of that primary legislation.

Forms of secondary legislation in the United Kingdom include:

- Statutory instruments – made in a variety of forms, most commonly Orders in Council, regulations, rules and orders. The form to be adopted is usually set out in the enabling Act.
- Special Procedure Orders – a form of delegated legislation to which special parliamentary procedure applies. Part of this procedure gives those people or bodies who are especially affected by the order the right to petition against it to either House.

- An Act of the Scottish Parliament, Measure or Act of the National Assembly for Wales or Act of the Northern Ireland Assembly
- Hybrid instruments – statutory instruments which need to be approved by both Houses and affect some members of a group (whether individuals or bodies) more than others in the same group

A constitution /ˌkɒn.stɪˈtʃuː.ʃən/

is the collection of rules and practices that determine the composition and functions of the organs of central and local government in a state and regulate the relationship between the individual and the state

قانون اساسی

مجموعه قواعد و رویه‌هایی است که ترکیب و اعمال ارگان‌های مرکزی و حکومت محلی در یک کشور را مشخص می‌کند و روابط بین اشخاص و دولت را تنظیم می‌کند.

is the collection of rules

مجموعه قواعد

practices

رویه‌ها

Determine

مشخص می‌کند

Composition

ترکیب

Functions

عملکرد، اعمال

Organs

ارگان

Central government

حکومت مرکزی

local government

حکومت محلی

regulate

تنظیم کردن

the relationship

روابط

bill /bɪl/

is proposed legislation under consideration by a legislature. A **bill** does not become **law** until it is passed by the legislature and, in most cases, approved by the executive

لایحه

قانون پیشنهادی تحت بررسی یک قانونگذار می‌باشد

یک لایحه تا زمانی که توسط قانون‌گذار تصویب نشود و در اکثر موارد توسط رکن اجرایی تایید نشود به قانون تبدیل

نمی‌شود.

is proposed legislation

قانون پیشنهادی

consideration

بررسی

legislature

قانونگذار

bill

لایحه

Law

قانون یا حقوق

passed by

تصویب شدن توسط

approved by the executive

تایید شدن توسط نهاد اجرایی

441- constitutional law /ˌkɒn.stɪ'tʃuː.ʃən.əl/ /lɑː/

Is mainly concerned with the structure of the primary organs of government

۴۴۱- حقوق اساسی

عمدتاً با ساختار ارگان‌های اصلی حکومت مرتبط می‌باشد

Mainly

عمدتاً

concerned with

مرتبط بودن با

the structure of

ساختار

primary organs of government

ارگان‌های اصلی حکومت

Rule of Law

the law of the land is supreme over the acts of the government as well as private persons and the relationship between the state and the individual are regulated by the law of the land. Rule of law signifies a legal-political regime to protect the rights of citizens from arbitrary use of government power in contrast Under rule by law, the law is a mere tool for a government for suppressing

اصل حاکمیت قانون

قانون یک سرزمین اعلی بر اعمال دولت می باشد همچنین بر اشخاص خصوصی و روابط میان کشور و اشخاص توسط قانون منظم می شود. حاکمیت قانون یک رژیم حقوقی سیاسی جهت حمایت از حقوق اشخاص در برابر استفاده خودسرانه قدرت دولت می باشد در مقابل تحت حاکمیت به وسیله قانون، حقوق یا قانون تنها وسیله ای برای یک حکومت جهت سرکوب کردن می باشد.

law of the land

قانون یک سرزمین

supreme over

اعلی بودن، برتر بودن بر

the acts of the government

اعمال دولت

as well as

همچنین

private persons

اشخاص خصوصی

relationship

روابط

regulated by

منظم شدن توسط

legal-political regime

رژیم حقوقی سیاسی

to protect from

حمایت کردن از

the rights of citizens

حقوق اشخاص یا شهروندان

arbitrary use

استفاده خودسرانه

rule by law

حاکمیت به وسیله قانون

mere tool

صرفا وسیله ای می باشد

suppressing

سرکوب

An oath of office is an oath or affirmation taken by a person before undertaking the duties of an office. In other words, oath of office refers to a formal and standard oath taken by persons who enter into a public office through election or appointment. It is a statement swearing to perform certain duties, represent the office ethically or other promises made before one or more witnesses. For example, the President of the U.S. swears to a standard oath that is sworn by all other presidents before him/her. This oath binds the parties to perform their duties cautiously and in good faith.

4- public law

434- agent of necessity /'eɪ.dʒənt/ /nə'ses.ə.ti/

Occurs when a person is entrusted with another's property and it becomes necessary to do something to preserve that property

This is recognized in the court system and usually will apply when one party is not able to make a critical decision.

۴۳۴- وکیل اضطراری

زمانی رخ می دهد که یک نفر عهده دار اموال دیگری می باشد و ضروری ست تا برای حفظ اموال کاری انجام دهد وکیل اضطراری در سیستم قضایی به رسمیت شناخته شده و معمولا زمانی اعمال می شود که یک طرف نمی تواند تصمیمات حیاتی بگیرد.

Occurs

رخ دادن

entrusted with

عهده دار شدن، سپردن

property

دارائی

becomes necessary

ضروری شدن

to preserve

حفظ کردن

recognized

به رسمیت شناختن

court system

سیستم دادگاه

a critical decision

تصمیمات حیاتی

amendment of constitutional law /ə'mend.mənt//kən.stɪ'tʃu:.ʃən.əl/ /lɑ : /

refers to the modification of the Constitution of a nation or state. In many jurisdictions the text of the constitution itself is altered; in others the text is not changed, but the amendments change its effect. The method of modification is typically written into the Constitution itself.

اصلاح قانون اساسی

اشاره به اصلاح قانون اساسی یک ملت یا کشور دارد. در بسیاری از حوزه‌ها (نواحی) متن قانون اساسی خودش اصلاح شده و در دیگر (حوزه یا ناحیه) متن خودش تغییر نکرده اما اصلاحات، آثار (قانون اساسی) را تغییر می‌دهد. روش اصلاح اساسا در خود قانون اساسی نوشته می‌شود.

refers to	اشاره به
the modification	اصلاح
the Constitution	قانون اساسی
a nation or state	ملت یا کشور
jurisdictions	صلاحیت‌ها یا حوزه‌ها بسته مورد
the text of the constitution	متن قانون اساسی
itself is altered	خودش اصلاح شده
the amendments	اصلاحات
The method of	روش
Typically	اساسا
Written	کتبی

amendment /ə'mend.mənt/

is a formal or official change made to a law, contract, constitution, or other legal document. It is based on the verb **to amend**, which means to change

اصلاح

یک تغییر رسمی یا شکلی در حقوق، قرارداد، قانون اساسی یا دیگر اسناد قانونی می‌باشد. بر مبنای فعل اصلاح کردن استوار است که به معنی تغییر می‌باشد.

a formal or official change	تغییر رسمی یا شکلی
law	حقوق
contract	قرارداد
constitution	حقوق اساسی
legal document	اسناد قانونی
based on	براساس
the verb	فعل

to amend

اصلاح کردن

Syn modify , reform,alteration,rectify

arbitrary order/'ɑ : .bɪ.trər.i/ /'ɔ : r.də/

Means unauthorized order

دستور خودسرانه

یک دستور بدون مجوز می باشد

Unauthorized

بدون مجوز

Order

دستور

authority /ə'θɔ : r.ə.ti/

Means governing body,power delegated to a person or body to act in a particular way

قدرت، تفویض اختیار، مقام

به معنی نهاد حکومتی، قدرت یا اختیار تفویض شده به یک شخص یا یک نهاد برای اینکه به شیوه خاص عمل کند

governing body

نهاد حکومتی

power delegated to

قدرت یا اختیار تفویض شده

body

نهاد

to act in a particular way

عمل کردن به شیوه خاص

barrister /'bær.ɪ.stər/

Is primarily engaged in advocating parties in courts

Legal practitioner who acts as an advocate for a party in a court

وکیل

اساسا به وکالت از طرفین در دادگاه متعهد می باشد

حقوقدانی که به عنوان وکیل در دادگاه برای یک طرف عمل می کند.

advocating parties

وکالت از طرفین

courts

دادگاه ها

Legal practitioner

حقوقدان

Acts

عمل کردن

contract of employment /'kɑ:n.trækt/ /əv/ /ɪm'plɔɪ.mənt/

is a kind of contract used in labour law to attribute rights and responsibilities between parties to a bargain.
The contract is between an “employee” and an “employer.”

قرارداد استخدام

یک نوع از قرارداد قابل استفاده در حقوق کار جهت مشخص کردن حقوق و وظایف طرفین معامله. قراردادیست بین یک کارگر و کارفرما.

labour law	حقوق کار
to attribute	مشخص کردن
rights and responsibilities	حقوق و تکالیف
parties to a bargain	طرفین معامله
an “employee”	کارگر
an “employer”	کارفرما

Syn contract of service, employment contract

code /koud/

Is a complete formulation of a body of law

مجموعه قوانین

تدوین کامل مجموعه‌ای از حقوق

complete formulation	تدوین کامل
body of law	مجموعه‌ای از حقوق

codification /,kəʊ.dɪ.fɪ'keɪ.ʃən/

is the process of collecting the law of a jurisdiction in certain areas, usually by subject, forming a legal code, i.e. a codex (book) of law.

تدوین (قانون)

فرآیند جمع‌آوری قانون یک حوزه در نواحی خاص، معمولاً توسط عنوان ایجاد کردن یک قانون یعنی کتاب قانون

the process	فرآیند
collecting the law	جمع‌آوری قانون
a jurisdiction	حوزه
certain areas	نواحی خاص
subject	عنوان
forming a legal code	ایجاد کردن یک قانون
i.e	یعنی
a codex (book) of law	کتاب قانون

447- delegated legislation /'del.i.gət/ /'ledʒ.i'sleɪ.ʃən/

Is passed by the organs and bodies authorized by parliament

۴۴۷- قانونگذاری تفویضی

توسط ارگان‌ها و نهادهای اختیار داده شده توسط پارلمان تصویب می‌شود (قانون)

Is passed

تصویب شدن

the organs

ارگان‌ها

bodies authorized

نهادهای اختیار داده شده (مجاز)

parliament

پارلمان

448- The Court of Chancery /kɔ : rt/ /'tʃæn.sər.i/

The old English court in which the monarch's secretary, or Chancellor, began hearing lawsuits during the fourteenth century.

The decisions rendered there were based on conscience and fairness rather than on the strict common-law Forms of Action.

The Chancery had jurisdiction over all matters of equity, including trusts and land law.

۴۴۸- دادگاه مهرداری

دادگاه قدیمی انگلستان که منشی شاه یا مهردار (پیشکار) در قرن چهاردهم به دعاوی رسیدگی می‌کرد.

تصمیمات (احکام) بر پایه وجدان و انصاف گرفته می‌شود تا اصول قضایی سخت کامن‌لا

دادگاه مهرداری بر تمام موارد انصاف حائز صلاحیت می‌باشد شامل تراست‌ها و قانون زمین (اراضی)

The old English court

دادگاه قدیمی انگلستان

monarch's secretary

منشی شاه

Chancellor

مهردار (پیشکار)

Hearing

رسیدگی

Lawsuit

دعاوی

The decisions

تصمیمات (احکام)

based on

براساس

Conscience

وجدان

Fairness

انصاف

strict common-law Forms of Action

اصول قضایی سخت کامن‌لا

The Chancery

دادگاه مهرداری

Jurisdiction

صلاحیت

Equity

انصاف

trusts and land law

تراست (وقف) و قانون اراضی

449- Canon law /'kæn.ən/ /lɔ : /

is the body of laws made by ecclesiastical authority (Church leadership) , for the government of a Christian organization or church and its members

Means Christian religious law

۴۴۹- حقوق مذهبی

یک شاخه از حقوق می باشد که توسط مقامات کلیسایی (رهبری کلیسا) برای اداره سازمان مسیحی یا کلیسا و اعضایش ایجاد شده است.

به معنی حقوق مذهبی مسیحی می باشد

body of laws

شاخه‌ای از حقوق

ecclesiastical authority

مقامات کلیسایی

Christian organization

سازمان مسیحی

Church

کلیسا

religious law

حقوق مذهبی

450- Civil law /ˌsɪv.əl 'lɔ : /,

the system of law concerned with private relations between members of a community rather than criminal, military, or religious affairs

۴۵۰- حقوق رومی ژرمنی، حقوق مدنی

نظام حقوقی که به بررسی روابط خصوصی افراد یک جامعه تا مسائل جنایی، نظامی، مذهبی، می پردازد.

system of law

نظام حقوقی

concerned with

به بررسی... می پردازد

private relations

روابط خصوصی

members of a community

اعضای جامعه

criminal, military, or religious affairs

مسائل جنایی، نظامی، یا مذهبی

syn civilian law, Roman law

Common law /ˌkɒm.ən 'lɔ:/

the body of law developed in England primarily from judicial decisions based on custom and precedent, unwritten in statute or code, and constituting the basis of the English legal system and of the system in all of the United States except Louisiana

۴۵۱- کامن لا (حقوق عرفی)

شاخه‌ای از حقوق در انگلستان اساساً از تصمیمات قضایی براساس عرف و رویه قضایی، حقوق و قانون نانوشته توسعه یافت و تشکیل دهنده اساس نظام حقوقی انگلستان و سیستم تمام آیالات متحده به استثنای لوئیزیانا می باشد.

body of law	شاخه‌ای از حقوق
developed	توسعه یافتن
judicial decisions	تصمیمات قضایی (آرا)
custom and precedent	عرف و رویه
unwritten in statute or code	حقوق یا قانون نانوشته
constituting	تشکیل دهنده
basis	اساس
Except	به استثنای

Syn case law, precedent

453- customs /'kʌs·təmz/

is an authority or agency in a country responsible for collecting tariffs and for controlling the flow of goods, transports and hazardous items, into and out of a country.

۴۵۳- گمرک

یک مقام یا نمایندگی در یک کشور مسئول برای کسب تعرفه‌ها و کنترل گردش کالا، حمل و نقل و موارد خطرناک به داخل یا خارج از کشور می‌باشد.

an authority	مقام یا اختیار
agency	نمایندگی
Country	کشور
Responsible	مسئول
collecting tariffs	کسب تعرفه
controlling the flow of goods	کنترل گردش کالا
transports	حمل و نقل
hazardous items	موارد خطرناک
into and out of a country	داخل یا خارج از کشور

454- divine law /dɪ'vaɪn/ /lɑ : /

is any **law** that supposedly comes directly from the “will of God” in contrast to man-made **law**

۴۵۴- حقوق الهی

هرگونه حقوقی که تصور شود به طور مستقیم از اراده خداوند ناشی شده در تضاد با حقوقی که انسان ایجاد کند.

Supposedly	تصور شدن
Directly	مستقیماً
“will of God”	اراده خداوند

in contrast

در تضاد با

man-made law

حقوقی که انسان ایجاد کند

455- drafting of bill/dræft/ /bɪl/

is The first step in legislation this is a skillful and sometimes long process requiring the services of lawyers known as parliamentary counsel

۴۵۵- پیش‌نویس لایحه

اولین مرحله در قانونگذاری می‌باشد که ماهرانه و گاهی روند طولانی دارد نیازمند خدمات وکلایی هستند که مشهور به شورای پارلمانی می‌باشد.

The first step

اولین مرحله

Legislation

قانونگذاری

Skillful

ماهرانه

long process

روند طولانی

services of lawyers

خدمات وکلا

known as

مشهور به

parliamentary counsel

شورای پارلمانی

458- enumerated powers /ɪ'nu:.mæ.ɪt//pəʊər/

is a political power specifically delegated to a governmental branch by a constitution. It is a governmental power that is described in a foundation document such as a constitution.

۴۵۸- اختیارات معین

یک قدرست سیاسیست که صریحا به یک شاخه از دولت از طریق قانون اساسی واگذار می‌شود یک قدرت دولتیست که در سند تاسیس مانند قانون اساسی توصیف شده است.

political power

قدرت سیاسی

specifically

صریحا

delegated to

واگذار شدن به

a governmental branch

شاخه‌ای از دولت

a constitution

قانون اساسی

a governmental power

قدرت دولتی

described

توصیف شده

a foundation document

سند تاسیس

459- election /i'lek.fən/

A formal and organized process of electing or being elected, especially of members of a political body

۴۵۹- انتخابات

یک روش رسمی و سازمان‌دهی شده انتخاب کردن یا انتخاب شدن به خصوص در مورد اعضای نهاد حکومتی

formal process	روش رسمی
organized process	روش سازمان‌دهی شده
electing	انتخاب کردن
being elected	انتخاب شدن
especially	مخصوصاً
members of a political body	اعضای نهاد حکومتی

460- enactment /ɪˈnækt·mənt/

may refer to the whole or part of a piece of legislation.

۴۶۰- تصویب

ممکن است به یک قسمت یا تمام مراحل قانونگذاری اشاره کند.

refer to	اشاره کردن
whole or part	تمام یا قسمت
a piece of legislation	مراحل قانونگذاری

Syn pass an act, Promulgation

461- equity /'ek.wɪ.ti/

The system of law which originated in the English court of Chancery, which superseded the common law and statute law when there was a conflict between the two.

A right, interest or remedy recognizable by a Court of equity

۴۶۱- انصاف

یک سیستم حقوقی که از دادگاه مهررداری انگلستان منشا شده و زمانی که بین کامن لا و حقوق موضوعه اختلاف ایجاد شود جایگزین آن دو می‌شود.

حق، نفع یا جبران خسارتی که توسط دادگاه انصاف مورد شناسایی واقع شود.

The system of law	سیستم حقوقی
Originated	ناشی شدن از
English court of Chancery	دادگاه مهررداری
Superseded	جایگزین شدن
the common law	کامن لا، حقوق عرفی
statute law	حقوق موضوعه
conflict	اختلاف، تعارض

A right	حق
Interest	نفع
Remedy	جبران خسارت
Recognizable	شناسایی شدن
Court of equity	دادگاه انصاف

463- A federal state /'fed.ər.əl/ /stet/

is a political entity characterized by a union of partially self-governing states or regions under a central (federal) government. In a federation, the self-governing status of the component states, as well as the division of power between them and the central government, are constitutionally based and may not be altered by a unilateral decision of either party, the states or the federal political body

۴۶۳- کشور فدرال

فدراسیون یک نهاد سیاسی ست که متشکل از اتحاد دولت‌های مختصراً خودگردان یا ایالت‌های تحت حکومت مرکزی می‌باشد. در فدراسیون، وضعیت خودگردانی کشورهای تشکیل دهنده (فدراسیون) همچنین تقسیم قدرت بین آنها و دولت مرکزی براساس قانون اساسی می‌باشد و با تصمیم یک جانبه هریک از طرفین، کشورها یا نهادهای سیاسی فدرال اصلاح نمی‌شود.

political entity	نهاد سیاسی
characterized by	متشکل از
a union of	اتحاد از
partially	مختصراً، جزئاً
self-governing states	دولت یا کشور خودگردان
regions	نواحی، ایالات
under a central (federal) government	تحت حکومت مرکزی
federation	فدراسیون
the self-governing status	وضعیت خودمختاری
the component states	دولت‌های تشکیل دهنده
as well as	همچنین
the division of power	تقسیم قدرت یا اختیار
constitutionally based	براساس قانون اساسی
altered	تغییر کردن
unilateral decision	تصمیم یک‌جانبه

syn A federation

464- franchise /'fræn.tʃaɪz/

In constitutional law means the right to vote at an election

In commercial law means a licence give to a manufacture, trader and distributor

۴۶۴- پروانه، حق رای

در حقوق اساسی به معنی حق رای در انتخابات می‌باشد.

در حقوق تجارت به معنی لیسانس یا مجوزی که به یک تولید کننده، تاجر و توزیع کننده داده می‌شود.

In constitutional law

در حقوق اساسی

right to vote

حق رای

an election

انتخابات

In commercial law

در حقوق تجارت

a licence

لیسانس یا مجوز

a manufacture

تولید کننده

trader

تاجر

Distributor

توزیع کننده

465- A government /'gʌv.ə.n.mənt/

is the system by which a state or community is controlled

۴۶۵- دولت

سیستمی است که به واسطه آن یک کشور یا جامعه کنترل می‌شود.

is the system

نظام یا سیستمی می‌باشد

a state

کشور

community

جامعه

466- halakhah

Is the explanation of teachings an orthodox and conservative jews obey it in both spiritual and material relations

۴۶۶- هالاخا

تشریح تعالیم (دین یهود) است و یهودیان ارتدوکس و محافظه کار در روابط معنوی و مادی از آن اطاعت می‌کنند.

Is the explanation of teachings

تشریح تعالیم

an orthodox jews

یهودیان ارتدوکس

conservative jews

یهودیان محافظه کار

obey

اطاعت کردن

spiritual relations

روابط معنوی

material relations

روابط مادی

468- house of lords /ˈhaʊs əv 'lɔːdz/

is the upper house of the Parliament of the United Kingdom Unlike the elected House of Commons, most members of the House of Lords are appointed

۴۶۸- مجلس لردان

پارلمان اعلای پادشاهی متحده می باشد که برخلاف اعضای انتخابی مجلس عوام، اکثر اعضای مجلس لردان انتصابی می باشند.

upper house of the Parliament

پارلمان اعلای پادشاهی متحده

Unlike

برخلاف

the elected

انتخاب شده

House of Commons

مجلس عوام

most members

اکثر اعضا

the House of Lords

مجلس لردان

are appointed

انتصاب شدن، منصوب شدن

469- house of commons /ˈhaʊs əv 'kɑːm-ənz/

is the lower house of the Parliament of the United Kingdom of Great Britain and Northern Ireland

۴۶۹- مجلس عوام

پارلمان تالی پادشاهی متحده و ایرلند شمالی می باشد

lower house of the Parliament

پارلمان تالی

470- hybrid bill /'haɪ.bɪd/ /bɪl/

A public bill having a general application as well as affecting certain private interests

And It will propose a law

۴۷۰- لایحه قانونی دوگانه

یک لایحه عمومی دارای یک عملکرد عمومی همچنین تاثیرگذار بر منافع خصوصی و خاص می باشد و قانونی را پیشنهاد می دهد.

public bill

لایحه عمومی

a general application

عملکرد عمومی

as well as

همچنین

affecting

تاثیرگذار

private interests

منافع خصوصی

propose

پیشنهاد دادن

471- inductive reasoning /ɪn'dʌk.tɪv/ /'ri:.zən.ɪŋ/

Broad principles of law emerge as a result of the collation and study of a large number of separate decisions on unwritten law or on interpretation of statutory provisions

۴۷۱- استدلال استقرایی

اصل گسترده حقوقی که به عنوان نتیجه مقایسه و مطالعه تعداد زیادی تصمیمات (آرا) مجزا (گوناگون) در حقوق نانوشته یا تفسیر مقررات حقوق موضوعه پدید می‌آید.

Broad principles of law

اصل گسترده حقوقی

Emerge

پدیدار شدن

a result

به عنوان نتیجه

collation

مطالعه

Study

مطالعه

separate decisions

تصمیمات مجزا

unwritten law

حقوق نانوشته

interpretation of statutory provisions

تفسیر مقررات حقوق موضوعه

472- inferior court /ɪn'fɪə.ri.ər/ /kɔ:rt/

are the courts whose decision is being reviewed a court with limited jurisdiction which is restricted to civil cases involving monetary amounts with a specific limit, or criminal cases involving offenses of a less serious nature

۴۷۲- دادگاه تالی

دادگاه‌هایی می‌باشند که تصمیماتشان مورد بازبینی واقع می‌شود. دادگاهی با صلاحیت محدود که منحصر به دعاوی حقوقی شامل مبالغ مالی با محدوده مشخص می‌باشد یا پرونده‌های کیفری شامل جرائم با ماهیت کمتر مهم می‌باشد.

Courts

دادگاه‌ها

Decision

تصمیم (رای)

is being reviewed

بازبینی کردن

limited jurisdiction

صلاحیت محدود

restricted to

محدود بودن به

civil cases

دعاوی حقوقی

involving

شامل

monetary amounts

مبالغ مالی

with a specific limit

با محدوده مشخص

criminal cases
offences
less serious nature

پرونده های کیفری
جرائم
با ماهیت کمتر مهم یا جدی

Syn lower

473- institute /'in.stɪ.tʃu:t/

Most states institute a structure which include basic organs to perform government functions

۴۷۳- تاسیس کردن

اکثر کشورها ساختاری را تاسیس می کنند که شامل ارگان های اصلی جهت اجرای وظایف دولتی است.

Most states

اکثر کشورها

Institute

تاسیس کردن

a structure

ساختار

basic organs

ارگان های اساسی

to perform government functions

اجرای وظایف دولتی

syn Constituted, established

474- judicial jurisdiction /dʒu : 'dɪʃ.əl/ /,dʒʊə.rɪs'dɪk.ʃən/

Is the power of a court to decide cases before it

۴۷۴- صلاحیت قضایی

قدرت دادگاه برای تصمیم در مورد پرونده های مطروحه نزدش

the power of a court

قدرت یا اختیار دادگاه

to decide cases

تصمیم گیری در مورد پرونده

before it

در اینجا به معنی نزد دادگاه

توضیح: در مورد واژه before به نقش آن در جمله نگاه می کنیم در حالت عادی این واژه به معنی قبل از می باشد مثلاً before 8 O'Clock یعنی قبل از ساعت ۸ ولی در مثال بالا به معنی نزد دادگاه می باشد. *claiming before court* ادعا کردن نزد دادگاه

475- Judicial Interpretation /dʒu : 'dɪʃ.əl/ /ɪn'tɜ : .prə'ter.ʃən/

is a theory or mode of thought that explains how the judiciary should **interpret** the law, particularly constitutional documents and legislation

۴۷۵- تفسیر قضایی

یک قاعده یا روش فکری است که توضیح می دهد سیستم قضایی چگونه باید قوانین به خصوص اسناد قانون اساسی و قانونگذاری را تفسیر کند.

a theory	قاعده، تئوری
mode of thought	روش فکری
explains	توضیح دادن
judiciary	سیستم قضایی
interpret the law	تفسیر حقوق
particularly	به خصوص
constitutional documents	اسناد قانون اساسی
legislation	قوانین

Syn construe

476- judiciary /dʒu : 'dɪf.ər.i/

is the system of courts that interprets and applies the law in the name of the state.

۴۷۶- سیستم قضایی

سیستم دادگاه‌ها می‌باشد که به نام کشور قانون را اجرا و تفسیر می‌کنند.

system of courts	سیستم دادگاه‌ها
interpret	تفسیر کردن
Applies	اجرا کردن

syn judicial system, court system

477- Jurisdiction /,dʒʊə.rɪs' dɪk.ʃən/

- 1- is the practical authority to interpret and apply the law, or to govern and legislate. It is granted to a formally constituted legal body, such as a court, or to a political leader
- 2- is an area with a set of laws under the control of a system of courts or government entity which are different from neighbouring areas

۴۷۷- صلاحیت، حوزه

۱- اختیار عملی تفسیر و اجرای قانون یا حکومت کردن و قانونگذاری کردن.

به یک نهاد قانونی که به نحو رسمی تاسیس شده باشد اهدا می‌شود (صلاحیت) مانند دادگاه یا به رهبر سیاسی

۲- ناحیه‌ای می‌باشد با یک مجموعه قوانین تحت کنترل یک سیستم دادگاه‌ها یا نهاد دولتی که از ناحیه‌های همسایه متفاوت می‌باشد.

practical authority	اختیار عملی
to interpret the law	تفسیر قانون
apply the law	اجرای قانون (اعمال)
to govern	حکومت کردن

Legislate	قانونگذاری کردن
Granted	اهدا کردن
Formally	رسمی
Constituted	تاسیس کردن
legal body	نهاد قانونی
court	دادگاه
political leader	رهبر سیاسی
an area	حوزه، ناحیه
set of laws	مجموعه قوانین
system of courts	سیستم دادگاه‌ها
government entity	نهاد دولتی
neighbouring areas	ناحیه‌های همسایه

478- law /lɔ : /

the system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties

۴۷۸- حقوق

سیستم قواعدی که یک کشور یا جامعه خاص به عنوان تنظیم اعمال اعضایش برسمیت شناخته و از طریق تحمیل جریمه (مجازات) اجرایی می‌شود.

the system of rules	سیستم قواعد (مقررات)
a particular country	در یک کشور خاص
a particular community	جامعه خاص
recognizes	به رسمیت شناختن
regulating	تنظیم
actions	اعمال
Members	اعضا
Enforce	اجرا کردن
imposition of penalties	تحمیل جریمه یا مجازات

479- legal proceeding /'li:.gəl/ /prɒu'si:d/

is any activity that seeks to invoke the power of a tribunal in order to enforce a law, or obtain **legal** remedies pursuant to a law such as and an appeal against the decision of a court

۴۷۹- جریان دادرسی، فرایند قانونی

هرگونه فعالیتی که به دنبال استناد به اختیار یک دادگاه جهت اجرای یک قانون یا کسب جبران خسارت قانونی پیرو یک قانون می‌باشد همانند تجدیدنظرخواهی از تصمیم یا حکم یک دادگاه

any activity	هر فعالیتی
seeks	به دنبال
to invoke the power	استناد به قدرت یا اختیار
a tribunal	دادگاه
enforce a law	اجرای یک قانون
obtain legal remedies	جبران خسارت قانونی
pursuant	پیرو
an appeal	تجدیدنظر
decision of a court	تصمیم یا حکم دادگاه

480- legal system /'li:.gəl/'sis.təm/

refers to a procedure or process for interpreting and enforcing the law. It elaborates the rights and responsibilities in a variety of ways. Three major legal systems of the world consist of civil law, common law and religious law

۴۸۰- سیستم حقوقی

اشاره به یک فرایند یا روند برای تفسیر و اجرای حقوق دارد، (سیستم حقوقی) حقوق (جمع حق‌ها) و مسئولیت‌ها را از طرق گوناگون ایجاد می‌کند.

۳ سیستم حقوقی بزرگ دنیا شامل حقوق رومی ژرمنی، کامن لا و حقوق مذهبی می‌باشد

refers to	اشاره کردن به
a procedure	فرایند
process	روند
interpreting the law	تفسیر حقوق
enforcing the law	اجرای حقوق
elaborates	ایجاد کردن
the rights and responsibilities	حقوق (حق‌ها) و مسئولیت‌ها
variety of ways	طرق گوناگون
major legal systems	سیستم حقوقی بزرگ
consist of	شامل
civil law	حقوق رومی ژرمنی
common law	کامن لا

religious law

حقوق مذهبی

481- legislation /ˌledʒ.ɪˈsleɪ.ʃən/

is law which has been promulgated (or “enacted”) by a legislature or other Governing Body

۴۸۱- قانونگذاری

قانونی است که توسط قانونگذار یا نهاد حکومتی منتشر (یا تصویب) می شود.

promulgated

انتشار یافتن

enacted

تصویب شدن

a legislature

قانونگذار

Governing Body

نهاد حکومتی

Syn Act of Parliament

482- Legislative process /ˈledʒ.ɪ.slə.tɪv/ /ˈprəʊ.ses/

A Bill is a proposed law which is introduced into Parliament. Once a Bill has been debated and then approved by each House of Parliament, and has received Royal Assent, it becomes law and is known as an Act

۴۸۲- فرایند قانونگذاری

لایحه یک قانون پیشنهادی است که به پارلمان ارائه می شود وقتی که یک لایحه به بحث گذاشته می شود و سپس توسط هریک از پارلمان ها تایید می شود و رضایت سلطنتی را دریافت کرده باشد به حقوق تبدیل می شود و به عنوان قانون شناخته می شود.

A Bill

لایحه

a proposed law

قانون پیشنهادی

introduced

ارائه شدن به

Parliament

پارلمان

Debated

بحث کردن، مناظره کردن

Approved

تایید شدن

House of Parliament

پارلمان

Royal Assent

رضایت سلطنتی

known as an Act

به عنوان قانون شناخته می شود

485- A minister /ˈmɪn.ɪ.stər/

is a politician who holds significant public office in a national or regional government, making and implementing decisions on policies in conjunction with the other ministers
ministers have collective responsibility to the parliament

۴۸۵- وزیر

سیاستمداری که عهده‌دار یک وظیفه عمومی مهم در یک دولت ملی یا محلی می‌باشد تصمیمات سیاسی با همکاری دیگر وزرا اتخاذ و اجرا می‌کنند.

وزرا دارای مسئولیت جمعی در برابر پارلمان هستند

politician	سیاستمدار
hold	عهده‌دار
significant public office	وظیفه عمومی مهم
a national or regional government	دولت ملی یا محلی
making decisions	تصمیم گرفتن
implementing	اجرا کردن
decisions on policies	تصمیمات سیاسی
in conjunction with	با همکاری
ministers	وزرا
collective responsibility	مسئولیت جمعی
parliament	پارلمان

486- natural law /'nætʃ.ər.əl/ /lɔ : /

The permanent underlying basis of all law

۴۸۶- حقوق طبیعی

اساس زیر بنایی و دائمی همه حقوق می‌باشد.

Permanent	دائم
Underlying	زیر بنایی
Basis	اساس

490- public hearing/'pʌb.lɪk/ /'hɪə.rɪŋ/

is a proceeding before a court or other decision-making body or officer, such as a government agency. A **hearing** is generally distinguished from a trial in that it is usually shorter and often less formal

۴۹۰- جلسه دادرسی عمومی

فرآیند رسیدگی در یک دادگاه یا دیگر نهاد یا مقام (مامور) تصمیم‌گیرنده مانند نماینده دولت می‌باشد. رسیدگی عموماً از دادرسی متمایز گردیده چرا که کوتاهتر و کمتر رسمی می‌باشد (رسیدگی)

Proceeding	دادرسی، رسیدگی
before a court	نزد دادگاه

decision-making body or officer

نهاد یا مقام تصمیم گیرنده

government agency

نماینده دولت

A hearing

رسیدگی

distinguished from

متمایز از

trial

دادرسی

shorter and often less formal

کوتاهتر و کمتر رسمی

491- precedents /'pres.ɪ.dənt/

rule of law established for the first time by a court for a particular type of case and thereafter referred to in deciding similar cases

۴۹۱- رویه قضایی

قواعد حقوقی که برای اولین بار توسط یک دادگاه برای یک موضوع خاص ایجاد می‌شود پس از آن در تصمیم‌گیری پرونده‌های مشابه به آنها رجوع می‌شود.

rule of law

قواعد حقوقی

established

ایجاد شدن

first time

اولین بار

a court

دادگاه

a particular type of case

در یک موضوع خاص

thereafter

پس از آن

referred to

رجوع کردن به اشاره کردن به

similar cases

پرونده‌های مشابه

492- A regulation /,reg.jə'leɪ.ʃən/

a rule or directive made and maintained by an authority.

۴۹۲- مقررات

یک قاعده یا دستورالعمل که توسط یک مقام ایجاد شده و حفظ می‌شود.

Rule

قاعده

Directive

دستورالعمل

made and maintained

ایجاد شده و حفظ شده

an authority

مقام

Syn provisions

493- residual powers /rɪˈzɪdʒ.u.əl/ /paʊər/

Refers to powers which are not clearly mentioned in the constitution

۴۹۳- اختیارات ذکر نشده

اشاره به اختیاراتی دارد که در قانون اساسی به طور صریح قید نگردید.

Refers to	اشاره به
Powers	اختیارات
Clearly	صریح
Mentioned	قید شده
Constitution	قانون اساسی

494- A repeal /rɪˈpiːl/

is the removal or reversal of a law

۴۹۴- نسخ

حذف یا نقض یک قانون

removal	حذف
reversal	نسخ
law	قانون

Syn to rescind, set a side, or annul

495- A referendum /ˌref.əˈren.dəm/

is a direct vote in which an entire electorate is asked to vote on a particular proposal. This may result in the adoption of a new law

۴۹۵- رفراندوم

یک رای مستقیم است که در کل حوزه انتخابیه تقاضا شده تا به موضوع خاصی رای دهند. این امر منجر به تصویب قانون جدید می شود.

is a direct vote	رای مستقیم
entire	کل
electorate	انتخابی
is asked	تقاضا کردن، خواستن
particular proposal	پیشنهاد خاص
result	نتیجه
adoption of a new law	تصویب قانون جدید

syn plebiscite, a vote on a ballot question

497- social justice /'səʊ.ʃəl/ /'dʒʌs.tɪs/

the distribution of advantages and disadvantages within a society

۴۹۷- عدالت اجتماعی

تقسیم مزایا و معایب درون یک جامعه

Distribution

تقسیم، توزیع

Advantages

مزایا

Disadvantages

معایب

within a society

در یک جامعه

498- sovereignty of parliament /'sɒv.rɪn.ti/ /'pɑː.lɪ.mənt/

In English legal system, **sovereignty of parliament** means that parliament is legislatively supreme and can make and unmake laws to any extent

۴۹۸- حاکمیت پارلمان

در سیستم حقوقی انگلیس حاکمیت پارلمان به معنی این است که پارلمان از لحاظ قانونگذاری برتر می‌باشد و قوانین را در هر گستره‌ای وضع یا نسخ می‌کند.

English legal system

سیستم حقوقی انگلیس

sovereignty of parliament

حاکمیت پارلمان

legislatively

قانونگذاری

supreme

برتر، عالی

make and unmake laws

وضع یا نسخ

any extent

هر گستره‌ای

499- sovereignty /'sɒv.rɪn.ti/

The supreme authority in state

۴۹۹- حاکمیت

مقام عالی در یک دولت

Supreme

عالی

Authority

مقام

500- stare decisis

Means binding precedent

۵۰۰- پیروی از رویه قضایی

به معنی رویه الزام‌آور می‌باشد.

Binding

الزام‌آور

Precedent

رویه

501- statute law

is the term used to **define** written **laws**, usually enacted by a legislative body. **Statutory laws** vary from regulatory or administrative **laws** that are passed by executive agencies, , or the **law** created by prior court decisions

Its different with statue

۵۰۱- حقوق موضوعه

اصطلاحی‌ست که برای تعریف حقوق نوشته که معمولاً توسط نهاد مقننه تصویب می‌شود. حقوق موضوعه متفاوت از حقوق آئین‌نامه‌ای و اداری می‌باشد که توسط ارکان اجرایی صادر می‌شود و همچنین (متفاوت) با حقوقی می‌باشد که توسط تصمیمات دادگاه‌های مقدماتی ایجاد می‌شود

با واژه مجسمه فرق دارد

Define

تعریف کردن

written **laws**

حقوق نوشته

enacted by

توصیب شدن توسط

legislative body

نهاد مقننه

Statutory laws

حقوق موضوعه

vary from

متفاوت، گوناگون

Regulatory

آئین نامه

administrative **laws**

حقوق اداری

passed by

صادر شدن (تصویب شدن)

executive agencies

ارکان اجرایی

prior court decisions

تصمیمات دادگاه‌های مقدماتی (بدوی)

statue

مجسمه

Syn Statutory law

502- A solicitor /sə'lis.ɪ.tər/

is a legal practitioner who traditionally deals with any legal matter in some jurisdictions.

۵۰۲- مشاور حقوقی

یک حقوقدان که به طور سنتی با هر مسئله حقوقی در برخی حوزه‌ها سروکار دارد.

legal practitioner	حقوقدان
traditionally	به طور سنتی
deals with	سروکارداشتن با
legal matter	مسئله یا موضوع حقوقی

503- source of constitutional law /sɔːrs/ /,kɒn.stɪ'tjuː.ʃən.əl/ /lɔː/

The constitution itself and amendments made to it, all acts of parliament as well as all judicial decisions

۵۰۳- منابع حقوق اساسی

Constitution	قانون اساسی
Amendments	اصلاحات
acts of parliament	مصوبات پارلمان
judicial decisions	تصمیمات قضایی (آرا)

504- state of emergency /,steɪt əv ɪ'mɜː.dʒən.si/

May be declared when there is an extraordinary situation in a country

۵۰۴- وضعیت اضطراری

be declared	اعلام شدن
an extraordinary situation	وضعیت فوق العاده
a country	کشور

505- subordinate legislation /sə'bɔːr.dən.ət/ /,ledʒ.ɪ'sleɪ.ʃən/

law which is enacted under delegated powers, such as ministers under the authority of statute

۵۰۵- قانونگذاری تبعی

Law	قانون
Enacted	مصوب
delegated powers	قدرت یا اختیار تفویض شده
such as	مانند
Ministers	وزرا
authority of statute	اختیار قانون موضوعه

506- superior court /su:'piə.ri.ər/ /kɔ:rt/

is a **court** of general competence which typically has unlimited jurisdiction with regard to civil and criminal **legal** cases. A superior court may hear appeals from lower courts

۵۰۶- دادگاه عالی

دادگاهی با صلاحیت عام که به طور کلی دارای صلاحیت نامحدود در پرونده‌های مدنی و کیفری می‌باشد. دادگاه عالی تجدیدنظرخواهی از (آرا) دادگاه تالی را استماع می‌کند. (مورد رسیدگی قرار می‌دهد)

a **court** of general competence

دادگاهی با صلاحیت عام

typically

به طور کلی

unlimited jurisdiction

صلاحیت نامحدود

civil and criminal **legal** cases

پرونده‌های مدنی و کیفری

A superior court

دادگاه عالی

appeals

تجدیدنظرخواهی

lower courts

دادگاه تالی

Syn supreme

507- substantive rules of law /səb'stæn.tɪv/ /ru:l/ /lɔ:/

Aspect of a legal system that creates, defines, and regulates the duties, liabilities, and rights of the legal entities. In contrast, procedural law deals with the technical aspects (practices and procedures) and prescribes the steps for enforcing civil and criminal law

۵۰۷- حقوق ماهوی

جنبه ای از یک سیستم قانونی که تکالیف، مسئولیت‌ها و حقوق نهادهای قانونی را ایجاد، تعریف و تنظیم می‌کند. در مقابل حقوق شکلی به جنبه‌های اجرایی (رویه‌ها و دادرسی) مربوط می‌شود و مراحل اجرایی شدن حقوق مدنی و کیفری را توصیف می‌کند.

Aspect

جنبه‌ای

legal system

سیستم قانونی یا حقوقی

creates

ایجاد کردن

defines

تعریف کردن

Regulates

تنظیم کردن

the duties

وظایف

liabilities

مسئولیت‌ها

rights

حقوق

legal entities

نهادهای قانونی

In contrast

در مقابل

procedural law	حقوق شکلی
deals with the	سرو کار داشتن با، مربوط بودن به
technical aspects	جنبه‌های اجرایی
(practices and procedures)	رویه‌ها و دادرسی
prescribes	توصیف کردن
the steps	مراحل
enforcing civil and criminal law	اجرائی شدن حقوق مدنی و کیفری

508- territory /'ter.ɪ.tər.i/

is a term for administrative division, usually an area that is under the jurisdiction of a state

۵۰۸- سرزمین

اصطلاحی ست برای تقسیمات اداری. معمولاً محدوده‌ای تحت صلاحیت یک کشور می‌باشد.

a term	اصطلاح
administrative division	تقسیمات اداری
an area	محدوده‌ای
under the jurisdiction of a state	تحت صلاحیت یک کشور

509- tyrant /'taɪə.rənt/

Means cruel or unjust ruler

۵۰۹- فرمانروای مستبد

به معنای حاکم بی‌رحم یا ستمگر (غیر عادلانه) می‌باشد.

Cruel	بی‌رحم
Unjust	ستمگر (غیر عادلانه)
Ruler	حاکم

510- unitary system /'ju:.nɪ.ter.i/ /'sɪs.təm/

is a sovereign state governed as a single entity. The central government is supreme, and the administrative divisions exercise only powers that the central government has delegated to them

۵۱۰- نظام متمرکز

یک کشور مستقل می‌باشد که به عنوان یک نهاد واحد، حکمرانی می‌کند. حکومت مرکزی برتر است و تقسیمات (بخش‌های) اداری تنها اختیاراتی را که حکومت مرکزی به آنها واگذار کرده اجرا می‌کنند.

sovereign state	کشور مستقل
governed	حکومت کردن

single entity	نهاد واحد
The central government	حکومت یا دولت مرکزی
Supreme	عالی
administrative divisions	تقسیمات اداری
exercise	اجرا کردن، اعمال کردن
Powers	اختیارات یا قدرت
delegated to	واگذار کردن به

511- vote of confidence /vɒt/ /'kɒn.fɪ.dəns/

A motion proposed in a parliament or other assembly to give members the chance to express their confidence in a government

۵۱۱- رای اعتماد

یک درخواست ارائه شده به پارلمان یا مجمعی دیگر جهت دادن شانس به اعضا (پارلمان یا مجمع) برای بیان اعتمادشان به یک دولت

A motion	درخواست
proposed in	ارائه شده در
a parliament	پارلمان
assembly	مجمع
members	اعضا
the chance	شانس
to express	بیان کردن
confidence	اعتماد
a government	یک دولت

512- vote of censure /vɒt/ /'sen.ʃər/

Parliament can remove the government by a vote of censure

۵۱۲- رای عدم اعتماد

پارلمان (مجلس) می‌تواند دولت را از طریق رای عدم اعتماد معزول کند.

Parliament	پارلمان
the government	دولت
vote of censure	رای عدم اعتماد

513- vote /voot/

Voting is a method for a group such as a meeting or an electorate to make a decision or express an opinion—often following discussions, debates, or election campaigns. Democracies elect holders of high office by voting.

۵۱۳- رای

رای گیری برای یک گروه مانند یک اجتماع یا انتخاب کننده، متدی برای تصمیم گرفتن یا ابراز یک عقیده پیرو گفت و گو، مناظره، یا کمپین انتخاباتی می باشد. در دموکراسی ها مقامات بالا را با رای گیری انتخاب می کنند.

Meeting	جلسه یا اجتماع
make a decision	تصمیم گرفتن
express	بیان کردن اظهار کردن
Discussions	بحث
Debates	مناظره
election campaigns	کمپین انتخاباتی
Democracies	دموکراسی، مردم سالاری

514- vinculum juris

Means legally bound

۵۱۴- الزام حقوقی

به معنی الزام حقوقی می باشد.

Legally	حقوقی، قانونی
Bound	الزام

515- welfare state /,wel.fəə 'steit/

a system whereby the state undertakes to protect the health of its citizens, especially those in financial or social need, by means of grants, pensions, and other benefits

۵۱۵- دولت رفاه

سیستمی که یک کشور تعهد می کند تا از سلامت اتباعش حمایت کند به خصوص آنهایی که نیازهای مالی و اجتماعی دارند از طریق صدقه، حقوق بازنشستگی و دیگر مزایا

a system	سیستم، نظام
the state	کشور
Undertakes	تعهد می کند
to protect	حمایت کند
the health of	سلامت

citizens	اتباع
Especially	به خصوص
Financial	مالی
social need	نیاز اجتماعی
by means of	از طریق
grants	صدقه
Pensions	حقوق بازنشستگی
other benefits	دیگر مزایا