

И. СУЩИНСКИЙ, С. СУЩИНСКАЯ

**ПРАКТИЧЕСКИЙ
КУРС
СОВРЕМЕННОГО
АНГЛИЙСКОГО
ЯЗЫКА**



ДЛЯ ЮРИСТОВ

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Должное внимание уделяется развитию навыков устной и письменной деловой коммуникации, знакомству со спецификой языка юриспруденции, а также языковой подготовке российских студентов для учебы в юридических учебных заведениях США и Великобритании и сдачи вступительных экзаменов в соответствии с требованиями TOEFL.

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ПРОИЗНОШЕНИЕ / PRONUNCIATION

æ	back	əu	boat	dʒ	just	r	round
ɑ:	farm	ɜ	word	f	fog	s	some
ɒ	top	i:	freeze	g	go	ʃ	short
aɪ	pipe	ɪ	hit	h	hand	t	too
au	how	ɪə	idea	j	yes	tʃ	chop
ɔ:	bought	u:	school	k	catch	θ	thing
ɔɪ	toy	u	book	l	last	v	voice
e	fed	ʌ	but	m	mix	w	was
eə	hair	b	back	n	nut	z	zoo
eɪ	take	d	dog	ŋ	sing	ʒ	treasure
ə	afraid	ð	then	p	pick		

АЛФАВИТ / ALPHABET

Aa	eɪ	Hh	eɪtʃ	Oo	eu	Vv	vi:
Bb	bi:	Ii	aɪ	Pp	pi:	Ww	ˈdʌbəlju:
Cc	si:	Jj	dʒeɪ	Qq	kju:	Xx	eks
Dd	di:	Kk	keɪ	Rr	ɑ:r	Yy	wai
Ee	i:	Ll	el	Ss	es	Zz	zi:
Ff	ef	Mm	em	Tt	ti:		
Gg	dʒi:	Nn	en	Uu	ju:		

ПРЕДИСЛОВИЕ

Настоящий учебник рассчитан на 240 часов аудиторных и 100 часов внеаудиторных занятий, состоит из 5 уроков и краткого двуязычного словаря-минимума юридической терминологии. Каждый урок включает в себя соответствующее количество аутентичных актуальных текстов по базовым отраслям права Великобритании и США, англо-русский словарь, современную систему творческих, проблемных, поисковых и аналитических заданий и упражнений, разного рода трансформации.

Главная цель учебника, наряду с развитием навыков основных видов речевой деятельности, – формирование навыков и умений самостоятельной работы студента с оригинальным юридическим текстом и справочной литературой.

Учебник дает возможность студентам рационально сочетать различные формы работы: индивидуальная / групповая / парная / фронтальная / дискуссии / проекты / игровое обучение, что в конечном итоге гарантирует успешное коммуникативное овладение английским языком.

В силу своего содержания, структуры и особой системы заданий и упражнений предлагаемый учебник носит системно-комплексный характер и в полной мере соответствует требованиям Государственного образовательного стандарта высшего профессионального образования по специальности 021100 – юриспруденция (классификация – юрист), основным требованиям современной методики и своему назначению. Учебник предлагает использование дополнительных лингводидактических материалов и прежде всего аудиовизуальных средств англоязычных стран (Великобритания, США).

Поскольку учебник предназначен для студентов высших учебных заведений, что представляет собой дальнейшую и более высокую ступень в системе образования (школа / лицей / гимназия / колледж – высшее учебное заведение – аспирантура), то вполне естественно, что данный учебник не содержит таких разделов, как вводно-фонетический курс, ВКК, элементарный грамматический и тематический материалы, которые проходят в учебных заведениях, дающих возможность получить аттестат зрелости.

Целесообразно работать с данным учебником в той последовательности, в которой расположен учебный материал, задания и упражнения, однако в зависимости от уровня подготовки студентов упражнения настоящего учебника могут выполняться выборочно, по усмотрению преподавателя.

Авторы.

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TEXT N 1.

St. Mary's University School of Law

Dear Prospective Applicant,

We at St. Mary's University School of Law are proud of our past and excited about our future. Founded as "a lawyer's law school," St. Mary's has a strong faculty, well-qualified students, and alumnae/i who have established a fine reputation. We are cognizant both of the need to preserve our tradition of excellence in legal education and of the need to develop new programs and methodologies to prepare our students for the practice of law in a changing world.

St. Mary's University School of Law is maintaining its strength as an institution that offers a solid curriculum of traditional legal studies, and teaches its students the practical skills and habits of mind that enable them to become effective advocates. At the same time, the Law School has created new courses and seminars in public-interest law, environmental law, international and comparative law, and alternative dispute resolution. In addition, with the establishment of major clinical programs – in Civil Justice, Community Development, Criminal Justice, Human Rights, and Immigration – we have enhanced the opportunities for our students both to further their professional development and to provide a valuable service to persons in critical need of legal assistance. We want to help every student to realize his or her potential. We encourage all of our students to develop a keen sense of obligation to work for justice, both under the law and in society.

As you peruse this application bulletin, you will learn about the history and mission of St. Mary's University School of Law, and about its outstanding facilities and ultra-modern library, and about the programs and activities that make it a special place. You also will learn about our new *Center for Legal and Social Justice*; our *Center for International Legal Studies*; our *Institute on World Legal Problems in Innsbruck, Austria*; our *Institute on International Human Rights*; our LL.M. programs; our advocacy competitions; our internships with the highest courts of the State of Texas; and our student organizations and honor societies. Finally, you will learn about your opportunity, should you become a student here, to earn both a law degree and a master's degree in business administration, communication-arts, computer science, economics, engineering, international relations, justice administration, public administration, or theology.

You cannot, of course, discover everything of importance about our Law School from our application bulletin. In order to experience the friendly atmosphere and enthusiastic spirit of St. Mary's, you need to come to visit us. We look forward to meeting you.

Robert William Piatt,
Jr., J.D. Dean,
St. Mary's University School of Law

Exercises and tasks to text № 1.

1. Look through the text and tell what you think of the sort of this text. Choose the right name in brackets (a business letter, a telegram, a description, an interview, a written explanation, an introductory letter, a discussion). Prove your opinion by means of the following structure of argumentation.

This is _____

Firstly _____

Secondly _____

Thirdly _____

Finally _____

2. Learn these words and word combinations at home!

THE WORD LIST

applicant, <i>n</i>	кандидат, претендент, абитуриент
dean, <i>n</i>	декан
St. (saint) Mary's University School of law	юридический факультет университета им. Св. Марии/юридическая школа университета Св. Марии
lawyer, <i>n</i>	юрист, адвокат
found, <i>v</i>	основывать, создавать
legal education	юридическое образование
enable, <i>v</i>	давать возможность
curriculum, <i>n</i>	курс обучения, учебный план, расписание
practical skills	практические способности, умения
teach, <i>v</i>	учить, обучать
alumnus (alumna fem. <i>n</i> ; <i>pl.</i> - <i>ni/nae</i>) <i>lam.</i>	бывший студент, выпускник
to be cognizant of	отдавать себе отчет в чём-л.; осознавать что-л.
to create a new course	создать новый курс
public law	публичное право
environmental law	право охраны окружающей среды/ правовые нормы по охране окружающей среды
civil justice	гражданское судопроизводство
human rights	права человека
enhance, <i>v</i>	увеличивать, усиливать
legal assistance	юридическая / правовая помощь
peruse, <i>v</i>	внимательно / вдумчиво прочитать
a law degree	ученая степень юриста
the law of bachelor/of master/of doctor	(ученая) степень бакалавра/ магистра/ доктора
to look forward (to)	предвкушать <i>что</i> ; заранее испытывать удовольствие
to learn about/of	узнавать <i>о</i> чём-л.

3. Before reading the following text consider these questions:
- a) Who wrote this introductory letter?
 - b) Whom is this letter addressed to?
 - c) What is the aim of this letter?
 - d) About what do the prospective Applicants learn from this letter?
 - e) Does the School of Law? develop new programs and methodologies to prepare the students for the practice of law in a changing world?
 - f) What is the main aim of the School of Law?
 - g) What new courses and seminars has the The Law School created?
 - h) What makes The Law School a special place?
 - i) What Centers and Institutes were opened recently?
 - j) Where is the Institute on World Legal Problems situated?
 - k) Have the students of the Law School the opportunity to earn both a law degree and a master's degree in business administration, computer science, economics, justice administration, \ international relations, public administration?
4. Answer these questions.
5. Read the text carefully again and tell the other members of your class all about the St. Mary's University School of Law.
6. Try to find the abbreviation LL.M. in the text. Look up this abbreviation in the English-Russian Law Dictionary. Write the full form of this abbreviation (collocation) and its Russian equivalent.
7. If LL.B. means Bachelor of Laws, what do you suppose LL.M. means?
8. Why is it important to study the subjects, such as Human Rights, Immigration, Environmental law?
9. What do you understand by *the abbreviation J.D.*?
10. What is the Russian for Doctor Juris/Doctor of Law?
11. What legal degree has the dean of the School of Law?
12. Give proof of it from the text / Show it to be true by means of the facts from the text.
13. Write a list in English of the subjects offered by the Law Institute?
14. Is law divided into branches in our country? Name some law branches in our country which you know.
8. Переведите на русский язык обращение декана «Dear Prospective Applicant».
9. Найдите в тексте абзац, который соответствовал бы следующему переводу.
«В то же время юридический факультет создал новые курсы и семинары по публичному праву, по праву охраны окружающей

- среды, по международному праву и сравнительному правоведению, по вопросам альтернативного разрешения конфликтов».
10. Найдите в тексте абзац, в котором речь идет о создании новых учебных центров и институтов и выпишите его из текста.
 11. Найдите предложение, начинающееся с Finally ..., дочитайте его до конца и скажите, содержит ли оно, по Вашему мнению, новую интересную информацию для желающих учиться в университете им. Св. Марии.
 12. Зачитайте абзацы / предложения, которые представляют для Вас (предполагаемого студента юридической школы) особый интерес.
 13. Вы согласны с нами, что вводное слово декана имеет своей целью привлечь внимание читателя к предмету речи, чтобы побудить его к учебе на юридическом факультете университета им.Св.Марии? Выразите свое согласие/несогласие по-английски (I totally agree with you. I don't agree with you because....). Каким образом достигается эта цель в тексте. Проиллюстрируйте это конкретными примерами из текста.
 14. Найдите абзац, начинающийся с союза As, и переведите его на русский язык письменно.
 15. Вспомните, в каких значениях может употребляться as. Проверьте себя по англо-русскому словарю. Выпишите из словаря все значения единицы as и запомните их. Употребите as во всех значениях в своих предложениях.
 16. Вставьте подходящие предлоги. Проверьте себя по тексту.
 - a) We at St. Mary's University School ... Law are proud ... our past and excited ... our future.
 - b) You cannot, of course, discover everything ... importance ... our Law School ... our application bulletin.
 17. Найдите в тексте соответствие русскому союзу «для того чтобы». Употребите английский вариант в двух предложениях.
 18. Выпишите из текста все слова, относящиеся к теме «Юридическая школа». Используйте их в своем рассказе о вузе, в котором Вы учитесь.
 19. Choose the right Russian sentence for "We are excited about our future".
 - a) Мы думаем о нашем будущем.
 - в) Мы беспокоимся о нашем будущем (за наше будущее).
 - с) Мы заботимся о нашем будущем.
 - д) Мы верим в наше будущее.

20. Как бы Вы сказали это по-русски? The School of Law?
21. Скажите это по-другому: (In certain universities) a department concerned with a particular subject = (a school, a faculty).
22. Соответствует ли The School of Law в русском языке термину «Юридический факультет»? Подтвердите или опровергните это примером из текста № 1.
23. Скажите это по-русски:
- The school is a part of university.
 - He's going to the School of Law.
24. Напишите основные формы глаголов: to learn, to teach. Проверьте себя по словарю.
25. Прочитайте и переведите следующие группы слов и скажите, что их объединяет в словообразовательном и семантическом отношении. Проверьте себя по словарю. To learn, learnable, learned, learner, learning; to teach, teachable, teacher, teaching.
26. Переведите на русский язык, обратите внимание на разницу в значении и употреблении глаголов: To learn, to teach.
- The child is learning quickly.
 - I'm trying to learn English.
 - She is learning to be a dancer.
 - She is learning how to play the piano.
 - We hope he'll learn from his mistakes.
 - The teacher told us to learn the poem (by heart).
 - The father teaches his child (how) to swim.
 - She is teaching the piano to children.
 - Who taught you to swim?
 - Who teaches German in our school.
 - She taught herself typing.
 - He taught me how to drive.
 - I teach (chemistry) at the junior school.
 - Will you teach me?
 - She teaches English to foreign students.
 - My mother taught me this song.
 - Didn't your parents teach you how to behave in this sort of situation?
 - Who taught you to play the piano?
27. Скажите это по-русски:
- My husband's a history teacher at the local school.
 - Mr. Smith is our teacher.
28. Скажите это одним словом: person who teaches —.
29. Как бы Вы сказали это по-русски?
- She's learning to swim.
 - We learn English at school.
 - Have you learned how to drive yet?
 - I learn a foreign language.
30. Скажите по-русски:
- She's studying maths/math.

- 2) Don't make any noise – we're all studying for our exams.
- 3) He studied very hard at college.
- 4) She was studying a doctor.
- 5) He studies law (medicine).
31. Запомните: to learn (about, of) означает to become informed (of)/ to be told or informed/ to hear (news).
32. Выпишите предложения из текста № 1 с глаголом to learn about и определите значение глагола из контекста.
33. Скажите по-русски:
- 1) We haven't yet learned if he arrived safely.
- 2) Were did you learn this news?
- 3) When did you learn that she was getting married?
- 4) I learnt that they were leaving.
34. На основании словоупотреблений скажите, какие общие и отличительные признаки имеют глаголы to learn, to study, to teach.
36. Все ли приведенные слова могут сочетаться с этим глаголом?
to attend+a meeting/ school/ church/ classes/ a lesson/ a lecture.
37. Образуйте предложения с этими словосочетаниями (одно вопросительное без вопросительного слова, два отрицательных и три утвердительных предложения, соблюдая временные формы глагола образцов).

Образцы:

- a) Will you attend the meeting tomorrow?
- b) He didn't attend school yesterday.
- c) Students have to attend ten lectures a week.
38. Скажите это по-русски. Запомните значение глагола to dedicate:
- a) The new church will be dedicated on Sunday.
- b) The doctor dedicated his life to finding a cure.
- c) She dedicated her first book to her mother.
- d) The doctor dedicated himself to the service of mankind.
- e) The doctor dedicated his time to curing the sick.
- f) The writer dedicated his first book to her husband.
- g) He dedicated his life to the service of his country.
- h) She's very dedicated to her work.
39. Переведите следующие предложения на русский язык и напишите, в каких значения употребляется существительное faith:
- a) I'm shure she'll do as she promised; I've got great faith in her.

b) He still has great talent, but he has lost faith in himself.

c) I have great faith in this medicine.

40. Образуйте от faith соответствующее прилагательное.

41. Подберите русские соответствия для английских словосочетаний:

a faithful friend

a) верный муж

a faithful copy

в) точный отчет

a faithful description

с) точная копия

a faithful account

d) правдивое/достоверное описание

a faithful translation

e) точный перевод

a faithful husband

ф) преданный друг

ТЕХТ N 2.

St. Mary's University

A. St. Mary's University is the oldest university in San Antonio and the oldest Catholic university in Texas and the Southwest. It is also the first university to bring doctoral-level education to San Antonio. Since 1989, St. Mary's has offered a Ph.D.¹ in counseling as well as a number of other graduate degrees.

B. The University's history dates back to 1852 when a tiny preparatory school began with 12 young men attending classes above a livery stable in dusty downtown San Antonio.

C. Still operated by the Catholic order of the Society of Mary (Marianists), which includes brothers, priests, and nuns, St. Mary's today is set on a spacious 135-acre campus in northwest San Antonio.

D. Enrollment in the fall of 1997 was 4,203 men and women. The school is characterized by small classes, individual attention to students, a family atmosphere, and close student-teacher relationships. The Rev.² John J. Moder, S.M.³ Ph.D., is the President of St. Mary's University.

E. St. Mary's University of San Antonio, Texas, is an independent Catholic institution inspired by the Gospels⁴ and shaped by the rich tradition of the Society of Mary. Founded and fostered as a community of faith for the advancement of the human family, the University gives Christian purpose and dynamism to a pursuit in which people of varied

traditions and experiences unite in commitment to an educational venture, in dedication to a life of scholarship, and in the extension of service to society.

TEXT NOTES:

¹ Ph. D – Philosophiae Doctor *лат.* (Doctor of Philosophiae) доктор философских наук

² Rev – Reverent (ero) преподабие

³ S.M – Scientiae Mugister *лат.* (Master of Science) – магистр (естественных наук)

⁴ the Gospels – евангелисты

Exercises and tasks to text №2

1. Look at the picture. What sort of building is it? Choose the wright name of the building below (an educational building, a library, a hostel, an administration building). Prove your choice by means of the information of the text. (См. приложение №1 стр. 269).

2. Read the text notes.

3. Look through the text and tell us what it is about. Do not try to understand in detail.

4. Write out the unknown words of the text.

5. Look up the words you do not know in the dictionary.

6. Learn the following words:

VOCABULARY

degree, <i>n</i>	ученая степень
as well as	так же как; также; не только ...но и ...
He has a house in the country as well as a house in town	У него есть дом за городом, а также в городе / У него есть дом не только за городом, но и в городе.
to date back to	восходить ко времени; относиться ко определенному времени; датироваться
a preparatory school	подготовительная школа; частная школа
downtown	в деловой части города; в центре; в деловую часть города; в центр
to include	содержать в себе; включать
acre, <i>n</i>	акр (около 0,4 га)
to enrol(l)	вносить в список; регистрировать; записаться
She decided to enrol in the history course at the local evening school	Она решила записаться в местную школу по курсу истории
enrollment, <i>n</i>	внесение в список; регистрация; прием новых членов
to attend	посещать, присутствовать
attendance, <i>n</i>	присутствие, посещение

Attendance at school is demanded by law

scholarship, *n*

to dedicate

dedication, *n*

society, *n*

statement, *n*

to inspire

faith, *n*

faithful, *a*

Посещение школы является обязанностью, предусмотренной законом/ Учеба в школе согласно закону обязательна
эрудиция, образованность, стипендия; гуманитарное образование
посвящать; освящать (церковь); открывать (в торжественной обстановке)
посвящение; освящение (церкви)
общество
заявление, изложение, утверждение
внушать, вдохновлять, воодушевлять.
стимулировать
вера, доверие, религия, вероисповедание; верность, преданность
верный, преданный, заслуживающий доверия; правдивый

7. Look at this list of words. Find the words again in the text.

8. The text has five paragraphs marked A, B, C, D, E. Read the text quickly and decide which paragraph:

1) gives information about St.Mary's University in general;

2) gives information about the University's history;

3) gives information about the Catholic order, area and location of University;

4) says what this school is characterized by;

5) gives information about the mission of the University.

9. Translate into Russian

"St. Mary's University is an independent Catholic institution in which people of varied traditions and experiences unite in commitment to an educational venture, in dedication to a life of scholarship, and in service to society."

10. Find a similar passage in Text №2. Compare them and find out the differences between these two statements.

11. What do you understand by Texas, San Antonio? If you don't know where it is look it up on the map.

12. Read the text carefully and answer the questions below. Work in pairs.

a) When was the University founded?

b) St.Mary's University is the oldest catholic university in Texas, isn't it?

c) What University is St.Mary's University?

d) Where is the University situated?

e) How large is the campus of the University today?

f) How many men and women were enrolled in the fall of 1997?
g) What is the University characterized by? h) Who is the President of St. Mary's University?

i) What is the mission of the University?

j) What was the University in the past?

13. Look again through the text and describe St. Mary's University. Write your description down. If you prefer to practise speaking, tell about the University to the other members of the group or record it on tape, then listen to your recording and make corrections.

14. Describe the University by means of one sentence. Use the following words to help you if necessary: an independent Catholic institution, St. Mary's University, to be, in which people, the oldest, in, Texas, in, San Antonio, varied traditions and experience, unite, in commitment, to, an educational venture, and, in, to a life, dedication, to a life of scholarship, in, to, society, service.

15. Put the sentences in the correct order. Check your sentences by referring to the sentences in the text.

a) The school characterized is small classes, by individual attention to students and close student-teacher atmosphere relationship a family

b) Enrollment of 1997 in the fall 4, 203 was men and women.

16. Find the superlative form of adjective in the text. Explain how superlative is formed.

17. Find the English equivalents for the Russian words in text №2:

a) ученая степень

b) посещать занятия

c) включать, состоять из

d) отличаться/характеризоваться

e) независимый

f) посвящение

g) стипендия/гуманитарные науки/гуманитарное образование

h) вера

18. Find the American equivalent for the English word «осень» in Text №2.

19. Look again through the text and name three tense forms in which the text is written. Explain why these forms are used.

20. Correct the mistakes. Use English Grammar to help you if necessary.

a) Since 1989, St. Mary's has offered a Ph.D. in counseling as well as number of other graduate degrees (The Simple Present Tense).

b) Still operated by the Catholic order of the Society of Mary, which includes brother, priests, and nuns (The Present Perfect). Enrollment in the school was 4, 203 men and women (The Past Indefinite / Past simple).

21. Find the sentences in Text №2 which contain nouns in the Plural. Explain how the regular plural of nouns is formed in English.

TEXT N 3.

The School of Law.

St. Mary's seeks to give its students the knowledge and the attributes of mind and character essential for the effective rendition of public service in one of the learned professions. The Law School seeks to impart to its students a clear understanding of the true function and aim of the legal system – the attainment of justice.

The Law School occupies four modern brick buildings, located in a quadrangular arrangement around an expansive, multilevel plaza, landscaped with palms, live oaks, cottonwoods, honeysuckle, and mountain laurel. In addition, the Law School operates the Center for Legal and Social Justice in a 28,000-square-foot building located one-half mile from the campus. The Center for Justice houses the Law School's clinical programs and provides a center for pro bono and campus ministry activities.

Enrollment is limited to about 780 full-time students. (The Law School does not offer a part-time study program.) The faculty is composed of 38 full-time professors, recruited from all sections of the country. They pride themselves on taking a personal interest in their students' academic progress and welfare. Each semester, approximately 20 adjunct professors also teach courses of a specialized nature. In addition, the Law School frequently secures the teaching talents of distinguished visiting professors from other law schools.

The School of Law was founded in 1927 by the San Antonio Bar Association as the San Antonio School of Law. After administering the School by a Board of Governors for seven years, the Bar Association prevailed on St. Mary's University to accept the School as part of the University.

After World War II, interest in legal education increased, and San Antonio grew into a major metropolitan city. St. Mary's University School of Law also grew, and added a number of new faculty members. The Law School was approved by the American Bar Association in

1948 and was admitted to membership in the Association of American Law Schools in 1949.

In subsequent years, both St. Mary's University and the Law School continued to flourish. During the mid-1960's, a multimillion-dollar expansion added eight buildings to the University's physical plant on the Woodlawn campus, including three for the Law School. A fourth building, the spacious and beautiful Sarita Kenedy East Law Library, was added in 1984. Great care was taken to ensure the architectural harmony of the new Law Library with the graceful arches and brick construction of the earlier structures. The Library offers law students ample and comfortable work space in an uplifting environment.

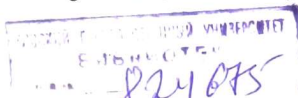
After the new Law Library was completed, renovation commenced on the former law library building – an impressive, round, two-story structure that now houses faculty offices, research and conference areas, offices for student organizations, seminar rooms, classrooms, and a large and comfortable student lounge. During the fall of 1985, this renovated structure was dedicated as the Ernest A. Raba Law Building, in honor of an esteemed former Dean and long-time faculty member of the Law School.

The Law Classroom Building, across the courtyard from the Law Administration Building, contains four attractive amphitheater-style classrooms and a model courtroom in which moot-court competitions are held. The walls of the classrooms retract electronically to form a large auditorium, which is used for public lectures, symposia, and other special events.

Members of the faculty devote considerable effort to legal research and scholarly writing. Some of their work is published in the *St. Mary's Law Journal*, which has received several awards since its establishment in 1969. While the members of the faculty are committed to legal scholarship, they also are committed to fostering a supportive educational climate – a climate in which individual attention is given to each student who needs or desires private instruction.

During recent academic years, the Law School has attracted students from more than 200 colleges and universities located in over 40 states.

St. Mary's University is an independent Catholic institution based in the rich tradition of the Society of Mary. As a community of faith recognizing the contributions of all persons, including members of other religions and people of no religious faith, the University is a



special place for reflection, dialogue, research, service, and teaching. St. Mary's University School of Law is committed to educational excellence. The Law School seeks to instill in its students a knowledge of, and loyalty to, principles that should be the basis of any legal system. Knowledge of the law is essential to the education of a lawyer, but it is only a starting point. The Law School also seeks to impart to its students a clear understanding of the true function and aim of a legal system – the attainment of justice.

The practice of law is a profession committed to public service.

Because of this commitment to public service, the legal profession calls for profound moral and intellectual commitments and qualifications in its members. The Law School, through its clinics and other community projects, offers to students the means to exemplify these commitments and qualifications by service to our local, national, and international communities, as well as opportunities to develop and use their legal skills in the service of individuals in need.

The members of the faculty of the Law School are keenly aware that they must strive – to ensure that the School's graduates are fully equipped to promote, ethically and compassionately, the cause of justice. In order to fulfill its mission, the Law School offers a rich program of legal study, encourages faculty and student scholarly writing, and nurtures an intellectually lively and culturally diverse environment. The Law School offers an educational experience that prepares its graduates to work for the good of all members of the human family.

Exercises and tasks to text N 3.

1. Прочитайте название текста и скажите, о чем сообщается в тексте №3.
2. Просмотрите весь текст и выпишите из него незнакомые Вам слова. Значение незнакомых слов постарайтесь понять из контекста. В случае необходимости обращайтесь за помощью к словарю.

3. *Абзац* – отрезок письменного или печатного текста от одной красной строки до другой. Скажите, сколько абзацев насчитывает текст № 3. Пометьте абзацы буквами: А, В, С, Д, Е...

3. Read the text N 3 quickly and decide which paragraph:
(1) gives information about the function and aim of The School of Law;
(2) gives information about the location of the Law School;
(3) gives information about Center for Legal and Social Justice;

- (4) tells us about the enrollment, full-time students, about the teaching staff at the Law School;
- (5) informs us of the foundation of the School of Law;
- (6) gives information about the changes in San Antonio and in St. Mary's University School of Law after World War II;
- (7) tells us about the Flourishing of St. Mary's University and the Law of School;
- (8) informs us of the renovations of the structures of the Law School;
- (9) gives information about the Classroom Buildings;
- (10) explains the activities of the members of the faculty;
- (11) gives information about a good reputation of the Law School;
- (12) explains the Mission of the Law School.

5. Which paragraphs contain all the information about the Mission of the Law School? Read them aloud and translate these paragraphs into Russian in written form (in writing).

6. Найдите в тексте английский абзац для русского перевода.

«Юридический институт был основан в 1927 г. ассоциацией адвокатов г. Сан-Антонио в качестве юридического факультета. После руководства институтом дирекцией губернаторов в течение семи лет, ассоциация адвокатов убедила руководство университета им. Св. Марии признать юридическую школу частью университета.»

7. Дополните предложения, используя текстовой материал.

- a) Enrollment is limited...
- b) The Law School occupies for...
- c) While the members of the faculty...

8. Переведите на русский язык и найдите аналогичный раздел в тексте № 3.

"The Law School seeks to impart to its students a clear understanding of the true function and aim of a legal system – the attainment of justice".

9. Выучите следующие слова и выражения.

VOCABULARY

to seek	пытаться, стараться
to be aware of/ that knowledge, <i>n</i>	сознавать, отдавать себе отчет в чем-л. знания, познания
essential, <i>a</i>	непременный, обязательный, существенный, важный
profession, <i>n</i>	профессия, род занятий
to impart	сообщать, передавать
to occupy	занимать (заполнить собой какое-н. пространство или промежуток времени)
to landscape	благоустраивать участок; сажать деревья, цветы и т.п.

to limit <i>to</i>	ограничивать <i>do</i>
a full-time student	студент очного обучения
to be composed of	состоять из
to recruit	набирать из числа кого-л.; комплектовать личным составом; пополнить свой состав
to take interest in	проявлять интерес, интересоваться
adjunct professor, <i>n</i>	адъюнкт-профессор (<i>амер.</i>)
welfare, <i>n</i>	благополучие, благотворительность
to teach a course	вести / преподавать курс
to secure	обеспечивать
distinguished, <i>a</i>	известный, выдающийся
a visiting professor	приглашенный профессор
in subsequent years	в последующие годы
to take care	заботиться
a student lounge	комната отдыха для студентов
a moot-court competition	конкурсный учебный судебный процесс
legal research	научно-исследовательская работа по юриспруденции / по правоведению
to publish	опубликовывать, издавать
to attract	привлекать, переманить
law, <i>n</i>	право; юстиция, закон
lawyer, <i>n</i>	юрист; адвокат; юрисконсульт
legal skills	юридические навыки / умения, способности
to nurture	воспитывать, обучать
cause, <i>n</i>	судебное дело, процесс
to promote	способствовать, содействовать
to offer a rich program of legal study	предлагать обширную программу по изучению юриспруденции / правоведения
to fulfill its mission	исполнить / выполнить свою миссию
to grow into	превратиться в

1. Найдите в тексте № 3 разделы, в которых говорится о:

- а) специфике образования в юридическом институте;
- б) местоположении юридического института;
- в) студентах и профессорско-преподавательском составе института;
- г) об основании юридического института;
- д) об изменениях в городе Сан-Антонио и в юридическом институте после второй мировой войны;
- е) о завершении строительства новой юридической библиотеки и реконструкции бывшего здания юридической библиотеки;
- ж) об учебном здании / The Law Classroom Building;
- з) о научно-исследовательской работе на юридическом факультете преподавателей и студентов;

- и) о переводе студентов из других колледжей и университетов для учебы в юридическом институте г. Сан-Антонио;
- к) о характеристике юридического института;
- л) о миссии юридического института.

2. Read the following paragraph and translate it into Russian in writing / in written form.

The Law School seeks to impart to its students a clear understanding of the true function and aim of a legal system – the attainment of justice.

3. Find the same passage in Text № 3 and explain in Russian what it is about.

4. Find the following English equivalents in Text № 3 for:

- а) передать своим студентам знания;
- б) важно для / необходимо для;
- в) Юридический институт размещается в четырех современных кирпичных зданиях.
- г) Факультет состоит из 38 штатных профессоров.
- д) из других юридических институтов;
- е) Интерес к юридическому образованию возрос.
- ж) Сан-Антонио превратился в главный столичный город.
- з) Преподаватели и студенты факультета основательно занимаются научно-исследовательской работой.

5. Прочитайте следующие утверждения. Определите, соответствуют ли они действительному положению вещей и поставьте крестик в соответствующем квадрате. Проверьте себя на основании информации текста.

Yes								
No								

- а) The Law School seeks to impart its students a clear understanding of the true function and aim of the legal system – the attainment of justice.
- б) Enrollment is limited to about 1000 full-time students.
- в) The School of Law was founded in 1927.
- д) After World War II, interest in legal education didn't increase.
- е) The Library offers students ample and comfortable work space in an uplifting environment.
- ф) The Law Classroom Building contains ten attractive amphitheater-style classrooms.

g) During recent academic years, the Law School hasn't attracted students from other colleges and universities. h) St. Mary's University School of Law is an independent Christian institution in poor tradition of the Society of Mary.

6. Read the following questions and answer them. Work in pairs.

- a) What does St. Mary's give its students?
 - b) How many buildings does the Law School occupy?
 - c) Where is the Law School located?
 - d) Is enrollment limited to about 780 full-time students?
 - e) Does The Law School offer a part-study program?
 - f) The faculty is composed of 38 full-time professors, isn't it?
 - g) Where are the professors from?
 - h) Who teaches courses of a specialized nature?
 - i) When was The School of Law founded and by whom?
 - j) Did interest in legal education increase after World War II?
 - k) In subsequent years, both St. Mary's University and the Law School didn't continue to flourish, did they?
 - l) What changes took place in 1984, 1985?
 - m) Who devotes considerable effort to legal research and scholarly writing?
 - n) Were some of them published in the St. Mary's Law Journal?
 - o) Has this Journal received several awards since its establishment in 1969?
 - p) Why do you think the Law School has attracted students from more than 200 colleges and universities?
 - q) What's the mission of the Law School?
7. Describe briefly the Law School.
8. Explain "the School's graduates are fully equipped to promote, ethically and compassionately, the cause of justice."
9. What is the English for Для того, чтобы выполнить эту миссию?
10. Найдите соответствующие английские предложения в тексте и скажите, правильно ли они переведены на русский язык.
- a) Юридический институт стремится научить своих студентов четкому пониманию истинной функции и цели правовой / судебной системы – достижений правосудия / юстиции.
 - б) Юридический институт принимает около 750 студентов на очное отделение.
 - в) На факультете работают 38 штатных профессоров из всех частей страны.

д) Университет им. Св. Марии – независимое католическое учебное заведение, основанное на богатых традициях церковной общины Марии.

11. Complete the sentences:

a) The Law School offers an educational

b) In order to fulfill its mission, the Law School

c) The practice of law is

12. Расположите английские предложения в соответствии с русскими. Пометьте их соответствующим образом.

a					
1					

1. Enrollment limited to about 780 full-time students.

2. The School of Law was founded in 1927 by the San Antonio Bar Association.

3. Each semester, approximately 20 adjunct professors also teach courses of a specialized nature.

4. The Law School offers an educational experience that prepares its graduates to work for the good of all members of the human family.

5. In subsequent years, both St. Mary's University and the Law School continued to flourish.

6. The walls of the classrooms retract electronically to form a large auditorium, which is used for public lectures, symposia, and other special events.

а) Количество поступающих в институт ограничено примерно 780 студентами очного отделения.

б) Кроме того, каждый семестр примерно 20 адъюнкт-профессоров обучают студентов специальным дисциплинам/ курсам.

в) Юридический институт основан в 1927 г. ассоциацией адвокатов г. Сан-Антонио.

г) В последующие годы как университет им. Св. Марии, так и юридический институт продолжали преуспевать.

д) Стены классных комнат могут убираться при помощи электронного устройства, образуя тем самым большую аудиторию, которая используется для публичных лекций, симпозиумов или иных специальных мероприятий.

е) Юридический институт дает образование, которое позволяет выпускникам успешно работать на благо всего общества.

13. Form sentences:

a) In order, its mission, to fulfill, offers, the Law School, a program, rich, of legal study, encourages, faculty, and, student, scholarly, writing.

b) A fourth, building, the Law Library, added, was, 1984, in.

14. Explain the use of the tense forms in Text N 3.

15. Найдите в тексте порядковое числительное. Объясните своим товарищам по учебе, как образуются порядковые числительные в английском. Образуйте сами порядковые числительные от 1 до 10.

16. Напишите по-английски рассказ из 12 предложений о юридическом институте университета им. Св. Марии и отдайте его на проверку своему преподавателю.

17. If you were a student at the Law School, which subjects would you choose to study?:

Criminal Law

Constitutional Law

Criminal Procedure

Torts

Procedure

Administrative Law

Family Law

International Law

Environmental Law

Juvenile Law

Conflict of Laws

Immigration Law

Contracts/Contract Law

18. What area of law interests you most?

(Persons and Property; Employment, Business, and Commercial Transaction; Public and International Law; Procedures for Dispute Resolution; Skills Training; Philosophy of Law and Lawyers).

19. What are your plans for future?

20. Work in pairs. Interview your partner and find out:

a) about her or his school education;

b) about what s/he does now?

c) if s/he is a student, about the subjects s/he is studying now;

d) if s/he is a graduate, about the subjects s/he studied before;

e) if s/he was a student at the Law School, which subjects would s/he choose to study?

f) about what area of law interests her or him most.

21. Translate into English.

Университет им. Св. Марии – независимое католическое учебное заведение, которое находится в г. Сан-Антонио в штате Техас. Этот университет является старейшим университетом в г. Сан-Антонио и старейшим католическим университетом в Техасе и

юго-востоке. Это первый университет, в котором можно получить ученую степень доктора наук. В 1977 г. в университет было зачислено 4,203 студента. Юридический институт отличается небольшими классными комнатами, индивидуальным подходом к студентам, семейной атмосферой и тесными взаимоотношениями преподавателей со студентами. Юридический институт дает студентам знания, необходимые для работы по своей профессии. Юридический институт стремится научить студентов ясному пониманию подлинной функции и цели правоведческой системы.

Юридический институт занимает 4 современных кирпичных здания. Количество зачисленных в институт студентов очного обучения составляет около 780 человек. В институте работают 38 штатных профессоров из разных частей страны. Каждый семестр около 20 профессоров-адъюнктов ведут специальные курсы. Кроме того, юридический институт для обучения студентов, как правило, приглашает выдающихся профессоров из других юридических вузов. Юридический институт был основан Ассоциацией адвокатов г. Сан-Антонио в 1927 г. Ныне юридический институт является частью университета. После второй мировой войны интерес к юридическому образованию возрос, а г. Сан-Антонио превратился в большой столичный город. Преподаватели и студенты уделяют большое внимание научно-исследовательской работе. Многие из их работ опубликованы в журнале университета им. Св. Марии; некоторые из них были удостоены наград (to receive several awards).

За последние годы юридический институт переманил (to attract) к себе на учебу студентов из более чем 200 колледжей и университетов, находящихся в 40 штатах. Он богат традициями религиозной общины Марии. Юридический институт предлагает своим студентам богатую программу изучения правоведения и дает им отличное юридическое образование. Студенты имеют возможность получить ученые степени бакалавра наук, магистра наук и доктора наук.

В юридическом институте университета им. Св. Марии студенты изучают не только традиционные юридические дисциплины, но и современные, в том числе международное право, семейное право, экологическое право и многие другие.

22. Ask students to look at the map and find the city San Antonio and the state Texas.

23. Choose the right word in brackets.

A course of study offered in a school, college, university, etc. is ... (a subject, curriculum, a lecture).

24. Translate the following sentence into Russian (in writing) and memorize this information.

"If your primary language is not English, you must take the Test of English as a Foreign Language (TOEFL) and score a minimum of 600 points."

25. What do you understand by TOEFL?

26. Do you know the names in Russian for the following English terms? Use a dictionary to find some of them in Russian. Write a list in Russian of all the English terms.

Sample Courses and Seminars Offered in the LL.M. Program in American Legal Studies

American Legal History
Business Associations
Civil and Common Law Systems
Constitutional Law
Contracts
Criminal Law

Environmental Law
International Arbitration
Introduction to the American Legal System
Jurisprudence, Law and Economics
Law in Radically Different Societies
Legal Philosophy
Legal Research and Writing

Mediation

Patent and Copyright Law Procedure
Property
Torts
U.S. Antitrust Law

Sample Courses and Seminars Offered in the LL.M. Program in International and Comparative Law

Civil and Common Law Systems
Comparative Criminal Procedure
Conflicts of Law
Doing Business with Mexico
European Union Law
Gender Issues: An International and Comparative Perspective
Human Rights in the Americas
Crime and Immigration
Immigration Law

International Arbitration

International Business Transactions

International Environmental Law
International Law, International Legal Research, International Trade – NAFTA
International Taxation
Law in Radically Different Societies
North American Legal Systems

27. If you were graduates of foreign law school who wish to enhance your understanding of the American legal system, which of these courses and seminars would you choose? Read the lists quickly and decide which of these courses and seminars interest you most.

TEXT N 4.

St. Mary's University

School of Law

St. Mary's University School of Law, located in San Antonio, Texas – a gateway to Mexico – is committed to providing its students with a broad understanding of global issues and the role that law can play in their peaceful resolution. In 1996, St. Mary's established a Master's Degree in International and Comparative Law. The LL.M. program is designed for U.S. lawyers and law school graduates who wish to gain specialized training in international or comparative law. Lawyers who represent clients doing business in Mexico or Latin America will find courses that provide a grounding in civil law. Students who plan to focus their legal practices on commercial transactions involving the European Union or Eastern Europe will be interested in participating in the St. Mary's summer program in Innsbruck, Austria. And law graduates who are drawn to international human rights will find strong offerings in that area. In short, students enrolled in the LL.M. program will have a wide array of programs, courses, and seminars in international and comparative law from which to choose.

Course Requirements

Students enrolled in the program are expected to obtain the 24 credit-hours required for graduation in nine months of full-time academic work. Students are required to take courses in both public international law and basic comparative law, unless they completed such courses in fulfillment of their J.D. requirements. In addition, each student must write a three-credit thesis of publishable quality. Sixteen of the 24 required credits must be earned in the area of international and comparative law. Up to six credits may be earned through the St. Mary's *World Institute on Legal Problems*, in Innsbruck, Austria. Tuition for the 1998-99 academic year is \$545 per credit hour.

How To Apply

To apply for admission to the LL.M. Program in International and Comparative Law, you must have graduated, in good academic standing, from an ABA-accredited law school, and you must complete and submit an application form by March 2. Application forms may be obtained by writing to LL.M. Programs, Center for International Legal Studies, St. Mary's University School of Law, One Camino Santa Maria, San Antonio, Texas 78228-8605, or by calling 1-800-INTL-LAW (1-800-468-5529). Additional information about the program may be obtained by contacting Professor Nora V. Demleitner, Director of LL.M. Programs, at the same mailing address and telephone number.

Exercises and tasks

1. Read and translate the text above and notice the information of this text.
2. Describe the course you have chosen to the other members of the class. If you prefer to practise speaking, say it aloud or record it on tape, then listen to your recording and correct your mistakes.
3. Write your description down.
4. Compare the courses and say what differences are there between them.
5. Tell your classmate about course requirements, L.L.M program.
6. Translate together the passage "How to Apply" into Russian and discuss this topic in detail in your group.
7. Why is the information of this passage very important for the applicants?
8. Choose the right word for the following definition "academic exams taken by some young people at about the age of eighteen" (a school / entrance examination, A-levels, a written examination, the finals).
9. Скажите по-английски, хотели бы Вы учиться в юридической школе университета им. Св. Марии. Обоснуйте свое желание или нежелание.
10. Write down the advantages and disadvantages of the study at the School of Law.

advantages	disadvantages
a) good education	1) study in the United States is expensive
b) The Law School offers a rich program of legal study	2) It's too far from home

TEXT N 5.

ST. MARY'S UNIVERSITY

January 27, 1999

Ms. Svetlana Sushinskaya
Garibaldystreet 3-42
117313 Moscow RUSSIA

Dear Ms. Sushinskaya:

Thank you for your inquiry about the LL.M. program for foreign lawyers at St. Mary's University School of Law. We appreciate your interest in our school and the Master's Program in American Legal Studies.

I have enclosed with this letter a copy of our general Application Bulletin and our brochure on international studies, as well as an information page about the Master's Degree in American Legal Studies and the Master's Degree in International & Comparative Law. Admission and degree requirements for the LL.M. programs are described on the information page. Also included in this package are brochures on the Institute on World Legal Problems at the University of Innsbruck in the Austrian Alps and on the 1998 Travel Seminar "Cuba in Transition" which was sponsored by the Institute on International Human Rights.

To be considered for admission to the LL.M. program, we must receive your application materials by March 1, 1999. A complete application file consists of the application form contained in the Application Bulletin, the non-refundable application fee, a final law school transcript from your degree-granting institution, and a personal statement outlining your educational background, the planned course of study, and your future career goals. We are especially interested in your reasons for enrolling in a U.S. LL.M. degree program. In addition, you should arrange for at least two (2) letters of recommendation (one letter should be from one of your former law professors) to be sent to my attention and for the TOEFL score to be reported directly to St. Mary's University School of Law.

If, after perusal of the enclosed materials, you would like further information or have questions about the application process, please do

not hesitate to contact me or my assistant, Ms. Becky Adams, at (210) 431-4247.

We are looking forward to hearing from you.

Sincerely,
Nora V. Demleitner
Professor of Law
Chair, Master's Committee
Director, LL.M., American Legal Studies
and International & Comparative Law

NVD/bja
Enclosures 6

SCHOOL OF LAW
ONE CAMINO SANTA MARIA
SAN ANTONIO, TEXAS 78228-8603
(210) 436.3308
FAX: (210) 136-3717

Exercises and tasks

1. Прочитайте письмо. Переведите его на русский язык. Определите автора письма, адрес, а также цель письма.
2. Why is this a good letter?
3. Напишите сами письмо на английском языке в юридический институт по указанному адресу, в котором Вы должны кратко и четко сообщить о том, что Вас интересует: необходимые предпосылки для учебы в юридическом институте в качестве студента, сдают ли вступительные экзамены, подвергаются ли абитуриенты тестированию, какие дисциплины изучаются на 1, 2 и 3 курсах, продолжительность учебы в институте, каких специалистов готовить институт, сколько стоит страховой полис, учеба (за семестр, год), имеет ли институт общежитие и какова плата за проживание в общежитии, необходимо ли предварительное владение английским языком и в каком объеме; узнайте, кто ведет занятия и читает лекции, какие ученые степени можно получить в институте, осведомитесь, есть ли возможность получать стипендию. Назовите в своем письме аргументы, почему Вы заинтересовались именно этим вузом.

TEXT N 6

The Law Course At Cambridge University

The Law course at Cambridge is intended to give a thorough grounding in the principles of law viewed from an academic rather than a vocational perspective. There are opportunities to study the history of law and to consider the subject in its wider social context. The emphasis is on principle and technique. Skills of interpretation and logical reasoning are developed, and students are encouraged to consider broader questions such as ethical judgement, political liberty and social control.

Although many undergraduates who read law do so with the intention of practising, many do not, preferring instead to go into administration, industrial management or accountancy. Candidates intending to read law need not have studied any particular subject at school. It is as common for undergraduates to have a scientific or mathematical background at A-level as it is for them to have studied history or languages.

Undergraduates reading law for three years take Part IA of the Tripos¹ at the end of the first year. This comprises four papers: Criminal Law, Constitutional Law, the Law of Tort and Roman Law. In the second year five subjects are studied for Part IB of the Law Tripos which is taken at the end of the year. The range of subjects on offer is wide – from Family Law to International Law – though in practice most undergraduates take Contract and Land Law as two of their papers. In the third year, five subjects are studied for Part II of the Tripos. The range of options is even wider than in Part IB. According to preference an undergraduate may develop his or her interest in property law (including trusts and conveyancing law), commercial law, public law (including Administrative Law and EEC Law), or in more academic and sociological aspects of law, such as Jurisprudence, Legal History, Labour Law and Criminology. Candidates may also participate in the seminar course, submitting a dissertation in place of one paper.

Candidates for the postgraduate LL.M. take any four papers selected from a wide range of options in English Law, Legal History, Civil Law, Public Law, International Law, and Comparative Law and Legal Philosophy.

Text notes:

¹ Tripos – any of various final honors examinations – экзамен для получения отличия (в Кембриджском университете)

1. Before you look at the text above, read the heading / title of the text and decide what kind of information you think it might contain.

2. The text above has several paragraphs. Mark them with the letters A, B, C...

3. Read the text quickly and decide which paragraph:

(a) informs the reader about the subjects students can study on a first degree course;

(b) tells us about the general purpose and method of the course;

(c) gives information about Master's degree courses;

(d) says what most law students do before and after they go to university.

4. Quickly find out in the text:

(1) how many years a first degree course lasts;

(2) how many subjects undergraduates study.

5. Find words or phrases in the text which mean the following:

5.1. In paragraph A

Example 1: basic education

Answer: grounding (line 2)

Example 2: relating to a profession or occupation

Answer: vocational (line 4)

a) abilities

b) the process of logical thinking

c) relating to moral principles

5.2. In paragraph B

a) follow a course (such as Law or Medicine) at university

b) working in a profession

c) to work in

5.3. In paragraph C

a) examinations

b) things you can choose

c) a long piece of academic written work

5.4. In paragraph D

a) if LL.B means Bachelor of Law, what do you suppose LL.M. means?

6. Listen to the tape/recording, repeat the words and phrases after the speaker and then write them down. Make shure that you write down every word and phrases the speaker says.

7. Read them and make shure you understand them. Use a dictionary to help you if necessary.

8. First read the questions below, then read the text N 3 carefully to find the answers.

9. Answer the following questions:

1) Can some information be obtained from the text title?

a) Does the course give an academic legal education or teach students to become lawyers?

b) What intellectual abilities does the course develop?

c) Does the course only include pure/strict law?

d) Do most Cambridge Law graduates become lawyers?

e) Should people who want to read Law study science subjects or humanities (History, languages, etc.) at school?

f) Can students choose the subjects they study in the first and second years of the law course?

g) Do the students have the same options in the second year and in the third year?

h) Must students take an exam in all the subjects they study?

i) How many exams do postgraduates take?

10. Describe these two courses to the other students. Discuss any points of interest. You should: a) say what main topics on the course are: b) if possible, say how the Cambridge course is different from or similar to a course in the same subject at your university; c) say which part of the course you would find most interesting and use and explain some of the most important vocabulary you have learnt.

Paper 2. Constitutional Law.

1. INTRODUCTION

Nature and Sources of Constitutional Law; principal organs of government (including the judiciary); structure of the United Kingdom.

2. PARLIAMENT

(a) Composition and elections; process of legislation.

(b) Parliamentary Sovereignty (incl. EEC).

3. THE EXECUTIVE

(a) The Crown and Constitutional Monarchy; the Prime Minister and the Cabinet; the Civil Service and Departments of State; the powers of the Executive.

(b) Control and Accountability:

i Ministerial Accountability (collective and Individual)

ii Parliamentary Questions, Select Committees, and the Ombudsman

iii Scrutiny of Subordinate Legislation.

(c) Judicial Control of the Executive:

i Scope and Remedies

ii Subordinate Legislation

iii Discretionary powers (including the prerogative).

(d) Crown Proceedings (incl. public Interest immunity and Act of State).

4. THE STATE AND THE INDIVIDUAL

(a) Introduction (including the European Convention on Human Rights).

(b) British Citizenship.

(c) Freedom of Expression: official secrets and contempt of court.

(d) Freedom of Assembly and Public Order.

(e) Freedom of the Person (Including Habeas Corpus).

(f) Deportation and Extradition.

(g) Police Powers; search, arrest and detention.

(h) Accountability of the Police.

Paper 12. International Law.

(a) The place of law In International relations.

(b) Sources of International law; International law and municipal law; personality; recognition; succession.

(c) Territory including airspace; the law of the sea; outer space.

(d) Jurisdiction,

(e) State responsibility; the Individual; nationality; human rights; extradition.

(f) Treaties.

(g) Settlement of disputes; the International Court of Justice.

(h) The problems of force; International institutions; the United Nations: the role of.

Перечень / список дисциплин, изучаемых на юридическом факультете Кембриджского университета

Выбор юридических предметов на юридическом факультете Кембриджского университета

UNIVERSITY OF CAMBRIDGE
FACULTY OF LAW

Choice of subjects

The papers for the Law Tripos, which are divided into Groups I-IV, are as follows:

GROUP I

Paper 1 Roman Law I
Paper 2 Constitutional Law
Paper 3 Criminal Law
Paper 4 Law of Tort

GROUP II

Paper 10 Law of Contract
Paper 11 Land Law
Paper 12 International Law
Paper 13 Roman Law II

GROUP III

Paper 20 Administrative Law
Paper 21 Family Law
Paper 22 Legal History
Paper 23 Criminology
Paper 24 Criminal Procedure and
Criminal Evidence
Paper 25 Equity

GROUP IV

Paper 40 Commercial Law
Paper 41 Labour Law
Paper 42 Principles of
Conveyancing Law
Paper 43 Company Law
Paper 44 Contract and Tort II
Paper 45 Conflict of Laws
Paper 46 E.E.C. Law
Paper 47 French Law
Paper 48 Jurisprudence
Paper 49 Prescribed subjects
(Half-papers)

1. Look at the list of subjects studied at Cambridge University and say what is the relationship between the four groups of subjects (I, II, III and IV) and each year of study on a first-degree course?

2. Try to translate these subjects into Russian. If you don't know the name of the subject in Russian, use a dictionary or the glossary or ask other members of the group or your English teacher.

3. Tell the students that they could write in the translations/or write some of the legal terms in their vocabulary notebooks.

4. If you have a map of Britain in your classroom it would be a nice idea to show your students/or to ask your students to show where the city and the country seat of Cambridgeshire (in East England) is situated.

Now ask more questions, beginning Could you.....

Example: Could you tell me where the Cambridge University is situated, please?

Could you tell me where the city Cambridge is? Could you tell me for what Cambridge is famous, please? Could you tell me when the Cambridge University was founded, please? – (in 12th century).

5. Ask students to look at the map and find the city Cambridge (in E. England).

6. Learn the words and word combinations at home.

VOCUBULARY

to study / to read law	изучать право
the branches of English law	отрасли британского права
to study law at college <i>or</i> university	изучать право в колледже <i>или</i> в университете
a list of subjects	перечень / список предметов / дисциплин
a law student	студент, изучающий право, юриспруденцию
Cambridge University / University of Cambridge	Кембриджский университет
Which law subjects are you studying now?	Какие юридические предметы / дисциплины Вы изучаете теперь?
Which ones have you studied in the past?	Какие Вы изучали в прошлом / раньше / прежде?
A level / advanced level	выпускной экзамен (<i>повышенного уровня, по специальному предмету, который сдают учащиеся обычно в возрасте 18 лет, и который дает право для поступления в университет / который является необходимой предпосылкой для поступления в университет Англии</i>)
She took a levels in physics, chemistry, and mathematics.	Она сдала выпускные экзамены уровня А по физике, химии и математике.
a law undergraduate	Студент университета, изучающий право с целью получения степени бакалавра прав
a grant	стипендия
the Law course	юридический курс
to study at a university	учиться в университете
to go to university	поступать в университет / учиться в университете
term, <i>n</i>	семестр

postgraduate, *n*

graduate, *n*

to take one's degree

In English universities there are several different kinds of degree, depending on the level of specialisation.

Bachelor of Laws (L.L.B.) (*a first degree*)

Master of Laws (L.L.M.) (*a second more specialised degree*)

Faculty of Law

to practise law

to pass an exam(ination)

to take ~

to fail in an examination

entrance to a university

paper, *n* (*at Cambridge University*)

to become a lawyer

to submit a dissertation

Undergraduates are reading law for three years.

The Law course comprises four papers: Criminal Law, Constitutional Law, the Law of Tort and Roman Law.

In the second year five subjects are studied.

Many Cambridge Law graduates become lawyers.

Students must take an exam in all the subjects they study.

Roman Law

credit, *n* (*амер.*)

She hasn't enough credits to get her degree

these, *n* (*pi. theses*)

application, *n* (*for, to*)

~ form

аспирант / продолжающий учебу в университете после окончания первой ступени обучения сразу же или через несколько лет для получения второй степени – ученой степени магистра

выпускник университета, обладающий первой степенью – степенью бакалавра наук
получать степень

В университетах Великобритании имеется несколько различных типов степеней в зависимости от уровня специализации.

бакалавр прав (*первая степень*)

магистр прав (*вторая более специализированная степень*)

юридический факультет

быть / работать юристом

выдержать экзамен

сдать экзамен

провалиться на экзамене

поступление / прием в университет

курс / специальность / экзамен / научный доклад (*в Кембриджском университете*)

становиться юристом

представлять (*на рассмотрение*) диссертацию

Студенты (*на первой ступени обучения*)

изучают право в течение трех лет.

Курс правоведения состоит из 4 отраслей права: криминального права, конституционного права, деликтного права и римского права.

На втором году обучения изучают 5 предметов.

Многие выпускники юридического факультета Кембриджского университета становятся юристами.

Студенты должны сдать экзамены по всем дисциплинам, которые они изучают.

римское право
зачет, удостоверение о прохождении (*какого-л.*) курса в учебном заведении

тема, диссертация

заявление

бланк заявления/заявки

apply, <i>v</i> (for)	обращаться с просьбой, просить (<i>о чем-л.</i>); подавать заявление (<i>о приеме на работу, в учебное заведение</i>)
admission, <i>n</i> (to)	прием
to apply for admission to	подавать заявление о приеме
tuition, <i>n</i> (<i>амер.</i>)	плата за обучение
He's already paid a year's tuition	
to be designed for students	рассчитана на студентов/предназначена для студентов
Constitutional Law	конституционное / государственное право
Criminal Law	уголовное право
Law of Tort	деликтное право
Administrative Law	административное право
Legal History	история права
Criminology	криминология
Criminal Procedure and Criminal Law	уголовный процесс и уголовное право
Evidence, <i>n</i>	доказательство
Equity, <i>n</i>	право справедливости
Law of Contract	договорное право
Land Law	земельное право
International Law	международное право
Commercial Law	торговое право
Labour Law	трудовое право
Conveyancing Law	нормы права, регулирующие передачу соб- ственности на недвижимость / составление нотариальных актов передачи прав собст- венности на недвижимость
Company Law	право, регулирующее деятельность акцио- нерных компаний
Conflict of Laws	коллизия правовых норм / коллизийное право
E.E.C. Law / E.C. Law (<i>European Economic Community</i>) / <i>European Union Law</i>	право ЕЭС/ЕС
jurisprudence, <i>n</i>	юриспруденция / правоведение

1. Do you know that the law students study 25 subjects at Cambridge University?

2. How many subjects do the students study at your School of Law? Name all of them in English.

3. What do you mean by "The Law of Tort"?

4. True or false?

"International Law is the body of rules which civilized nations recognize as binding them in their conduct towards one another."

5. What do you suppose Labour Law could be? When you know the word "labour". It means "work".

6. What do you understand by European Union Law?

7. Which law subjects are you studying now? Which ones have you studied in the past?

8. From memory write a list in English all of the subjects on your curriculum (the complete course of studies that you have followed at your academy).

9. Can you remember a special word which means a course or examination at Cambridge?

10. What exams must the schoolchildren pass if they want to go to university? Do you know the name of the exams English schoolchildren can take at the age of 18?

* * *

1. Translate the following sentences into Russian and notice this information

a) In English universities there several different kinds of degree, depending on the level of specialization.

b) Most students studying at university for the first time take a normal degree, called *a first degree*.

c) Some students continue to study or return to university some years later to take a second more specialized degree called *a Master's degree*.

d) *Bachelor's degree* is a degree awarded by a college or university to a person who has completed his undergraduate studies.

e) *Bachelor's degree* is a first university degree in any of several subjects.

f) Bachelor is a person, male or female, who has a *bachelor's degree*.

2. Complete the sentences with words from the box. Use each word only once.

1) A student who completes his/her course at university gets a ... from the university.

2) S/he is then called a ...

3) Some students continue to study or return to university some years later to take a second more specialised degree called ...

4) A person, male or female, who has a Bachelor's degree is called...

5) Most law students studying at university for the first time take a normal degree, called...

a first degree, Bachelor, Master's degree, Bachelor of laws; bachelor

3. Answer the questions.

a) Which of the students do you think is called an undergraduate?

b) Which of the students is called a postgraduate?

4. If you were a student at Cambridge University, which subjects would you choose to study?

5. What area of law interests you most?

6. What are your plans for the future?

7. Look again at the list of subjects studied at Cambridge University and compare them with subjects at your university/academy. Are there any similarities and differences?

8. Prepare two or three questions to ask your teacher/students in your group about the purpose and style of a law course at Cambridge University.

9. Discuss the methods and purpose of your law course with other students.

10. Compare the methods and style of study at Moscow Law Academy and at Cambridge. Are they basically similar to a course in the same subject or are there important differences?

11. Exchange your ideas of the English university system with other students in your group.

12. What do most law graduates from your university do? Is this typical of your country?

13. Tell your friends about any particular differences or similarities between law students at your university and Cambridge.

14. What do most law graduates from your School of Law, Law Academy, university do? Why is this typical for your country?

15. How many exams do postgraduates?

16. Must the students at your university take exams in all subjects they study?

17. Ask your friend in which courses he is interested (EU Law, International Law, Jurisprudence, Law of Contract, Conflict of Laws, Constitutional Law, Family Law).

18. Why do you think law is generally divided into branches?

* * *

1. Listen to the cassette (tape, recording) without looking at the tapescript. Write down every word the speakers say. Then ask two students to read a dialogue aloud to the whole class. Ask two other students to translate the dialogue by hearing. Then record your dialogue on tape. Then listen to your recording again and make corrections if necessary. Check your writing in the key (with the tapescript) on page 40.

- A: I should like to read English law. What university could you recommend me?
- B: If I were you I would choose the Law Faculty at Cambridge University.
- A: How many subjects are studied in the Law Faculty at Cambridge?
- B: 25 subjects
- A: Which subjects do the law students study at this university?
- B: They have a wide choice / option of law subjects. They are as follows: Roman Law, Constitutional Law, Criminal Law, Administrative Law, Criminology, International Law, etc.
- A: What kinds of degree are there in English universities?
- B: In English universities there are several different kinds of degree, depending on the level of specialisation. Most students studying at university for the first time take a normal degree, called a *first degree*. This kind of students is called an undergraduate. Some students continue to study or return to university some years later to take a second more specialised degree called a Master's degree. This kind of students is called a postgraduate.
- A: Does the course give an academic legal education or teach students to become lawyers?
- B: The Law course at Cambridge University is intending to give a thorough grounding in the principles of law viewed from an academic rather than a vocational perspective. There are opportunities to study the history of Law and to consider the subject in its wider social context. The emphasis is on principle and technique.
- A: What intellectual abilities does the law course develop?
- B: Skills of interpretation and logical reasoning are developed, and students are encouraged to consider broader questions such as ethical judgement, political liberty and social control.
- A: Do all Cambridge Law undergraduates become lawyers?
- B: Most Cambridge Law undergraduates who read law do so with the intention of practising, many do not, preferring instead to go into administration, industrial management or accountancy.
- A: Should people who want to read Law study any particular subject at school?
- B: Candidates intending to read law need not have studied any particular subject at school. It is as common for undergraduates to

have a scientific or mathematical background at A-level as it is for them to have studied history or languages.

A: How many years does a first degree course last?

B: A first degree course lasts 3 years.

A: How many subjects do the undergraduates study?

B: Undergraduates reading law for three years study 14 subjects.

A: Can students choose the subjects they study in the first and second years of the law course?

B: In the first year of the law course the students cannot choose the subjects they study. They study Criminal Law, Constitutional Law, The Law of Tort and Roman Law. In the second year five subjects are studied. The range of subjects on offer is wide – from Family Law to International Law. In the third year five subjects are studied. The range of options is even wider than in the second year of the Law course. The students take examinations at the end of the first and second year. Candidates may also participate in the seminar course, submitting a dissertation in place of the paper.

A: How many exams do postgraduates take?

B: Candidates for the postgraduate L.L.M. take any four papers selected from a wide range of options in England Law, Legal History, Civil Law, International Law, and Comparative Law and Legal Philosophy.

A: Thank you for your information.

2. Read the dialogue in pairs.

3. Translate the dialogue into Russian in written form.

4. Compare your translation with the Russian dialogue.

ДИАЛОГ №1.

A: Я хотел бы изучать британское право. Какой бы университет Вы посоветовали мне?

B: На Вашем месте я выбрал бы юридический факультет Кембриджского университета.

A: Сколько предметов изучают в этом университете на юридическом факультете?

B: 25 дисциплин

A: Какие предметы изучают студенты юридического факультета?

B: У них большой выбор юридических предметов: римское право, конституционное / государственное право, уголовное право, административное право, криминология, международное право и др.

A: Какие степени имеются в английских университетах?

B: В английских университетах есть несколько различных типов степеней в зависимости от уровня специализации. Большинство студентов учатся в университете, чтобы получить первую сте-

пень. Их называют *undergraduates* (выпускниками). Некоторые студенты продолжают учебу в университете сразу же после первой степени обучения или же через несколько лет, чтобы получить вторую, более специализированную степень, которая называется степень магистра. Таких студентов называют *postgraduates* (аспирантами).

А: Юридический курс в этом университете дает академическое юридическое образование или же он имеет своей целью готовить юристов?

В: Цель юридического курса в Кембриджском университете обучение студентов основам права скорее в академическом плане, чем в профессионально-практическом. У студентов есть возможности изучать историю права и рассматривать предмет в его широком социальном аспекте. Особое значение придается принципам и техническим приемам.

А: Какие интеллектуальные способности / умения развивает юридический курс обучения?

В: Развиваются умения интерпретации и логических рассуждений / аргументации, а студентов стимулируют рассматривать более широкий круг вопросов таких, как судебные рассуждения в этическом аспекте, политическая свобода и общественный / социальный контроль.

А: Все выпускники юридического факультета Кембриджского университета становятся юристами?

В: Большинство студентов, которые изучали право, работают юристами, некоторые нет, они вместо этого предпочитают работать в администрации, в промышленном управлении / дирекции, в бухгалтерии.

А: Должны ли абитуриенты, которые хотят изучать право, изучать в школе специальные предметы?

В: Абитуриенты, которые хотят изучать право, не должны изучать в школе специальные предметы. Они могут изучать в школе, до поступления в университет, как математику или естественные науки, так и гуманитарные науки (историю, языки и т.д.)

А: Сколько лет длится первая ступень обучения в университете? / Сколько лет нужно учиться в университете, чтобы получить первую степень?

В: Первая ступень обучения длится 3 года.

А: Сколько предметов изучают студенты на первом этапе обучения?

В: Студенты, изучающие право в течение 3 лет, изучают 14 дисциплин.

А: Могут ли студенты выбирать юридические дисциплины на 1 и 2 курсах учебы?

В: На первом курсе у студентов нет возможности выбора изучаемых предметов. Они изучают четыре дисциплины: криминальное право, конституционное право, деликтное право и римское право. На втором курсе изучают 5 предметов и имеется широкий выбор юридических дисциплин от семейного до международного права. На третьем курсе студенты изучают пять дисциплин. Выбор предметов на 3 курсе даже больше, чем на 2 курсе. Студенты сдают экзамены в конце первого и второго курсов. Студенты могут также принимать участие в семинарах и вместо одного экзамена представить на рассмотрение диссертацию.

А: Сколько экзаменов сдают аспиранты / студенты второй степени обучения?

В: Претенденты на ученую степень магистра права сдают четыре экзамена по дисциплинам, выбранным ими из большого списка отраслей права: английское право, история права, гражданское право, публичное право, международное право, сравнительное правоведение и философия права.

А: Спасибо за информацию.

1. Interview your partner. Use a tapescript to help you if necessary.

2. Инсценируйте прослушанный диалог, не смотря в текст.

3. Составьте аналогичный диалог и разыграйте его по ролям со своим товарищем по учебе.

4. Выпишите из диалога типичные слова и выражения для данной речевой ситуации и на их основе подготовьте краткое сообщение по теме.

5. Учите английские диалоги наизусть.

6. Составьте на базе диалога лексикон по соответствующей тематике.

7. Превратите прямую речь в косвенную.

8. Два студента читают диалог по ролям, а преподаватель быстро называет всякий раз другую пару студентов, которые переводят этот диалог на русский язык.

9. Now play the tape and ask your students to read and listen to the dialogue at the same time.

10. And finally, ask the students to practice in pairs and speak about the Law faculty at Cambridge University in a whisper. Go (the teacher) round and check whilst they are doing this. You can encourage the students by asking a pair of them to speak aloud.

11. Разыграйте на английском языке ролевую ситуацию «Учеба за границей».

Ситуация предполагает четыре роли: отец, мать, дочь/сын, знакомый семьи. Родители еще не уверены. Они еще не решили, где учиться их детям и задают в основном вопросы. Они хотят узнать от дочери/сына и знакомого более подробную информацию.

Контрдоводы:

далеко от дома; большая плата за учебу и жилье; дорого стоит страховка; возможности получить стипендию минимальны; возможности проживания в общежитии ограничены; обязательное знание английского языка; много денег требуется для поездок домой и в университет; адаптационные трудности; отсутствие возможности регулярно видеться со своими друзьями/подругами; самостоятельная жизнь.

Дочь/сын семьи хотела бы (хотел бы) учиться в Великобритании. Знакомый семьи раньше учился в Великобритании и не советует дочери/сыну учиться в этой стране.

Аргументы дочери/сына:

Никаких финансовых проблем, особенно во время каникул, но и во время учебы можно заработать немного денег, кроме того, есть возможность получать стипендию. Современные университеты, высокий уровень науки. Некоторые курсы учитывают интересы иностранных студентов. Квалифицированные консультации до и во время учебы.

Больше возможностей сделать блестящую карьеру после окончания учебы и возвращении на Родину.

Современные, комфортабельные общежития. Возможность жить на квартире. Никогда не чувствуешь себя одиноким, так как в Великобритании много иностранных студентов.

Хорошая еда, хорошее пиво, вино; много овощей и фруктов и прочих продуктов питания из всех стран мира.

Прекрасная страна. Имеется много возможностей для путешествий по стране. Страна с богатой культурой: множество музеев, театров, оперных театров, старинных замков, памятников архитектуры, искусства и культуры.

Read this information carefully and notice it.

(additional and important information for foreign applicants)

Study in the United States may or may not be appropriate for you. Before you begin, you should think about the following:

- You will need about one year to complete the application process.
- Study in the United States is expensive. You will need a minimum of \$ 12.000 per year, and many universities cost more than \$ 20.000 per year.
- For undergraduates, financial aid is very rare.
- A command of the English language (Test of English as Foreign Language / TOEFL)
- Law students from other countries rarely study in the United States until they have already become as attorneys in their own countries and then only at the postgraduate level.

УРОК N 2 / UNIT TWO

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TEXT N 1

English law

The courts are the interpreters and declarers of the law, the "sources" of law are therefore the sources to which the courts turn in order to determine what it is. Considered from the aspect of their sources, laws are traditionally divided into two main categories according to the solemnity of the form in which they are made. They may either be *written or unwritten*. These traditional terms are misleading, because the expression "written" law signifies any law that is formally *enacted*, whether reduced to writing or not, and the expression "unwritten" law signifies all *unenacted* law. For example, as will appear, judicial decisions are often reduced to writing in the form of law reports, but because they are not formal enactment they are "unwritten" law.

Since the fashion was set by the *Code Napoleon* many continental countries have codified much of their law, public and private; on the Continent, therefore, the volume of written law tends to preponderate over the volume of unwritten. But in England unwritten law is predominant, for more of our law derives from judicial precedents than from legislative enactment. This does not, of course, mean that none of our law is codified.

Two principal and two subsidiary sources of English law must be mentioned. These principal sources are Legislation, and Judicial Precedent; the subsidiary sources are Custom and Books of Authority.

Legislation is enacted law. In England the ultimate legislator is Parliament for in our *traditional* constitutional theory Parliament is sovereign... here we are only concerned to explain the significance of the doctrine of "*parliamentary sovereignty*". It means first, that all legislative power within the realm is vested in Parliament, or is derived from the authority of Parliament – Parliament thus has no rival within the legislative sphere – and it means secondly that there is no legal limit to the power of Parliament.

There are two main traditions of law in the world. One is based on English **Common law**, and has been adopted by many Commonwealth countries and most of the United States. The other tradition, sometimes known as **Continental**, or **Roman law**, has developed in most of continental Europe, Latin America and many countries in Asia and Africa which have been strongly influenced by Europe, Continental law has also influenced Japan.

Common law, or case law systems, particularly that of England, differ from Continental law in having developed gradually throughout history, not as the result of government attempts to define or codify every legal relation. Customs and court rulings have been as important as statutes (government legislation). Judges do not merely apply the law, in some cases they make law, since their interpretations may become precedent for other courts to follow.

Before William of Normandy invaded England in 1066, law was administered by a series of local courts and no law⁷ was common to the whole kingdom. The Norman Kings sent travelling judges around the country and gradually a "common law" developed, under the authority of three common law courts in London. Judges dealt with both criminal cases and civil disputes between individuals. Although local and ancient customs played their part, uniform application of law throughout the country was promoted by the gradual development of the **doctrine of precedent**.

By this principle, judges attempted to apply existing customs and laws to each new case, rather than looking to the government to write new laws. If the essential elements of a case were the same decision regarding guilt or innocence. If no precedent could be found, then the judge made a decision based upon existing legal principles, and his decision would become a precedent for other courts to follow when a similar case arose. The doctrine of precedent is still a central feature of modern common law systems. Courts are bound by the decision of previous courts unless it can be shown that the facts differ from previous cases. Sometimes governments make new laws – statutes – to modify or clarify the common law, or to make rules where none existed before. But even statutes often need to be interrupted by the courts in order to fit particular cases, and these interpretations become new precedents. In common law systems, the law is, thus, found not only in government statutes, but also in the historical records of cases.

Another important feature of the common law tradition is **equity**. By the fourteenth century many people in England were dissatisfied with the inflexibility of the common law, and a practice developed of appealing directly to the king or to his chief legal administrator, the lord chancellor. As the lord chancellor's court became more willing to modify existing common law in order to solve disputes; a new system of law developed alongside the common law. This system recognized rights that were not enforced as common law but which were

considered "equitable", or just, such as the right to force someone to fulfill a contract rather than simply pay damages for breaking it or the rights of a beneficiary of a trust. The courts of common law and of equity existed alongside each other for centuries. If an equitable principle would bring a different result from a common law ruling on the same case, then the general rule was that equity should prevail.

One problem resulting from the existence of two systems of justice was that a person often had to begin actions in different courts in order to get a satisfactory solution. For example, in a breach (breaking) of contract claim, a person had to seek **specific performance** (an order forcing the other party to do something) in court of equity, and damages (monetary compensation for his loss) in a common law court. In 1873, the two systems were unified, and nowadays a lawyer can pursue common law and equitable claims in the same court.

Exercises and tasks

1. Просмотрите текст и выпишите из него все термины, которые относятся к этой теме. Проверьте по словарю, правильно ли Вы понимаете их значение.
2. Напишите к следующим словам и словосочетаниям русские соответствия. Проверьте правильность своих переводов по словарю. Отыщите эти термины в предложениях текста и убедитесь, в этих ли значениях они употреблены в тексте.

court, <i>n</i>	right, <i>n</i>
source, <i>n</i>	constitution, <i>n</i>
law, <i>n</i>	enactment, <i>n</i>
legislation, <i>n</i>	judge, <i>n</i>
judicial precedent	custom, <i>n</i>
parliament, <i>a</i>	specific performance
enacted law	code, <i>n</i>
principal sources	precedent, <i>n</i>
all legislative power	parliamentary sovereignty
	subsidiary sources

3. Найдите в тексте толкования термина «источники права». Объясните своим товарищам по учебе, что Вы понимаете под «Sources of Law»?
4. Прежде чем внимательно прочитать текст, прочитайте сначала следующие вопросы, а после прочтения текста ответьте на них по-английски.

a) Are the courts the interpreters and declarers of the law?

- b) What do you understand by «enacted law»?
- c) What does the expression «the unwritten law» signify?
- d) Why is the unwritten law predominant in England?
- c) What does the doctrine of parliamentary sovereignty mean?
- t) What are the two main types of sources of law?
- g) Is most English law written in code?
- h) Who makes legislation in England?
- i) Are the books of authority more important as a source of law in England or on the Continent.
- j) What are the two main traditions of law in the world?
5. Find the doctrine of «precedent» in the text and explain it to other students.
- 6 Find the section of the text, which contains the interpretation of equity. Explain this term to other students.
7. Can you explain, why equity is another important feature of the common law tradition in England?
8. Is this definition correct?
- «Право справедливости»/ «правосудие на основе права справедливости»/ equity means the principle of justice which may be used to correct a law when that law would cause hardship in special cases.
9. Do you agree with the Russian translation of the term «Specific performance» – исполнение в натуре; реальное исполнение? If not, look up in the dictionary.
10. Discuss with other students the subject «The main purpose of law is to protect property ownership». Write your arguments for and against this statement.
11. Learn the words and phrases.

VOCABULARY

Act of Parliament	постановление парламента
declare, v	заявлять, объявлять; подать иск, изложить основания иска
equity, n	справедливость; право справедливости; основанный на праве справедливости: регулируемый правом справедливости
legislation, n	законодательство; законодательный акт; закон
to make laws	издавать законы
to pass a law	принимать, одобрять, издавать, утверждать закон
according to law	в соответствии с правом/законом
lawmaker, n / legislator, n	законодатель; член законодательного органа
law-breaker, n	правонарушитель
common law	общее право

judiciary law	судебная практика; прецедентное право; судебное право
legislature law	законодательное право
challenge, v	возражать, оспаривать
constitutional legality	конституционная законность
to come into force (law)	вступать в силу (о законе)
in force	действующий, находящийся в силе, имеющий силу (о правовой норме, законе)
no longer in force	переставший действовать (о законе и пр.)
to investigate the case	расследовать/рассматривать дело
predominate, v	преобладать, превосходить, превалировать
to collect evidence	собирать улики / доказательства
solemnity, n	церемония; предусмотренная правовая формальность
influence, v	оказывать влияние, влиять, воздействовать
to differ from	отличаться, различаться, разниться
written law	писаное право
written constitution	писаная конституция
statute, n	статут, закон, законодательный акт
apply, v	использовать, применять
to pay damages for case, n	оплатить убытки (за что-л.) случай, судебное дело
Lord Chancellor	лорд-канцлер (председатель Верховного Суда)
pursue, v	возбуждать (дело), заявлять иск
legal, adj	юридический; правовой; законный
determine, v	определять, устанавливать, решать, разрешать (спор)
determination, n	определение, разрешение, установление; постановление (суда)
to be vested in	принадлежать
enacted, adj	установленный, предписанный (в законодательном порядке); принятый (о законе)
enactment, n	издание, принятие (закона), установление в законодательном порядке; законодательный/нормативный акт; правовое предписание, норма права
legislative enactment	законодательный акт
law reports	сборник судебных решений
predominance, n	превосходство; преобладание, господство
predominant, adj	преобладающий, превалирующий, превосходящий
annul, v	аннулировать, отменять
to put in force	вводить в силу, делать действительным; проводить в жизнь
to remain in force	оставаться в силе
to have no force	быть недействительным; не иметь силы
sources of law	источники права
lawful adj	законный, правомерный
lawless, adj	неправомерный, противоречивый, незаконный
lawlessness, n	беззаконие
lawfulness, n	законность, правомерность

law-abiding, *adj*

законопослушный, соблюдающий право, уважающий закон

plaintiff, *n*

истец

to bring a case

представить дело в суд/суду; возбудить иск/обвинение/судебное дело

1. Translate into Russian.

1) When does the new law come into force?

2) It's no longer in force.

3) New laws to control rising prices have recently come into force.

4) What's the use of a government making new laws if they can't be put into force?

Запомните! Note!

«Un» – преимущественно присоединяется к прилагательным/причастиям, реже к существительным, придавая им отрицательное значение.

Example: enacted (установленный, предписанный в законодательном порядке); unenacted (неустановленный/непредписанный в законодательном порядке).

2. Образуйте антонимы и переведите их на русский язык. Проверьте себя по словарю.

a) codified –

b) written law –

c) authorized –

d) able –

e) alienable –

f) limited –

g) proved –

h) punished –

i) recognized –

j) equal –

k) fair –

l) guilty –

m) lawful –

3. Выпишите из англо-русского юридического словаря все сложные слова с корнем law – и их русские соответствия. Употребите английские слова в своих предложениях.

4. Translate into Russian (in writing).

1) Congress has passed a law against drugs.

2) Parliament makes/passes laws.

3) If a man breaks the law, he can be punished.

- 4) You must always obey the law.
- 5) If you break a law, you must expect to be punished.
- 6) The law forbids stealing/ Driving when you've had too much to drink is against the law (= is illegal).

5. Translate the following sentence «The clear distinction between legislature and judiciary has weakened in many countries, including Germany, France and Italy, where courts are able to challenge the constitutional legality of a law made by parliament».

6. Say it in Russian «*a judge's interpretation of the law*» and explain it to other students.

7. «To declare» means объявлять; заявлять; подать иск; изложить основания иска

What do the following derivatives mean?: declaration, *n*; declarable; declarer, *n*; declared *adj*; declaratory *adj*.

Use the dictionary in order to help you.

8. Correct or false? Look up in the dictionary.

a) equity – справедливость; право справедливости

b) equitable – справедливый; основанный на праве справедливости.

9. Find in the English - Russian Law Dictionary the meanings of the English terms: legal, legalism, legalist, legalistic, legality, legalization, legalize, legalized, legally.

10. How would you say it in Russian?

a) Schooling is a legal requirement for children over five years old in Britain and the US.

b) The defendant applied for/was granted legal aid.

c) Such acts are not legal.

11. Найдите в тексте № 1 сказуемое «to be vested in» в предложении, выпишите его и переведите на русский язык.

12. Say it in English «неписаная конституция», «неписаное право».

13. Are these two words synonyms *law-maker*, *legislator*? Translate them into Russian.

14. Расположите английские и русские словосочетания в правильном соотношении.

1) to make/pass a law

а) нарушить закон

2) to break the law

б) принимать/издавать закон

3) to obey the law

в) подчиняться/следовать закону

4) do disobey the law

г) нарушить закон

5) to adopt a law

д) принимать закон

15. Say it with one word.

a) A person who disobeys/breaks the law is ... (a criminal, a lawmaker, a law-breaker).

b) One who makes or enacts law is ... (legislator, lawmaker, lawman, lawbreaker).

16. Name the antonyms for law-maker, lawful, lawfulness.

17. «Law-abiding» and «abiding by the law or keeping the law or obeying the law» are synonyms, aren't they?

18. Определите, правильно ли переведены английские предложения.

a) Governments make laws and the police enforce them. – Правительства принимают / издают законы, а полиция добивается их исполнения.

b) The police are responsible for enforcement of the law. – Полиция ответственна за применение закона.

c) Courts interpret laws. – Суды истолковывают законы.

19. How would you say that in English?

a) Закон вступил в силу / имеет силу / действует.

b) Все граждане обязаны соблюдать законы своей страны.

c) Господин К. нарушил закон.

20. Какое общее значение имеют следующие словосочетания? Выберите подходящий вариант.

To administer/apply/enforce a law – опубликовывать закон; издавать закон; применять закон.

21. Запомните следующие словосочетания и постройте с ними утвердительные предложения.

to adopt/enact/pass a law	принимать закон
to promulgate a law	опубликовать, обнародовать закон
to draft a law	составить законопроект
to obey/observe a law	соблюдать закон
to interpret a law	толковать/разъяснять закон
to annul/repeal/revoke a law	отменять закон
to break/flout/violate a law	нарушать закон
to challenge a law	оспаривать закон

22. Подберите соответствующие английские словосочетания, которые даны внизу:

строгий закон; справедливый закон; несправедливый закон; неписанный закон

a fair law; a just law; unfair law; a stringent law; unwritten law

23. What does it mean? *Law and order*

24. What is the Russian for *to maintain law and order*?
25. Say it quickly in English: соблюдать, нарушать, применять, принять, издать, опубликовать, отменить, толковать закон.
26. Употребите эти словосочетания в своих английских предложениях (в отрицательных, утвердительных, вопросительных и предложениях с вопросительным словом) в Present Indefinite.
Example: He very seldom breaks the law. Who breaks the law? I don't break the law. Why does he break the law?
27. Read the text for gist (in order to know what the text is about in general). Note all the words or phrases which you don't know or are not sure of clearly and their line number.
28. How many words and phrases have you noted?
29. You know the words *judicial and precedent*. What do you think *judicial precedents* mean?
30. If you don't understand any words or phrases in the text you refer directly to the dictionary to check the meaning of these law terms.
31. You know the word *code* (noun). What do you think the word *codified* means?
32. Now read the text N 1 carefully (reading for detail) and retell it in Russian.
33. Tell about English law in general in your own words.

TEXT N 2

English legal system

The United Kingdom does not have a single legal system. The law in Scotland was influenced by Roman law and is different from the law of England, Wales and Northern Ireland.

The English legal system is centralised through a court structure which is common to¹ the whole country. It is **hierarchical**,² with the higher courts and judges having more authority than the lower ones. Some important characteristics of England law are:

1. English law is based on the **common law** tradition. By this we mean a system of "judge made" law which has continuously developed over the years through the decisions of judges in the cases, brought before them. These **judicial precedents**³ are an important source of law in the English legal system. Common law systems are different from the civil law systems of Western Europe and Latin America. In these countries the law has been **codified** or systematically collected to form a consistent body of legal rules.

- English judges have an important role in developing case law and stating the meaning of Acts of Parliament.
- The judges are independent of the government and the people appearing before them. This allows them to make **impartial decisions**.⁴
- Court procedure is **accusatorial**. This means that judges do not **investigate the cases**³ before them but reach a decision based only on the evidence presented to them by the parties to the dispute. This is called the **adversarial** system of justice. It can be compared to the **inquisitorial** procedure of some other European systems where it is the function of the judges to investigate the case and to collect evidence.

TEXT NOTES:

¹ общая (для всей страны)

² иерархический

³ судебные прецеденты

⁴ справедливые/беспристрастные решения (*суда*)

⁵ рассматривать дела

Exercises and tasks

- Read the text N 2 quickly and say what the text is about in general.
- Look through the text again and note all the terms you can find. If you are not shure that you understand every word look it up in the dictionary.
- Read the following statements and decide whether they are true or false. Check you answers in the key (text);
 - The law in England is the same as the law in Scotland.
 - English judges collect evidence in the cases before them.
 - English law has evolved (changed and developed) gradually.
 - All the courts in the system are of equal authority.
 - Most of English law has been codified.
 - The court structure of the English legal system is the same throughout the country.
 - The common law was developed by the judges.
 - The judiciary is not independent of the government.
- Work in pairs. Answer the questions;
 - Is the law codified in your country?
 - Are there written and unwritten sources of law?
 - Is most of the law written or unwritten?
- Compare English law and Continental law. What could you say about it?

6. Do you agree with the statement?

“On the Continent the volume of written law tends to preponderate, while (whereas) in England unwritten law is predominant”.

7. Discuss the question “What are the sources of English Law (Russian Law)?” in small groups or in pairs.

8. What do you understand by *common law*? Check your answer in the text.

9. What does the term “judicial precedent” mean?

10. What do you understand by “codified law”? You may not understand the terms. Then ask your partner or your teacher for an explanation. Here are some possible ways of asking:

a) Excuse me, can/could you tell me what “The adversarial system of justice means”?

b) I’m afraid I don’t know what “codified” means.

c) I’m not sure what “inquisitorial” means. Does it mean “pertaining to a trial with one person or group inquiring into the facts and acting as both prosecutor and judge”?

11. Imagine that you do not understand the following terms:

evolve	hierarchical
independent	precedent
centralized	impartial

Find them in the text N 2 and try to understand these terms in the context or ask some other students for an explanation. If you are working at home or in the reading room you should use a dictionary to look up any key words you do not understand.

12. Name some important characteristics of English law. Check your answers in the text N 2.

13. Discuss the following questions in pairs.

a) Would a codified system of law make the law more certain or flexible?

b) Why is it important for judges to be independent?

c) What is the disadvantage of an adversarial system of justice?

14. Найдите в тексте N 2 соответствующие предложения для русских и определите, правильно ли они переведены.

a) На право в Шотландии оказало влияние римское право и поэтому оно отличается от права в Англии, Уэльсе и Северной Ирландии.

в) Судьи независимы от правительства и лиц, представших перед судьями.

Justice and the Law

Much legislation applies throughout Britain. England and Wales, Scotland, and Northern Ireland, however, have their own legal systems, with differences in law and practice. The proceeds from serious crime such as drug trafficking, robbery and fraud may be confiscated by the courts.

Law enforcement is carried out by 52 locally based police forces. Police officers are normally unarmed and there are strict limits to police powers.

In British criminal trials the accused is presumed innocent until proved guilty. Trials are in open court. The accused is legally represented. Most cases are tried before lay justices sitting without a jury. The more serious cases are tried in the higher courts before a jury of 12 (15 in Scotland). Cases involving children (ten to 17 years) are held in juvenile courts or, in Scotland, at informal children's hearings.

The sentence passed on a guilty offender is subject to certain limits laid down by Parliament for various offences. There is a mandatory sentence of life imprisonment for murder.

Judges are independent and, except for lay justices, are appointed from practising lawyers. Barristers or advocates advise on legal problems and present cases in the lay justices' and jury courts. Solicitors undertake legal business for clients and can appear in the lay justices' courts.

VOCABULARY

justice	правосудие, юстиция, судья Верховного суда
a court of justice	суд
the Lord Chief Justice	главный судья
law	закон, право, юриспруденция
law and order	правопорядок
to break the law	нарушить закон/право
If a man breaks the law he can be punished.	
law-breaker	правонарушитель, преступник
law court	суд
legislation	законодательство, закон
legal system	законодательство
to apply	касаться, быть приемлемым, действовать, относиться
throughout	повсюду
proceeds (from)	доходы, выреченная сумма (от)

crime
crimes against humanity
to commit a serious crime
It is the business of the police to prevent and detect a crime and of the law courts to punish a crime.
criminal
It is a crime to steal someone's money. The police are trying to reduce crime in the city. The policeman arrested a group of criminals.
criminal law
drug
a drug addict (taker)
the drug habit
drug addiction
to take drugs
drug trafficking
to rob
robber
robbery
He was robbed of all his money. Three men robbed the bank. They were attacked by robbers. A robbery took place yesterday at the bank. The bank was robbed last night. I was robbed of my watch.
robbery with violence
fraud
to get money by fraud.
a police officer
a policeman
a trial
The trial lasted a week.
to be/go on trial (for sth.)
to bring sb. to trial/put sb. on trial
to stand (one's) trial
accuse
She accused him of theft.
He was accused of stealing.
the accused
accuser
innocent
innocence
guilt
guilty
to be guilty of a crime

преступление, злодеяние, преступность
преступления против человечества
совершить тяжкое преступление

преступник, преступный

уголовное право
наркотик, лекарство, медикамент
наркоман
наркомания
наркомания
принимать наркотики
торговля наркотиками
грабить
грабитель, разбойник
кража, грабеж

грабеж с насилием
1) обман, мошенничество, подделка; 2)
обманщик, мошенник

полицейский

судебный процесс, суд, судебное разбирательство

пойти в суд
привлекать кого-либо к суду
быть/находиться под судом
обвинять кого-либо в чем-либо

обвиняемый
обвинитель
невиновный
невиновность
вина, виновность
виновный в чем-либо

The guilt of the accused man was in doubt.

to plead (not) guilty to crime

jury

The jury found the prisoner not guilty.

case

to try a case

juvenile court

hearing

thief

pocket-picking

pickpocket

to hear/try a case

to pass a sentence on a guilty offender

to appoint

solicitor

(не)признать себя виновным в совершении преступления
присяжные

судебное дело
расследовать/рассматривать судебное дело

суд по делам несовершеннолетних
разбор, слушание дела

вор
карманная кража

вор-карманник

слушать дело

выносить приговор виновному правонарушителю/ преступнику

назначать
поверенный, адвокат

1. Прочитайте вслед за диктором слова и выражения к тексту.
2. Прослушайте текст.
3. Прочитайте текст вслух вслед за диктором.
4. Выучите слова и выражения к тексту.
5. Переведите текст по абзацам при помощи словаря.
6. Кратко расскажите по-английски, что Вы узнали из текста об английском судопроизводстве и праве.

1. Сравните наше судопроизводство и право с английским. Назовите общие и отличительные черты. Какая система судопроизводства кажется Вам более прогрессивной?
2. Найдите предложение, в котором сказуемое выражено в Present Indefinite Passive.
3. Разложите производное слово unarm'd на составные части. Скажите, как оно образовано. Переведите его на русский язык. Проверьте правильность своего перевода в англо-русском словаре.
4. Назовите синоним к слову normally.
5. Назовите синонимы слова "полицейский".
6. Скажите это предложение одним словом: A person who accuses.
7. Как это сказать одним словом: The person(s) charged in a criminal case?
8. Найдите в первом предложении текста глагол-сказуемое. Какие признаки указывают на него.

9. Найдите составное глагольное сказуемое в последнем предложении первого абзаца. Объясните его состав. Постарайтесь правильно перевести его на русский язык.
10. Какие виды преступлений перечислены в тексте? Зачитайте их по-английски.
11. Найдите в словаре все производные от глагола *presume* и запомните их переводы.
12. Соответствует ли *pickpocket* парафразе *person who steals from pockets*?
13. Скажите это одним словом: *Person who steals, esp. secretly and without violence.*
14. Назовите все синонимы слова *deliquent*.
15. Какие русские эквиваленты соответствуют английскому юридическому термину *attorney*? (юрист, поверенный, адвокат, прокурор).
16. Выпишите из юридического англо-русского словаря однокорневые слова с корнем *law*. Выучите эти слова. Найдите в словаре словосочетания со словом *law*. Выучите их. Образуйте с ними предложения.
17. Назовите все английские синонимы слова *advocate*.
18. Переведите на русский язык: *the right of the accused to (legal) defence.*
19. Найдите в тексте различия в судопроизводстве в Англии и Шотландии.
20. Переведите следующее предложение: *In Britain criminal trials the accused is presumed innocent until proved guilty.* Скажите, действует ли это положение в нашем судопроизводстве?
21. Найдите в англо-русском словаре все определения к слову *sentence* и выучите эти словосочетания.
22. Выберите в словаре соответствующий данному контексту перевод *to lay down*.
23. Назовите английские эквиваленты к следующим словам: обвинение, обвинитель, обвиняемый, обвинять, обвиняться.
24. Скажите это предложение одним словом: *A person who prosecutes.*
25. Как Вы полагаете, соответствует ли парафраза "a person against, whom a legal action is brought" слову "defendant"?
26. Translate into Russian the following sentences:
The police aim to maintain good relations with local communities.

The Queen reads the speech from the throne in the House of Lords at the State Opening of Parliament.

27. Переведите на английский язык следующие предложения:

- a. Основное законодательство имеет силу на территории всей Британии.
- б. Однако Англия, Уэльс, Шотландия и Северная Ирландия имеют свое собственное законодательство.
- в. В британских уголовных судах обвиняемый считается невиновным до тех пор, пока не доказана его вина.
- г. Судебные процессы в судах открытые.
- д. Обвиняемый, согласно закону, должен присутствовать на суде.
- е. Большинство серьезных случаев рассматривается в судах высших инстанций в присутствии 12-15 присяжных.
- ё. Для убийц предусмотрена такая мера наказания, как пожизненное заключение.
- ж. Судьи независимы и назначаются из адвокатов-практиков или юристов-практиков.

Exercises and tasks

1. Read the text "Justice and Law" aloud.
2. What is the text about? Tell your students what about you have learnt from this text.
3. Look at the text above. Divide it into appropriate paragraphs. Mark them with the letters A, B, C, D, ...
4. Now read the text quickly and decide which paragraph:
 - a) gives information about much legislation in Britain;
 - b) contains information about law enforcement;
 - c) gives information about British trials;
 - d) gives information about the sentences;
 - e) deals with judges, barristers, advocates and solicitors.
5. Give the correct heading for each passage. Compare your headings with other members of the class. Are all the headings possible? Try to think of an alternative heading for some of the paragraphs. Are different headings possible?
6. Retell each paragraph in brief,
7. Read the text carefully and answer the following questions:
 - 1) Which parts of the UK have their own legal systems?
 - 2) What is typical of much legislation?
 - 3) Name some serious crimes.
 - 4) What can you tell about law enforcement?

- 5) Where are the cases tried?
- 6) Which of cases are tried in the higher courts before a jury of 12 (15 in Scotland)?
- 7) What sentence passed on a guilty offender is subject to a certain limits laid down by Parliament for various offence?
- 8) Are judges independent and are they appointed from practising lawyers?
- 9) What do you understand by the terms "barristers", "advocates"?
- 10) What are the solicitors busy with?
8. How would you interpret the statement "In British criminal trials the accused is presumed innocent until proved guilty".
9. Write an essay of 100 words on this topic in English.
10. Discuss this question with your group!
11. Find the following words and expressions in the text. Number the words and collocations in order you would expect to find them in a dictionary. Translate them into Russian. Use a dictionary if necessary.

to apply	the accused
legislation, <i>n</i>	to prove guilty
legal	to try a case in the higher court
the proceeds	to put on trial
drug trafficking	offence, <i>n</i>
robbery, <i>n</i>	offender, <i>n</i>
frauds, <i>n</i>	to pass a sentence
law enforcement	lawyer, <i>n</i>
to carry out	barrister, <i>n</i>
police power	advocate, <i>n</i>
criminal trials	solicitor, <i>n</i>
innocent, <i>a</i>	hearing, <i>n</i>

12. Use these words and collocations in your own sentences.
13. Learn these words and expressions by heart.
14. What do you understand by the term "a jury"? Ask your English teacher for help if necessary.
15. Discuss with other students the statement "Trials are in open court".
16. Choose the right word for "to examine and judge (a legal case or person who is thought to be guilty of a crime) in a court of law" (to try, to judge, to investigate)
17. Say in Russian:
 - a) They are going to try him for murder.
 - b) His case will be tried in the Higher Court.
 - c) He was tried and found guilty of murder.

TEXT N 4.

Common law and equity

This is a complex subject and we will deal with it in outline only. Our main purpose is to draw a distinction between common law and equity and the way the courts apply the rules of these two areas of law. The differences arise from their historical development. First let us consider what we mean by the words 'common law'. You should be aware that they will carry a different meaning according to their context.

1. It is law which is **common** to the whole country – national law in contrast to local law.
2. It is law which is based on judicial decisions (**case law**) in contrast to the law which is made by Parliament (**statute law**).
3. It distinguishes the common law legal systems based on **precedents** from civil law jurisdictions based on **civil codes**.
4. It comprises the rules developed by the **common law courts** in contrast to the rules developed by the **courts of equity**.

It is definitions 1 and 4 which form the subject matter of this section. We will begin by briefly examining the development of a system of law which is common to the whole country.

You should be able to answer the first question: equity developed because in many situations there was no legal remedy available at common law. Let us now consider the second question – do the rules of equity remain different from the rules of common law?

To answer this question we must remember the purpose of equity which is to achieve justice and fairness. To do this the courts have developed a set of rules to govern the application of equity. These are called the 'maxims' of equity. They are different from the rules which apply in the common law and these maxims are the reason why we continue to distinguish between common law and equity. There are many equitable maxims of which the following are just brief examples:

- a **Equity will not suffer a wrong to be without a remedy.** Equity will only intervene when there is no adequate common law remedy.
- b **Equity follows the law.** Equity recognises legal rights and does not take the place of the common law.
- c **He who comes to equity must come with clean hands.** A litigant who has behaved unfairly in the dispute will be denied an equitable remedy.

d Equitable remedies are discretionary. Litigants do not have a right to an equitable remedy. The courts will decide whether to grant a remedy after considering the individual circumstances of each case.

These examples illustrate the wider principles and interests which the courts will consider before granting an equitable right or remedy. One of the most important features of equity which distinguishes it from common law is the maxim that equitable remedies are discretionary. We will examine this by way of a case study, but before doing so let us look at the way cases are reported.

As judicial decisions form an important part of the law it is necessary that they should be available to lawyers and the public. The judgments in the higher courts are published in a series of law reports the most common of which are:

All England Law Reports ¹	Appeal Cases ⁵
Weekly Law Reports ²	Chancery ⁶
Queen's Bench ³	Criminal Law Reports ⁷
King's Bench ⁴	

TEXT NOTES:

1. Сборник решений различных английских судов (с 1936 г.)
2. Еженедельный сборник судебных решений
3. Суд королевской скамьи (Queen's Bench Reports, Adolphus and Ellis, New Series) сборник решений Суда королевской скамьи, новая серия, составители Адольфус и Эллис (1841-1852)
4. Суд королевской скамьи
5. Law Reports Appeal Cases сборник решений по апелляциям (за соответствующий год)
6. канцелярский суд (Law Reports. Chancery) сборник решений канцелярского отделения Высокого суда правосудия за указанный год (с 1391 г.)
7. сборник решений суда по уголовным делам

1. Write the past tense and past participle of the following irregular verbs. If you don't know them, look them up in the dictionary. Use these verbs in Past Indefinite in your own 6 sentences.

- 1) to deal -
- 2) to draw -
- 3) to arise -
- 4) to mean
- 5) to be
- 6) to begin

2. Подберите русские соответствия для:

- | | |
|----------------------|-------------------------------|
| 1) judge, n | a) судить, рассматривать дело |
| 2) judgment, n | в) судья |
| 3) judge, v | с) судебное решение, приговор |
| 4) judicial decision | d) судебное решение |

3. Найдите в тексте английские соответствия для:

- 1) средства судебной защиты по справедливости
 - 2) общее право
 - 3) право справедливости
 - 4) прецедентное право
 - 5) суд “права справедливости”/ суд системы “права справедливости”
 - 6) средства правовой/судебной защиты
 - 7) справедливость
 - 8) гражданский кодекс
 - 9) статутное право
 - 10) суд общего права
 - 11) честность/беспристрастность/добросовестность
 - 12) заменить *что-л.*
 - 13) предоставленный на усмотрение/дискреционный
4. Переведите на русский язык и запомните эту информацию.

“Подавляющее большинство государств имеют писанные конституции”. Но в Великобритании такой основной закон (constitution) отсутствует, что, однако, не дает оснований для вывода об отсутствии конституции вообще. В Соединенном Королевстве конституция состоит из большого числа обычаев и конвенций, которые в совокупности с рядом законов обеспечивают регулирование деятельности составных частей британской системы управления. Но эти законы, содержащие нормы конституционного характера, не имеют специального статуса и могут быть изменены в том же порядке, что и обычные законы. Билль о правах остается силе и в настоящее время. П. Бромхед считает, что Билль оказал большое влияние на создание конституции США.

5. Скажите, почему в тексте некоторые слова, словосочетания и целые предложения выделены жирным шрифтом.
6. Найдите в тексте № 3 соответствующее английское предложение “Различие обусловлено историческим развитием”.
7. Переведите весь текст на русский язык.
8. Назовите некоторые правовые принципы (equitable maxims), относящиеся к области права справедливости.
9. What do you mean by the words “common law”.
10. What do you mean by “equity”?
11. Name several equitable maxims.
12. Do the rules of equity remain different from the rules of common law?

13. What is the purpose of equity?
14. Переведите предложение "Equity recognizes legal rights and does not take the place of the common law".
15. Определите, какая временная форма употреблена в этом предложении и почему. Проверьте правильность своего ответа в грамматике. Объясните своему товарищу по учебе, как образуется Present Indefinite и когда он употребляется.
16. Охарактеризуйте понятия "common law", "equity".
17. Определите, какой глагольной формой выражено сказуемое в предложении "It is law which is based on judicial decisions". Выберите правильный вариант в скобках (Present Indefinite Passive Voice. Past Indefinite Passive Voice). Расскажите об образовании, употреблении и значении данной временной формы глагола-сказуемого. Приведите свои аналогичные примеры по этому образцу.
18. Найдите в тексте предложение, в котором глагольное сказуемое выражено in Future Indefinite. Объясните образование, значение и употребление этой видо-временной формы. Употребите Future Indefinite в своих 4 английских предложениях.
19. Find the words in a English-Russian dictionary and write the Russian equivalents: *litigant, equitable, injunction, contempt of court, to prevail, to supersede, to bring an action.*
20. Arrange the following words in alphabetical order:
 apply, complaint, background, unitary, federation, ascend, united, separate, systems, union, endure, appear, commission, crime, appellant, committee, application, commit, criminal, ascertain, resolution, procedural, discharge, proceeds, libel, liability, license, appoint, profitable, profit, proceed, liable, repeal, procedure, respondent, held, represent, resolve, according to, legally.
21. Use the English-Russian dictionary in order to know the meanings of these words in Russian.
22. Распределите эти слова по частям речи/parts of speech

Noun (n)

Verb (v)

Adjective (adj)

Adverb (adv)

Preposition (prep)

23. Can you see the difference in the court's approach to the common law remedy and the equitable remedy? If not, ask your teacher or students to explain you the difference between them or try to find the distinction between them in the text.
24. Translate the following sentences from English into Russian:
- Judicial decisions, and therefore the law, based on the individual judge's idea of justice creates uncertainty and itself leads to injustice.
 - Similar cases must be treated similarly if justice is to be achieved.
25. Поставьте к тексту № 3 8 вопросительных предложений и попросите своего товарища по учебе ответить на них по-английски.
26. Put the following sentences in the correct order:
- The judgments in the higher courts published are in of law reports a series.
 - The courts decide will whether a remedy to grant after considering circumstances the individual each case of.
27. Read the text N 3 carefully and tell your partners in English about the distinction between the Common law and the equity.
28. Compare the distinction between common law and equity in the English legal system in the your legal system.
29. Tell about the two areas of law and record your information on tape, then listen to your recording and make corrections, if necessary. Check yourself looking at the text.
30. Place the following words and phases in correct column: civil wrong, crime, Crown Court, guilty, plaintiff, life imprisonment, to convict, defendant, to prosecute, conviction, liable, country, court, judgment for the plaintiff, prosecutor, punishment, to punish, offense.

Civil	Criminal
civil wrong	crime
.	.
.	.
.	.

- 31 Прочитайте текст №5 и расскажите в общих чертах, что Вы узнали из текста. Более подробно остановитесь на различии между "уголовным правом" и "гражданским правом".

Classification of law

There are many ways in which the law can be classified. Here we shall limit our discussion to the difference between **criminal** and **civil law** and **substantive** and **procedural law**.

Criminal and civil law

A simple distinction between the criminal law and the civil law is that the latter regulates the relationships between individuals or bodies and the former regulates the legal relationships between the state and individual people and bodies.

The first practical difference is seen in the parties to the legal action. A civil case will involve two (or more) individual people or bodies whilst the parties to a criminal case will be the state and an individual person or body. Later you will learn how this difference is reflected in the terminology and procedure of the law, but first let us look at an example of both criminal and civil law.

First, the civil law. Examples of this include the **law of contract**, **tort** (literally meaning 'wrong') and **property**. Consider the following situation.

You decide to buy a radio from a local shop. You pay the correct price and take the radio away. You have entered into a contract with the owner of the shop. After two days the radio fails to work.

This is a common situation and usually the shopkeeper will replace the radio or return your money. If not, you may wish to take legal action to recover your loss. As the law of contract is part of the civil law the parties to the action will be you (an individual) and the owner of the shop (an individual person or body).

Now let us look at some examples of the criminal law. This is the law by which the state regulates the conduct of its citizens. Criminal offences range from the petty (e.g. parking offences) to the very serious (e.g. murder, rape). Look at the following situation.

You are driving your car at 70 m.p.h. in an area which has a speed limit of 40 m.p.h. You are stopped by a police officer and subsequently a case is brought against you for dangerous driving.

This is a **criminal offence**. The parties to the action will therefore be the state (in the form of the prosecuting authority) and you (an individual).

A further point to make is that although the division between civil and criminal law is very clear, there are many actions which will constitute a criminal offence and a civil wrong. Let us look again at the situation where you are driving your car too fast. Suppose that while you were doing this you knocked over and injured an elderly lady. You will have committed a **criminal offence** (dangerous driving) and a **civil wrong** (negligence).

32. Draw a simple distinction between the **criminal law and the civil law**.

33. Say it quickly in Russian: the law of contract, tort, property, a criminal offense, a civil wrong, civil law, criminal law, substantive law, procedural law.

34. Give one example of the criminal law and one example for a civil wrong.

35. How do you say that in Russian?

"You will have committed a criminal offense (dangerous driving) and a civil wrong (negligence)".

36. What's wrong in the following situation and why?

"Michel has been charged with murder and is sued in the country court. The plaintiff is successful in the action and Michel is found liable. He is punished by being ordered to pay the plaintiff 15.000 dollars in damages."

37. Give some more examples for civil and criminal cases.

1. Read the text N 6 without using the dictionary and answer the question "What's the law?" (in writing) with one sentence.

TEXT N 6.

What is Law?

The question "What is law?" has troubled people for many years. An entire field of study known as **Jurisprudence** is devoted to answering this question. Many definitions of law exist, but for our purposes, law can be defined as that set of rules or regulations by which a government regulates the conduct of people within a society. Even with this explanation, many other questions arise. Where do laws come from? Do we need laws? Are all laws written? Can laws change? If so, how? Are all laws fair? What is the difference between laws and morals?

To understand the law, we must consider the relationship of law to morals. Our legal system is influenced by traditional ideas of right and wrong. Thus, most people would condemn murder, regardless of what the law said. However, everything that is considered immoral is not necessarily illegal. For example, lying to a friend may be immoral but is rarely illegal.

One thing is certain: Every society that has ever existed has recognized the need for law. These laws may have been unwritten, but; even primitive people had rules to regulate the conduct of the group. Without laws, there would be confusion, fear, and disorder. This does not mean that all laws are fair or even good, but imagine how people might take advantage of one another without some set of rules.

2. Translate into Russian.

TEXT N 7.

Kinds of Laws

Laws fall into two major groups: criminal and civil. Criminal laws regulate public conduct and set out duties owed to society. A criminal case is a legal action by the government against a person charged with committing a crime. Criminal laws have penalties requiring that offenders be imprisoned, fined, placed under supervision, or punished in some other way. Criminal offenses are divided into **felonies and misdemeanors**. The maximum penalty for a felony is a term of more than one year in prison. For a misdemeanor the penalty is a prison term of one year or less.

Civil laws regulate relations between individuals or groups of individuals. A **civil action** (lawsuit) can be brought when one person feels wronged or injured by another person. Courts may award the injured person money for his or her loss, or it may order the person who committed the wrong to make amends in some other way. An example of a civil action is a lawsuit for recovery of damages suffered in an automobile accident. Civil laws regulate many everyday situations such as marriage, divorce, contracts, real estate, insurance, consumer protection, and negligence.

Sometimes one action can violate both civil and criminal law. For example, if Joe beats up Bob, he may have to pay Bob's medical bills

under civil law and may be charged with the crime of assault under criminal law.

3. Explain the kind of laws in English to your students.

4. Discuss the subject "What is Law?" in pairs or in small groups.

TEXT N 8.

Civil and public law

Main categories

One important distinction made in all these countries is between private – or civil – law and public law. **Civil** law concerns disputes among citizens within a country, and **public** law concerns disputes between citizens and the state, or between one state and another. The main categories of English civil law are:

Contracts: binding agreements between people (or companies);

Torts: wrongs committed by one individual against another individual's person, property or reputation;

Trusts: arrangements whereby a person administers property for another person's benefit, rather than his own Land Law;

Probate: arrangements for dealing with property after the owner's death;

Family Law.

The main categories of public law are:

Crimes: wrongs which, even when committed against an individual are considered to harm the well-being of society in general;

Constitutional Law: regulation of how the law itself operates and of the relation between private citizen and government;

International Law: regulation of relations between governments and also between private citizens of one country and those of another.

In codified systems there are codes that correspond to these categories, for example, France's Code Civil and Code Pénal. Justinian's Roman codes covered such areas of law as contracts, property, inheritance, torts, the family, unjust enrichment, the law of persons, and legal remedies, but said little about criminal law. Consequently, most Continental criminal codes are entirely modern inventions.

Differences in procedure

Most countries make a rather clear distinction between civil and criminal procedures. For example, an English criminal court may force a defendant to pay a fine as punishment for his crime, and he may sometimes have to pay the legal costs of the prosecution. But the victim of the crime pursues his claim for compensation in a civil, not a criminal, action. (In France, however, a victim of a crime may be awarded damages by a criminal court judge.)

The standards of proof are higher in a criminal action than in a civil one since the loser risks not only financial penalties but also being sent to prison (or, in some countries, executed). In English law the prosecution must prove the guilt of a criminal "beyond reasonable doubt"; but the plaintiff in a civil action is required to prove his case "on the balance of probabilities." Thus, in a civil case a crime cannot be proven if the person or persons judging it doubt the guilt, of the suspect and have a reason (not just a feeling or intuition) for this doubt. But, in a civil case, the court will weigh all the evidence and decide what is most probable.

Criminal and civil procedure are different. Although some systems, including the English, allow a private citizen to bring a criminal prosecution against another citizen, criminal actions are nearly always started by the state. Civil actions, on the other hand, are usually started by individuals.

Some courts, such as the English Magistrates Courts (see Chapter 4) and the Japanese Family Court, deal with both civil and criminal matters. Others, such as the English Crown Court, deal exclusively with one or the other.

In Anglo-American law, the party bringing a criminal action (that is, in most cases, the state) is called the **prosecution**, but the party bringing a civil action is the **plaintiff**. In both kinds of action the other party is known as the **defendant**. A criminal case against a person called Ms. Sanchez would be described as "The People vs. (= versus, or against) Sanchez in the United States and "R. (Regina, that is, the Queen) vs. Sanchez" in England. But a civil action between Ms. Sanchez and a Mr. Smith would be "Sanchez vs. Smith" if it was started by Sanchez, and "Smith vs. Sanchez" if it was started by Mr. Smith.

Evidence from a criminal trial is not, necessarily admissible as evidence in a civil action about the same matter. For example, the victim of a road accident does not directly benefit if the driver who

injured him is found guilty of the crime of careless driving. He still has to prove his case in a civil action. In fact he may be able to prove his civil case even when the driver is found not guilty in the criminal trial.

Once the plaintiff has shown that the defendant is liable, the main argument in a civil court is about the amount of money, or **damages**, which the defendant should pay to the plaintiff.

Points of contact

Nevertheless there are many point of contact, between criminal and civil law. In most countries if the loser of a civil case refuses to comply with the order made against him – for example, to pay money to the winner of the action – the procedures for forcing him to comply may result in a criminal prosecution. Disobeying any court may constitute criminal conduct, and the disobedient loser of a civil action may find lie or she not only has to pay the damages originally ordered by the court, but a criminal penalty as well.

Although the guilty defendant in a criminal case will not automatically be found liable in a civil action about the same matter, his chances of avoiding civil liability are not good. This is because the standard of proof in the civil case is lower than it was in the criminal case. The plaintiff will therefore make sure any information about a relevant criminal case is passed to the civil court.

It is also possible in English law to bring a civil action against the police. Sometimes this is done by someone who was mistreated when questioned by the police about a criminal case.

1. Read the text N 8 carefully and answer the following questions:

- a) What are the contracts? – Contracts...
- b) What are the torts? – Torts...
- c) What are the trusts? – Trusts...
- d) What are the probate? – Probate...
- e) What are the main categories of public law? – Crimes...

Constitutional Law...

International Law...

2. Compare these short English definitions with the similar Russian definitions of the terms above.

3. Translate texts from English into Russian in writing.

Exercise s and tasks

1. In English law an act, of violence against a person may be treated both as a crime and as a civil tort. Explain some of the differences between the two procedures.

2. Compare the principles of "proof beyond reasonable doubt" and "proof on the balance of probabilities."

3. Which is/are true?

- a) Both damages and fines are sums of money.
- b) Both damages and fines may benefit the victim of an accident.
- c) Damages are part of the civil system of law.

* * *

4. Try to draw a plan of the court system in your country, showing which courts have civil functions and which have criminal functions. Compare your plan with another student's. Use a dictionary to check the English names of the different types of courts.

5. Translate it into English.

a) Право – совокупность правил, регулирующих отношения людей в обществе, а также наука, изучающая эти нормы. Международное право – совокупность юридических норм, регулирующих отношения между государствами.

6. Imagine that you do not understand the following terms. Ask each other or your teacher for an explanation:

*defendant, crimes, civil law,
prosecution, torts, public law*

7. Discuss this statement "Mercy killing should not be punishment" with other students.

Name your arguments for and against this statement.

8. Notice and remember this information!

"The laws made by the government of one country are often different from the laws of another country. The legal system of England and Wales is one of the oldest still operating in the modern world. Scotland and Northern Ireland have their own internal legal systems, although many laws made by the British government operate throughout Britain."

9. Translate into Russian.

"This book is concerned with certain kinds of prescriptive law. Other laws are prescriptive – they prescribe how people ought to behave."

10. Look quickly through the two definitions of law given by the dictionaries. What do you notice about the term "law"?

11. Compare these two definitions and say which of them is exact and adequate.

A: Webster's Encyclopedic Unabridged Dictionary of the English Language.

Law: The principles and regulations established by a government and applicable to a people, whether in the form of legislation or custom and policies recognized and enforced by judicial decision.

B: Longman Dictionary of Contemporary English Law: A rule that is supported by the power of government and that controls the behavior of members of a society.

12. Quickly find the definition which corresponds to this meaning of law in the Russian text: "Право – совокупность установленных и охраняемых государственной властью норм и правил, регулирующих отношения людей в обществе".
13. Discuss this statement "Society can do without lawyers" with other students. Write three arguments for and three against this statement on the blackboard.
14. Say it in Russian:
 - a) This book is concerned with certain kinds of prescriptive law.
 - b) The English word "law" refers to limits upon various of behaviour.
 - c) Some laws are descriptive: they simply describe how people- or even natural phenomena, usually behave. Other laws are prescriptive – they prescribe how people ought to behave.
15. Give your own examples of descriptive law and a prescriptive law.
16. Say it with only one word "A person against whom a charge is brought in a court of law is (accuser, defender, defendant, offender).
17. Read and notice it! "English law has directly influenced the law of former British colonies such as Australia, India, Canada and the nation where law plays a bigger part in everyday life than anywhere else, the United States."
18. Which is/are true?
 - a) Many laws reflect social customs, laws are usually international.
 - b) Unlike social customs, laws are usually international.
 - c) Social customs and rules are both enforced by governments.
19. Now, what do you understand by law?
20. Answer the following questions:
 - a) Where do laws come from in your legal system?
 - b) Which kinds of rules and principles have the authority and force of law. In other words, what are the sources of law?
 - c) What other sources of law do you know? For example, do you know any sources of International Law?
 - d) Who makes laws in the UK, the USA, in Russia?

Test your knowledge

1. Read the text below carefully and answer the following questions as briefly as possible.

- Questions:
- What laws are involved in this story?
 - Which of these are criminal laws?
 - Which are civil laws?

Text

Matt and Luther decide to skip school. They take Luther's brother's car without telling him and drive to a local shopping center. Ignoring the sign Parking for Handicapped Persons Only, they leave the car and enter a radio and TV shop.

After looking around they buy a portable AM-FM radio. Then they buy some sandwiches from a street vendor and walk to a nearby park. While eating they discover that the radio does not work. In their hurry to return it, they leave their trash on the park bench.

When Matt and Luther get back to the shopping center, they notice a large dent in one side of their car. The dent appears to be the result of a driver's carelessly backing out of the next space. They also notice that the car has been broken into and that the tape deck has been removed.

They call the police to report the accident and theft. When the police arrive, they seize a small clear bag containing illegal drugs from behind the car's back seat. Matt and Luther are arrested.

1. First read the information below. Use a dictionary to translate it if necessary. Then explain it you can to other students.

TEXT N 9.

Street law

Street law is the concept of educating people about law that is of practical use in everyday life (on the streets). Every purchase, lease, contract, marriage, divorce, crime, or traffic violation places the citizen face-to-face with the law. *Street Law* is designed to provide you with an understanding of your legal rights and responsibilities, a knowledge of everyday legal problems, and the ability to analyze, evaluate, and, in some situations, resolve legal disputes.

Many people believe that only those with power and money can win in our legal system. They see the law as a body of confusing, technical rules that work against them. Some people don't believe, for example, that a tenant can get a landlord to fix up a rundown apartment, or that a consumer can convince a merchant to repair, replace, or give a

refund for poor quality merchandise. True, these things don't always happen, but they are possible, especially when you are aware of your rights and take action to exercise those rights.

Street Law addresses general problems in the areas of criminal, consumer, family, housing, and individual rights law. The text also discusses situations such as what to do if you are the victim of crime, when and how to select an attorney, the legal rights and responsibilities of parents and children, how to register to vote, and what to do about discrimination or other violations of your constitutional rights. These and all of the topics covered in *Street Law* are designed to help you survive on the street.

2. Find two parts of the text, which contain the definitions of "Street law". Read them aloud and discuss the item in the class. Ask your English teacher for help if necessary.
3. Can you name the *Street law an everyday life's law*?
4. Do you agree with the Russian translations of "Street law" "уличное / бытовое право / право повседневной жизни"? If not, give your own translation.
5. Write out of the text all the situations in every day life the citizens face-to-face with the law?
a).....; b).....; c).....;
6. Read the text carefully and answer the questions:
a) What for is the Street Law designed?
b) Which problems is Street Law busy with?
c) What are the functions of Street Law?
7. Now what do you understand by Street Law? Explain it to other students as briefly as possible.
8. Find the English words and expressions in the text above for Russian terms:
места нарушения правил уличного движения; купля / покупка; наем / аренда; сделка / договор; брак / бракосочетание; расторжение брака / развод; преступление; юридические права; ответственность;
способность; оценивать; обучение / инструктирование; знание; выжить / остаться в живых; концепция;
9. Прочитайте два слова *survive, survivor*. Объясните, какое слово образовано от какого и каким образом. Отнесите оба слова к соответствующим частям речи, переведите их на русский язык. Образуйте по этой модели существительные от глаголов: *prosecute*; *protect* -; *offend* -. Переведите эти слова на русский язык и употребите их в своих предложениях.

10. What do you understand by the term "discrimination"? Explain it other members of your group.
11. Вставьте пропущенные слова. Проверьте себя по тексту:
- They ... the law as a body of confusing, technical rules that work against them.
 - Many people ... that only those with power and money can win in our legal system.
 - Every purchasè, lease, contract, marriage, divorce, crime, or traffic violation ... the citizen face-to-face with the law.
12. Переведите последнее предложение на русский язык.
13. Найдите в тексте предложение, содержащее выражение to be aware of. Выпишите его, постарайтесь понять значение словосочетания из контекста. Если Вы не уверены, то используйте словарь. Объясните своим товарищам по учебе, как вы будете искать в словаре значение этого выражения. В случае необходимости обратитесь за помощью к преподавателю.
14. Подберите соответствующие придаточные предложения.
- 1) Street law is the concept of educating people about law...
 - 2) They see the law as a body of confusing, technical rules...
 - 3) True, these things don't always happen, but they are possible, especially...
- a) that a tenant can get a landlord to fix up a rundown apartment, or that a consumer can convince a merchant to repair, replace, or give a refund for poor quality merchandise.
- b) that is practical use in everyday life (on the streets).
- c) that work against them.
- | | | |
|--|--|--|
| | | |
| | | |
15. Вставьте подходящие предлоги. Проверьте себя по тексту.
Street law is the concept... educating people ... law that is ... practical use ... everyday life (... the streets).
16. In the text above you will find the following terms: legal rights, constitutional rights, individual rights. Explain the differences between them.
17. Why is street law important for people?
18. Discuss this topic with other students.
19. Now what do you understand by Street law? Explain it to other students.

УРОК № 3 / UNIT THREE

Текст №1. Соединенное Королевство Великобритании и Северной Ирландии.....	84
Текст №2. Государство и правительство Великобрита- нии.....	90
Схема правительственной системы и государственных органов в Великобритании.....	101
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Диалог.....	105
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Map of the United Kingdom of Great Britain and Northern Ireland



1. Look at the map and point to the parts of UK.
2. One of the students names the parts of the UK and other students point to them on the map.

United Kingdom

Para.1¹

The United Kingdom of Great Britain and Northern Ireland is a constitutional monarchy and a unitary state which is made up of the island of Great Britain (including England, Scotland and Wales) and of Northern Ireland. The common language is English; Welsh and Gaelic are spoken regionally. The British Islands are not constitutionally part of the United Kingdom; these islands, comprising the Channel Islands and the Isle of Man are separate dependencies of the British Crown.

Para.2

The independent Kingdoms of England and Scotland were first linked by personal union of the Crowns of both countries when *James VI* of Scotland succeeded to the throne of England (as *King James I*) in 1603. The political unification of the two countries was only effected more than 100 years later through the Treaty of Union of 1707. The treaty and the subsequent Acts of Union abolished the separate parliaments and established one parliament for Great Britain which was situated in London. Great Britain was united with Ireland by the Act of Union of 1800 which came into effect in the following year. By this Act provision was made for Irish representation in the Parliament at Westminster, as provision had been made for Scottish representation in the Act of 1707. The United Kingdom of Great Britain and Ireland existed from 1801 until 1922, at which time, in consequence of the partition of Northern and Southern Ireland, the title was changed to the present one of The United Kingdom of Great Britain and Northern Ireland. The Irish Treaty of 6 Dec. 1921 gave Dominion Status to 26 Irish counties under the name of the Irish Free State; in 1937 the Irish Free State assumed a republican form of government but the new state continued in association with the British Commonwealth until 18 April 1949. Under the Government of Ireland Act, 1920 as amended by the Irish Free State (Consequential Provisions) Act, 1922, a separate parliament and government, each with limited powers, were established for Northern Ireland. The Northern Ireland Assembly Act, 1973 and the Northern Ireland Constitution Act, 1973 established a new constitutional framework to replace that provided by the Government of Ireland Act, 1920. The Northern Ireland Parliament was replaced by an elected Assembly and the government by an executive, the composition of which was to be agreed by the Assembly. The Northern Ireland Act, 1974 dissolved the Assembly, and provided that a Constitutional Convention should be held on the future of Northern Ireland. The

Convention has since collapsed, and rule at present is direct from Westminster.

Para.3

English law and Scots law are very different from each other in form and substance. The separate evolution of the two legal systems, both before and after Union, has resulted in different principles, institutions and traditions. Although in modern times Scots law has been greatly influenced by English law, it is still based upon principles of Roman or Civil law and ' upon rules of Canon, feudal or customary law origin. In spite of the existence of a common Parliament for England and Scotland for over 250 years there has been no assimilation of the legal systems of the two countries. A fusion of law has, however, taken place between England and Wales, as a consequence of the subjugation of the latter country in the middle ages. The law of Northern Ireland, although administered as a separate system, is similar in many essentials² to English law.

TEXT NOTES:

¹ *par/para* for paragraph – параграф

² во многих основных чертах

1. Read the heading of the text and say what the text is about in general.
2. Skim through the text to understand its general meaning.
3. Before you read the text N 1, think about the following;
 - Which parts of the UK are?
 - The common language of the UK
 - The Act of Union of 1800
 - The Treaty of Union of 1707
 - The Northern Ireland Act, 1974
4. Quickly read paragraph 3 of the text N 1 on page 84 and divide it into three sections describing the relationship between the legal system of: 1) England and Scotland 2) England and Wales 3) England and Northern Ireland.
Using the numbers, list the divisions in your notebook.
 - 4.1. Выпишите из текста все предлоги, расположите их в алфавитном порядке. Определите по контексту, в каких значениях они употребляются. Проверьте себя по англо-русскому словарю. Скажите, какой предлог употребляется в тексте чаще всего и в каком значении.
 - 4.2. Найдите глагол *to be* в тексте в 3-м лице единственного числа Present Indefinite. Продолжите спряжение глагола *to be* в предложении: I am a law student. You... He/she...

4.3. Transform the following passive sentences into the active form.

Example: Great Britain was united with Ireland by the Act of Union of 1800.

The Act of Union of 1800 united Great Britain with Ireland.

1. The Northern Ireland Parliament was replaced by an elected Assembly.
 2. Scots law has been greatly influenced by English law.
 3. The independent Kingdom of England and Scotland were first linked by personal union of the Crowns of both countries.
 4. The political unification of the two countries was effected through the Treaty of Union of 1707.
 5. Welsh and Gaelic are spoken regionally.
5. The text has three paragraphs marked Para 1, Para 2, Para 3. Read the text quickly and decide which paragraph:
- (1) gives information about Composition of the UK Geographical and Political Division of the British Isles;
 - (2) describes the most important events in the history of Britain and Ireland;
 - (3) gives information about the two legal systems, the differences or similarities between them.
6. Quickly skim paragraphs 1, 2, 3 and give each one a heading of your own:
- Para 1...
- Para 2...
- Para 3...
7. Compare your headings with the headings of other students of the group. Read them aloud. Are all the headings possible? If you are not sure of it ask your teacher of English for help.
8. Translate the following sentence into English:
- “Британское право и Шотландское право значительно отличаются друг от друга по форме и содержанию”
9. Check your translation in the text and make corrections if necessary.
10. Complete the sentence “The law of Northern Ireland...”
11. Form a sentence with the following words and phrases: The political unification, was, of the two countries, only, effected, later, more than, years, 100, through, of, 1707, the Treaty of Union.
12. Check yourself in the text.

13. Which preposition is suitable here? "In spite – the existence... a common Parliament for England and Scotland for over 250 years there has been no assimilation... the legal systems... the two countries".
14. Check yourself in the text. Translate this sentence into Russian in writing.
15. Найдите предложение в тексте, в котором речь идет о договоре и последующих актах об Унии, которые упразднили отдельные парламенты и учредили один парламент для Великобритании, который находится в Лондоне.
16. Найдите в тексте соответствующее английское предложение и определите правильность его перевода "Великобритания объединилась с Ирландией, что закреплялось Актом об Унии от 1800 г., который вступил в силу в следующем году."
17. Найдите в тексте английские соответствия для:
- | | |
|---|------------------------------------|
| состоять из | британское право |
| конституционная монархия | отличаться друг от друга |
| унитарное государство | основано на принципах |
| официальный язык | иметь место |
| быть расположенным / находиться | похожий на/иметь сходство с чем-л. |
| вступить в силу с 1801 г. до 1922 г. | оказывать значительное влияние |
| ликвидировать ассамблею/ законодательное собрание | заменить |
18. Образуйте с найденными английскими эквивалентами пять простых повествовательных предложений, используя Present Indefinite, Past Indefinite Passive Voice.
19. Найдите в тексте № 1 предложение, в котором глагол-сказуемое имеет форму Present Perfect (Passive Voice). Переведите его на русский язык. Объясните своим товарищам по учебе образование, значение и употребление этой видо-временной формы.
20. Напишите основные формы глаголов: to give, to make, to be, to have, to take. Проверьте себя по словарю.
21. Выпишите из текста № 1 все названные акты и расскажите по-английски своим собеседникам об их роли в истории Великобритании.
22. Ask your friend to tell you about the composition of the UK.
23. Now read the text N 1 carefully and answer the following questions.

Work in pairs.

- What is the official full name of the UK?
- What is the abbreviation for the United Kingdom of Great Britain and Northern Ireland?
- Is the United Kingdom of Great Britain and Northern Ireland a constitutional monarchy and a unitary state?
- Which parts is the UK made up of?
- What language is the common language in the UK?
- Are Welsh and Gaelic spoken regionally?
- The British Islands are not constitutionally part of the United Kingdom, are they?
- When was the political unification of Kingdom of England and Scotland effected through treaty of Union?
- Did the treaty and the subsequent Acts of Union abolish the separate parliaments and establish one parliament for Great Britain?
- Where was it (the Parliament) situated?
- What history event took place 1800?
- What relationships are there between the United Kingdom of Great Britain and Ireland?
- Can you explain the reasons for the distinctions between English law and Scots law in form and substance?

24. Write in Russian a one-page summary of Text N 1

25. Are these two statements synonymous?:

a) The law of Northern Ireland is similar in many essentials to English law.

b) The law of Northern Ireland is basically similar to English law.

26. Test your knowledge!

26.1. Which of the following are parts of the UK? Underline the true statements. If you are not sure use the text to help you.

a) England

b) Eire (Southern Ireland)

c) Scotland

d) Northern Ireland (Ulster)

e) Whales

26.2. Which of the following is a completely independent republic? Underline it. Check yourself in the text.

a) Eire

b) Scotland

c) Ulster

26.3. Which of the following is/are not part of the UK?

- a) the Isle of Man
- b) the Channel Isles

Check your answer in the first paragraph of the text N 1.

26.4. Cross out the untrue statement.

The UK is

- a) a federation of states
- b) a unitary state
- c) a constitutional monarchy

27. Check your answer in the text N 1.

28. False or true? The UK is

- a) a constitutional monarchy
- b) an absolute monarchy

29. Complete the sentence. Use the first paragraph of the text N 1 to help you. The full name of the UK is: The United...

30. Are they synonyms? *To be made up of, to comprise.* Найдите предложения с этими словами в тексте и убедитесь в правильности своего ответа. Объясните своему товарищу по учебе общие и отличительные признаки этих единиц. Напишите по одному предложению с этими словами.

31. Describe the formation and main historical development of Russia. If possible record your description on tape, then listen to your recording.

VOCABULARY

The United Kingdom of Great Britain and Northern Ireland (The UK)	Соединенное Королевство Великобритании и Северной Ирландии
England	Англия
Scotland	Шотландия
Wales	Уэльс
The English Channel	Ла-Манш
to be made up of/ to be composed of	состоять из
The committee is made up of representatives from all the universities.	
Our party was composed of teacher, pupils and their parents.	
to consist of	состоять из
The committee consists of eleven members.	
to comprise	состоять из, включать в свой состав, включать в себя
The United Kingdom comprises England, Wales, Scotland and Northern Ireland.	
to include	содержать (в себе), включать

The price includes postage charges.
 My job doesn't include making coffee for the boss. Please, include me in the list. Six people, including three women. I'm ordering some extra office equipment, including some new desks and a word processor.

dependency, *n*
 dependence, *n*
 dependent, *adj*
 separate, *adj*

Crown, *n*

to link
 to unite

Great Britain was united with Ireland by the Act of Union of 1800.

unification, *n*

The unification of Italy resulted in a single country instead of several kingdoms.

to establish the parliament
 treaty, *n*

to abolish
 abolishment, *n*
 to establish
 to dissolve

subjugation, *n*
 to administer
 to provide

provision, *n*

framework, *n*
 rule, *v*
 rule, *n*
 convention of the constitution/ the constitutional convention

зависимая/подчиненная страна
 зависимость, подчиненность
 зависимый/зависящий
 отдельный/обособленный, само-
 стоятельный

короны, престол; король, королева,
 государство, верховная власть (в *Великобритании*)

соединять
 соединять, объединять

объединение, унификация

учредить парламент
 договор
 отменять, упразднить, уничтожить
 отмена, уничтожение, упразднение
 основывать, учреждать, создать
 распускать (*парламент*), прекращать
 деятельность

покорение, подчинение
 управлять, вести дела
 предусматривать, постановлять.
 снабжать

условие, постановление, положение
 (*договора, закона*)

структура, система, конструкция
 править
 правление, власть
 конституционный обычай

TEXT N 2.

State and Government of the UK

The constitutional principles, rules and practices of the United Kingdom have never been codified; they derive from statute law, from common law, and from conventions of the constitution, which are not

laws at all, but political practices which have become considered as indispensable to the smooth working of the machinery of government. The monarchy, followed by the legislative, executive and judicial organs of government will be discussed in turn.

a. The *monarchy* is the most ancient secular institution in the United Kingdom, with a continuous history stretching back over a thousand years. The monarchy is hereditary and the present title to the Crown derives from provisions of the Act of Settlement of 1701 which secured the Protestant succession. This succession cannot now be altered, under a provision of the Statute of Westminster, 1931, except by common consensus of the member states of the Commonwealth which owe allegiance to the Crown.

Queen Elizabeth II, who succeeded to the throne in 1952, is, in addition to being an integral part of the legislature, the head of the judiciary, the commander-in-chief of the armed forces of the Crown and the temporal head of the established Church of England.

The monarchy in the United Kingdom has evolved over the centuries from absolute personal authority to the present constitutional form by which the Queen reigns but does not rule. Her Majesty's government governs in the name of the Queen who must act on the advice of her ministers. The Queen summons, prorogues (dismisses at the end of a session) and dissolves Parliament; she usually opens new sessions of Parliament with a speech from the throne in which the major governmental policies are outlined. These acts form part of the Royal Prerogative, defined by *Dicey* as 'the residue of discretionary or arbitrary authority, which at any given time is left in the hands of the Crown'. Prerogative rights are of legislative, executive and judicial character. The Monarch must give the Royal Assent before a Bill which has passed all its stages in both Houses of Parliament can become a legal enactment (Act of Parliament). The Monarch's consent and approval is required before a Cabinet can be formed or a minister take up office. As Head of State the Monarch has the power to sign international agreements, to cede or receive territory, and to declare war or make peace. The Monarch confers honours and makes appointments to all important offices of state, including judges, officers in the armed services, diplomats and the leading positions in the Established Church. As the 'fountain of justice', it is only the Monarch who is able to remit all or part of the penalties imposed upon persons convicted of crimes through the exercise of the prerogative of mercy on the advice of the appropriate minister.

At the present time the Monarch, although exercising residual authority by consent of Parliament and according to the advice of the government of the day, is regularly informed and consulted on many aspects of public affairs. The Privy Council is the body on whose advice and through which the Monarch exercises most statutory and many prerogative powers. There are about 330 members of the Privy Council, which, however, only meets as a full body on the death of the Monarch. It conducts much of its business in committees at which the Monarch may not constitutionally be present. All Cabinet ministers are members; other members are appointed by the Monarch on the recommendation of the Prime Minister.

b. *Legislature.* – Parliament is the legislative organ and is constitutionally composed of the Monarch, the House of Lords, and the House of Commons. The Queen in Parliament represents the supreme authority within the United Kingdom.

(1) The *Parliament at Westminster* legislates for the United Kingdom, for any one of the constituent countries, or for any combination of them. It may legislate on certain 'excepted' and 'reserved' matters for Northern Ireland, subject to the provisions of the Northern Ireland Constitution Act, 1973. It may also legislate for the Channel Islands and the Isle of Man, under certain conditions, although these islands possess their own ancient legislatures. The Parliament Act, 1911 provides that the life of one Parliament may not exceed five years.

Parliament consists of two Houses: the House of Lords and the House of Commons.

The *House of Lords* is for the most part still a hereditary body. It consists of the Lords Temporal and the Lords Spiritual. The Lords Temporal include hereditary peers and peeresses who have not disclaimed their peerages under the Peerages Act, 1963; life peers and peeresses created by the Crown under the Life Peerages Act, 1958 in recognition of public service; and the Lords of Appeal in Ordinary. The House of Lords is presided over by the Lord Chancellor who is *ex officio* chairman of the House. The Lords Spiritual include the Archbishops of Canterbury and York, the Bishops of London, Durham and Winchester, and the 21 most 'senior diocesan bishops of the Church of England.

The *House of Commons* is an elected and representative body; members (at present 650) are elected by almost universal adult suffrage to represent constituencies in England (523), Scotland (72), Wales (38) and Northern Ireland (17). The law relating to Parliamentary elections

is contained in substance in the Representation of the People Act, 1949, as amended. Any British subject aged 21 or over, not otherwise disqualified (as for example, members of the House of Lords, certain clergy, undischarged bankrupts, civil servants; holders of judicial office, members of the regular armed services and the police forces) may be elected a Member of Parliament (M.P.). Members are paid a salary and an allowance for secretarial and office expenses; after a Parliament is dissolved all seats are subject to a General Election. By-elections take place when a vacancy occurs during the life of a Parliament, as when a member dies, is elevated to the House of Lords or accepts an 'office of profit' under the Crown.

The *Speaker of the House of Commons* is elected by the members from the members to preside over the House immediately after each new Parliament is formed. He is an impartial arbiter over Parliamentary procedure and the traditional guardian of the rights and privileges of the House of Commons.

The *supremacy, or sovereignty*, of the United Kingdom Parliament is probably the most basic principle of British constitutional law. Parliament has of its own will settled the duration of the life of a Parliament, acts in such a way as not to bind its successors in the manner or form of their legislation, and, in the Parliament Acts of 1911 and 1949 has provided that in certain circumstances a Bill may become law without the concurrence of all the component parts of Parliament. These two Acts have clarified the supremacy of the House of Commons over the House of Lords, which can only delay the passage of Public Bills for a maximum period of one year and cannot delay at all the passage of Money Bills (financial measures).

The European Communities Act, 1972 (c. 68), which made legislative changes in order to enable the United Kingdom to comply with the obligations entailed by membership of the European Coal and Steel Community, the European Economic Community, and the European Atomic Energy Community, from 1 Jan. 1973, gives the force of law in the United Kingdom to existing and future Community law which under the Community treaties is directly enforceable in member states, and provides for subordinate legislation in connection with the implementation of obligations or the exercise of rights derived from the Community Treaties.

(2) The *Parliament of Northern Ireland* established by the Government of Ireland Act, 1920, was abolished and replaced by the Assembly elected under the provisions of the Northern Ireland Assembly Act, 1973 (*supra* Introduction preceding 1). The first

Northern Ireland Executive agreed upon by this Assembly took office in November 1973, but collapsed in May 1974. Direct rule by the Parliament at Westminster has been reimposed, under the provisions of the Northern Ireland Constitution Act, 1973, in consequence.

c. *Executive.* – The government consists of the ministers appointed by the Crown on the " recommendation of the Prime Minister, who is appointed directly by the Crown and is the leader of the political party which for the time being has a majority of seats in the House of Commons. The office of Prime Minister dates from the eighteenth century and is the subject of a number of constitutional conventions. The Prime Minister is the head of the government and presides over meetings of the Cabinet; by convention he is always a Member of the House of Commons. He consults and advises the Monarch on government business, supervises and to some extent coordinates the work of the various ministries and departments and is the principal spokesman for the government in the House of Commons. He also makes recommendations to the Monarch on many important public appointments, including the Lord Chief Justice, Lords of Appeal in Ordinary, and Lords Justices of Appeal.

The Cabinet is the nucleus of government; its members consist of a small group of the most important ministers who are selected by the Prime Minister. The size of the Cabinet is today about 23 and its principal function, much of the work being carried out in Committee, is to determine, control and integrate the policies of the government for submission to Parliament. The Cabinet meets in private and its deliberations are secret; no vote is taken, and, by the principle of 'Cabinet unanimity', collective responsibility is assumed for all decisions taken.

The central government ministries and departments give effect to government policies and have powers and duties conferred on them by legislation, and, sometimes, under the Royal Prerogative. Each is headed by a minister who is in most cases a member of either the House of Lords or the House of Commons. There are over 100 ministers of the Crown at the present time; they include departmental ministers (e.g., the Secretary of State for Foreign and Commonwealth Affairs; Chancellor of the Exchequer (Treasury); Secretary of State for Social Services); non-departmental ministers (e.g., Lord President of the (Privy) Council, Paymaster-General, Ministers without Portfolio); ministers of state (additional ministers in departments whose work is heavy); and junior ministers (usually known as Parliamentary Secretary or Parliamentary Undersecretary) in all ministries and departments.

The Lord Chancellor and the Law Officers of the Crown deserve special mention at this point. The Lord High Chancellor of Great Britain presides over the House of Lords both in its legislative capacity and as a final court of appeal; he is a member of the Cabinet and also has departmental responsibilities in connection with the appointment of certain judges. He advises on, and frequently initiates, law reform programmes with the aid of the Law Commissions, the Law Reform Committee and *ad hoc* committees. The four Law Officers of the Crown include, for England and Wales, the Attorney-General and the Solicitor-General; for Scotland, the Lord Advocate and the Solicitor General for Scotland. The English Law Officers are usually members of the House of Commons and the Scottish Law Officers may be. They represent the Crown in civil litigation, prosecute in certain exceptionally important criminal cases, and advise government on points of law. They may appear in proceedings before the International Court of Justice, the European Commission of Human Rights and Court of Human Rights. They may also intervene generally in litigation in the United Kingdom as representatives of the public interest.

The United Kingdom has no Ministry of Justice. Responsibility for the administration of the judicial system in England and Wales is divided between the courts themselves, the Lord Chancellor, and the Home Secretary. The Lord Chancellor is concerned with the composition of the courts, with civil law, parts of criminal procedure and law reform in general; the Home Secretary is concerned with the prevention of criminal offences, the apprehension, trial and treatment of offenders, and with the prison service.

1. Learn the words and phrases.

VOCABULARY

indispensable, <i>adj</i>	необходимый, обязательный, непреложный
machinery of government	органы управления
constitutional practice	конституционная практика/конституционный обычай
to derive from	происходить от, устанавливать происхождение, производить (<i>слово</i>)
judicial, <i>adj</i>	судебный, судейский
judiciary, <i>n</i>	суд, судебная власть, судебная система
legislative, <i>adj</i>	законодательный
executive, <i>adj</i>	исполнительный, административный; исполнительная власть, правительство
secular, <i>adj</i>	светский
monarchy, <i>n</i>	монархия
hereditary, <i>adj</i>	наследственный
title, <i>n</i>	титул, звание
the Act of Settlement	закон о престолонаследии (<i>в Англии</i>)
succession, <i>n</i>	правопреемство; наследование

Westminster, <i>n</i>	Вестминстер (<i>район Лондона</i>); английский парламент
Commonwealth, <i>n</i>	Содружество
allegiance, <i>n (to)</i>	верность, лояльность, преданность
to owe	быть должным кому-л.; быть обязанным кому-л.; быть в долгу перед кем-л.
to succeed to the throne	наследовать трон/ престол
the Commander-in-Chief of the armed forces	главнокомандующий вооруженными силами
to reign	царствовать, царить, господствовать, править
to govern	управлять, руководить, регулировать
to summon	созывать
to prorogue	отсрочить. назначать перерыв в работе парламента
to dismiss	отклонять иск; увольнять, освобождать от должности
to outline	наметить в общих чертах
in outline	в общих чертах
royal prerogative	королевская прерогатива
Royal assent	королевская санкция (<i>принятого парламентом закона</i>)
Act of Parliament	акт парламента, парламентский закон
to have the power	иметь право, полномочие, правомочие
to sign international agreements	подписывать международные соглашения
to cede	передавать, уступать
to declare war	объявлять войну
to make peace	устанавливать мир
to make appointments to all important offices	назначить на все вакантные посты/должности
to remit	прощать, помиловать, освобождать (<i>от штрафа, наказания, ответственности</i>)
the House of Lords	палата лордов
the House of Commons	палата общин
the Speaker of the House of Commons	спикер палаты общин
Head of State	глава государства
supremacy, <i>n</i>	верховенство; примат; супрематия
sovereignty, <i>n</i>	суверенитет
sovereign, <i>n</i>	суверен, монарх
King's speech/	тронная речь
Queen's/royal/sovereign's speech	тронная речь
the Lord Chancellor	лорд-канцлер (<i>член кабинета министров в Великобритании, спикер штаты лордов, председатель Верховного Суда</i>)
the Home Secretary	министр внутренних дел
the Ministry of Justice	министерство юстиции
Privy Council	член тайного совета

Exercises and tasks

1. Прочитайте заголовок текста №2 и расскажите в общих чертах, о чем может идти речь в этом тексте.
2. Вспомните, что Вам известно о государственных органах и правительстве Великобритании и запишите основные факты в свою тетрадь.
3. Посмотрите текст № 2 и выпишите из него все слова и выражения, которые Вам знакомы.
4. Выпишите все английские слова, относящиеся только к данной теме и расположите их в алфавитном порядке. Напишите к ним русские эквиваленты. Если Вы не уверены в правильности перевода, обратитесь за помощью к своему преподавателю или используйте англо-русский словарь.
5. Разбейте текст на абзацы. Озаглавьте каждый абзац по-английски.
6. Посредством одного предложения передайте главное содержание каждого абзаца.
7. Мы полагаем, что текст № 2 можно разделить на три основные части/темы topics:
 - a) The monarchy
 - b) The legislature
 - c) The executiveВы согласны с этим? Если да, то подтвердите это посредством типографских и языковых средств.
8. Discuss these topics in pairs or in small groups under the leadership of your English teacher.
9. False or true? Check your answers in the text N 2.
 - 1) The monarchy is the most ancient secular institution in the UK.
 - 2) The constitutional principles, rules and practices of the United Kingdom have never been codified.
 - 3) The Queen summons, prorogues and dissolves Parliament. She usually opens session of Parliament with a speech from the throne.
 - 4) As Head of State the Monarch has the power to sign international agreements and to declare war or make peace.
 - 5) The Monarch must not give the Royal Assent before a Bill which has passed all its stages in both Houses of Parliament can become a legal enactment (Act of Parliament). All Cabinet ministers are appointed by the Monarch on the recommendation of the Prime Minister.
 - 6) Parliament consists of three Houses.
 - 7) The House of Commons is not an elected and representative body.

- 8) The Prime Minister confers honours and makes appointments to all important offices of state, including judges, officers in the armed services, diplomats.
10. What is meant by State Organs?
11. Explain the difference in meaning between the two verbs in the following phrase "The Queen reigns but does not rule". What do you understand by this?
12. Use the context to decide what a Bill is.
13. What do you understand by the prerogative of mercy? Use the context to help you.
14. Read section *a* of the text carefully and name all the functions, power, duties, obligations of the Monarch?
15. What state body is the Privy⁷ Council?
16. When did Queen Elizabeth II become queen?
17. What role does the monarch have in the UK at present?
18. Who summons, prorogues and dissolves Parliament in Russia? When?
19. Read section *b* of the text carefully and write down the most important information about this state organ.
20. Read section *c* of the text carefully. Use the dictionary⁷ to help you. Then explain the term "Executive" in English to other students.
21. Ask one of the students to tell you about Executive in detail.
22. Translate the last paragraph "The United Kingdom has Ministry of Justice..."
23. Read the whole text again and discuss the subject "The UK System of Government" in your group.
24. Compare the State and Government in the UK with the State and Government in Russia and find out the differences and similarities between them.
25. Name the state organs of the UK and Russia.
26. Are these phrases synonymous?
 - a) The monarchy is most ancient secular institution in the UK?
 - b) The monarchy is most ancient non-religious institution in UK.
27. Find in the text all the synonyms for "состоять из".
28. Put the following sentences in the correct order.
 - a) The Queen, act, must, the advice, on, misters, her, of.
 - b) Parliament, of, to consist, Houses, two.
29. Complete the sentence. Use the text to help you. "The Parliament of Northern Ireland..."
30. Complete the following sentences with the missing parts below:
 - a) Parliament is dissolved by the Queen...
 - b) The Queen must act...

- c) Parliament is prorogued by the Queen...
- d) Parliament is summoned by the Queen...
- e) The Queen in Parliament represents the supreme authority...

-
- 1) at the end of the year's session,
 - 2) within the United Kingdom.
 - 3) When the Prime Minister requests a General Election.
 - 4) before a new legislature can be elected.
 - 5) on the advice of her ministers.

31. Поставьте вопросы к следующим предложениям по образцу:

Example: The monarch is able to remit penalties.

- a) Who is able to remit penalties?
- b) What can the monarch do?
- c) What is the monarch able to remit?
- d) Is the monarch able to remit penalties?
- e) The monarch is able to remit penalties, isn't he?

■ The Speaker of the House of Commons is elected by the members from the members to preside over the House immediately after each new Parliament is formed.

■ The monarchy in the United Kingdom has evolved over the centuries from absolute personal authority to the present constitutional form

■ The Lord Chancellor is concerned with the composition of the courts, with civil law, parts of criminal procedure and law reform in general.

2. Найдите в разделе *a* текста предложение, содержащее сочетание "модальный глагол (can)+Passive Infinitive" и переведите на русский язык. Такого рода сочетания переводятся на русский язык следующим образом: "нужно", "можно", "может", "должен" + глагол в неопределенной форме. Например: This task must be done. – Это задание должно быть выполнено.

Translate the following sentences into Russian:

- The general elections must be held every four years.
- The President elect will be installed next week.
- The election results will be broadcast tonight.
- I am confident that a solution can be found.
- The word "bank" can be used in several different ways.
- This information must in no circumstances be given to general public.

33. Определите части речи, к которым относятся слова govern, government; переведите их на русский язык. Найдите в тексте (раздел *a* абзац 3) предложение, которое содержит оба этих слова, выпишите его и переведите его на русский язык.

34. Скажите, от какого корня образованы следующие слова; depend, dependant, dependence, dependency, dependend. Определите

к какой части речи они относятся, переведите их на русский язык. Проверьте себя по словарю. Употребите каждое из этих слов в своих предложениях.

35 Назовите антонимы к словам: dependent usual, hereditary.

36. В предложение The monarchy is the most ancient secular institution in the United Kingdom назовите форму прилагательного и объясните своим товарищам по учебе способ ее образования.

37. Answer the following questions:

- a) How has the role of the monarchy changed over the centuries?
- b) Does the monarch still have real power? Find the sections of the text, which tell you this.
- c) Who is able to remit penalties?
- d) Who has the power to sign international agreements?
- e) What important function does the Privy Council perform?
- f) What unseal event happens when the monarch dies?
- g) Which House of Parliament can delay Bills for a year?
- h) Is UK legislature composed only of the House of Lords and the House of Commons?
- i) Can a judge become a Member of Parliament?
- j) Is Parliament a democratically elected body?
- k) Which of the three categories of Lords Temporal do you think are called "The Law Lords"?
- l) Can Parliament pass any law it chooses, or are there constitutional limits on its power?

39. Check your knowledge! Work in pairs. Take turns.

- a) How is the Prime Minister selected in the United Kingdom?
- b) What is the relationship between the Prime Minister and the monarch?
- c) What is the relationship between the Cabinet and Parliament?
- d) What is the vital difference between the role of the Cabinet and the role governments ministers or departments?
- e) The Lord Chancellor is the most important legal figure in the United Kingdom. What do you notice about his role and functions?
- f) Who is the UK Home Secretary, Minister of Justice?
- g) Who is the head of the Cabinet (the Prime Minister) of the UK?

40. Name quickly the Russian equivalents for:

Bill, the Judiciary, Cabinet, MP, Lord Chancellor, constituency, by-election. Community law, Prime Minister, peer, Act of Parliament.

41. Discuss with other students the topic "Differences and similarities between the UK system of government and your own".

**Правительственная система и государственные органы
в современной Великобритании /
System of government and state organs in the UK today**

a. Монархия/The Monarchy

МОНАРХ/THE MONARCH
*глава государства/Head of State *протестантское правопреемство в силу наследования/наследование протестантов по закону/Hereditary Protestant succession

b. Законодательная власть/The Legislature

ПАРЛАМЕНТ/PARLIAMENT	
*Queen in Parliament (Monarch, House of Commons, Lords) is supreme authority/ "Королева в парламенте" (монарх, палата общин, лордов) – верховная власть	
Палата лордов/The House of Lords * не избирается, большей частью наследственна/ not elected, mainly hereditary	Палата общин/The House of Commons * избирается в соответствии с всеобщим избирательным правом/ elected by almost universal adult suffrage

c. Исполнительная власть/The Executive

Правительство/ The Government	
Министры, назначенные монархом по рекомендации премьер-министра /Ministers appointed by monarch on Prime Minister's recommendation	
Кабинет/The Cabinet * Около 23 главных министров / about 23 most important ministers	Премьер-министр/The Prime Minister * Глава правительства/ head of Government

1. Look at the scheme and describe State and Government of the UK. If you prefer, write a short description for written practice.

Exercises and tasks

1. Use the English-Russian law dictionary to check the meaning of the following terms:
 - a) the monarch;
 - b) the executive;
 - c) the legislature;
 - d) the judiciary.
2. Name the four organs of UK government. Choose the right word in brackets (the monarch, the president, the executive, the legislature, the judiciary, the Prime Minister).

TEXT N 3.

Government & Administration

System of Government

Britain is a parliamentary democracy with a constitutional monarch – Queen Elizabeth II – as head of State.

Political stability owes much to the monarchy. Its continuity has been interrupted only once (the republic of 1649-60) in over a thousand years. The Queen is impartial and acts on the advice of her ministers.

Parliament

Parliament comprises the House of Commons, the House of Lords and the Queen in her constitutional role. The Commons has 650 elected Members of Parliament (MPs), each representing a local constituency. The Lords is made up of hereditary and life peers and peeresses, and the two archbishops and 24 most senior bishops of the established Church of England. The centre of parliamentary power is the House of Commons. Limitations on the power of the Lords – it rarely uses its power to delay passage of a law – are based on the principle that the House as a revising chamber should complement the commons and not rival it. The proceedings of both houses of Parliament are broadcast on television and radio, sometimes live or more usually in recorded and edited form. Once passed through both Houses, legislation receives the Royal Assent.

General elections to choose MPs must be held at least every-five years. Voting, which is not compulsory, is by secret ballot and is from the age of 18. The candidate polling the largest number of votes in a constituency is elected. In the election of June 1997, when 65 per cent of the of the electorate voted, the Labor Party gained an overall majority of 101 (Labour 419 seats, Conservative 165 and others 24). In

1988 the Liberal and Social Democratic parties merged and are now the Liberal Democrats (46 seats).

Government

The Government is formed by the party with majority support in the Commons. The Queen appoints its leader as Prime Minister. As head of the Government the Prime Minister appoints ministers, of whom about 20 are in the Cabinet – the senior group which takes major policy decisions. Ministers are collectively responsible for government decisions and individually responsible for their own departments. The second largest party forms the official Opposition, with its own leader and 'shadow cabinet'. The Opposition has a duty to criticise government policies and to present an alternative programme.

Policies are carried out by government departments staffed by politically neutral civil servants. They serve the government of the day regardless of its political complexion.

Exercises and tasks

1. Прочитайте внимательно текст без словаря.
2. Напишите своими словами краткий очерк на тему: "Правительство и администрация" по-английски и отдайте его на проверку своему преподавателю английского языка.
3. Преподаватель / студент задает один вопрос к каждому английскому предложению, а другой студент отвечает на него по-английски.
4. Расскажите по-английски самое существенное о правительстве и администрации Великобритании.
5. Проведите дискуссию под руководством преподавателя на тему: "Правительство и администрация Великобритании" в сравнении с РФ.
6. Выпишите все слова и выражения относящиеся к данной теме из текста, напишите к ним русские эквиваленты и составьте краткий лексикон по данной теме.
7. Расскажите своему товарищу по учебе о ведущих партиях Великобритании. Какая из партий является ныне правящей.
8. Who appoints the Prime Minister?
9. Who appoints ministers?
10. Is voting in the UK compulsory?
11. Найдите в тексте эквиваленты для русских слов и словосочетаний:
 - глава правительства
 - быть обязанным

- поступать / действовать по совету министров
- тайное голосование
- быть ответственным за
- проводить выборы
- голосование / участие в голосовании не обязательно
- одержать победу на выборах

12. What do you understand by "shadow cabinet"?

13. How would you say that in English? "Группа влиятельных парламентариев, имеющих свою программу и претендующих в случае победы их партии на создание нового правительства."

14. Name the three main forms of the verb "win". Use this verb in your 3 own sentences (Present, Past, Perfect Indefinite).

15. What is the full name for MPs?

16. Найдите в тексте глагольные синонимы "состоять из". Назовите их общие и отличительные признаки. Образуйте с каждым словом по одному предложению.

17. Поставьте вопрос с вопросительным словом к первому абзацу.

18. Исправьте предложения. Используйте информацию текста в качестве ключа.

a) Britain is an authoritarian state.

b) The Queen is partial and does not act on the advice of her ministers.

c) General elections to choose MPs must be held at least every four years.

d) Voting is compulsory.

19. Translate the following sentence into Russian:

"The Commons has 650 elected Members of Parliament, each representing a local constituency.

20. Вставьте необходимый по смыслу глагол, проверьте себя по тексту.

"Parliament... the House of Commons, the House of Lords and the Queen in her constitutional role.

21. Поставьте всевозможные вопросы к предложению "The Queen appoints its leader as Prime Minister".

22. Complete the following sentence "As head of the Government..."

1. Прослушайте диалог. Постарайтесь записать все, что вы поняли. Прослушайте запись еще раз, дополните записанное. Прослушайте диалог еще раз и выпишите основные термины и выражения по данной теме. Проведите аналогичный диалог со своим товарищем по учебе.

2. Запишите свой диалог на пленку, прослушайте его и сделайте исправление ошибок по оригиналу. Выпишите на слух все термины, относящиеся к данной теме. Составьте аналогичный диалог и разыграйте его по ролям.

DIALOGUE

**Composition and Formation
of the UK**

A: As far as I know, Great Britain is a monarchy, isn't it?

B: Yes, but Great Britain is a constitutional monarchy. The Queen is not absolute.

A: By whom are the Queen's powers limited?

B: They are limited by Parliament.

A: Parliament in Britain has a two-chamber structure, hasn't it?

B: Yes, Parliament consists of two Houses: the House of Lords and the House of Commons.

A: How often is Parliament elected?

B: The House of Commons is elected every 5 years. The membership in the House of Lords is hereditary.

A: Well, the legislature consists of the Queen and Parliament. And what about the executive power?

B: The highest executive body is the Cabinet of Ministers headed by the Prime Minister.

A: Is the Prime Minister appointed?

B: The Prime Minister is usually the leader of the party which has a

**Государственное устройство
Великобритании**

Насколько мне известно, Великобритания – монархия, не так ли?

Да, но Великобритания – конституционная монархия. Королева не обладает абсолютной властью.

А кем ограничена власть Королевы?

Парламентом.

В Великобритании двухпалатный Парламент, не так ли?

Да, в Парламенте 2 палаты: Палата лордов и Палата общин.

Как часто избирается Парламент?

Палата общин избирается раз в 5 лет. Членство в Палате лордов передается по наследству.

Итак, законодательная власть представлена Парламентом и Королевой. А исполнительная власть?

Высшим органом исполнительной власти является Кабинет министров во главе с Премьер-министром.

Премьер-министр назначается?

Премьер-министром обычно становится лидер партии, полу-

majority in the House of Commons.

A: And where is the residence of the Prime Minister located?

B: The residence of the Prime Minister is at number 10 Downing Kstreet.

A: And whom does the supreme judicial power belong to?

B: The highest judicial body in the English judicial system is the House of Lords.

A: I greatly appreciate your detailed replies.

B: You're welcome.

чившей большинство мест в Палате общин.

А где находится резиденция Премьер-министра?

Резиденция Премьер-министра находится на Даунинг стрит 10.

А кому принадлежит высшая судебная власть?

Высшим судебным органом , судебной системы является Палата лордов.

Я Вам очень признателен за подробные ответы.

Пожалуйста.

TEXT N 4

The US System of Government

The United States of America (USA), consisting of 50 States and the District of Columbia, is a presidential Republic. The total area of the USA is over nine million square kilometres. The population of the USA is about 250 million people. The capital of the USA is Washington. American English is the official language of the USA.

The legislative branch of the US Government, or the Congress, | **represents** all of the American states. It consists of two parts: **the House of Representatives** and **the Senate**. Each state has two **senators**, who **are elected** every 6 years. A senator must be at least 30 years old, a **citizen** of the United States for 9 years, and live in the state she or he will represent. A **representative must be** at least 25 years old, a citizen for 7 years, and live in the state.

The job of the Congress is to **make laws**. The President can **veto a bill**. The Congress can **pass the law** anyway if it **gets a two-thirds majority vote**. The Congress can also **declare war**. The House of Representatives can also **impeach the President**. This means that the House can **charge the President with a crime**. In this case, the Senate will put **the President on trial**. The Senate votes to **approve the justices** that the President appoints to the Supreme Court.

The executive branch of the government puts the country's laws into effect. The President of the United States is a member of the

executive branch. The President must be at least 35 years old, and be a **natural citizen of the USA**. In addition, he must have lived in the US for at least 14 years, and be a **civilian**. The President is elected every four years and cannot serve more than two **terms**. The **Vice-President** of the USA is – president of the Senate. When the President receives a bill from the Congress, he must **sign** it, and then the bill becomes a law. However, if he disagrees with the law, he can veto it. The President can also ask the Congress to declare war. He also appoints the justices to the Supreme Court. He must do his job according to the Constitution, or he may be impeached.

The **judicial branch of the government** is the **system of courts** in the United States. Its job is to **enforce laws**. The Supreme Court is the highest court in the country. It consists of **9 justices**: one **Chief Justice** and 8 **associate justices**. The President appoints the justices, but the Senate must approve them. The justices are **appointed for life**. The Supreme Court makes sure that people **obey the laws**. The Supreme Court can also decide if a law is **constitutional**, that is, if it is in agreement with the Constitution. The judicial branch works together with the legislative and executive branches to **protect the Constitution and the – rights of people**.

Three different lawmaking groups exist in the United States: (1) legislatures, (2) agencies, and (3) courts. Legislatures pass laws directly, agencies develop laws that help put legislative rulings into effect, and courts establish laws as a result of case decisions.

The White House is the President's residence.

The US national flag – Stars and Stripes – is red, white and blue. 13 strips represent the original 13 states of the USA; the 50 stars represent the current number of states of the USA.

1. Learn the following words and phrases!

	VOCABULARY
the total area	общая площадь
to insure domestic tranquility	обеспечивать общественный порядок / правопорядок на территории страны
to promote the general welfare	содействовать укреплению всеобщего благосостояния
to establish a constitution	обнародовать конституцию
Congressman, <i>n</i>	член палаты представителей конгресса США/конгрессмен
lawmaking, <i>n</i>	правотворчество / законотворчество / издание законов
lawmaker, <i>n</i>	законодатель / субъект право-творчества/член законодательного собрания

All legislative powers are invested in a Congress of the United States.	Конгресс США олицетворяет собой всю законодательную власть / Вся законодательная власть принадлежит / предоставлена конгрессу.
a presidential republic	президентская республика
the legislative branch of the government	законодательная власть
the Congress	конгресс (<i>законодательная власть в США</i>)
to represent smb., smth.	представлять кого-либо, что-либо
the House of Representatives	палата представителей
the Senate	сенат (верхняя палата конгресса США)
a senator / member of senate	сенатор штата / член сената США
to be elected as President	быть избранным президентом
to be a citizen of the United States	быть гражданином США
a representative	представитель
to make a law	создавать закон / издавать закон
to veto a bill	наложить вето на законопроект
to pass the law	принимать закон
to get a two-thirds majority vote	получить большинство в две трети голосов
to declare war	объявить войну
to impeach the President	подвергнуть президента импичменту
to charge the President with a crime	обвинить президента в совершении преступления
to put the President on trial	судить президента / предать президента суду
to vote	голосовать
to pass a bill	принимать / утверждать законопроект
to approve the justices	утвердить судей
to appoint a justice to the Supreme Court	назначить судью Верховного суда
the executive branch of the government	исполнительная власть
to put the country's laws into effect	приводить в исполнение законы страны
to be natural citizen of the USA	родиться в США и быть гражданином США
to serve	служить
a term	срок / срок полномочий / наказания
the Vice-President	вице-президент
to sign an agreement	подписать соглашение
the judicial branch of the government	судебная власть
a system of courts	система судов
to enforce law	применить закон
a justice	судья
Chief Justice	верховный судья
an associate justice	член суда
to be appointed for life	назначаться пожизненно

to obey a law constitutional to protect the Constitution and the rights of people

The Congress of the United States consists of a Senate and House of Representatives.

The House of Representatives is composed of members chosen every second year by the people of the several states.

The House of Representatives has to choose their Speaker and other officers; and the sole power of impeachment.

The Senate of the United States is composed of two senators from each state chosen for six years; and each senator has one vote.

the protection of the rights of the citizens

A constitutional amendment can only be carried if a very substantial majority, both in Congress and the individual states, approve it.

Who can alter the rules of the U.S. Constitution?

Does the USA have a written constitution?

When was the American constitution first written?

The Constitution of the United States was reduced to writing in 1787.

Can it be changed?

The Democratic Party is one of the two major political parties in the U.S., founded in 1828.

The Republican Party is one of the two major political parties in the U.S., originated 1854-1856.

fundamental law (constitution) legal state

подчиниться закону конституционный защищать конституцию и права граждан

Конгресс США состоит из сената и палаты представителей.

Палата представителей состоит / формируется из представителей от каждого штата, избираемых гражданами сроком на два года.

Палата представителей избирает своего спикера и других должностных лиц / чиновников и имеет исключительное право импичмента (*процедура привлечения к ответственности высших гражданских должностных лиц*).

Сенат США включает два сенатора от каждого штата, избираемых на 6 лет, и каждый сенатор имеет один голос.

защита прав граждан

Поправка может быть внесена в конституцию лишь в том случае, когда она получает одобрение значительного большинства как в конгрессе, так и в каждом штате.

Кто может изменить положения / статьи конституции США?

США имеют писаную конституцию?

Когда была впервые написана конституция США?

Конституция США была написана в 1787 г.

Она может быть изменена?

Демократическая партия – одна из двух главных политических партий США, основана в 1828г.

Республиканская Партия – одна из двух главных политических партий США, основана в 1854-1856 гг.

основной закон (конституция) правовое государство

threat to a legal state
observe the principles of a legal state

US Administration
federal government
state government
local authorities

The US is a presidential republic.

There are 50 states in the US.
The capital of the US is Washington, D.C. (District of Columbia).

The executive power belongs to the President.

The President is elected together with a Vice-President for a term of 4 years.

The Presidential election is held every 4 years in November on Tuesday after the first Monday.

The White House is the President's residence.

The highest legislative body is the Congress.

Congressmen
Capitol

The Congress consists of two chambers.

Senate

House of Representatives

In order to become a law all bills must pass the Houses and must be signed by the President.

The US Supreme Court is the highest judicial body.

State Department

State Secretary

Chief Justice

governor of state

appoint heads of departments

Democratic Party

Республиканская партия

угроза правовому государству
соблюдать принципы правового государства

Администрация США (правительство)
органы федеральной власти
органы власти штатов
местные органы власти
США – президентская республика.

В США – 50 штатов.

Столицей США является Вашингтон, округ Колумбия.

Исполнительная власть принадлежит Президенту.

Президент избирается сроком на 4 года вместе с вице-президентом.

Президентские выборы проходят раз в четыре года в ноябре во вторник после первого понедельника.

Резиденция Президента – Белый дом.

Высшим законодательным органом США является Конгресс.

члены Конгресса

Капитолий (здание Конгресса)

Конгресс состоит из двух палат.

Сенат

Палата представителей

Чтобы стать законом, все законопроекты должны пройти через обе палаты и быть подписаны Президентом.

Верховный суд США является высшим судебным органом.

Государственный департамент

Государственный секретарь

Председатель Верховного суда

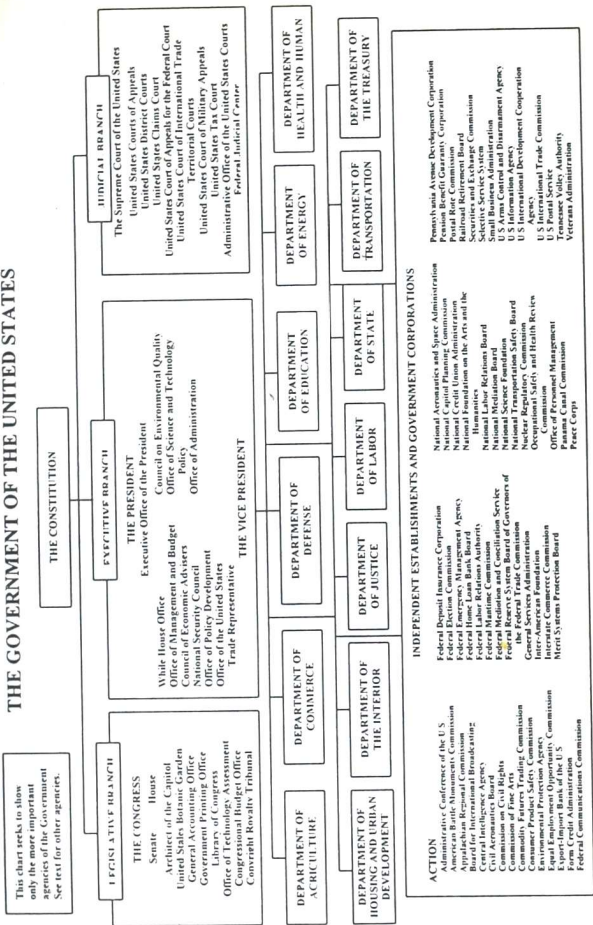
губернатор штата

назначить глав министерств

Демократическая партия

Republican Party

THE GOVERNMENT OF THE UNITED STATES



This chart seeks to show only the more important agencies of the Government. See text for other agencies.

LEGISLATIVE BRANCH

THE CONGRESS
Senate
House
Architect of the Capitol
United States Botanic Garden
General Accounting Office
Government Printing Office
Library of Congress
Office of Technology Assessment
Congressional Budget Office
Conwright Kowalzy Tribunal

EXECUTIVE BRANCH

THE PRESIDENT
Executive Office of the President
Council on Environmental Quality
Office of Science and Technology
Policies
Office of Administration

THE VICE PRESIDENT

JUDICIAL BRANCH

The Supreme Court of the United States
United States Courts of Appeals
United States District Courts
United States Claims Court
United States Court of Appeals for the Federal Circuit
United States Court of International Trade
Territorial Courts
United States Court of Military Appeals
United States Tax Court
Administrative Office of the United States Courts
Federal Judicial Center

DEPARTMENT OF AGRICULTURE

DEPARTMENT OF COMMERCE

DEPARTMENT OF DEFENSE

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DEPARTMENT OF INTERIOR

DEPARTMENT OF JUSTICE

DEPARTMENT OF LABOR

DEPARTMENT OF STATE

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF THE TREASURY

INDEPENDENT ESTABLISHMENTS AND GOVERNMENT CORPORATIONS

- ACTION**
Administrative Conference of the U.S.
American Battle Monuments Commission
Appalachian Regional Commission
Board for International Broadcasting
Central Intelligence Agency
Civil Aeronautics Board
Commission on Civil Rights
Commission of Fine Arts
Consumer Product Safety Commission
Consumer Safety Council
Environmental Protection Agency
Equal Employment Opportunity Commission
Export-Import Bank of the U.S.
Federal Reserve Administration
Federal Communications Commission
- Federal Deposit Insurance Corporation**
Federal Election Commission
Federal Emergency Management Agency
Federal Home Loan Bank Board
Federal Labor Relations Authority
Federal Maritime Commission
Federal Reserve System Board of Governors of the Federal Reserve System
Federal Trade Commission
General Services Administration
Interstate Commerce Commission
Merrit Systems Protection Board
- National Aeronautics and Space Administration**
National Capital Transportation Commission
National Civilian Control Administration
National Foundation on the Arts and the Humanities
National Labor Relations Board
National Mediation Board
National Transportation Safety Board
National Transportation Security Administration
Nuclear Regulatory Commission
Occupational Safety and Health Review Commission
Office of Personnel Management
Panama Canal Commission
Peace Corps
- Pennsylvania Avenue Development Corporation**
Pension Benefit Guaranty Corporation
Postal Rate Commission
Railroad Retirement Board
Securities and Exchange Commission
Selective Service System
Small Business Administration
U.S. Arms Control and Disarmament Agency
U.S. Information Agency
U.S. International Development Cooperation Agency
U.S. International Trade Commission
U.S. Postal Service
Tennessee Valley Authority
Veterans Administration

2. Look at the figure and describe the government system of the USA.
Use the text to help you if necessary.

Test your knowledge.

1. Зачеркните ненужное.

The UK is

- a) an unitary state
- b) a federation of states

The USA is

- a) an unitary state
- b) a federation of states

The USA is

- a) an absolute monarchy
- b) a constitutional monarchy
- c) a presidential republic

The UK is

- a) a presidential republic
- b) an absolute monarchy
- c) a constitutional monarchy

2. Подберите английские соответствия для русских терминов:

- | | |
|---|------------------------------|
| a) федеральное государство | 1) an absolute monarchy |
| в) президентская республика | 2) a constitutional monarchy |
| с) абсолютная / неограниченная монархия | 3) a federation of states |
| д) конституционная монархия | 4) an unitary state |
| е) унитарное государство | 5) a presidential republic |

3. Назовите части, из которых состоит Соединенное Королевство?

- a) Wales
- b) Northern Ireland
- c) Eire (Southern Ireland)
- d) England
- e) Scotland

4. Напишите правильную цифру

The USA consists of (13, 50,47) states and (one, two, three) districts).

5. Напишите полное название государств:

- a) The full name of the USA / US is: The United...
- b) The full name of the UK is: The United ...

6. Скажите по-русски:

- 1) According to the American Constitution, president elections are held every four years.
- 2) There are severe constitutional constraints on the power of the British monarchy.
- 3) The government can't refuse to hold a by-election – it's not constitutional.

4) The government must always act constitutionally.

7. Закончите предложения:

1. The chief minister and leader of the government in the UK is _ (президент, премьер-министр).

2. The leader, and the ruler or chief governing official in the USA is _ (the Prime Minister, the President).

8. Назовите антонимы к следующим словам. Используйте при этом приставки *un-, in-, il-/im-*. Проверьте себя по словарю.

justice	familiar	equitable
partiality	licit	
partial	constitutional	practical
valid	practicable	legal
lawful	written	fair
dependence	adequacy	capacity

9. Проведите дискуссию под руководством преподавателя на тему "Государство и правительство (State and Government) Англии и США".

10. Скажите одним словом: The system of laws and principles, usually written down, according to which a country or an organization is governed.

11. Ответьте на вопросы: What do you understand by *the Congress of the USA*, by *the Senate*, by *the House of Representatives*, by *a presidential republic*?

12. Скажите по-русски: The executive power is vested in a president of the United States of America.

13. Найдите это предложение в тексте "Конституция США". Укажите статью, раздел.

14. Ответьте:

1) How is the President elected in the USA?

2) How is the Prime Minister elected in the UK?

3) What is the relationship between the Prime Minister and the monarch in the UK?

4) What are the most striking differences between the USA system of government and your own?

5) Are there significant similarities between the two systems?

15. Скажите одним словом: A set of roles which define the relationship between the various organs of government and between the government and citizens of a country.

16. Назовите правительственные / государственные органы Великобритании и США.
17. Выпишите значения следующих терминов из англо-русского юридического словаря: the monarch, the president, the executive, the legislature, the judiciary.
18. Образуйте от существительного constitution соответствующие прилагательное и наречие. Проверьте себя по словарю.
19. Расскажите кратко по-русски (по-английски своими словами), о чем идет речь в статье №1, 2, 3, 4, 5, 6, 7.

20. Переведите на русский язык.

The constitution of the United States was expressly based on the separation of powers – the executive (President), the legislature (Senate / House of Representatives) and the judiciary (Supreme Court) are discrete (separate) bodies. But even the United States government does not conform exactly to the theory. Each body exercises control over the function of the others through a complex system of checks and balances. For example, the President appoints the judges to the Supreme Court but his nominations must be approved by the Senate, and we have already seen that the judiciary has the constitutional right to strike down legislation as unconstitutional.

21. Напишите краткие сообщения на следующие темы, используя не более 150 слов. Разрешается пользоваться материалами данного пособия или любой юридической энциклопедией (словарем, лексиконом).

- а) конституция США;
- б) географическое положение США;
- в) население США;
- г) столица США;
- д) правительство США;
- е) законодательная, исполнительная и судебная ветви власти США;
- ё) конгресс США и его возможности и обязанности;
- ж) президент США и его полномочия;
- з) что символизирует флаг США?;
- и) политическая система США;
- к) назначение конституции.

22. Назовите антонимы. При образовании антонимов используйте приставки *un-*, *il-*, *in-*, *im-*. Проверьте себя по словарю. Justice,

dependence, partiality, lawful, legal, valid, equitable, written, constitutional, known.

23. Скажите одним словом и проверьте себя по словарю: The highest law-making body of the US, consisting of the Senate and the House of Representatives is (парламент, конгресс).
24. Переведите на русский язык:
 - 1) He has been elected / returned to Congress.
 - 2) Congress has approved the new education budget.
 - 3) The President has lost the support of Congress.
25. Как бы Вы сказали одним словом?:
 - a) a member of a congress;
 - b) a member of a senate.
26. В приведенных предложениях найдите синонимы и отметьте их различие в оттенках значения и в словоупотреблении
 - 1) The United Kingdom consists of England, Wales, Scotland, and Northern Ireland.
 - 2) The United Kingdom is composed of England, Wales, Scotland, and Northern Ireland.
 - 3) The UK comprises England, Wales, Scotland, and Northern Ireland.
27. Составьте предложения с данными синонимами применительно к США и России.
28. Выберите нужный из заключенных в скобки синонимов, не меняя порядка слов в предложении.
England, Wales, Scotland, and Northern Ireland (to constitute, comprise, to include) the UK.
30. Составьте три предложения с глаголом to include по образцу:
Образец: The UK includes Northern Ireland and Wales.
31. Name the organs of UK government and the organs of US government.

УРОК №4 / UNIT FOUR

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The British constitution.

A **constitution** is a set of rules which define the relationship between the various organs of government and between the government and citizens of a country. Its purpose is to set the parameters of governmental power and the right and duties of the citizens. Therefore, the constitution of any individual country will determine the system of government in that country.

Before we go on to examine the nature of the British constitution it is important that you have a clear understanding of what is meant by the 'organs' or 'institutions' of government. In this context we mean the executive, the legislature and the judiciary; in addition, in the United Kingdom, the monarch has an important constitutional role as head of state.

The British constitution is just as important to English citizens as the U.S. Constitution is to the Americans. Nevertheless, it is not 'written'. That is to say, it has never been wholly reduced to writing. Further, since Parliament is 'sovereign' it can, without any special procedure, and by simple Act, alter any law at any time, however fundamental it may seem to be. Although, therefore, our courts have always been statute to safeguard the rights of the subject and although legal remedies; such as *habeas corpus*, are designed to protect him, yet, under our constitution, there are ... no guaranteed rights similar to the fundamental liberties safeguarded by the U.S. Constitution.

The statement that the British constitution is not 'written' does not mean that the British citizens possess no important constitutional documents; it merely means that the constitution is not embodied in any single document, or series of documents, containing our essential constitutional laws. Thus the British citizens have many enactments which either have been or still are, of great importance. One need only cite as examples Magna Carta (1215), the Bill of Rights (1688) – which sets out the principal rights gained by Parliament and the nation as the result of the seventeenth century constitutional struggles – the Act of Settlement (1700), and the Parliament Acts 1911 and 1949.

Having established that the constitution of the UK is not contained in any one single document we now need to look at the sources of the constitution. These can be found in custom, case law books of authority. European Community law (since 1972) \ European Union law (at present) and, most important, constitutional conventions. These are in formal or "moral" rules – a code of practice for government

which has evolved over the years. They are primarily concerned with the relationship between the Crown (or monarch) and the executive and the legislature. Many constitutional rules, such for example as the provisions of the Act of Settlement... are laws' in the ordinary sense, that is to say, they will be recognized and enforced by the courts.

The doctrine of parliamentary sovereignty governs the relationship between the legislature and the judiciary. There are two aspects to the doctrine of parliamentary sovereignty:

a) Parliament may enact any law it wishes and,

b) no authority, including the courts, has the power to question the validity of the legislation. The originals of the doctrine are historical arising from the political changes of 1688 which sought to limit the power of the monarchy. There is no law which states that Parliament is supreme but the doctrine is accepted and recognized by the courts. The only test for the validity of an Act Parliament is that it has passed the necessary legislative procedures, that is it has been approved by a majority of both Houses of Parliament and received the Royal Assent.

The procedure is known as "The Queen in Parliament". It is the duty of the British judiciary to enforce the will of Parliament as expressed through its legislation.

Another feature of the British Constitution that is relevant to the constitutional role of the judiciary is the theory of the separation of powers. Because there is no written constitution in the UK, the limitations on government power are largely self-imposed, relying on unenforceable conventions and a political culture based on the rule of law.

An additional feature of the doctrine of parliamentary sovereignty is that each new Parliament is supreme. The traditional view is that no Parliament can limit the actions of a future Parliament. Much of the debate in this area centers of the issue of a Bill of Rights. Under the traditional view of parliamentary sovereignty of a Bill of Rights enacted by one Parliament could be replaced by its successor.

Confidence in these traditional restraints has recently diminished and this has been reflected in a increasing demand for a more formal protection of human rights. The process of judicial review is a practical application of the rule of law. It forms the basic of a growing body of administrative law which regulates the relationship between the courts, public administrative bodies (including the executive and individual

citizens). The judicial review does not enable the courts to question the merits of administrative action or the validity of an Act of Parliament.

Amongst other, Lord Scarman, an eminent member of the House of Lords, has argued in favor of the enactment of a Bill of Rights:

This would contain fundamental rights such as freedom of speech and assembly. It would be entrenched, i.e. it could not be repealed or altered without a special parliamentary majority...

The arguments against a Bill were well put by Lord Me Cluskey. When giving the 1987 Reith lectures. Firstly, "it would draw judges into the political arena in a way alien to the best traditions of the judiciary"...

It is clear that a Bill of Rights of itself cannot guarantee right. It must be supported by the spirit of the people and the judiciary. The question is whether a Bill makes rights more or less secure.

Exercises and tasks

1. Look at the heading of the text №1, decide what kind of information you think this text might contain.
2. Read the text for gist / skim the text №1 and say what the text is about in general.
3. Now read the text again and divide it into some paragraphs. Mark them with the letters A, B, C, D ... Read the text quickly and decide which paragraph:
 - 1) gives the information about the definition and purpose of the British constitution;
 - 2) contains the information about the characteristics of the British constitution;
 - 3) explains the nature of the constitution;
 - 4) gives information about the courses of the constitution;
 - 5) explains the doctrine of parliamentary sovereignty;
 - 6) gives information about «The Queen of Parliament»;
 - 7) contains the information about the separation of powers;
 - 8) gives information about a Bill of Rights.
4. Read the text again and note all the law terms you can find (on topic "UK constitution"). Translate them into Russian. Use a dictionary to help you if necessary.
5. Read the text carefully and answer the question below.
 - a) What do you understand by the British constitution?
 - b) What is the purpose of the UK constitution?

- c) What are the characteristics of the British constitution?
 d) Does the United Kingdom have a written constitution?
 c) Who can alter the rules of the British constitution?
6. Name the main sources of the constitution. Check your answer in the text.
7. What can you say about a Bill of Rights?
8. Explain the doctrine of parliamentary sovereignty to other students.
9. Who makes legislation in England?
10. Name the arguments for and against a Bill of Rights.
11. Is most English law written in a code?
12. What are the two main types of sources of law?
13. Answer the following questions.
- a) Can English courts influence the effect of legislation?
 b) Has English law developed?
 c) Are codes of law popular in Continental countries?
 d) Is most Continental law generally written or unwritten?
14. Discuss the question "The role of the monarch in British constitution" with other members of your group.
15. Test your knowledge. True or false?
- An unwritten constitution can be easily changed.
 - An unwritten constitution is more flexible (adaptable) than a written constitution.
 - There are no documents containing constitutional laws in the United Kingdom.
 - Parliament must follow a special procedure to alter constitutional laws.
 - There are no legal remedies which the British courts can apply to protect the rights of the subjects.
 - Parliament has no power to make laws to protect individual rights.
16. Compare the British constitution with the constitution of Russia. Make out the differences and similarities between them in form and essential.
17. Write a short essay of 200 words on the nature of the constitution in Russia. It should state whether the constitution of the Russian Federation is written or unwritten. If it is the former, when did it come into machinery of government and the protection of human rights? Your essay should consist of four paragraphs each beginning as follows:

Paragraph 1: The constitution in our country is written...

Paragraph 2: The main features of the constitution of the Russian Federation are...

Paragraph 3: The constitution recognises a number of individual rights which include ...

Paragraph 4: The provisions in the constitution for protecting these rights are ...

18. Complete the following sentences with the word below. Use each word only once:

- a) The opposite of "tacit" is ...
- b) A rule which is reached by agreement is called a ...
- c) The head of state in the UK is called ...
- d) Parliaments consists of...
- e) The leader of the government is the ...

express, a constitution, Queen / King of Lords and the House of Commons, the Prime Minister

19. Read the statement, say it in Russian and remember it! "Many constitutional rules, such for example as the provisions of the Act of Settlement... are "laws" in the ordinary sense. They will be recognised and enforced by the courts".

20. Сопоставьте английские предложения с русскими и обозначьте это следующим образом:

1			
a			

Example: 1) An additional feature of the doctrine of parliamentary sovereignty is that each new Parliament is supreme.

a) Дополнительной чертой доктрины парламентского суверенитета является то, что каждый **новый** парламент имеет верховенство / главенство.

2) After a major defeat in the House of Commons the Prime Minister refuses to resign or ask the Queen to dissolve Parliament. A member of the opposition party applies to the High Court for an order forcing the Prime Minister to resign. The High Court grants the order.

3) It is the duty of the British judiciary to enforce the will of Parliament as expressed through its legislation. The government is defeated on a major issue in the House of Commons. The Prime Minister advises the Queen to dissolve Parliament and a general election is called. The government wins a large majority in the general election but the Queen invites the leader of a minority party to form the next government.

- 4) There is no law which states that Parliament is supreme but the doctrine is accepted and recognised by the courts.
- a) Нет такого закона, который устанавливал бы/определял бы верховенство парламента, однако доктрина по этому вопросу принята и признана судом.
- b) Обязанностью Британской судебной системы является принудительное осуществление/исполнение воли парламента, выраженной посредством ее законодательства. Правительство, потерпевшее поражение по основному вопросу, в Палате общин. Премьер-министр предлагает королеве распустить парламента, и назначаются всеобщие выборы. Правительство во время всеобщих выборов получает значительное большинство, однако королева поручает лидеру партии меньшинства сформировать следующее правительство.
- c) После значительного поражения Палаты общин премьер-министр отказывается уходить в отставку или обращается к королеве с ходатайством распустить парламента. Член оппозиционной партии обращается в Верховный Суд, чтобы тот отдал распоряжение о вынужденной отставке премьер-министра. Верховный Суд отдает такое распоряжение.

21. Найдите в тексте английские эквиваленты для следующих русских словосочетаний:

наносить поражение	источники конституции
распустить парламента	отдавать распоряжения
значительное большинство	отказаться/уходить в отставку
формировать правительство	доктрина парламентаского суверенитета
принять закон	защита прав граждан
контроль за правительственной властью	разделение властей
ограничить власть монархии	суды, независимые от парламента и исполнительной власти
верховный орган правительства	в соответствии с
норма права	
две основные характеристики Британской конституции	

22. Do you agree with the definition of administrative law?

"Administrative law regulates the relationship between the courts, public administrative bodies (including the executive) and individual citizens".

23. What do you understand by the term *ultra vires*?

24. Выпишите из англо-русского юридического словаря все значения слова *law*. Употребите это слово во всех значениях в своих предложениях.

25. Вычеркните глагол, с которым невозможно сочетание слова *constitution*:

constitution + to adopt, establish, ratify, draw up, frame, write, safeguard, abrogate, amend, to violate, serve.

24. Переведите эти словосочетания на русский язык. Употребите английские словосочетания в своих предложениях.

25. Write this sentence in Russian: According to the American Constitution, presidential elections are held every four years.

26. Выпишите из текста все причастия I и причастия II.

Вспомните образования причастий.

Participle I + основа глагола + суффикс -ing:

to read – reading; to make – making

Participle I может употребляться как определение, так и обстоятельство.

Переводится на русский язык:

а) причастием на -*ущий, -яущий, -ащий*;

б) причастным оборотом или определительным придаточным предложением: a laughing man – смеющийся человек:

The policemen investigating the robbery are looking for two men. – Полицейские, расследующие дело о грабеже, ищут двух мужчин.

Do you know the girl talking to Tom. – Ты знаешь девушку, которая беседует с Томом.

Кроме того, Participle I переводится иногда деепричастием (Reading your translation I found one mistake – Читая Ваш перевод, я нашел одну ошибку), обстоятельственным придаточным предложением (Be carefully when crossing the road – Когда переходишь дорогу, будь внимателен), существительным с предлогом “при”, “во время” (I cut myself shaving – Во время бритья/ когда я брился, я порезался).

Participle II образуется следующим образом.

а) **правильные глаголы** – основа глагола + ed. например: examined – проэкзаменованный, опрошенный, рассмотренный, расследованный:

б) **неправильные глаголы** меняют свою корневую гласную. Это 3-я форма глагола, которую рекомендуется заучивать. Например:

written constitution – писаная конституция, a stolen car – украденный автомобиль.

28. Переведите следующие причастия на русский язык:

the law making authority

the missing words

by passing laws

the money needed by political parties comes from...

These methods include voting and lobbying

the following question:

the suspected person;

the recognized principles;

the statutes mentioned in the preceding text;

An unwritten constitution can be easily changed.

There are no documents containing laws in the UK.

six people, including three women; enacted law.

Voting is a basic right provided by the US Constitution; elected representatives are influenced by pressure from their constituents (избиратели); organized crime; existing customs and laws; the law regulating the relations between citizens and the state. The language for naming cases given in the extract is very formal.

29. Learn the words and expressions!

VOCABULARY

machinery of government

органы управления

to come into existence

возникать, появляться

to protect individual rights

защищать права личности

human rights

права человека

the rule of law

норма права, правовая норма; принцип господства права

the validity of an Act of Parliament

юридическая сила/юридическое действие актов парламента, парламентских законов

prescribe, *v*

предписывать

to ~ a rule

устанавливать правило/норму

prescription, *n*

предписание, распоряжение

~ of law

правовое предписание

enforceable, *adj*

обеспеченный правовой санкцией: могущий быть принудительно осуществленным в судебном порядке

to have no power to tap telephones

не иметь права прослушивать телефонные разговоры

ultra vires (*lam.*) in excess of power

вне компетенции; с превышением полномочий, правоспособности

the British Constitutional Law	Британское конституционное право
to protect human rights	защищать права человека
judicial review	судебный контроль; судебный пересмотр.
	судебный надзор; обзор судебной практики
to guarantee	гарантировать, давать гарантии
guarantee, <i>n</i>	гарантия. поручительство
fundamental rights	основные права
law, <i>n</i>	право, закон
according to the American Constitution	в соответствии с американской конституцией
head of state	глава государства
to owe to	быть обязанным
to act on the advice of the ministers	поступать / действовать по совету министров
	—
to hold elections	проводить выборы
voting is not compulsory	голосование / участие в голосовании необязательно
	принимать закон
to pass a law	ничтожный, не имеющий юридической силы
void, <i>adj</i>	сделать недействительным, отменить
	нарушение (<i>закона, права</i>)
to strike down	в нарушении чего-либо, в противоречии с чем-либо
contravention, <i>n</i>	действительное удостоверение
contravention of	виза многократного пользования
	виза на въезд (въездная виза)
valid identity papers	виза на выезд (выездная виза)
multiple visa	для пребывания до трех месяцев виза не нужна
entry visa/permit	выдать визу
exit visa/permit	выдача виз
Visas are not required for an under three-months stay.	продлить срок визы
issue/grant a visa	просьба о выдаче визы
issuance of visas	отказать кому-либо в визе (выдаче визы)
prolong a visa	без визы
request for a visa	Я гражданин России.
refuse smb a visa/deny smb a visa	Представительство США (Великобритании) в России
without visa	продлевать срок действия визы
I am a citizen of Russia.	срок действия визы истекает
mission of the US (Great Britain) in Russia	срок действия визы продлен
prolong/extend the validity of a visa	получить визу
visa expires	натурализованный гражданин
the visa has been prolonged	апатрид, лицо без гражданства
receive a visa	
naturalized citizen	иметь двойное гражданство
stateless citizen (person), the stateless	изменение гражданства детей
have dual citizenship/nationality	
alteration/change of the children's citizenship	

be a citizen of Russia/have Russian citizenship	иметь российское гражданство
mission of Russia	представительство России
consular fees	консульские сборы
Embassy of the USA	посольство США
Consulate	консульство
Consular department (division)	консульский отдел
Embassy of the UK	посольство Великобритании
denaturalization (deprivation)	лишение гражданства (прав гражданства)
termination of citizenship	
lose citizenship	утратить гражданство
loss of citizenship/nationality	утрата гражданства
acquisition of citizenship	приобретение права (прав гражданства)
deprive of citizenship/terminate citizenship/denaturalize	лишать гражданства (прав гражданства)
renounce citizenship	отказаться от гражданства
change citizenship	переменить гражданство
be granted citizenship/be admitted to citizenship	получить права гражданства
be naturalized as a Russian citizen/be granted Russian citizenship/acquire Russian nationality	принять русское (российское) гражданство
denization/naturalization	
deportation	предоставление прав гражданства (натурализация), принятие в гражданство (иностранца)
immigrate/emigrate	депортация, высылка
political refugee	иммигрировать
Russian immigrants in the USA	политический беженец
residence permit	русские иммигранты в США
immigration quota	вид на жительство
Immigration and Naturalization Service	иммиграционная квота
apply for citizenship	Управление по вопросам иммиграции и натурализации (США)
special regime/treatment of aliens	подавать заявление / ходатайство о принятии в гражданство
right of political asylum	специальный режим для иностранцев
persons granted asylum	право политического убежища
extraditable persons	лица, которым предоставлено убежище
Read the regulations on entry and exit of the country, please.	лица, подлежащие выдаче
What is your citizenship?	Ознакомьтесь, пожалуйста, с положением о въезде в страну и выезде из страны.
Show your passport, please.	Какое гражданство Вы имеете?
Your passport is not valid.	Предъявите, пожалуйста, свой паспорт.
check up passports	Ваш паспорт недействителен.
Can I prolong the duration of my passport?	Проверять паспорта
Where was your passport issued?	Можно продлить срок действия паспорта?
You have been denied a visa.	Где Вам выдан паспорт?
	Вам отказано в выдаче визы.

I'd like to prolong my visa.
When was your visa issued?
Your visa is no longer valid.
When receiving a visa it is necessary to check its duration.
The US Constitution was adopted to 1787.

The Constitution is composed of the Preamble, 7 articles and 26 amendments.

The first ten amendments are known as the Bill of Rights.

The President can veto legislation.

division of political authority between two levels of government – state and national

impeachment

US Department of Justice

US coat of arms

national anthem

"Stars and stripes" flag

state legislature

Declaration of Independence

United Kingdom of Great Britain and Northern Ireland

Great Britain is a constitutional monarchy.

The queen's power is hereditary but it is limited by Parliament

The supreme authority in the country consists of the Queen and Parliament.

The Houses of Parliament

Parliament is composed of two chambers: the House of Lords and the House of Commons.

members of Parliament/MPs

Membership in the House of Lords is hereditary.

The House of Commons is elected every five years.

The highest executive body is the Cabinet of Ministers with the Prime Minister at the head.

The Prime Minister is usually the leader of the party which has a majority in the House of Commons.

Я хотел бы продлить визу.

Когда выдана виза?

Ваша виза больше недействительна.

При получении визы необходимо обратить внимание на срок ее действия.

Конституция США была принята в 1787 г.

Конституция состоит из преамбулы, 7 статей и 26 поправок.

Первые 10 поправок известны как Билль о правах.

Президент может наложить вето на законодательный акт.

разделение политической власти на двух уровнях – национальном и уровне штатов

импичмент

Министерство юстиции США

национальный герб

национальный гимн

звездно-полосатый флаг

легислатура штата

Декларация независимости

Соединенное Королевство Великобритании и Северной Ирландии

Великобритания – конституционная монархия.

Королевская власть наследуется, но она ограничена Парламентом.

Высшая власть в стране принадлежит Парламенту и Королеве.

Здание Парламента

Парламент состоит из двух палат: Палаты Лордов и Палаты Общин.

члены Парламента

Членство в Палате Лордов передается по наследству.

Палата Общин избирается раз в 5 лет.

Высшим органом исполнительной власти является Кабинет Министров во главе с Премьер-министром.

Премьер-министром становится обычно лидер партии, имеющей большинство в Палате Общин.

Conservative Party (the Tories)
Labour Party
Liberal Party
The Prime Minister resides a number 10 Downing Street.
first reading of the Bill
pass or reject the Bill
Seats for the Government are on the Speaker's right and for the Opposition – on the left.
MPs vote by passing into the lobbies through different doors.
The highest judicial body in the UK is the House of Lords.
The English Constitution is regarded to be "unwritten", as it is not codified as a whole in any document.
administer justice
judicial precedent
dissolution of Parliament
pass/adopt a law
UK Foreign Office

Home Secretary
Secretary for Commonwealth
If the Opposition succeeds carrying a vote of no confidence in the Government, the latter resigns.
Then the Queen calls upon the leader of the Opposition to form new Government.

Консервативная партия (тори)
Лейбористская партия
Либеральная партия
Резиденция Премьер-министра находится на Даунинг Стрит, 10.
первое чтение законопроекта
принять или отклонить законопроект
Места для сторонников правительства находятся справа от Спикера, а оппозиции – слева.
Члены Парламента голосуют, выходя через разные двери в коридор.
Высшим судебным органом в Великобритании является Палата Лордов.
Английская Конституция считается "неписаной", т.к. она не кодифицирована в целом ни в одном документе.

отправлять правосудие
судебный прецедент
ропуск Парламента
принимать закон
Министерство иностранных дел Великобритании
Министр внутренних дел
Министр по делам Содружества
Если оппозиции удастся добиться вотума недоверия правительству, оно уходит в отставку.
Тогда Королева просит лидера оппозиции сформировать новое правительство.

1. Сделайте свободный перевод информации. Разрешается пользоваться русско-английским словарем.

■ Большинство специалистов конституционного права характеризуют Британскую конституцию как *неписаную*. При этом британская доктрина относит к писанным только акты Парламента – статусы (statutes). Судебные же прецеденты и доктринальные источники британские ученые считают неписаной частью права, как и обычаи.

Источниками Конституции Великобритании являются: статусы, судебные прецеденты, конституционные обычаи / конституционные соглашения, доктрины. Британская конституция является гибкой.

Статутное / статуарное право. Эту часть конституции образуют только статусы, т.е. акты, принятые в установленном порядке в идентичной редакции обеими палатами и санкционированные монархом.

Прецедентное право. (case law). Это совокупность судебных решений по конституционным вопросам, обязательных для судов при рассмотрении в будущем аналогичных дел. В системе прецедентного права принято выделять общее право (common law) и право справедливости (law of equity). Выработанная разъездными королевскими судьями система норм и стала именоваться общим (т.е. единым для всей страны) правом. При рассмотрении дел судьи стремились следовать ранее вынесенным судебным решениям. Вместе с тем монарх всегда сохранял за собой право смягчения наиболее суровых судебных решений, ссылаясь при этом не на конкретные прецеденты, а на общие принципы права.

Обычное право играет в сфере британского конституционного права большую роль, нежели судебные прецеденты. Конституционные обычаи, именуемые также соглашениями, регулируют весьма важные вопросы государственной жизни. Конституционными соглашениями регулируются также положения, как формирование Правительства лидером партии, победившей на парламентских выборах, процедуры созыва палат Парламента и роспуска Палаты общин.

Доктрины представляют собой опубликованные мнения именитых ученых по вопросам конституционного права. К ним относятся "Трактат о законах Англии" Брэктона (1250 г.); "Комментарии законов Англии" Блэкстона (1865 г), книгу "Английская конституция" Беджгота (1865 г) и др. Суды обращаются к доктринальным источникам в случаях, когда в праве имеется пробел из-за отсутствия статуса, судебного прецедента или обычая, регулирующих определенные отношения.

Важнейшими политическими правами граждан являются свобода слова, ассоциаций, собраний.

Монарх. Это Король / Королева – глава государства и формально источник суверенной власти. Институт монарха часто обозначают термином "Корона". Полномочия монарха можно подразделить на две группы: прерогативные и статусные. Каждую осеннюю очередную сессию Парламента открывает именно Королева, выступая на совместном заседании палат с подготовленной Правительством тронной речью. В ней излагается очередная программа

Правительства. Прерогатива включает и право Королевы распустить палату общин. Королева назначает премьер-министра – лидера партии, имеющий большинство мест в Палате общин. Королеве принадлежит право назначения министров. Монарх назначает судей, ему надлежит право амнистии и помилования. Монарх – главнокомандующий внутренними силами. Она назначает высших должностных лиц в вооруженных силах, присваивает звания офицерам авиации и флота, награждает знаками отличия. Королеве принадлежит также право назначения дипломатических представителей, заключение международных договоров, объявления войны и заключения мира.

Парламент – это орган законодательной власти, включающий монарха и две палаты – Палату общин и Палату Лордов. Основными функциями парламента являются представительство нации, законодательство, принятие бюджета и контроля за деятельностью правительства. Считается, что английский Парламент существует с 1265 года.

Партийный состав палаты определяется итогами выборов. В результате всеобщих выборов 1997 года политические партии оказались представленными в Палате следующим образом:

Консервативная партия – 165 депутатов или 42,04% мандатов.

Лейбористская партия – 419 депутатов, или 65,58% мандатов; партия либеральных демократов – 46 депутатов, или 6,98% мандата.

Остальные 29 мандатов (4,44%) достались национальным партиям. **Спикер** избирается палатой с одобрения Короны из числа депутатов.

Правительство и кабинет. Правительство обеспечивает исполнение законов и проводит внутреннюю политику государства, активно участвует в законодательной деятельности. Правительство насчитывает около 100 членов и формируется Премьер-министром, как правило, из депутатов парламентского большинства. **Кабинет**, куда премьер-министр включает 20-23 наиболее влиятельных министра. Это лорд-хранитель печати, лорд-канцлер казначейства, министры внутренних дел, иностранных дел, обороны, другие министры.

1. Объясните своим товарищам по учебе, как бы искали в англо-русском словаре словосочетание "in contravention of?"
2. Напишите три основные формы глагола strike.

3. Переведите слова equal, equally; equalize, equality, соотнесите их с соответствующими частями речи. Check yourself in the dictionary.
4. Глагол to enforce означает “принудительно применять (*право, закон*), обеспечивать соблюдение, исполнение; принудительно приводить в жизнь”. Как бы перевели образования от этого глагола: enforceable; enforced, enforcement. Проверьте себя по англо-русскому словарю.

Методические рекомендации по работе с диалогами

В качестве рекомендаций по работе над учебным материалом пособия можно в целях развития навыков аудирования/ говорения предложить следующие:

- 1) прослушайте диалог;
- 2) прочитайте диалог вслед за диктором (преподавателем) по ролям;
- 3) инсценируйте прослушанный диалог, не смотря в текст;
- 4) составьте аналогичный диалог и разыграйте его по ролям со своим товарищем по учебе;
- 5) выпишите из диалога наиболее типичные слова и выражения для данной речевой ситуации и на их базе подготовьте краткое сообщение по теме;
- 6) образуйте из этих слов и словосочетаний вопросительные и повествовательные предложения;
- 7) учите английские диалоги наизусть;
- 8) составьте на основании диалога лексикон по соответствующей тематике;
- 9) превратите прямую речь в косвенную речь;
- 10) одни студенты читают диалог по ролям, а другие студенты переводят его с английского на русский вслух, а затем наоборот с русского языка на английский;
- 11) прослушайте диалог на английском языке и скажите при помощи трех-четырёх фраз, о чем спрашивал говорящий своего собеседника, и что он узнал из разговора с ним;
- 12) прочитайте диалог по-русски и напишите английские предложения, которые подходят к тем или иным намерениям (интенциям) спрашивающего;
- 13) проведите дискуссию на уроке под руководством преподавателя по актуальным вопросам текстового материала;
- 14) на базе темы того или иного диалога проинтервьюируйте своего товарища по учебе;

- 15) прослушайте диалог по предложениям и переведите на слух каждое английское предложение на русский язык;
- 16) переведите русские предложения диалога на английский язык, не пользуясь текстом и запишите их на пленку, потом проверьте правильность своего перевода по тексту;
- 17) проведите аналогичные разговоры со своими зарубежными коллегами или товарищами по учебе и запишите их на пленку. Прослушайте их и исправьте свои ошибки. В качестве ключа используйте соответствующие диалоги данного пособия;
- 18) ознакомьте своего собеседника со структурой делового письма;
- 19) напишите по-английски аналогичные деловые письма; пользуйтесь при этом образцами писем, которые содержатся в пособии;
- 20) еще раз внимательно прочитайте образцы коммерческой корреспонденции и назовите основные требования к письмам такого рода;
- 21) при чтении писем-образцов обратите внимание на грамматическую структуру английского текста;
- 22) сравните английское деловое письмо с аналогичным русским и назовите общие и отличительные признаки в формальном и содержательном аспектах;
- 23) выпишите из диалогов юридические / коммерческие термины и расположите их в алфавитном порядке. Напишите их соответствующие русские эквиваленты и проверьте себя по ключу / словарю данного пособия.

Примечание: При развитии навыков говорения / коммуникативных навыков работайте преимущественно парами (в парах) под руководством преподавателя.

1. Learn the words and expressions and use them in your own sentences.

VOCABULARY

parliamentary democracy	парламентская демократия
a constitutional monarch	конституционный монарх
Queen Elizabeth II (the Second)	королева Елизавета Вторая
head of state	глава государства
constitutional monarchy	конституционная монархия
the House of Commons / the Commons	палата общин
the House of Lords / the Lords	палата лордов
Members of Parliament (Mps)	члены парламента

local constituency	местный избирательный округ / местные избиратели
to be made up of/to be composed of smbd.	состоять из кого-либо
hereditary peers	наследственные пэры
life peers	пожизненные пэры
peeress, n	супруга пэра; леди
to hold general elections	проводить (все) общие выборы
Voiting is not compulsory	голосование не обязательное
by secrete ballot	тайным голосованием
ballot, n	избирательный бюллетень
to poll the largest number of votes in the election of June 1997	набрать наибольшее количество голосов на июньских выборах 1997 г.
to gain an overall majority electorate, n	получить абсолютное большинство избирательный корпус / контингент избирателей / электорат
elector, n	избиратель
seat, n	место (в парламенте)
to be formed by	формироваться / образовываться
to appoint ministers	назначать министров
The area of Britain is 242,400 sq. km. (93,600 sq. miles; 1 mile = 1609 meters)	Территория / площадь Англии составляет 242,400 км ² (93,600 квадратных миль; английская миля = 1609м.)
What's the area of the UK?	Какова территория / площадь Англии?
What's is the population of Britain?	Какова численность населения Англии?
Britain's population is 57 million people.	В Великобритании проживают 57 миллионов человек.
Britain is a parliamentary democracy with a constitutional monarch – Queen Elizabeth II – as head of State.	Великобритания – парламентская демократия с конституционным монархом – королевой Елизаветой Второй – во главе государства.
Political stability owes much to monarchy.	Политическая стабильность обеспечивается во многом благодаря монархии.
The Queen is impartial and acts on the advice of her ministers.	Королева – беспристрастна и действует с учетом рекомендаций своих министров (и в своих действиях учитывает рекомендации / советы своих министров).
Parliament comprises the House of Commons, the Lords and the Queen in her constitutional role.	Парламент состоит из палаты общин и палаты лордов. Членом парламента является также королева, которая выполняет там свои конституционные функции.
The Commons has 650 elected Members of Parliament (Mps), each representing a local constituency.	Палата общин насчитывает / состоит из 650 избранных членов парламента, каждый из которых представляет местный избирательный округ.
The Lords is made up of hereditary and life peers and peeresses, and the	Палата лордов состоит из наследственных и пожизненных пэров и пэресс, двух ар-

two archbishops and 24 most senior bishops of the established church of England.

The center of parliamentary power is the House of Commons.

General elections to choose Mps must be held at least every five years.

Voiting, which is not compulsory, is by secret ballot and is from age of 18.

The candidate polling the largest number of votes in a constituency is elected.

In the election of June 19..., when 75 per cent of the electorate voted, the Labour Party gained an overall majority of 101 (Labour 375 seats, Conservative 229, the Liberal Democrats 29, and others 24).

In 1988 the Liberal and Social Democratic parties merged and are now the Liberal Democrats.

The Government is formed by the party with majority support in the Commons. The Queen appoints its leader as Prime Minister. As head of the Government the Prime Minister appoints ministers, of whom about 20 are in the cabinet – the senior group which takes major policy decisions.

Ministers are collectively responsible for government decisions and individually responsible for their own departments.

The second largest party forms the official Opposition, with its own leader and "shadow cabinet". The Opposition has a duty to criticize government's policies and to present an alternative program.

хи епископов и 24 наиболее старших епископов англиканской церкви.

Центром / средоточием власти парламента является палата общин.

Всеобщие выборы членов парламента должны проводиться, по крайней мере, каждые пять лет (раз в пять лет).

Голосование, которое не является обязательным, проходит тайно с помощью избирательных бюллетеней; в нем участвуют лица, достигшие восемнадцатилетнего возраста.

Каждый кандидат, набравший наибольшее количество голосов на избирательном участке, считается избранным.

На выборах в июне 19..., в которых участвовало 75 % избирателей, лейбористская партия получила абсолютное большинство в 101 голос (лейбористская партия – 375 мест, консерваторы – 229, либеральные демократы – 29 и другие 24 места).

В 1988 г. либеральная партия и социал-демократическая партия слились / объединились в одну партию, которая называется теперь либерально-демократической. Правительство формируется партией, имеющей поддержку большинства в палате общин. Королева назначает лидера этой партии в качестве премьер-министра. В качестве главы правительства премьер-министр назначает министров, примерно 20 из которых образуют кабинет министров – главный комитет, который принимает важные политические решения.

Министры несут коллективную ответственность за правительственные решения и индивидуальную ответственность за свои собственные департаменты / министерства.

Вторая по численности партия составляет официальную оппозицию с ее собственным лидером и теневым кабинетом. Оппозиция должна критиковать политику правительства и представлять альтернативную программу.

Much legislation applies throughout Britain. England and Wales, Scotland, and Northern Ireland, however, have their own legal system.

In British criminal trials the accused is presumed innocent until proved guilty. Trials are in open court.

Most cases are tried before lay justices sitting without a jury. The more serious / cases are tried in the higher courts before a jury of 12 (15 in Scotland). Cases involving children (ten to 17 years) are held in juvenile courts.

offence, *n*

~ against the person

to offend the law

arrested offender

offender, *n*

to pass a sentence

to pass legislation

a mandatory sentence of life imprisonment for murder

Judges are independent and are appointed from practicing lawyers.

Barristers or advocates advise on legal problems and present cases in the courts.

Solicitors undertake legal business for clients.

enacted law

принять закон

Многие из законов / законодательных актов действуют на территории всей Великобритании. Англия, Уэльс, Шотландия и Северная Ирландия, однако, имеют свои собственные правовые / судебные системы.

В британском уголовном судопроизводстве обвиняемые считаются невиновными до тех пор, пока не будет доказана их вина. Рассмотрение дел / судебный процесс проводятся в открытом суде.

Большинство дел разбираются / рассматриваются на заседаниях светских / мирских судов без присяжных. Более серьезные дела рассматриваются в вышестоящих судах с участием присяжных в составе 12 человек (в Шотландии 15 человек присяжных). Дела несовершеннолетних (от 10 до 17 лет) рассматриваются в судах по делам несовершеннолетних.

преступление, посягательство, правонарушение, нарушение

преступление против личности

нарушать право

арестованный преступник

преступник, правонарушитель

вынести приговор

принимать законы / принять законодательство

обязательное (по закону) наказание пожизненным тюремным заключением за тяжкое убийство / обязательный приговор к пожизненному тюремному заключению за тяжкое убийство

Судьи в Англии независимы и назначаются из практикующих юристов / адвокатов.

Барристеры или адвокаты дают юридические консультации и присутствуют на судебных процессах.

Солиситоры (юрисконсульты) представляют / защищают юридические права коммерческой деятельности фирмы клиента.

писаное / законодательное право

to enact a law

2. Read and remember these words and sentences.

BRITAIN'S POLITICAL PARTIES

to form a political party

The Labour Party

The Conservative Party

The Liberal Party

The Liberal Democratic Party /

The Liberal Democrats / The So-
cial Democratic and Liberal Alli-
ance

the leader of the Labour Party

The General Elections of 19...

The Green Party

The Independent Party

valid vote

to follow the party line in Parlia-
ment

invalid vote

to be merged into

to be entered / to be placed on the
electoral register

two main parties

to win an election

to win / to lose a seat

Thus in the General Elections of
19..., the Alliance obtained 25 per
cent of the vote but only 4 per
cent of the seats.

Electors vote in their constituency
and whichever candidate obtains
most votes is elected an MP, even

ПОЛИТИЧЕСКИЕ ПАРТИИ ВЕЛИКОБРИТАНИИ

Сформировать политическую
партию

Лейбористская партия

Консервативная партия

Либеральная партия

Либерально-демократическая
партия/ либерал-демократы /
Социал-демократический и ли-
беральный альянс (союз)

лидер (руководитель) Лейбо-
ристской партии

всеобщие выборы 19... года

Партия зеленых

Независимая партия / Партия
независимых

действительный голос

проводить линию (курс) партии
в парламенте

недействительный голос

сливаться, объединяться (*в одну
партию, организацию*)

быть внесенным в избиратель-
ный список; вносить в избира-
тельный список / регистриро-
ваться

две основные партии

одержать победу на выборах

получить / потерять место в
парламенте

Таким образом, на всеобщих
выборах 19... г. Альянс получил
25 процентов голосов, но только
4 процента мест в парламенте.

Избиратели голосуют на своих
избирательных участках, и тот
кандидат, который получает

if he or she obtains only one vote more than his or her nearest rival. This electoral system works best when there are only two parties in the country.

The president was elected by a large / small majority.

большинство голосов / за кого отдано большинство голосов, становится членом парламента даже тогда, когда он или она получают только на один голос больше, чем его или ее ближайший соперник / соперница. Эта избирательная система работает лучше всего, когда в стране имеются только две партии.

Президент был избран / значительным / незначительным большинством (голосов).

3. Прочитайте / прослушайте диалог по ролям и воспроизведите его со своими собеседниками.

DIALOG

Do you know anything about Britain's political parties?

Yes. Surely.

What political parties are there in Britain?

So far as I know there are a number of (several) political parties in England. They are the Labour Party, the Conservative Party, the Liberal Party, the Social Democratic Party, the Scottish National Party, the Communist Party, the Green Party, the Independent Party. In 1988 the Liberal and Social Democratic parties merged and are now the Social Democratic and Liberal Alliance / the Liberal Democrats.

A: Вы знаете что-нибудь о политических партиях Великобритании?

B: Да, конечно.

A: Какие политические партии имеются в Великобритании?

B: Насколько я знаю, в Великобритании несколько политических партий. Это Лейбористская партия, Консервативная партия, Либеральная партия, Социал-демократическая партия, Шотландско-национальная партия, Коммунистическая партия, Партия зеленых, Партия независимых. В 1988г. Либеральная партия и Социал-демократическая партия слились в одну партию, которая называется теперь Социально-демократическим и Либеральным альянсом / союзом (либеральные демократы).

Which of these political parties have members in the UK Parliament and how many seats do they have there?

Labour – 375 seats. Conservative – 229, Liberal Democrats – 22 seats and other – 24.

Who gives the parties financial support during an election campaign? / Who supports the parties during an election campaign?

Labour and Conservative parties draw their financial support mainly from the trade unions and industry respectively. The other parties have no such firm financial base.

Thank you for the interesting conversation. Goodbye.

That's OK. Bye-bye.

4. Выучите слова, выражения и предложения к данной теме.

THE BRITISH CONSTITUTION

the organs or institutions of government

the Royal Assent

to resign (*the Prime Minister*)

to call an election

The general election is called.

А: Какие из этих политических партий представлены в парламенте Великобритании и сколько мест они имеют там?

В: Лейбористская партия – 375 мест. Консервативная партия – 229 мест. Либерально-демократическая партия – 22 места и другие партии – 24 места.

А: Кто оказывает партиям финансовую поддержку во время избирательной кампании?

В: Лейбористская и Консервативная партии получают финансовую поддержку главным образом от профсоюзов (тред-юнионов) и промышленности (от предпринимателей / промышленников) в указанном порядке. Другие партии не располагают такой прочной финансовой базой.

А: Благодарю Вас за интересный разговор. До свидания.

В: Не стоит благодарности. До свидания.

КОНСТИТУЦИЯ ВЕЛИКОБРИТАНИИ

Правительственные органы или учреждения / органы власти

Королевская санкция (*принятого парламентом закона*)

Уходить в отставку (*премьер-министр*)

назначать выборы

Назначены всеобщие выборы.

a minority party	партия меньшинства
to form a government	формировать правительство
to grant an order	отдавать распоряжение
to recommend the dissolution of Parliament	рекомендовать роспуск парламента
The Prime Minister is the head of the Cabinet and has greater powers than the other ministers.	Премьер-министр является главой правительства (кабинета министров) и имеет большую власть / больше полномочий, чем другие министры.
Every British citizen aged eighteen years or over who is not serving a sentence of imprisonment and is not a peer is eligible to be placed on the electoral register in a constituency.	Все граждане Великобритании, достигшие 18 лет и старше, которые не отбывают срок тюремного заключения и не являются пэрами, имеют право быть внесенными в избирательный список / зарегистрироваться в избирательном округе.
The British constitution is unwritten.	Великобритания имеет неписаную конституцию.
a written / an unwritten constitution	писаная / неписаная конституция
the central characteristics of the British constitution	основные / самые важные характерные черты / особенности / признаки Британской конституции
organs / institutions of government	органы / институты правительства / органы государственной власти
the executive	исполнительная власть (правительство)
the legislature	законодательная власть
the judiciary	судебная власть
source of law	источник права
the Lord Chief Justice	судья-председатель отделения королевской скамьи Высокого суда правосудия / лорд – главный судья
Lords of Appeal in Ordinary	назначаемые члены палаты лордов по рассмотрению апелляций
Lord Justice of Appeal	судья апелляционного суда (в Англии)

the Lord Chancellor

the Home Secretary / Secretary of State for the Home Department

election law

constituency, *a*

absolute monarch

constitutional ~

constitutional monarchy

In the United Kingdom the monarch has an important constitutional role as head of state.

A constitution is a set of rules which define the relationship between the various organs of government and between the government and citizens of a country. Its purpose is to set the parameters of governmental power and the rights and duties of the citizens.

The British constitution has never been wholly reduced to writing.

An unwritten constitution can be easily changed / A written constitution cannot be altered easily.

An unwritten constitution is more flexible than a written constitution.

Since Parliament is 'sovereign' it can, without any special procedure, and by simple Act, alter any law at any time.

Лорд-канцлер (*главное судебное должностное лицо, спикер лордов, член кабинета министров*)

министр внутренних дел

избирательный закон

избирательный округ

абсолютный монарх

конституционный монарх

конституционная монархия

В Соединенном королевстве монарх как глава государства играет важную конституционную роль.

Конституция – это свод правил / предписаний, которые определяют отношения между различными органами правительства и между правительством и гражданами страны. Ее цель – установить / определить параметры полномочий (власти) правительства и прав и обязанностей граждан.

Конституция Великобритании никогда не была полностью изложена в письменной форме.

Неписаная конституция более гибкая, чем письменная.

Неписаная конституция может быть легко изменена / Написанная конституция не может быть легко изменена.

С тех пор как парламент является 'сувереном' (*высший представительный законодательный орган*), он может без всякой специальной процедуры, простым Актом (*парламента*) изменить любой закон в любое время.

The statement that the British Constitution is not 'written' does not mean that this country possesses no important constitutional documents; it merely means that the constitution is not embodied in any single document, or series of documents, containing the essential constitutional laws.

Thus England has many enactments which either have been or still are, of great importance.

One need only cite as examples Magna Carta (1215), the Bill of Rights (1688), the Act of Settlement (1700), and the Parliament Acts 1911 and 1949.

the executive body

The executive includes the officials of government departments, but in the United Kingdom the collective name for the principal executive body is 'the Cabinet' which is made up of ministers of the Crown.

The legislative is Parliament.

Individual members of the legislature are called 'Members of Parliament'.

Утверждение (Констатация факта), что Британская конституция не является единым письменным документом, не означает, что эта страна не располагает важными конституционными документами; это лишь означает, что конституция Великобритании не воплощена в едином документе или серии документов (не представлена в форме единого документа или серии документов), которые содержат важные / основные конституционные права / основные законы.

В соответствии с этим в Великобритании имеется много законодательных / нормативных актов, которые имели и все еще имеют большую важность.

Следует лишь упомянуть в качестве примеров Великую хартию вольностей (1215 г.). Билль о правах (1689 г.). Закон о престолонаследии (1700 г.) и Парламентские акты / Законы, принятые парламентом (1911 и 1949 гг.).

орган исполнительной власти

Исполнительная власть состоит из чиновников правительственных ведомств (департаментов), а в Соединенном королевстве общим названием для главной исполнительной власти является "кабинет", который состоит из министров монарха / королевской власти. Законодательной властью является парламент.

Отдельные члены исполнительной власти называются членами парламента.

There are 650 Mps in the House of Commons.

Parliament makes / passes laws

to dissolve the Parliament

the dissolution of Parliament

before a general election

The military government dissolved the country's parliament and suspended all political activity.

Royal assent

to give one's assent

The new law received the royal assent.

the sources of England law

s two principal and two subsidiary sources of English law

The principal sources are Legislation, and Judicial Precedent; the subsidiary sources are Custom and Books of Authority.

a code of practice

ministerial responsibility

the upper chamber of Parliament is the House of Lords and

the lower the House of Commons

5. Прочитайте диалог по ролям. Выучите его наизусть. Проведите аналогичную беседу со своим товарищем по учебе:

DIALOG

What is the united Kingdom (UK)?

The United Kingdom of Great Britain and Northern Ireland is a constitutional monarchy and a unitary state.

What parts does the UK consist

Палата общин насчитывает 650 членов парламента.

Парламент принимает / издает законы

распустить парламент

ропуск парламента

перед всеобщими выборами

Военное правительство распустило парламент страны и приостановило всю политическую деятельность.

Королевская санкция (*принятого парламентом закона*)

давать согласие / разрешение / санкцию

Новый закон получил королевскую санкцию.

источники английского права

два основных и два дополнительных источника английского права

Основные источники – законодательство и судебный прецедент; дополнительные источники – обычай и авторитетные источники.

процессуальный кодекс

ответственность министров

верхняя палата – палата лордов и нижняя палата – палата общин

A: Каким государством является Соединенное Королевство?

B: Соединенное Королевство Великобритании и Северной Ирландии является конституционной монархией и унитарным государством.

A: Из каких частей состоит Со-

What parts does the UK consist of? / What parts is the UK made up?

The UK consists of England, Scotland, Wales and Northern Ireland.

What city is the capital of the UK?

The capital of the UK is London.

What's the area of the UK?

Its area is 242,400 sq km (93,600 sq. miles).

What is the population of the UK?

Its population is 57 million people.

What language is the common language?

English is the common language.

What state organs are there in the UK?

The State Organs of the UK are: the Monarchy, Legislature, Executive.

Could you detail the State Organs?

The monarchy is the most ancient secular institution in the UK. The monarchy is hereditary.

The Queen reigns but does not rule. Her Majesty's government governs in the name of the

A: Из каких частей состоит Соединенное Королевство?

B: Оно состоит из 4 частей: Англии, Шотландии, Уэльса и Северной Ирландии.

A: Какой город является столицей Англии?

B: Столицей Соединенного Королевства является Лондон.

A: Какова площадь / территория Великобритании?

B: Территория Англии составляет 242400 км² (93600 квадратных миль).

A: Какова численность населения Великобритании?

B: Население Великобритании составляет 57 миллионов человек.

A: Какой язык является государственным?

B: Английский является государственным языком.

A: Какие государственные органы имеются в Великобритании?

B: Государственными органами Великобритании являются: монархия, законодательная власть, исполнительная власть.

A: Не могли бы Вы подробно рассказать о государственных органах?

B: Монархия – самый древний / старинный светский институт Соединенного Королевства. Монархия является наследственной.

Королева царствует, но не управляет (правит) государством. Правительство ее величества правит

Queen who must act on the advice of her ministers. The Queen summons, prorogues (dismisses) at the end of a session and dissolves Parliament; she usually opens new sessions of Parliament with a speech from the throne in which the major governmental policies are outlined. The Monarch must give the Royal Assent before a Bill which has passed all its stages in both Houses of Parliament can become a legal enactment (Act of Parliament). As Head of State the Monarch has the power to sign international agreements, to cede or receive territory, and to declare war or make peace. The Monarch confers honors and makes appointments to all important offices of state, including judges, officers in armed services, diplomats.

And now a few words about Legislature.

The Parliament is the legislative organ and is constitutionally composed of the Monarch, the House of Lords, and the House of Commons. The Queen in Parliament represents the supreme authority within the UK.

страной от имени королевы, которая действует (поступает) по совету / рекомендации своих министров. Королева созывает парламент, назначает перерыв в работе парламента, распускает парламент; она обычно открывает новые заседания парламента, выступая с тронной речью, в которой в общих чертах намечен основной курс правительства. Монарх должен дать королевскую санкцию, прежде чем билль (законопроект), который прошел все стадии обсуждения в обеих палатах парламента, станет законодательным актом (парламентским законом / актом парламента). В качестве главы государства монарх имеет право / наделен полномочием подписывать международные соглашения, уступать или получать территорию и объявлять войну или заключать мир. Монарх присуждает почетные звания и назначает на все важные государственные должности, включая судей, офицеров в вооруженных силах, дипломатов.

А теперь несколько слов о законодательной власти.

Парламент является законодательным органом и конституционно состоит из монарха, палаты лордов и палаты общин. Королева представляет в парламенте верховную власть на территории всего Соединенного Королевства.

What does Parliament consist of?

Parliament consists of two Houses: the House of Lords and the House of Commons.

The House of Lords is for the most part still a hereditary body. It consists of the Lords Temporal and the Lords Spiritual.

The House of Commons is an elected and representative body.

Executive. – The Government consists of the ministers appointed by the Crown on the recommendation of the Prime Minister, who is appointed directly by the Crown and is the leader of the political party which for the time being has a majority of seats in the House of Commons.

Has the United Kingdom Minister of Justice?

No. The UK has no Minister of Justice. Responsibility for the administration of the judicial system in England and Wales is divided between the courts themselves, the Lord Chancellor, and the Home Secretary. The Lord Chancellor is concerned with the composition of the courts, with civil law, parts of criminal procedure and law reform in general.

What are the functions of the Home Secretary?

A: Из чего состоит парламент?

B: Парламент состоит из двух палат: палаты лордов и палаты общин.

Палата лордов большей частью является все еще наследственным органом. Она состоит из светских лордов и духовных лордов / лордов духовного звания.

Палата общин – выборный и представительный орган.

Исполнительная власть. Правительство состоит из министров, назначенных королевой по рекомендации премьер-министра, который назначается непосредственно королевой и является лидером политической партии, которая в данное время имеет большинство мест в палате общин.

A: В Соединенном Королевстве есть министр юстиции?

B: Нет. В Соединенном Королевстве нет министра юстиции. Ответственность за управление судебной системой в Англии и Уэльсе поделена между самими судами, лордом-канцлером и министром внутренних дел. Лорд-канцлер занимается вопросами состава судов, гражданского права, частично вопросами уголовного судопроизводства (уголовного процесса), реформами права вообще.

A: Какие обязанности исполняет министр внутренних дел?

The Home Secretary is concerned with the prevention of criminal offences, the apprehension, trial and treatment of offenders, and the prison service.

Does the UK have a written constitution as the USA does?

No. The British constitution is not written; that is to say, it has never been wholly reduced to writing.

What does it mean?

It merely means that the constitution is not embodied in any single document, or series of documents, containing the essential constitutional laws. England has many enactments which either have been or still are, of great importance, e.g. (for example) Magna Charta (1215), the Bill of Rights (1686), the Act of Settlement (1700), and the Parliament Acts (1911 and 1949).

Mister B. Thank you very much for answering my questions.

Not at all.

В: Министр внутренних дел занимается вопросами предупреждения преступности (уголовных преступлений), ареста (задержания), судебного процесса и обращения с преступниками. К сфере его деятельности относится также тюремная служба.

А: Имеет ли Соединенное Королевство писаную конституцию, как и США?

В: Нет. Соединенное Королевство имеет неписаную конституцию, т.е. она никогда не была полностью изложена в письменной форме.

А: Что это означает?

В: Это лишь означает, что конституция не была воплощена в каком-либо едином документе или серии документов, которые содержат основные конституционные законы / основные законы. Великобритания имеет множество законодательных актов, которые либо имели, либо еще имеют большое значение, например: Великая хартия вольностей (1215 г.), Билль о правах (1686 г.), Закон о престолонаследии (1700 г.) и Парламентские акты / Законы, принятые парламентом (1911 г. и 1949 г.)

А: Господин В., большое спасибо Вам за Ваши ответы на мои вопросы.

В: Не стоит благодарности.

UK electoral system /

Избирательная система в Великобритании

Every British citizen aged eighteen years or over who is not serving a sentence of imprisonment and is not a peer is eligible to be placed on the electoral register in a constituency (Representation of the People Act 1983). Normally this involves residence in the constituency on a certain day (10 October) but members of the armed forces and now British citizens who live abroad but have been registered within the previous five years can be entered on the register (Representation of the People Act 1985). At the moment there are 650 constituencies, the boundaries being drawn by impartial Boundary Commissions whose recommendations need the approval of both Houses of Parliament (Parliamentary Constituencies Act 1986). Their impartiality has not prevented their recommendations being highly controversial as the way the boundaries are drawn can profoundly affect the electoral prospects of a particular party. The parties draw their support from different sections of the electorate and the exclusion or inclusion of a particular area can turn a safe seat into a marginal one and vice versa. In 1969 the Labour government refused to implement the Boundary Commission's recommendations and in 1983 unsuccessfully challenged them in court.

Not only the delimitation of boundaries but the choice of candidates by the parties profoundly affects the extent to which the voters' wishes are reflected in the House of Commons because the voter can only choose between rival candidates. Unlike the USA where in some states voters through primaries have a voice in choosing between the parties' candidates, each party here has its own method for choosing candidates. The Labour Party in 1980 insisted that all Labour MPs must undergo a reselection process if they wished to be candidates at the next General Election. Anyone can form a political party, as happened in 1981 when the Social Democratic Party (SDP) was launched. Though election law puts strict limits on expenditure during an election campaign, to prevent bribery and corruption, it is very expensive to fight an election, particularly as national propaganda does not count towards election expenses. The Labour and Conservative parties draw their financial support mainly from the trade unions and industry respectively. The other parties have no such firm financial base and to that extent suffer a considerable electoral disadvantage.

Their main disadvantage is, however, the British electoral system. Electors vote in their constituency and whichever candidate obtains most votes is elected an MP, even if he or she obtains only one vote more than his or her nearest rival and only a small percentage of the total vote. This system works best when there are only two parties, though even then it is possible for a party to obtain more votes over the country as a whole but have fewer seats in the House of Commons because its support may be unevenly distributed, so that it obtains big majorities in some seats and loses narrowly in others. This result is accentuated when there are three or more parties. A third party like the Liberals or now the Social Democratic and Liberal Alliance, whose support is spread fairly evenly throughout the country, is likely to win few seats but come second in many. Thus in the General Election of 1983, the Alliance obtained 25 per cent of the vote but only 4 per cent of the seats. Small parties like the Scottish National Party, whose support is concentrated in a particular part of the country, are more likely to win seats.

It is this lack of correlation between votes and seats which has given a strong impetus to the call for a different electoral system which would allow voters to express preferences between candidates so that if their first-choice candidate is not elected or has not received sufficient votes to be elected, his second-preference votes can help to elect that candidate. Thus these votes are not completely wasted and a candidate, may be elected because more voters have put him as their second choice. This system of voting can be used for one MP, i.e. in single-member constituencies (the alternative vote), or for several MPs, i.e. in multi-member constituencies (the single transferable vote). These systems give more chance to a third party such as the Alliance to win seats, because its candidates can be elected by being the voters second choice. If this system were adopted in this country it would be very unlikely that either of the two main parties would win an overall majority of seats (i.e. more seats than all other parties combined) and this would have a profound effect on who would form the government.

Exercises and tasks

1. Read the text as quickly as you can (skim the text) and say what the text is about in general.
2. Do you know anything about the UK electoral system?
3. What sort of electoral system does your country have?
4. Read the text again and try to divide it into some adequate paragraphs.

5. Give each paragraph one right heading.
6. Compare your headings with the headings of other students in your group. Are their headings possible?
7. Read each paragraph carefully and say as briefly as possible, what each paragraph is about.
8. Then work in small groups or in pairs: Один студент ставит 3 вопроса к каждому параграфу, другой студент отвечает на них, а третий проверяет правильность ответа по тексту и исправляет неправильные ответы.
9. Read the whole text carefully and tell about some main topics of the text to other students.
10. Compare the UK electoral system with the electoral system in Russia. Make out the essential differences between two systems. What advantages and disadvantages can you see in each electoral systems?
11. Do you know anything about Britain's political parties?
12. Discuss the UK electoral system with other students under the leadership of your English teacher.
13. Record your description of the UK electoral system on tape, then listen to the recording and make corrections if necessary.
14. Write a short description for written practice and give it to your English teacher to correct mistakes.
15. Write down all the words and expressions you can think of on the topic of the UK electoral system. You have 5 minutes.
16. Выпишите из текста последнего абзаца сложноподчиненное предложение, в котором во всех частях глагол-сказуемое употреблен в форме сослагательного наклонения (Subjunctive Mood). Определите формы времени, объясните своим товарищам по учебе их образование и переведите все предложение на русский язык.
17. Complete the following sentences:
 - a) This result is ...
 - b) Their main disadvantage is....
 - c) The Labor and Conservative Parties draw ... Проверьте себя по тексту.
18. Прочитайте первое предложение текста, переведите его на русский язык и разъясните его смысл.

19. Найдите в тексте предложение с союзом *because*. Определите его значение из контекста. Употребите этот союз в следующих предложениях:
- I do it ... I like it.
 - She got the job ... she was the best candidate.
 - "Why can't I go?" "... you're too young".
 - I was late ... I missed the bus.
 - He's fat ... he eats too much.
20. How would you say that in Russian?
- Его избрали президентом.
 - Ее избрали членом комитета.
21. Say it with one word:
- the choosing by vote of a representative to take an official (esp. political) position –
 - a person who has the right to vote in an election –
 - all the people in a county or an area who have the right to vote –
22. What is the English synonym for "to choose"?
23. You know that the verb *to elect* means "избирать, выбирать". What do the words *election, electable, electee, elector, electoral, electorate, eligible* mean? Check your knowledge in the dictionary or in the text. Find all these words in the text, and write down the sentences, containing these words. Объясните, что общего имеют эти слова друг с другом, и что помогает при определении их значения.
- What do you mean by "safe seat"?
24. Translate into Russian with your own words and expressions:
- "Содержание многочисленных актов о народном представительстве (1949, 1969, 1985, 1989 г.г.) позволяет заключить, что в Великобритании действует всеобщее, равное, прямое избирательное право при тайном голосовании и свободном участии в выборах. Активное избирательное право стало принадлежать британским гражданам, достигшим 18-летнего возраста. Как правило, избиратели осуществляют свое право голоса в том избирательном округе (constituency), на территории которого они постоянно проживают. Пассивным избирательным правом обладают граждане, достигшие 21 года. Регистрация избирателей осуществляется путем составления списков избирателей. Обычно в парламентских выборах участвуют 70-80% избирателей, а в местных – около 40%.

TEXT N 3.

The Constitution Of The United States / Конституция США

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, 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.

Sect. 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.

Sect. 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. 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 chuse their Speaker and other officers; and shall have the sole power of impeachment.

Sect. 3. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, 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.

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 vole, 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.

Sect. 4. The times, places and manner of holding elections for senators and representatives, shall be proscribed in each slate 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] unless they shall by law appoint a different day.

Sect. 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.

Sect. 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.

Sect. 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; 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.

Sect. 8. The Congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence 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.

Sect. 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 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.

Seci. 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 its 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.

II.

Sect. 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.

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.

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."

Sect. 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.

Sect. 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.

Sect. 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.

III.

Sect. 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 behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Sect. 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,⁷ 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.

Sect. 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.

IV.

Sect. 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.

Sect. 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.

Sect. 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.

Sect. 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.

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.

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 beforementioned, 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.

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 Constitution of the United States

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

ARTICLE [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 [II]

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 [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 [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 [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 [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 [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 [VIII]

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

ARTICLE [IX]

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

ARTICLE [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.

ARTICLE [XI]

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE [XII] -

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists 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 for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing 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. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.] The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the

two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE [XIII]

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XIV]

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without the due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or

as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE [XV]

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XVI]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE [XVII]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE [XVIII]

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Sec. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE [XIX]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XX]

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Sec. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected,

and such person shall act accordingly until a President or Vice President shall have qualified.

Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sec. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ARTICLE [XXI]

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE [XXII]

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of

three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

ARTICLE [XXIII]

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XXIV]

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE [XXV]

Section 1. In case of the removal of the President from office or his death or resignation, the Vice President shall become President.

Section 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take the office upon confirmation by a majority vote of both houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as

Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within 48 hours for that purpose if not in session. If the Congress, within 21 days after receipt of the latter written declaration, or, if Congress is not in session, within 21 days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

ARTICLE [XXVI]

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

Exercises and tasks

1. Read the text N 2 carefully and answer the following questions. Check your answers in the text above.

1. Is the USA a presidential republic?
2. What is the legislative branch of the US government?
3. Who can be elected a senator?
4. Who can be elected a representative?
5. What are jobs of the Congress of the USA?
6. What chambers does the Congress consist of?
7. What are the jobs of each chamber?

8. What does the executive branch do?
9. Does the USA have a written constitution?
10. When was the US Constitution first written?
11. Can a constitutional amendment only be carried if a very substantial majority, both in Congress and in the individual states approve it?
12. Who makes legislation in the USA?
13. What are the two major (largest) parties in the USA?
14. Is the US legislative composed only of the Senate and the House of Representatives?
15. Who can alter / How can be altered the rules of the U.S. Constitution?
16. Can the USA Constitution be changed?
17. When was the Constitution of the USA reduced to writing?
18. Who can be elected the President of the USA?
19. What is the President's term office?
20. What can and must the US President do?
21. What is the judicial branch and what's its job?
22. Is the judicial power of the USA vested in the Supreme Court and in the inferior courts?
23. How are the justices of the Supreme Court of the USA appointed?
24. How many parts is the USA made up?
25. What's the total area of the USA?
26. What's the population of the USA?
27. What's the national flag of the USA?
28. What's the U.S. capital?
29. What does the US national flag represent?
30. Who has the sole power to try all impeachments?
31. Fill in the missing words in the following passage from the list provided below.
 - All legislative powers herein granted shall be vested in...
 - The Congress of the United States of America consists of...
 - The House of Representative chooses...
 - The House of Representative has the sole power of...
 - The executive power is vested in...
 - The judicial power of the USA is vested in...
 - The Senate of the United States of America is composed of...
 - The President of the USA is elected...
 - The executive power is vested in...

a Senate and House of Representative, the Congress, impeachment, the Speaker, the President of the USA, in one supreme court, two Senators from each state, four years, the President of the USA.

32. To intern means "to force someone to stay in a special camp or prison."
33. to detain = similar to "intern" but usually for a shorter period.
34. On the basis of the information above give the meaning of:
- detains
 - internee
 - internment
 - detention
35. Imagine that you did not hear or understand the following items. Ask your teacher for repetition. Here are some possible ways:
- I'm sorry, I didn't quite hear / catch what you said just now about the separation of powers.
 - Could you possibly repeat your answer to the last question?
 - Excuse, but I still don't really understand what you said about the main features of the US Constitution;
Would you mind going over it again?
 - the main feature of the Constitution of the United States;
 - the powers of the US President;
 - the Congress of the USA;
 - the executive power;
 - the Senate of the United States;
 - the impeachment of US President;
36. Запишите все слова и выражения, относящиеся к теме "Конституция США", расположите их в алфавитном порядке и постарайтесь понять их значение из контекста. Если Вы не уверены, проверьте себя по словарю.
37. Write a short essay of 300 words on the topic "The USA Constitution".
38. Ask the students to tell you about each article and section of the USA Constitution as briefly as possible.
39. Скажите по-английски, чтобы Вам хотелось изменить в Конституции США.
40. Подберите к английским предложениям подходящие по смыслу русские. Пометьте это следующим образом.

l					
a					

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.

2. The Senate of the United States shall be composed of two senators from each state for six years; and each senator shall have one vote.
3. The Congress shall have power...
4. The executive power shall be vested in a president of the United States of America.
5. The Senate of the US shall be composed of two Senators from each state.
6. The judicial power of the USA shall be vested in one supreme court.
- a) Все законодательные полномочия, сим установленные, предоставляются Конгрессу США, который состоит из Сената и Палаты представителей.
- б) В состав Сената США входят по два сенатора от каждого штата на 6 лет, и каждый сенатор имеет один голос.
- в) Конгресс имеет право...
- г) Исполнительная власть предоставляется Президенту США.
- д) Судебная власть США предоставляется Верховному суду...
- е) В состав Сената США входят по два сенатора от каждого штата.

Как вы оцениваете качество перевода?

* * *

1. How does the Constitution of the United States of America look?
2. Describe the whole composition / structure of the US Constitution.
- 2.1. Скажите, сколько / на какие части текста разбита Конституция США.
3. Найдите, в какой статье и каком разделе речь идет о законодательной власти США.
4. Найдите в тексте, в какой статье и в каком разделе говорится о Палате представителей.
5. Найдите в тексте Конституции раздел, в котором содержится информация о Сенате США.
6. Найдите раздел в Конституции США, в котором содержится информация о времени, месте и порядке проведения выборов сенаторов и членов палаты представителей.
7. Найдите в тексте разделы, в которых говорится о Палате представителей.
8. Найдите в тексте Конституции США раздел, в котором говорится о роли президента при одобрении или отклонении законопроекта.
9. Найдите в тексте раздел, где содержится информация о конгрессе США, его полномочиях. Назовите права / полномочия Конгресса США.

10. Найдите раздел, в котором регламентированы статус и права штатов.
11. Найдите в тексте раздел и статью, в которой говорится об исполнительной власти в США.
12. Найдите разделы, в которых содержится информация о Президенте США, его полномочиях.
13. Найдите статью и разделы, в которых речь идет о судебной власти США.
14. Почему Конституция США нуждается в поправках?
15. Кто подписал Конституцию США и в каком году?
16. Interpret with your own words and expressions the following sentence "The citizens of each states shall be entitled to all privileges and immunities of citizens in the several states."
17. True or false?

The President of the United States of America is the commander in Chief of the Army and Navy and Air Force of the USA.

Before you read the text about the US Constitution read first the following questions and after reading answer them.

1. Are all the legislative powers vested in the Congress of the United States of America?
2. Does the Congress of the USA consist of a Senate and House of Representatives?
3. Who is eligible?
4. Who chooses the Speaker?
5. Are the Senate of the USA composed of two senators from each state?
6. What power has the Congress?
7. Is the executive power vested in the President of the United States of America?
8. What capacities, functions and obligations has the USA President?
9. What is the judicial branch and what is its job?
10. What is the President's term office?
11. Is the US Constitution a written one?
12. When was it written?
13. Whom has it been written by?
14. Does the USA Constitution need some amendments and why?
15. What do you understand by, separation of power'?
16. What do you understand by the following phrase from the text? "The US Constitution, like many other constitutions, cannot be altered easily; a constitutional amendment can only be carried a very substantial majority, both in Congress and in the individual states, approve it".

17. Read carefully the parts of the text which contain the answers to the following questions:

- a) Do votes help to choose electoral candidates in some USA states?
- b) Where is the fundamental law of the USA laid down?
- c) What rights does the Constitution of the United States give American citizens?

18. Answer the following questions:

- When was the US Constitution first written?
- Can it be changed?
- Does the USA have a unwritten constitution as the UK does?

19. Work in pairs or in small groups under the leadership of your English teacher.

Discuss the topic "The USA Constitution in comparison with the Constitution in Russia." What are the main similarities and differences? Compare the USA Constitution with the Constitution of Russia Federation in structure and essentials. How is different from the US Constitution and the Constitution of Russia? Name the main disadvantages of the USA and in Russian Federation. What advantages does each constitution have (make brief notes)?

20. Explain your standpoints aloud and discuss any points of interest.

21. Transform into negative sentences.

- The United States of America is a presidential republic.
- Every citizen of the USA can be elected as President.
- The US Congress consists of the House of Representative and the Senate.
- The President can veto a bill.
- The Constitution protects the rights of people.
- The Senate of the USA is composed of two senators from each state.

22. Transform the following sentences into positive sentences.

- The judicial branch of the government isn't the system of courts in the USA.
- The President is not elected every four years.
- The job of the Congress is not to make laws.
- The President doesn't appoint the justices.
- The justices are not appointed for life.

23. Переведите этот текст письменно, не пользуясь словарем. Расскажите своим собеседникам о том, что Вы узнали из этого текста.

Additional text

The constitution of the United States was expressly based on the separation of powers – the executive (President), the legislature (Senate/House Representatives) and the judiciary (Supreme Court) are discrete/separate bodies. But even the United States government does not conform exactly of the other through a complex system of checks and balances. For example, the President appoints the judges to the Supreme Court but his nominations must be approved by the Senate, and we have already seen that the judiciary has the constitutional right to strike down legislation as unconstitutional.

Because the rules of a constitution are laws of fundamental importance, it is not surprising that they are often embodied in a single written document. Thus, for example, the Constitution of the United States was reduced to writing in 1787 and the document which comprises it (as subsequently amended) lays down the fundamental law of America today. Further the US Constitution, like many other written constitutions, cannot be altered easily; a constitutional amendment can only be carried if a very substantial majority, both in Congress and in the individual States, approve it.

The Constitution of the United States gives American citizens the right, *inter alia* (among other things), to free speech, peaceful assembly and privacy

24. Переведите на русский язык:

Before the president enter on the execution of his office, he must take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully execute 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”.

25. Сравните свой перевод с ключом:

Key:

Перед вступлением в должность Президент приносит присягу или дает торжественное обещание следующего содержания: “Я торжественно клянусь (или обещаю), что буду добросовестно исполнять должность Президента Соединенных Штатов и в полную меру сил своих буду поддерживать, охранять и защищать Конституцию Соединенных Штатов”.

T E X T N 4.

Legislatures

The U.S. Constitution divides the power for making laws between the federal government and the state governments. The United States government has the power to pass federal laws. These laws are binding

on the citizens of every state. In addition, every state has the power to pass laws that apply within that particular state.

The lawmaking authority of Congress is exercised by passing laws called federal **statutes**. Federal statutes affect every citizen and concern such issues as national defense, environmental quality, labor relations, veterans' affairs, public health, civil rights, economic development, postal services, and federal taxes.

America is a nation of states. Every state has a constitution, which spells out the basic structure of state government, including an executive, legislative, and judicial branch. The lawmaking powers of the state are vested in the state legislature, which can pass state laws. Except for Nebraska, every state has a two-house legislature. In most states the legislature meets on an annual basis to pass laws affecting the state. In a few states, the legislatures meet every two years.

Besides the U.S. Congress and the state legislatures, there are other legislative or lawmaking bodies, which are found on the local level in cities, towns, and counties. Local governments pass laws known as **ordinances** or **regulations**. These laws apply only within a particular city or town.

Although legislatures have the power to pass laws affecting many aspects of our daily lives, all lawmaking – federal, state and local – is limited by the U.S. Constitution. The Constitution sets out the structure of our government and establishes the basic rights of all Americans. If a legislature passes a law that violates a basic right, such as the freedom of speech, citizens can go to court and ask that that law be overruled. The process by which courts decide whether the laws passed by Congress or by state or local legislatures are constitutional is known as **judicial review**.

Agencies

Many of the laws that affect you are made by government agencies. Once Congress or a state legislature passes a law, they often authorize an administrative agency to develop regulations (rules) implementing the law. These regulations influence almost every aspect of our daily lives and are, in effect, laws. For example, Congress passed a law requiring safe working conditions in places of employment. To implement the law, Congress established the Occupational Safety and Health Administration (OSHA). This agency has the power to develop regulations governing safety and health standards for places of employment. OSHA regulations fill many volumes and cover such specifics as fire exits, employee clothing, and the height of guardrails in

factories. Other federal agencies make laws in a similar manner. For example, the Internal Revenue Service (IRS) issues regulations and enforces federal tax laws. The Federal Trade Commission (FTC) issues regulations that, among other things, control advertising across the nation.

State and local governments also have agencies that implement the laws passed by legislatures and other governmental bodies. For example, city zoning commissions have the power to decide where different types of buildings, such as factories, homes or office buildings, can be built. Many states have Alcoholic Beverage Control (ABC) boards, which make rules regarding the sale and drinking of alcoholic beverages in restaurants liquor stores, nightclubs and other public places. In addition to their regulatory (lawmaking) function, agencies also administer government programs and provide many services.

In addition to judicial review, citizens have other ways in which they can influence the lawmaking process. These methods include voting and lobbying.

TEXT N 5.

Lobbying. The lawmaking process can be affected in other ways besides voting. One common method for influencing government and expressing public opinion is **lobbying**. Lobbying includes all those activities directed at public officials and designed to influence government policies and laws.

Today, interest groups and organizations lobby on behalf of every imaginable cause and issue. Many of these groups hire professional lobbyists, who maintain offices in the District of Columbia or the various state capitals. Although not everyone goes to Washington or their state capital, anyone who wants to express an opinion can be a lobbyist.

Elected representatives are influenced by pressure from their **constituents**. People, either in groups or as individuals, can sometimes affect the way an official votes by expressing their opinion in, either a letter or a phone call.

TEXT N 6.

Voting. Voting is a basic right provided by the U.S. Constitution. Citizens of the United States may vote for the president, vice-president, members of the U.S. Senate and House of Representatives, and

numerous state and local government officials. Eligible voters may also cast their ballots on **referenda**. These deal with special issues affecting a community. For example, many states have asked voters to decide whether **to raise taxes or to ban throwaway bottles**.

To qualify to vote, a person must be a U.S. citizen and at least eighteen years old on or before the date of the election. In addition, all states require voters to be residents of the place in which they vote. At one time many states required voters to live in a state for a year or more before being eligible to register. The *Voting Rights Act of 1970* changed this. Eligible persons are now able to vote in all federal elections after living in a state for only thirty days. Residency requirements for state and local elections, however, vary from place to place and may be longer than thirty days.

Registering to vote is easy. Applicants can usually register by completing an application form, in person or by mail. Registering to vote has not always been so easy. Until 1965 some states had literacy and character tests, which kept millions of people from voting. These laws are no longer in effect, but almost all states still barmentally ill persons and prison inmates from voting. In addition, in almost every state persons convicted of certain types of crimes lose their right to vote.

Exercises and tasks

1. Read the heading of the text above. What do you understand by the term "legislature"? Explain it to other students.
2. How would you say that with one word? "A body of people who have the power to make and change laws is ..."
3. What is the Russian for the English term "legislatures"?
4. Skim the text and say what sort of topics and ideas do you think it will contain. Work in small groups.
5. Write all the words and phrases referring to this subject. Arrange them in alphabetical order.
6. Enter the new words and expressions in your vocabulary notebook. Try to understand their meaning from the context or use your bilingual dictionary to help you.
7. Write down the Russian translations for:
 - divide -
 - power -
 - to make laws -
 - to have the power -
 - to pass a law -

law-making authority -
federal statute -
state legislature -
ordinance -
regulation -
judicial review -
government agency -
eligible voter -
to lose the right to vote -
to cast a ballot -
at the age of -
aged -

7.1. How would you look up in the English-Russian law dictionary the collocation “bicameral legislature”?

7.2. I suggest how I should do it. First I should like to look up the basic word “legislature” in the dictionary and then under it the adjective “bicameral”. If I am not mistaken, the expression “bicameral legislature” means “двухпалатный законодательный орган”

8. Read the text carefully and answer the following questions:

a) What does the U.S. Constitution prescribe for lawmaking?

b) Who makes the laws in the USA?

c) What sorts of lawmaking bodies are there in the USA?

d) What is meant by “ordinances or regulation”?

e) What can you tell about judicial review?

9. Read the text “Agencies” and explain what powers they have.

10. Read the passage “Lobbying” and explain what it is.

11. Learn the following words: lobby – лобби; лоббировать; lobbying – лоббирование; lobbyist – лоббист;

12. Посмотрите термин “лоббирование” в русской справочной литературе. Используется лоббирование в нашей стране тоже? Выскажите свое положительное или отрицательное отношение к лоббированию. Обоснуйте свое мнение.

13. Discuss this questions with other students at the lesson.

14. Read the paragraph “Voting” and tell your partners what you have learnt about from this text.

15. Ask some students a few questions about the voting in the USA.

16. Are they synonyms?: “legislative or lawmaking bodies”.

17. Write three main forms of the irregular verb “to lose”. Use them in your own three sentences.

18. Compare the legislatures in the USA and in Russia and discuss this topic.
19. Compare voting in the USA and in Russian Federation? Name the differences or similarities between them.
20. What are the most striking differences between the USA legislatures and your own.
21. Write a short essay of 150 words about US legislatures.
22. What is the purpose of separation of power? Discuss this question in the class.
23. Explain, what is meant by "except for Nebraska".
24. What role does the judicial review play?
25. What do you understand by "bicameral legislature"?
26. Interpret the statement "Every state in the United States has a bicameral legislature except Nebraska."
27. Note:
 - (1) Если Вы работаете в аудитории, то Вы можете провести соревнование на лучшую подгруппу. Для этой цели разделите доску на две части, а группу разделите на две подгруппы. Затем преподаватель диктует по-русски слова и словосочетания, а каждая подгруппа пишет их по-английски в отдельности. В конце такого опроса преподаватель называет подгруппу-победительницу похвальным отзывом.
 - (2) Целесообразно вызывать к доске одного из студентов. Остальные студенты по очереди называют русское слово или словосочетание по той или иной теме (топику), а вызванный студент пишет сразу же названные слова или словосочетания по-английски. В конце такой работы преподаватель должен непременно оценить знания студента.
 - (3) Рекомендуется от случая к случаю проводить письменные диктанты. Преподаватель читает вслух слова, выражения и фразы по-русски по конкретной теме, а студенты пишут на листках соответствующие английские эквиваленты, а потом сдают свои переводы для проверки преподавателю.
28. Play the tape. Ask the students to listen carefully and tick the sentence they hear. Play the tape again. Stop after each one and ask students to discuss the answer with a partner before you establish the correct one. This is a receptive exercise but you can make it productive by asking students to read aloud the pairs of sentences.

THE UK CONSTITUTION

О КОНСТИТУЦИИ
ВЕЛИКОБРИТАНИИ.

I wonder, is there any Constitution in Great Britain?

Yes, sure there is. But it is somehow unusual.

And what is so unusual about it?

As a matter of fact the British Constitution is regarded to be unwritten.

What does it mean?

It means that it is not codified as a whole in any single document.

And what does it look like?

The British Constitution includes numerous documents like the Bill of Rights, various statutes and judicial decisions called precedents.

Could you explain to me what the precedent law is?

Willingly. In Britain the rights of the subject are mostly deduced from actual decisions in which remedies have been afforded for their invasion.

And can the British Constitution be altered?

Yes, the British Constitution is considered to be flexible as Parliament can make or unmake any

Я хотел бы знать, есть ли в Великобритании Конституция?

В: Да, конечно, но несколько необычная.

А: А что в ней такого необычного?

В: Дело в том, что Конституция Великобритании считается неписаной.

А: А что это означает?

В: Это означает, что она не кодифицирована в целом в одном отдельном документе.

А: Что же она из себя представляет?

В: Конституционное право Великобритании включает многочисленные документы, как, например, Билль о правах, различные законы и судебные решения, называемые прецедентами.

А: А не могли бы Вы объяснить мне, что такое прецедентное право?

В: Охотно. В Англии права подданных в основном вытекают из фактических решений, которые и являются средством защиты в случае нарушения прав.

А: Может ли быть изменена английская Конституция?

В: Да, английская Конституция считается гибкой, так как парламент может составить или

law by the same procedure and with same ease.

Are there any other specific features in the British Constitution?

The specific feature of the UK Constitution is that theory and practice are divergent.

Could you give me any illustrations?

Well, say, in theory the Sovereign is to be an active party to the making of law, but in practice he has a shadowy veto. Or, in theory legislature and Executive are divided. But in practice they are joined together by a connecting chain – the Cabinet of Ministers.

I'm very thankful to you for your explanation.

Don't mention it.

аннулировать любой закон с одинаковой легкостью и путем одной и той же процедуры.

A: Есть ли еще какие-либо особенности у английской Конституции?

B: Особенность английской Конституции заключается в том, что теория и практика расходятся.

A: Не могли бы Вы привести примеры?

B: Ну, например, теоретически Суверен должен принимать активное участие в законотворчестве, но на практике он обладает лишь призрачным правом вето. Или же, теоретически законодательная и исполнительная власти разделены. На практике они смыкаются благодаря связующему звену – Кабинету министров.

A: Я Вам очень благодарен за объяснения.

B: Не стоит благодарности.

DIALOG N 2

Do you know anything about the USA?

And what interests you?

For example, what is the total area of the United States?

The total area of the US is over nine million square kilometers.

What is the population of the United States?

The population of the USA is about 250 million people.

A: Вы знаете что-нибудь о США?

B: А что Вас интересует?

A: Например, какова общая территория США?

B: Общая площадь США составляет 9,4 млн. км².

A: Какова численность населения США?

B: Население США составляет (насчитывает) около 250 млн. человек.

How many states does the USA consist of?

So far as I know, the USA is made up of (includes) 50 (fifty) states and the District of Columbia.

What's the name of the capital of the USA? / What is the capital of the United States?

Washington is the capital of the USA.

What language is the official language in this country?

American English is the official language of the USA.

How does the US national flag look like and what does it represent?

The US national flag – Stars and Stripes – is red, white and blue. 13 stripes represent the original 13 states of the USA; the 50 stars represent the current number of states of the US.

Could you name the main / the largest political parties of the USA?

There are two main / largest parties of the US: the Democratic Party and the Republican Party of the US.

Is the USA a constitutional monarchy or a presidential republic?

A: Сколько штатов в составе США? / Сколько штатов объединяют в себе США?

B: Насколько я знаю, США состоят из 50 штатов и округа Колумбия.

A: Как называется столица США?

B: Вашингтон – столица Соединенных Штатов Америки.

A: Какой язык является официальным / государственным в этой стране?

B: Американский вариант английского является государственным / официальным языком США.

A: Как выглядит национальный флаг США и что он символизирует?

B: Национальный флаг США представляет собой красно-бело-голубое полотнище с изображением 13 полос и 50 звезд. 13 полос олицетворяют собой 13 первоначальных государств США; 50 звезд олицетворяют собой число штатов США сегодня (в настоящее время).

A: Не могли бы Вы назвать основные / наиболее крупные политические партии США?

B: В США есть две наиболее крупные / основные политические партии: Демократическая партия США и Республиканская партия США.

A: США являются конституционной монархией или президентской республикой?

I know for certain, the US is a presidential republic.

What state body / organ is the Congress?

The Congress is the highest law-making body of the US (the legislative branch of the US government consisting of (the two higher and lower) chambers: the Senate and the House of Representatives.

Who can be elected a senator / member of a senate?

Each state has two senators, who are elected every 6 years. A senator must be at least 30 years old, a citizen of the United States for 9 years, and live in the state she or he will represent.

Who can be elected a Representative?

A representative must be at least 25 years old, a citizen of the United States for 7 years, and who must be an inhabitant of that state in which he shall be chosen.

What are the obligations of the Congress?

The Congress of the USA makes legislation / makes laws.

Who can veto a bill?

В: Я точно знаю, что США являются президентской республикой.

А: Каким государственным органом является конгресс?

В: Конгресс – высший законодательный орган США, состоящий из двух палат (нижней и верхней): сената и палаты представителей.

А: Кто может быть избран сенатором / членом сената США?

В: Каждый штат имеет два сенатора, которые избираются сроком на 6 лет. Сенатор должен быть не моложе 30 лет, он должен быть гражданином США в течение 9 лет и проживать в штате, который будет представлять он или она.

А: Кто может быть избран членом палаты представителей (конгресса США)?

В: Членом палаты представителей может быть избран любой гражданин, не моложе 25 лет. Он должен быть гражданином США в течение 7 лет и проживать в том штате, в котором будет избираться.

А: Какие обязанности имеет конгресс?

В: Конгресс разрабатывает / издает законы (занимается законодательством).

А: Кто может наложить вето на билль?

The president has the power to veto a bill.

What does the executive branch do?

The executive branch carries out the laws, which have been made by the politicians / puts the country's laws into effect.

Who can be elected the President of the USA?

Only a natural born citizen of the USA, who has attained to the age of thirty-five years, and been fourteen years a resident within the United States can be elected the President of the USA. The President of the USA is elected every 4 years and cannot serve more than two terms. When the President receives a bill from the Congress, he must sign it, and then the bill becomes a law.

What is the judicial branch and what's its job?

The judicial branch of the government is the system of courts in the USA. Its job is to enforce laws. The Supreme Court is the highest court in the country. It consists of 9 justices: one Chief Justice and 8 associate justices.

Who appoints the justices to the Supreme Court?

The US President appoints the justices, but the Senate must approve them. The justices are appointed for life. The judicial

В: Президент имеет право наложить вето на законопроект / билль.

А: Чем занимается исполнительная власть?

В: Исполнительная власть обеспечивает организацию исполнения законов в масштабах всего государства.

А: Кто может быть избран президентом США?

В: Президентом может избираться только гражданин США по рождению, не моложе 35 лет, который является постоянным жителем США в течение 14 лет. Президент избирается каждые 4 года и только на два срока. Когда президент получает билль от конгресса, он должен его подписать, а затем законопроект становится законом / превращается в закон.

А: Какой орган является судебной властью в США и чем он занимается?

В: Судебная власть США – система судов. Их обязанность – проводить законы в жизнь/ Верховный суд является высшей судебной инстанцией в стране. Он состоит из 9 судей: один главный судья и 8 (помощников) судей.

А: Кто назначает судей в Верховный суд?

В: Президент США, а сенат должен их утвердить. Судьи назначаются пожизненно / на всю жизнь. Судебная власть

branch works together with the legislative and executive branches to protect the Constitution and the right of the citizens of the USA.

взаимодействует с законодательной и исполнительной ветвями власти для защиты конституции и прав граждан США.

DIALOGUE N 3

CONVERSATION ABOUT THE US STATE STRUCTURE

I know there is a division of powers in the US, isn't there?

Oh, yes, under the US Constitution the government in the country is composed of 3 branches: the executive one, the legislative one and the judicial one.

The US is a presidential republic, isn't it?

Yes, it is. The executive power is vested in the President and he can veto legislation.

What term is the President elected for?

The President is elected for a term of 4 years. He can be reelected for the second term but no longer.

And when is the Presidential election held?

On Tuesday after the first Monday in November.

And to whom does the legislative power belong?

The highest legislative body is the US Congress consisting of two chambers: the House of Representatives and the Senate.

What is the number of Congressmen?

О ГОСУДАРСТВЕННОМ УСТРОЙСТВЕ США

А: Я знаю, что в США существует разделение власти, не так ли?

В: Да, по Конституции США, управление в стране осуществляется 3-мя ветвями: исполнительной, законодательной и судебной.

А: США – президентская республика, не так ли?

В: Да. Президент облечен исполнительной властью и имеет право накладывать вето на законопроекты.

А: На какой срок избирается Президент?

В: Президент избирается на 4 года. Он может быть переизбран на второй срок, но не больше.

А: А когда проходят выборы Президента?

В: Во вторник после первого понедельника в ноябре.

А: А кому принадлежит законодательная власть?

В: Высшим законодательным органом является Конгресс США, состоящий из 2-х палат: Палаты представителей и Сената.

А: Какова численность палат?

The Senate is composed of 2 members from each state. The number of Representatives in the lower House depends on the number of people in each particular state.

And how are laws adopted?

In order to become a law all bills must pass both the Houses and must be signed by the President.

And what about the highest judicial body?

The highest judicial body is the US Supreme Court.

What is the structure of power in each state?

Each state has its own Constitution similar to the US Constitution. And all the power in each state is divided into executive, legislative and judicial. The head of each state is the governor of the state.

Thanks a lot for a very interesting talk.

Not at all.

ABOUT THE US CONSTITUTION

As far as I know your Constitution is a very old one, isn't it?

Oh, yes, it was adopted as far back as in 1787.

Hasn't it been altered since then?

As a matter of fact, it hasn't. But a number of amendments to it have been made.

В: В Сенат входят по 2 представителя от каждого штата. Число представителей в нижней палате зависит от численности населения каждого конкретного штата.

А: А как принимаются законы?

В: Чтобы стать законом, все законопроекты должны пройти обе палаты и должны быть подписаны Президентом.

А: А что является высшим судебным органом?

В: Высшим судебным органом является Верховный суд США.

А: Какова структура власти в каждом штате?

В: Каждый штат имеет собственную Конституцию, основанную на Конституции США. И власть в каждом штате подразделяется на исполнительную, законодательную и судебную. Главой каждого штата является губернатор.

А: Большое спасибо за интересную беседу.

В: Не стоит благодарности.

DIALOGUE N 4

О КОНСТИТУЦИИ США

А: Насколько я знаю, у Вас очень старая Конституция, не так ли?

В: Да, она была принята еще в 1787 г.

А: Разве она не менялась с того времени?

В: Практически нет. Но к ней был принят ряд поправок.

What does the US Constitution include?

To my mind, the US Constitution includes the Preamble, seven articles and a number of amendments. And what is the Bill of Rights?

The first ten amendments to the Constitution are known as the Bill of Rights. It contains basic freedoms and individual rights.

What freedoms and rights are guaranteed by the Constitution?

The first amendment, say, guarantees the freedom of speech, confession and of the press. The fourteenth amendment proclaims that not any person shall be deprived of life, liberty or property without due process of law, and not any person shall be denied the equal protection of the laws.

What does the Preamble say?

The Preamble says: "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".

А: Что включает в себя Конституция США?

В: По-моему, Конституция США состоит из преамбулы, семи статей и ряда поправок.

А: А что представляет собой Билль о правах?

В: Первые десять поправок к Конституции известны как Билль о правах. Он содержит основные свободы и права граждан.

А: А какие права и свободы гарантирует Конституция?

В: Первая поправка, например, гарантирует свободу слова, вероисповедания и печати. Четырнадцатая поправка устанавливает, что ни один индивидуум не может быть лишен жизни, свободы или собственности без должного применения законов и ни одному индивидууму не может быть отказано в равной защите закона.

А: О чем говорится в преамбуле?

В: В преамбуле говорится: "Мы, народ Соединенных Штатов, дабы образовать более совершенный Союз, установить правосудие, гарантировать внутреннее спокойствие, обеспечить совместную оборону, содействовать всеобщему благоденствию и закрепить блага и свободы за нами и потомством нашим, торжественно провозглашаем и устанавливаем настоящую Конституцию для Соединенных Штатов Америки".

How many amendments have been already adopted?

Thousands of them were proposed but only 26 amendments altogether have been adopted.

It all sounds very fascinating. Thank you a lot for the talk.

A: Сколько поправок уже принято?

B: Тысячи поправок предлагались, но было принято всего лишь 26.

A: Все это очень интересно. Большое Вам спасибо за беседу.

DIALOGUE N 5

When was the US independence declared?

The Declaration of Independence was adopted in 1787 after the War of Independence.

Is New York the capital of the US?

No, New York is the biggest city in the country, but the capital is Washington.

As far as I know, the US is federal state, isn't it?

Yes, it is. There are 50 states in the US.

What is the area of the US?

The area of the country is 9,4 mil. sq. km.

And what is the population?

There are about 235 mil. inhabitants in the US.

What is the highest legislative body?

The US Congress is.

What falls within its jurisdiction?

In the first place it is a law-making body. It passes laws, approves a federal budget.

A: Когда была провозглашена независимость США?

B: Декларация Независимости США была принята в 1787 г. после войны за независимость.

A: Нью-Йорк – столица США?

B: Нет. Нью-Йорк – крупнейший город США. Но столицей является Вашингтон.

A: Насколько мне известно, США – федеральное государство, не так ли?

B: Да. В США – 50 штатов.

A: Какова площадь США?

B: Площадь США – 9,4 млн. км².

A: Какова численность населения?

B: В США проживают около 235 млн. человек.

A: Какой высший законодательный орган в США?

B: Конгресс.

A: Что входит в компетенцию Конгресса?

B: Прежде всего это – законотворческий орган. Он принимает законы, утверждает федеральный бюджет.

What term is the Congress elected for?

The Senate is elected for a term of 6 years, and the House of Representatives is elected every other year.

A: На какой срок избирается Конгресс?

B: Сенат избирается на 6 лет, Палата Представителей – на 2 года.

DIALOGUE N 6

What are the President's functions?

The President is empowered to recommend legislation to the Congress, he appoints Federal Judges, heads of government departments, ambassadors to other countries and so on.

The President is the head of the executive branch of power, isn't he?

That's right.

What term of office is the President elected for?

For a term of 4 years. He may be reelected but no longer than for two terms.

Who can be elected a President?

Any native-born citizen at least 35 years old and a resident of me country for 14 years can.

A: Какие функции выполняет Президент?

B: Президент имеет право законодательной инициативы в Конгрессе, он назначает федеральных судей, глав министерств, послов в другие страны и т.д.

A: Президент возглавляет исполнительную власть, не так ли?

B: Да, совершенно верно.

A: На какой срок избирается Президент?

B: На 4 года. Он может быть переизбран на второй срок, но не более.

A: Кто может быть избран Президентом?

B: Любой гражданин в возрасте не моложе 35 лет, уроженец страны и проживший в ней не менее 14 лет.

DIALOGUE N 7

I'd like to visit the US. What papers are needed to enter your country?

You should first read the regulations on entry and exit of the country.

A: Я хотел бы посетить США. Какие документы необходимы для въезда в вашу страну?

B: Вам нужно ознакомиться с положением о въезде и выезде из страны.

And where can I get them?

At the Consulate, Embassy or mission of the US in the Commonwealth of Independent States. You can find there any information about how to enter or leave the US.

А: Где я могу получить это положение?

В: В консульстве, посольстве или представительстве США в СНГ. Там Вы можете получить любую справку о въезде и выезде и США.

DIALOGUE N 8

I am a citizen of Russia and I'd like to visit your country. Do I need a visa?

Yes, citizens of the Commonwealth of Independent States must first receive a visa. Besides, they must have an international passport.

Are British visas valid since the date of issue?

No, they become valid since the date fixed in the visa.

And where could I get more detailed information about it?

Such information is available in any mission of me UK abroad.

А: Я — гражданин России и хотел бы посетить вашу страну. Нужна ли мне для этого виза?

В: Да, граждане СНГ должны сначала получить визу. Кроме того, они должны иметь при себе заграничный паспорт.

А: Английские визы действительны со дня их выдачи?

В: Нет, они действительны со дня, который указан в визе.

А: Где я могу получить более подробную информацию об этом?

В: Подобного рода информацию можно получить в любом представительстве Великобритании за границей.

TEXT N 7

The rights of citizens

The previous chapters we considered how the state regulates the behavior of individuals in society by providing rules to be obeyed (criminal law) and procedures for them to solve disputes among each other (civil law). There are also laws which enable citizens to take legal action against the government itself. These actions are part of constitutional law.

A constitution is the political and ideological structure within which a system of laws operates. Most countries have a formal written Constitution describing how laws are to be made and enforced. The French Constitution, for example, sets a seven year term of office for the president; the U.S. constitution sets a four year term. In Switzerland, a **referendum** (national vote) must be held on any issue for which a petition signed by 10,000 people has been gathered; in Ireland, referenda are to be used only in the case of changes in the constitution itself. In Germany, a change in the constitution requires a special majority vote in parliament, not the simple majority necessary for other laws. Many other countries put the constitution above other laws by making it difficult to change.

One of the reasons for having special constitutional laws is to prevent governments from becoming too powerful and from interfering too much in the lives of individuals. Whereas socialist legal systems have tended to try to define exactly what the state allowed citizens to do, Anglo-American law has been more concerned with defining what the state could do, arguing that citizens are entitled to do everything other than that which the state forbids. As a check upon overpowerful government most modern constitutions have adopted the principle of separation of powers, developed in the 18th century by the French political philosopher Montesquieu.

Montesquieu argued that the functions of the state could be divided into policy formulation and direction (**executive**), lawmaking (legislative), and interpretation and application of the law (**judicial**). To stop governments from becoming too powerful these functions should be carried out by separate institutions, and there should be a balance between them. In the United States, for example, the president (executive) is elected by the people and attempts to carry out his policy promises through a presidential office of advisers. The Constitution gives him many important powers, such as control of the armed forces and appointment of Supreme Court justices, but many of his decisions and all new legislation must be approved by a majority in Congress (legislature), which is also elected by the people. Many presidents have had important policies blocked by Congress. The Supreme Court (judiciary) has the task of interpreting laws which have been disputed in lower courts, and of deciding whether a law passed by Congress or by one of the individual states is in keeping with the Constitution. Recently both pro-choice and anti-abortion groups have organized huge

public demonstrations outside the Supreme Court building in the hope of influencing new deliberations about the 1973 abortion legislation.

As well as defining the powers of government, most constitutions describe the fundamental rights of citizens. These usually include general declarations about freedom and equality, but also some specific provisions – for instance, the Fifth Amendment, of the American Constitution, which exempts a witness from answering a question in court, if he states his answer might reveal his own criminal guilt.

Britain is unusual because its constitution is not found in a formal written document. Instead, the constitutional rights of citizens and the powers of government are found in various case-law rulings, statutes, and even in traditions. For example, the important, constitutional principle that the king or queen must approve any legislation passed by parliament is simply an unwritten tradition that has gradually developed over the last three hundred years. There is a debate in Britain about, whether citizens rights would be better guaranteed by a written constitution, or at least a bill of rights. Some people argue that, the government has too much freedom and that it is too easy to change the constitution since all that, is needed is a new statute or even a change in traditional procedure. They complain that, recent governments have overused libel laws (Chapter 16) and the Official Secrets Act (to censor information in the interests of national security), and feel that citizens' rights have fallen behind those in neighboring European countries will bills of rights. Others argue that the flexibility of an unwritten constitution is a good thing, that the lack of a written constitution has not stood in the way of a long tradition of individual liberty in Britain, and that many countries with constitutions which look liberal on the surface suffer from oppressive governments which simply find ways to ignore constitutional rights.

It can be difficult to compare the legal freedoms of countries with different cultures and economic levels – a problem which will be discussed in the next chapter. But some comparison is possible since many countries have similar constitutional provisions and claim similar aims. We can, for example, consider how effective the provision of separation of powers is. Ferdinand Marcos provides a typical case of overcentralized power; he came to power with wide popular support, and many reforming ideas but steadily reduced the rights of Filipino citizens and his family took over most of the executive, legislative and Judicial functions of the state.

We can also consider the right of citizens to say and write what they want and to take part in public meetings and demonstrations. In the previous chapter, we compared countries where criticism of the government, is virtually forbidden with those where it is freely permitted. Even among the latter there are many differences. In Britain, the 1986 Public Order Act requires advance notice of peaceful protests, even if they do not obstruct other people in any way. In addition, the police may order the protesters to move or break up if they anticipate serious disruption of community life. These laws are more restrictive than those in most, European countries, and they are stricter than the pre-1986 laws.

Another area to consider is the ease with which an individual may obtain restitution for a wrong a public body has committed against him. In English law, the principle of **judicial review** enables a court to overturn a decision made by government ministry that acted illegally or irrationally or beyond its authorized powers. In the 1976 case of *Congrieve vs. the Home Office*, the British Home Secretary cancelled the television licenses of people who had bought them early to avoid a price increase. Congrieve successfully argued that, although the minister had very wide powers to cancel licenses, it was an abuse of his power to do this when nothing illegal had been done.

One important area to consider is the treatment of citizens suspected of crimes. Is innocence presumed unless guilt can be proven? (Yes in Japan and the Philippines, but sometimes no in Taiwan and Malaysia.) How long can the police hold a suspect before they must bring him before a court of law? (Twenty-four hours in Norway, three days and sometimes longer in Finland). Is a suspect entitled to free legal aid and choice of lawyer if he has no money? (Both in New Zealand, only the first in Austria.) Can the police search a private house without first obtaining a court warrant? (legal in Argentina, Peru and Paraguay but occasionally done in the first two, and very regularly done in the third.) Are trials open to the public? (Yes in Tanzania and Botswana, often not in Nigeria, and Zaire.) Many of these freedoms are so important that they may also be considered in the category of human rights.

1. Read the text "The rights of citizens" carefully and write a one-page summary of this text. Use a dictionary if necessary. Write a paragraph containing two arguments for and two against this statement. Then discuss your answer with other students.

УРОК №5 / UNIT FIVE

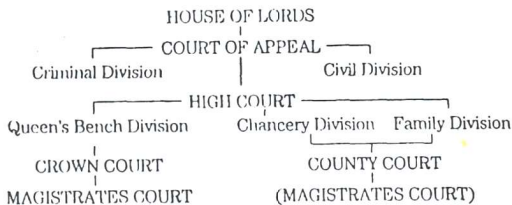
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Судебная система Великобритании / Судостроительство в
Великобритании
Judicial institutions

In all legal systems there are institutions for creating, modifying, abolishing and applying the law. Usually these take the form of a hierarchy of courts: The role of each court and its capacity to make decisions is strictly defined in relation to other courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions – for example, family courts and juvenile courts. The other is so that a person who feels his case was not fairly treated in a lower court can appeal to a higher court, for reassessment, (although the right of **appeal** usually depends upon the **appellant** being able to show certain reasons for his dissatisfaction). The decisions of a higher court are binding upon lower courts. At the top of the hierarchy is a supreme lawmaking body, but, the process of taking an action from a lower court to the highest court may be very time-consuming and costly.

English courts

We can use the English system as an example of how courts relate to one another:



In general, the division between civil and criminal law is reflected in this system. The Crown Courts, for example, deal exclusively with criminal matters, the County Courts, with civil. However, the Queen's Bench Division of the High Court considers appeals from lower criminal courts, as well as civil matters, and the Magistrates Courts, while mostly concerned with criminal cases, also deal with some civil matters. The highest court, the House of Lords, deals with all matters (including appeals from Scottish and Northern Irish courts).

A criminal case usually begins in a Magistrates Court. Having arrested someone suspected of committing a crime, the police must, decide if they have enough evidence to make a formal accusation, or charge. If they charge the suspect, they may release him on the condition that he appear on a certain date at a certain Magistrates Court. This is known as **unconditional bail**. However, the police may instead take the suspect to a magistrate so that he remains in custody until he next appears before a court. The magistrate may decide that it is not necessary to hold the suspect in custody and may agree to unconditional bail, or the magistrate may grant **conditional bail** – that is, release the suspect provided that he puts up some money as security or agrees to surrender his passport or some similar condition. As the lowest criminal court, a Magistrates Court is empowered to hear certain cases only. Some minor cases, such as parking violations, are dealt with only by the magistrates. Some serious crimes, like murder, cannot be heard by the magistrates and must go to the Crown Courts. And there are some offences where the defendant is given the choice of having his case heard in the Magistrates Court, or the Crown Court. It takes much longer to have a case heard in the Crown Court, but, some defendants prefer it because the facts of the case are decided by a jury, that is, ordinary members of the public.

In a Crown Court trial there are twelve jurors. These are ordinary members of the public between the ages of 18 and 70 who are selected at random. They are not paid but are given expenses while they are on **jury service**, which is usually for about two weeks. Service is compulsory, and it cannot normally be avoided without a good reason, such as illness. It is not necessary for a juror to know anything about the law – indeed certain people connected with the world of law, such as solicitors, are not, allowed to serve as jurors. This is because the job of the jury is to listen to the case and to decide questions of **fact**. It is the judge's responsibility to guide them on questions of law.

This contrast between law and fact is very important. If a man is on trial for murder, for example, the judge will explain just what the crime of murder means in English law and what the prosecution has to prove. He will explain how the trial will be conducted, summarize the evidence, and tell the jurors what factors they should consider in making their decision. These are questions of law. However, whether the defendant, did in fact commit murder or not is a question of fact, to be decided by the jurors themselves. It is necessary for at least ten of the twelve to agree.

International comparisons

In some countries such as France (where there are nine jurors), the judges and jurors decide the case together. In the United States juries not only decide if the defendant is guilty but sometimes also have a say in what punishment he should receive. Before World War II, Japan also had a jury system, but it was often criticized for the ease with which jurors could be bribed. Now Japan, like South Korea, is a rare example of a modern industrialized country where jurors are not used: all decisions are made by professional judges.

Most countries have special rules for young defendants. Children under ten cannot stand trial at all under English law. Juveniles (those under seventeen) are dealt with in special Magistrates Courts known as Juvenile Courts.

Appeals

A defendant found guilty by the magistrates may appeal against the finding or against the punishment to the local Crown Court, and the Crown Court judge will hear the appeal without a jury. If a defendant has good reason to believe the magistrates have made a mistake about a point of law, then he may appeal to the Queen's Bench Division of the High Court. The appeal system is mostly for the benefit of the defendant, but, there are cases of the prosecution successfully appealing for a more severe punishment. In Japan it is even possible for the prosecution to appeal that a not-guilty decision be changed to guilty.

Appeals from the Crown Court go first to the High Court, and, in special cases, to the Court of Appeal. Occasionally, a case is carried through this system of appeal all the way to the House of Lords.

The House of Lords is considered the upper house of the British parliament, but its political powers are much more limited than that of the lower house, the House of Commons. Members of the House of Lords are not elected but consist of hereditary peers, peers appointed for life by the government, bishops of the Church of England, and the law lords – peers appointed for life after long service as lawyers. When sitting as a court of appeal it is only the law lords and certain other government-appointed officials who hear cases. Their decisions on both criminal and civil matters bind all other courts. Only the government can overturn a decision of the House of Lords and then, only by passing an Act of Parliament.

In many countries, such as Japan and the United States, the highest judicial decisions are made by a Supreme Court. Its members are appointed from the lower courts by the government. Unlike the British

House of Lords, Supreme Courts are entirely concerned with legal matter's (including the legality of government acts) and have no role in legislation.

Lower courts

Apart, from the limited civil functions of Magistrates Courts (for example, prevention of family violence), the lowest court in a civil action is a County Court, of which there is one in every town in England and Wales. The judges are always professionals. They may hear matters such as contract and tort disputes, actions regarding claims to land or those regarding the property of a dead person. Cases involving larger amounts of money are heard by one of the divisions of the High Court. The Chancery Division, for example, deals with disputes about trusts, the property of the dead and bankruptcy, among other things. Appeals from the High Court, and most appeals from the County Courts, go to the Court, of Appeal.

Some County Courts have authority to grant divorces, but when one of the parties disputes the divorce, it must be transferred to the Family Division of the High Court.

In addition to the courts mentioned above, there are numerous special courts which have been established to make decisions in particular types of dispute. For example, special industrial tribunals deal with disputes over contracts and sexual discrimination in employment matters.

Restrictions

In Britain, as in other nations with democratic systems of government, most court, cases are open to the public. This means that any member of the public may witness a court case, although he does not have the right to speak and may be ordered from the court if he tries to interrupt proceedings. But there are some proceedings which are closed. For example, a judge may order that no member of the public be present in a case where a child is giving evidence of sexual abuse which he or she has suffered. The public is also sometimes excluded if the judge feels that a witness or a member of a jury is being threatened by someone watching the proceedings.

There are also restrictions on who may conduct a case in court. In most countries, an ordinary member of the public has the right to present his own case himself. However, although this sometimes happens in lower courts, most people choose to be represented by a professional lawyer, especially in a higher court.

1. Learn words and expressions relating on the judicial system.

VOCABULARY

court, <i>n</i>	суд, судья
higher ~	вышестоящий суд
judicial system	судебная система; система судебных органов, судоустройство
reassessment, <i>n</i>	переоценка
lower court	нижестоящий суд
Court of Appeal <i>англ.</i>	апелляционный суд (вторая инстанция Верховного суда)
House of Lords	палата лордов
Criminal Division	криминальное отделение
Civil Division	административное подразделение
High Court	высокий суд
Queen's Bench Division	отделение королевской скамьи
Chancery Division	канцелярское отделение
Family Division	отделение по семейным делам (<i>Высокого суда правосудия в Великобритании</i>)
Crown Court	Суд короны (<i>уголовного отделения Высокого суда правосудия</i>)
country court	суд графства; суд округа штата
magistrates court	суд магистрата, магистратский суд, мировой суд
appeal, <i>n</i>	апелляция, апелляционная жалоба
appellant, <i>n</i>	апеллянт, податель апелляции, истец по апелляции
to deal with criminal matters	заниматься/рассматривать уголовные дела
juvenile court	суд по делам несовершеннолетних
conditional bail	условный залог
Supreme Court	Верховный суд
defendant, <i>n</i>	ответчик, обвиняемый, подсудимый
guilty, <i>adj</i>	виновный
punish, <i>v</i>	наказывать
punishment, <i>n</i>	наказание
to be heard in court (a case)	дело слушается/разбирается в суде/на судебном заседании
to stand trial	отвечать перед судом
Juvenile Court	суд по делам несовершеннолетних
to find guilty	признать виновным
to find not guilty	признать невиновным
for the benefit of the defendant	в пользу подсудимого/ответчика/обвиняемого
prosecution, <i>n</i>	обвинение; судебное преследование, уголовное преследование
prosecute, <i>v</i>	преследовать в судебном порядке; обвинять; поддерживать обвинение
prosecutor, <i>n</i>	обвинитель; истец
witness, <i>v</i>	давать свидетельские показания, свидетельствовать

witness, <i>n</i>	свидетель, понятой; свидетельские показания
proceeding(s)	иск, обращение за судебной помощью; процессуальное действие; судебное разбирательство; рассмотрение дела в суде
inferior court	нижестоящий суд
superior court	вышестоящий суд; суд высшей категории
jury, <i>n</i>	присяжные, состав присяжных, суд присяжных
juror, <i>n</i>	присяжный заседатель; член состава присяжных
circuit judge	окружной судья
to make a decision	принять/вынести решение
capacity, <i>n</i>	способность, правоспособность, компетенция
to appeal to a higher court	обращаться в вышестоящий суд, подавать апелляционную жалобу, апеллировать к вышестоящему суду
treat, <i>v</i>	обращаться
appeal, <i>n</i>	апелляция, апелляционная жалоба
appellant, <i>n</i>	апеллянт, податель апелляции, истец по апелляции
to have enough evidence	иметь достаточно улик/доказательств
to make a formal accusation	выдвинуть/предъявить официальное обвинение
charge, <i>n</i>	обвинение
charge, <i>v</i>	обвинять
sitting	заседание
to conduct a case	вести судебный процесс, судебное заседание
to hear	разбирать, заслушивать, слушать
hearing	слушание, допрос в суде, устное разбирательство
~ <i>pl.</i>	слушания
to adjudicate	признавать, установить, решить; рассмотреть спор
to determine	устанавливать, определять
to commit a crime	совершить преступление
wrongdoer, <i>n</i>	правонарушитель, преступник
to provide safeguard	обеспечить охрану/защиту
convicted	осужденный
wrongful conviction	незаконное/противоправное осуждение
the burden of proof	бремя доказывания
probability of guilt	вероятность вины
a lay magistrate	мировой судья

Exercises and tasks

1. Before you read the text about "Judicial institutions", think about your own judicial system:
 - a) How is the administration of justice organized in your country (Russia)?
 - b) Are there separate jurisdictions for different areas of law?
 - c) What is the relationship between the different courts?
 - d) What is the role and position of judges and other lawyers in your country?
2. Discuss your ideas with other students of your group.
3. Read quickly the text N 1 and write down as many as possible words and expressions on the judicial system.
4. Arrange them in alphabetical order. If you don't understand any term look it up in the dictionary.
5. Now read the text carefully and answer the following questions:
 - Why is the text headed "Judicial Institutions"?
 - What is this text about?
 - How many parts does this text contain?
 - What do you think are all the headings suitable for all the parts of this text? Are other headings also possible? Name some of them:
 - What kind of institutions are there in all legal system?
 - Do the courts relate to one another?
 - How many main reasons are there for having a variety of courts?
 - What does the variety of courts depend on?
 - In which case can a person appeal to a higher court?
6. Look at the diagram "English courts".
7. Learn the words and expressions on the subject "Judiciary".
8. Read the whole text "Judicial institutions" carefully.
9. And now explain in English what the diagram shows.
10. Does the diagram show the hierarchy and jurisdiction of the English courts?
11. Write the name of each court and indicate which are inferior and superior courts.
12. Read the text again to answer the questions:
 - What are the two main areas of jurisdiction of English courts?
 - Which courts exercise jurisdiction in both areas?
 - What is the appeal system?
 - What are the superior courts in England?
 - What is conditional and unconditional bail?
 - Which is the final court of appeal?
 - Which Division of the High Court has criminal jurisdiction?

- What is the maximum number of appeals in a civil case?
 - And in criminal case?
 - Do the country courts hear all civil cases?
13. Which part of the text describes international comparisons?
 14. What can you tell about Juvenile Courts?
 15. What do you understand by "Appeals"?
 16. Who can appeal to a superior court?
 17. Read quickly the part "Restrictions" and explain the necessity and circumstances for restrictions.
 18. Find out the following information about the judiciary in your country (Russia):
 - Are the members of the judiciary appointed from practicing lawyers or is there a career judiciary?
 - What are the titles of the different classes of the judiciary?
 - Do the same judges hear first instance cases and appeal cases?
 - Do the same judges hear civil and criminal cases?
 - Is there an equivalent group to the lay magistrates?
 19. Match the following verbs with appropriate nouns from the list below. Use the text or a dictionary to help you.
 - a) to commit...
 - b) to prefer...
 - c) to give...
 - d) to punish...
 - e) to bring...
 - f) to conduct...
 - g) to remedy...
 - h) to institute...
 - i) to instigate...
 - j) to try...
 - k) to pass...
 - l) to impose...
 - m) to reach...
 - n) to hear...

evidence, a criminal, proceeding, a wrong, action, an offense, charges, the prosecution, a prosecution, an offense, a sentence, a verdict.

Where are the differences between a summary offense, an indictable offense and a triable (able to be tried) offense?

20. Find the sentences with following word combinations "questions of

fact", "questions of law" in the text №1. Translate these sentences into Russian. Answer the following questions: "Which are questions of law and which are questions of fact?"

- a) whether a guilty defendant should be imprisoned;
- b) whether killing a dog is a crime;
- c) whether an alibi can be believed.

TEXT N 2

Judicial organization

Superior courts. The highest court is the House of Lords, which exercises the judicial function of Parliament. In theory appeal to the House of Lords is an appeal to the whole House but in practice, particularly since the Appellate Jurisdiction Act, 1876, created a group of salaried life peers, the Lords of Appeal in Ordinary, or 'law lords', there is an established convention dating from 1844 that lay peers do not participate in judicial sittings of the House. Appeals are referred to an Appellate Committee of the House. By that Act an appeal must be heard by at least three of the Lord Chancellor, the Lords of Appeal in Ordinary, and such peers as hold or have held high judicial office. The House has almost entirely appellate jurisdiction only, in civil and criminal cases from the Courts of Appeal in England and in Northern Ireland and in civil cases only from the Court of Session in Scotland.

The Court of Appeal sits in both civil and criminal divisions. The Civil division hears appeals from the High Court, county courts, the Restrictive Practices court, certain special courts, and certain tribunals, such as the Lands Tribunal. The Criminal division hears appeals by persons convicted on indictment in the Crown Courts.

The High Court in its civil jurisdiction is divided into three Divisions (Queen's Bench, Chancery, and Family (formerly Probate, Divorce and Admiralty) to each of which certain kinds of cases are assigned. Divisional courts (q.v.) of each of the divisions, consisting of two or more judges, have limited appellate jurisdiction in certain cases. The main civil jurisdiction is exercised by single judges hearing cases of the kind appropriate to the divisions to which the judges belong.

The criminal jurisdiction of the High Court is exercised exclusively by the Queen's Bench Division. A divisional court of two or three judges of that Division deals with appeals from a Crown Court and magistrates' courts, and also exercises the supervisory jurisdiction of the court, issuing the prerogative writ of habeas corpus and to ensure

that magistrates' courts and inferior tribunals exercise their power properly, by granting orders of *mandamus*, prohibition and *certiorari*.¹

The Crown Court, created in 1972, replaces the former assizes and quarter sessions. It exercises criminal jurisdiction and sittings are held regularly at major towns throughout England and Wales. It comprises judges of the Queen's Bench Division of the High Court, circuit judges and Recorders (part-time judges). They sit singly with juries trying persons charged on indictment with crimes. A judge of the Crown Court sits with two, to four justices of the peace to hear appeals from magistrate' courts and proceedings on committal by magistrates to the Crown Court for sentence.

The Central Criminal Court, known as the Old Bailey, is a sitting of the Crown Court, having criminal jurisdiction only, over indictable offences committed in Greater London or on the high seas. The court consists of *ex officio*² judges and in practice consists of judges of the Queen's Bench Division, the Recorder of London, the Common Serjeant, and certain additional judge of the Central Criminal Court.

Inferior courts. County courts have exclusively civil jurisdiction, which is limited in extent and in area, and which is entirely statutory. The judges are persons who also hold office as Circuit judges of the Crown Court.

Magistrates' courts consist of a stipendiary magistrate or of from two to seven (usually two or three) lay justices of the peace; a single lay justice has a very limited jurisdiction. Magistrates' courts have civil jurisdiction in relation to certain debts, licences, and domestic proceedings. In the exercise of criminal jurisdiction one or more justices may sit as examining magistrates to conduct a preliminary investigation into an indictable offence. A magistrates' court may try summarily³ many minor statutory offences, and also certain offences if the prosecutor applies for the case to be heard summarily, the court agrees it is a suitable mode of trial and the defendant does not elect jury trial. Cases may be appealed to the Crown Court or defendants remitted for sentence to the Crown Court.

TEXT NOTES:

¹ *certiorari lat.* – истребование дела (из производства нижестоящего суда в вышестоящий суд), *англ.* направление обвинительного акта в Высший суд;

² *ex officio lat.* – по должности, в силу занимаемой должности

³ *summarily lat.* – в порядке упрощенного (суммарного) производства; в ускоренном порядке

Exercises and tasks

1. Внимательно прочитайте название текста №2 и скажите, о чем будет идти речь в тексте.
2. На сколько абзацев разделен текст? Чем вы можете подтвердить количество абзацев? Почему весь текст разбит именно на определенное количество абзацев? Обозначьте каждый абзац буквами алфавита: А, Б... Give each paragraph (A, B, etc.) a suitable heading.
3. Обратите внимание на выделенные в тексте слова. Постарайтесь понять их значение из контекста. Если вы не уверены в понимании значения того или иного слова, посмотрите его значение в англо-русском юридическом словаре.
4. Выпишите предложения с выделенными словами из текста и переведите их письменно на русский язык.
5. Найдите в тексте абзацы, в которых говорится о:
 - а) высших судах Великобритании;
 - б) апелляционном суде;
 - в) высоком суде гражданской юрисдикции;
 - г) отделении королевской скамьи (*Высокого суда правосудия в Великобритании во время царствования королевы*);
 - д) Суде короны (*уголовное отделение Высокого суда правосудия*);
 - е) Центральном уголовном суде (Центральном уголовном суде (в Лондоне));
 - ж) нижестоящих судах Великобритании;
 - з) судах магистрата / магистратских судах / мировых судах.
6. Расскажите кратко о каждом суде, которому посвящен тот или иной параграф.
7. Попросите своих товарищей по учебе задать к каждому абзацу 2-3 вопроса и ответьте на них.
8. Прочитайте текст №2 еще раз и расскажите по-английски кратко о судоустройстве в Великобритании. Запишите свой рассказ на пленку и прослушайте ее, сделайте исправления и добавления на базе информации текста или отдайте свою запись своему преподавателю на проверку.
9. Вспомните все о придаточных определительных предложениях. Найдите в тексте одно из них, вводимое союзным словом which. Переведите его на русский язык.

TEXT N 3

The judicial hierarchy

There are some features of the court system which are naturally reflected in the nature of the English judiciary. First, it is **hierarchical** with judges in the higher courts having more authority than those in the lower courts. Secondly, most judges will hear both civil and criminal cases. Judges in the House of Lords and the Court of Appeal hear only appeal cases, whilst judges in the High Court and Crown Court have first instance and appellate jurisdiction.

1. Look through the following paragraphs and tell what you have learnt about from these parts:

The judicial function

It is often stated that the judicial function is to seek the facts of a case and apply the existing law to those facts.

So the answer to the first question is that the judges' role in seeking the facts is very limited. This you will remember is a central feature of an adversarial legal system. This is not to say that judges must be totally passive; they may, on occasion, question the witnesses and they must control the proceedings according to the rules of procedure and evidence, but they must not intervene excessively. Their role is that of the impartial adjudicator – reaching a conclusion only on the basis of the evidence presented to them.

Let us now consider the second question. We have examined the issue of judicial creativity in the context of judicial precedent and statutory interpretation; you will be familiar with the need for the law to balance the requirements of both certainty and justice and the restraints imposed by the doctrine of parliamentary sovereignty. These are very relevant to the question – do judges make law? The traditional view is that the judge applies existing law.

A distinctive feature of the British system in comparison with many Continental systems is that it does not have a judicial career structure. Judges are chosen from lawyers who have gained considerable experience as legal practitioners before being appointed to the judiciary. In Continental systems law graduates can choose to be a judge at the outset of their careers and they gain their experience of the inquisitorial system as practising judges, something which is considered to be inappropriate to the common law adversarial system.

Let us now look at the different classes of the judiciary starting with those at the top of the hierarchy.

Lords of Appeal in Ordinary

These sit in the House of Lords and are therefore the judges with the most authority. They are appointed by the Prime Minister on the recommendation of the Lord Chancellor who is also the president of the House of Lords. There are eleven 'Law Lords', most of whom will² have been promoted from the Court of Appeal. A case must be heard by three Lords, although in practice five will² normally do so. The decision of the majority will² prevail.

Lords Justices of Appeal

These sit in the Court of Appeal and are also appointed by the Prime Minister on the recommendation of the Lord Chancellor. They will² usually be promoted from the High Court although it is possible for a barrister of fifteen years' experience to be appointed without previous judicial experience. The president of the civil division of the Court of Appeal is the Master of the Rolls; the president of the criminal division is the Lord Chief Justice. There is an average of twenty Court of Appeal judges. An appeal will² be heard by three Lords Justices.

High Court judges

These hear cases in the High Court and more serious cases in the Crown Court. They are appointed by the Queen³ on the recommendation of the Lord Chancellor. High Court judges are sometimes referred to as 'puisne'⁴ judges. To qualify, a person must be a barrister of at least ten years' standing.⁵ There are a maximum of 80 High Court judges. The Lord Chief Justice heads the Queen's Bench Division, the President of the Family Division the Family Division and the Vice-Chancellor the Chancery Division. A single judge will hear a case at first instance; two or more may be required to sit in an appeal case.

Circuit judges

These hear less important cases in the Crown Court and civil actions in the county court. They are appointed by the Queen on the recommendation of the Lord Chancellor, from barristers of seven years' standing or Recorders of five years' experience. There are about 400 circuit judges. It is very rare for a circuit judge to be promoted to higher judicial office.

Recorders

These are part-time judges in the Crown Court and they hear the less serious cases. They may also sit in the county court. Barristers or solicitors of ten years' standing may qualify; they are appointed by the

Queen on the recommendation of the Lord Chancellor. There are around 500 Recorders.

Magistrates

Stipendiary magistrates

These are full-time paid appointments made by the Queen on the recommendation of the Lord Chancellor. Barristers or solicitors of seven years' standing qualify for appointment. There are about 100 stipendiary magistrates. They sit in the magistrates' courts in the larger cities, particularly London. A case will be heard by a single stipendiary magistrate.

Lay magistrates

These are part-time, unpaid magistrates often known as justices of the peace. They are appointed from ordinary members of society by the Lord Chancellor on the recommendation of local advisory committees. They are not legally qualified although they do receive some basic training. A case will be heard by a bench of three lay magistrates who are advised on the law by the clerk of the court. The justices' clerk is a barrister or solicitor of at least five years' standing. There are approximately 25,000 lay magistrates and they hear over 90 per cent of criminal cases.

Officers of the state

In addition to the above you should also be aware of the roles of the law officers of the state. These are:

The Lord Chancellor

The Lord Chancellor is the head of the judiciary and a Minister of the Crown. He is the Speaker of the House of Lords (in its legislative capacity) and also the government's principal legal spokesman. We have seen that he has considerable influence over the appointment of judges. His position is somewhat⁸ anomalous⁹ within a constitution based on the separation of powers.

Attorney-General.

The A-G is the chief legal advisor to the government. He is a Member of Parliament and a member of the government. He has overall responsibility for prosecution policy and his consent is required to bring a prosecution in certain cases involving state security. He is assisted by the Solicitor-General.

The Director of Public Prosecutions

The DPP is a civil servant¹⁰ who is responsible for the running of the prosecution service. His consent is required to proceed in cases involving certain criminal offences. He may take over a private

prosecution and conduct proceedings in difficult or important cases. He is responsible to the Attorney-General.

The independence of the judiciary

The discussion on the role of the judiciary can only be fully understood within its proper context – the independence of the judiciary. Much importance is placed on maintaining an independent judiciary, but, we must ask, independent of what? First, judges must be independent of the parties to a dispute. This ensures a fair and just trial. Secondly, they must be independent of the executive; this enables the judges to exercise control over government action. This latter freedom in particular is one which is fiercely defended by the judiciary.

The criminal courts

Whilst the purpose of the civil courts is to adjudicate on disputes between individuals and to provide a remedy for the wronged party, the purpose of the criminal courts is to determine whether the accused person has committed a crime and to punish the wrongdoer. The balance required is between the need to protect society and the need to ensure, as far as possible, that only the guilty are punished. Given the serious consequences which can result from being convicted of a criminal offence, it is necessary to provide safeguards against wrongful conviction. One way is that the burden of proof is on the prosecution to prove 'beyond reasonable doubt' that the accused committed the offence charged. This can be compared with the burden of proof in civil actions where it is for the plaintiff to show that the defendant is liable 'on the balance of probabilities', that is the defendant is more likely to be liable than not. Also criminal court procedure seeks to ensure a fair hearing by imposing very strict and formal rules of evidence (compare the flexible procedures in the county court arbitration scheme). Many other safeguards relate to the powers of the police.

Exercises and tasks

1. Read short texts above and retell them in English.
2. What do you understand by «The independence of judiciary»?
3. What is the judicial role in seeking the facts of case?
4. In applying the law, do judges actually make the law?
5. Can you explain what the judicial hierarchy means?
6. Tell us about the judicial function.
7. What do you know about Lords of Appeal in Ordinary and the Lords Justices of Appeal?
8. What cases are heard in the High Court?

9. What do you understand by Circuit judges?
10. What cases do the recorders hear? By whom are they appointed?
11. Read the paragraph «Magistrates» and explain what justices are they.
12. What can you tell us about the independence of the judiciary?
13. What is the purpose of the Criminal court?
14. What is the purpose of the civil courts?
15. Write a short essay of 300 words and expressions about the British judiciary.
16. Discuss «The Judicial System in the U.K in comparison with the Russian system.
17. Найдите в тексте «Criminal courts» сложноподчиненное предложение с придаточным времени, которое вводится союзом whilst. Какой синоним Вы знаете? В чем состоит отличие союзов whilst и while? Переведите сложноподчиненное предложение с союзом whilst на русский язык. Как переводятся оба союза на русский язык? (Выберите правильный вариант: пока, когда, прежде чем, после того как, в то время как).
18. Переведите на русский язык. Запомните значения и употребление союза while.
 - While she reads the paper, I cleaned up the kitchen.
 - He got malaria while travelling in Africa.
 - While he was on vacation he caught a cold.
 - I'll set the table while you take a bath.
 - He fell asleep while he was reading his book.
 - Jane was dressed in brown while Mary was wearing blue.
 - I scanned the newspaper while I waited for the train.
19. Which of these two conjunctions is more usual?
20. *Whilst* is preferably used in American English, isn't it?
21. The word «magistrate» means an official who acts as a judge in the lowest courts, doesn't it? If you are not shure look it up in the bilingual dictionary. Write the translation into Russian. Decide if it is a verb or a noun.

TEXT N 4

The jury

The jury has a long history within the English legal system, although its role has changed significantly during that time. Originally, members of the jury were witnesses, summoned for their local knowledge. Today, they are a group of twelve ordinary people with no special knowledge, chosen at random to act as impartial judges of the

facts of a case. In a jury trial, the jury is advised by the trial judge on the relevant law; its function is then to apply the law to the facts and then decide, in criminal cases, whether the defendant is guilty or not guilty and, in civil cases, whether the defendant is liable to the plaintiff. The decision of a jury is called a **verdict**. In civil cases the jury will also decide on the amount of damages to be awarded to the plaintiff.

Although the jury continues to have much symbolic importance in the English legal system, in practice its role has been greatly diminished over recent years.

Exercises and tasks.

1. Read the text «The jury» carefully.
2. Переведите следующие вопросы на английский язык и задайте их своим товарищам по учебе, которые должны найти ответы на вопросы в тексте.
 - Подумайте, что Вы знаете о суде присяжных / присяжных / коллегии присяжных вообще.
 - Кто первоначально приглашался в качестве членов жюри и на каком основании?
 - Что представляет собой сегодня жюри?
 - Кто консультирует коллегия присяжных о правовой норме, распространяющейся на данный факт (relevant law) в суде присяжных (in a trial court)?
 - Какую функцию выполняет жюри?
 - Как называется решение жюри в юридическом языке?
 - Какая задача поставлена перед жюри при рассмотрении гражданских дел?
 - Has the role of the jury been greatly diminished in the English legal system over recent years? Если да, то чем это объясняется?
 - Назовите плюсы и минусы института жюри. Допустим, что Вы считаете деятельность жюри в судебной системе необходимой. Приведите в поддержку своей точки зрения ряд убедительных аргументов.
3. Проведите в группе дискуссию на эту тему.
4. Прочитайте текст еще раз и расскажите своим товарищам по учебе все, что Вы узнали из текста о суде присяжных.
5. Постарайтесь вспомнить все, что Вы знаете о сложноподчиненных предложениях с придаточными предложениями уступительными: а) На какой вопрос отвечают уступительные придаточные предложения?; в) Какое значение они имеют?; с) Какими

- союзами они соединяются с главной частью? Если Вы не уверены, воспользуйтесь грамматикой.
6. Выпишите из текста «The jury» два сложноподчиненных предложения с уступительным придаточным предложением. Переведите их на русский язык. Напишите два своих предложения по образцу текстовых.
 7. Найдите в тексте английские эквиваленты для: наугад/случайно; первоначально/по происхождению; без специальных знаний; решение жюри; судья первой инстанции/судья, участвующий в рассмотрении дела; сумма ущерба/размер убытка; беспристрастный; судебный вердикт.
 8. Как это называется одним словом? *"A group of usually 12 people chosen to hear all the details of a case in a court of law and give their decision on it is called..."*
 9. How would you say that in Russian?
 - The jury has / have returned (- given) a verdict of guilty.
 - There were eight women in the jury.
 - I have been called up to do Jury service (= be a member of a jury).
 - The jury found the prisoner not guilty.
 - 10 What is the basic difference between the judges and the jury?
 11. Say it in English: «Коллегия присяжных для предания обвиняемого суду или вынесения судебного вердикта».
 12. Прослушайте диалог с пленки. Запишите основное. Прослушайте его еще раз, сделайте исправления и добавьте новую информацию. Затем повторите диалог по ролям вслед за диктором. Потом разыграйте аналогичный диалог вдвоем. Запишите его на пленку и сдайте запись своему преподавателю английского языка для проверки.

DIALOG

What is the jury?

А: Что такое коллегия присяжных / суд присяжных?

Today, the members of the jury are a group of twelve ordinary people with no special knowledge, chosen at random to act as impartial judges of the facts of a case.

В: В настоящее время коллегия / присяжных состоит из 12 человек, обыкновенных людей, без специальных знаний, выбранных наугад, для выполнения функций беспристрастных судей при рассмотрении дела в суде.

What are its functions?

А: Каковы функции суда присяжных?

In a jury trial, the jury is advised by the trial judge on the relevant law; its function is then to apply the law to the facts and then decide, in criminal cases, whether the defendant is guilty or not guilty and, in civil cases whether the defendant is liable to the plaintiff. In civil cases the jury will also decide on the amount of damages to be awarded to the plaintiff.

How is the decision of a jury called?

It is called a verdict.

What is the role of a jury in legal practice today?

Although the jury continues to have much symbolic importance in the English legal system, in practice its role has been greatly diminished over recent years. Nowadays the following cases are tried by jury: libel and slander, malicious prosecution false imprisonment, fraud.

В: На суде присяжных судья, участвующий в рассмотрении дела, консультирует коллегия присяжных о правовой норме, распространяющейся на данный факт (разъясняет смысл закона). Функции присяжных – применение закона к факту, рассматриваемому судом, и вынесение решения о виновности или невиновности подсудимого (обвиняемого) при рассмотрении уголовных дел, а при рассмотрении гражданских дел присяжные должны определить, подлежит ли ответственности обвиняемый / подсудимый перед истцом. При рассмотрении гражданских дел присяжные должны также определить размер понесенных истцом убытков / сумму убытков истца.

А: Как называется решение присяжного суда?

В: Оно называется вердиктом.

А: Какую роль играет суд присяжных в наши дни в судебной практике?

В: Хотя суд присяжных по-прежнему имеет большое символическое значение в английской судебной системе, в судебной практике его роль за последние годы в значительной мере (существенно) ослабла. В настоящее время суд присяжных рассматривает следующие дела: пасквиль и устная клевета, злонамеренное судебное преследование, неправомерное лишение свободы, обман / мошенничество.

The classification of offences and the criminal courts /**Классификация преступлений и уголовных судов.**

After the decision to prosecute has taken the case will eventually be heard in court. As with civil actions, criminal offences vary in seriousness and complexity. These differences are again reflected in the criminal court system. The following text outlines the way in which offences are classified and the courts of first instance and appeal.

There are three types of criminal offence: summary, indictable and triable either way. The nature of the offence will determine the mode of trial.

Summary offences are the less serious offences such as minor motoring offences. These offences are tried in the magistrates' court, without a jury, before a bench of three lay magistrates or one stipendiary magistrate. The magistrates will hear the evidence and reach a verdict. If the verdict is 'not guilty' the defendant will be acquitted; if 'guilty' the magistrates will pass sentence. The sentencing jurisdiction of the magistrates' courts is limited to imposing a fine of up to £1,000 or a maximum prison sentence of six months. A case requiring a heavier punishment must be referred to the Crown Court for sentencing. The defendant may appeal to the Crown Court for a retrial or to the Divisional Court of the Queen's Bench Division of the High Court 'by way of case stated'. This is on the basis that the magistrates were wrong in law or in excess of jurisdiction. The magistrates are required to 'state the case' (give reasons) for their verdict. This form of appeal is, unusually, available to the prosecution as well as the defence. A further appeal to the House of Lords is available in cases involving important questions of law.

Indictable offences are the most serious offences; examples are murder, manslaughter, rape and arson. The procedure for trying these offences begins in the magistrates' court with 'committal proceedings'. Here it is the role of the magistrates to conduct a preliminary enquiry into the prosecution's evidence and to decide whether it forms a prima facie case against the accused. If not, the case will be discharged. This is not the same as an acquittal as the prosecuting authorities can bring the case before the court again if further evidence becomes available; a person who has been acquitted of a charge cannot be tried for the same offence again. If a prima facie case is established, a full trial will take place in the Crown Court before a judge and a jury of twelve ordinary

people. It is the role of the judge in this full trial to rule on points of law and, if the defendant is found guilty, to pass sentence. The jury assesses the facts and reaches a verdict. The defendant may appeal against conviction or sentence to the Criminal Division of the Court of Appeal. Under the Criminal Justice Act 1988, the prosecution may also appeal to the Court of Appeal for the sentence to be increased. A further appeal to the House of Lords may be allowed on an important point of law.

Offences triable either way are offences which can be committed in a serious or minor way. Burglary and theft are examples of these offences. They may be tried summarily in the magistrates' court or on indictment in the Crown Court. The magistrates will determine the mode of trial taking into account such factors as the seriousness of the offence and the possible appropriate sentence. The accused can insist on trial by jury in the Crown Court but not on summary trial, if the magistrates decide that the case should be tried on indictment. The trial procedure will then follow the summary or indictable form as discussed previously.

Exercises and tasks.

1. Read the text carefully without a dictionary.
2. Divide the text in appropriate paragraphs and mark them with the letters: A, B, C...
3. Now decide which paragraph:
 - a) gives the information about summary offenses;
 - b) explains indictable offences;
 - c) tells us about offenses triable either way.
4. What parts of the text contain the information about the criminal courts?
5. Scan quickly each paragraph and answer as briefly as possible the following questions. Work in pairs.
 - (1) How many types of criminal offense are there?
 - (2) What will determine the mode of trial?
 - (3) What is a summary offense? (Give an example).
 - (4) What is an indictable offense? (Give an example).
 - (5) What are offenses triable either way? (Give examples).
 - (6) What cases are heard in criminal courts? (Give some examples).
6. Are «to indict» and «to charge with an offense» synonyms? Check your answer in the dictionary.
7. Найдите в тексте английские соответствия для: уголовное

преступление; преступление, преследуемое в порядке суммарного производства; преступление, преследуемое по обвинительному акту; подлежащий рассмотрению в суде/подсудный; мелкое правонарушение/проступок; мировые судьи; простое (без злого умысла) убийство; изнасилование; поджог; наличие достаточно серьезных доказательство для возбуждения дела; оплачиваемый магистрат/судья; реабилитировать/оправдывать (подсудимого); ночная кража со взломом; кража; обвинительный акт; тяжкое убийство.

8. В тексте Вы найдете словосочетание *prima facie case*. Объясните своему товарищу по учебе, как найти значение этого выражения в англо-русском юридическом словаре.

9. Быстро скажите по-русски:

The defendant is found guilty; to assess the facts; to bring a case before the court; to pass a sentence; to reach a verdict; to appeal against conviction or sentence; to appeal the Court of Appeal; to commit an offense; to commit a crime; to impose a fine.

10. Test your knowledge.

- Distinguish between the three types of criminal offence.
- What's the role of the magistrates in trying each of these offence?
- What are the respective roles of the judge and the jury in trying indictable offence in the Crown Court?
- What are the advantages of the Crown Prosecution Service?

11. Explain the distinction between «discharge» and «acquittal».

12. Find out the names of the criminal courts in your country, noting which courts are courts of first instance and which ones are appellate courts.

13. Is there an independent body like the CPS in your country which is responsible for deciding cases come to trial? If not, who is responsible for these decisions?

14. Discuss the subject "legal cases are best decided by professional judges, not by ordinary members of the public".

TEXT N 6

Судебная система.

1. Read the text carefully and write a two pages summary of this text.

Несмотря на многочисленные реформы, британская судебная система остается чрезвычайно сложной. Традиционно суды подразделяются на высшие и низшие. Особое значение имеет дея-

тельность высших судов, которые, разрешая конкретные дела, создают прецеденты.

Самый высокий уровень судебной системы образует *Палата лордов*. Это единственный судебный орган, юрисдикция которого распространяется на всю территорию страны.

Палата лордов имеет почти исключительно апелляционную юрисдикцию. В качестве первой инстанции она может рассматривать дела о нарушении парламентских привилегий, а теоретически также – в порядке импичмента по обвинению, вынесенному Палатой общин (последний случай имел место в 1805 г.).

В Палату лордов могут быть обжалованы судебные решения, вынесенные Апелляционным судом и действующим в качестве апелляционной инстанции Высоким судом Англии и Уэльса, а также одноименными судами Северной Ирландии – как по гражданским, так и по уголовным делам и Сессионным судом Шотландии – только по гражданским делам. Апелляции рассматриваются главным образом по вопросам права.

Жалобы направляются в Палату лордов только при наличии разрешения на это Апелляционного суда либо апелляционного комитета Палаты лордов.

От имени Палаты лордов дела рассматривает Суд Палаты лордов, который в соответствии с Актом об апелляционной юрисдикции 1876 г. состоит из возглавляющего его лорда-канцлера, «ординарных лордов по апелляциям» (лордов-юристов) и тех пэров, которые в прошлом занимали высшие судебные должности, в том числе всех бывших лордов-канцлеров. «Ординарные лорды по апелляциям» назначаются Королевой из числа опытных юристов, как правило, членов Апелляционного суда. Принято, чтобы двое из них были шотландскими юристами. Дела рассматриваются от имени всей палаты не менее чем тремя лордами, каждый из которых отдельно высказывает свое мнение, выступая с речью. Принятое большинством голосов заключение Палаты лордов (при равновесии голосов апелляция отвергается) передается в суд, вынесший обжалованное решение, который и выносит окончательный вердикт. Считается, что заключение Палаты лордов имеет рекомендательный характер, однако при вынесении окончательного решения суды практически всегда руководствуются им.

Следует отметить, что деятельность Палаты лордов в качестве судебной инстанции носит исключительный характер: за год рассматривается не более 30-40 дел, а процедура весьма напоминает

характерную для европейских континентальных судебных систем кассацию.

К числу высших судебных органов, не имеющих регионального характера, относится также *Судебный комитет Тайного совета*. Он состоит из лорда – председателя Совета, лорда-канцлера, возглавляющего данный комитет, бывших лордов – председателей Совета, «ординарных лордов по апелляциям» и тех членов Тайного совета, которые занимают или занимали высшие судебные должности, а также лиц, занимающих или занимавших таковые в островных или зависимых территориях и странах Содружества. Основная сфера компетенции Судебного комитета – рассмотрение апелляций на решения и приговоры высших судебных инстанций острова Мэн и островов Провианс, зависимых территорий, а также государств Содружества, но только в том случае, если законодательство последних это прямо предусматривает. Формально Судебный комитет не выносит сам судебного решения, а лишь дает совет монарху. Его заключения оформляются как «приказ в Совете».

Судебные системы Англии и Уэльса, Шотландии, Северной Ирландии действуют обособленно и автономно.

В Англии и Уэльсе высшие суды – Высокий суд, Суд Короны и Апелляционный суд – образуют *Верховный суд*, возглавляемый в качестве председателя лордом-канцлером.

Высокий суд состоит из 78 судей и включает три отделения:

королевской скамьи во главе с лордом – главным судьей, канцлерское во главе с вице-канцлером и семейное во главе с председателем.

Отделению королевской скамьи по первой инстанции подсудны наиболее сложные гражданские дела. Кроме того, оно выступает в качестве апелляционной инстанции по жалобам на решения магистратских судов.

Составными частями отделения королевской скамьи являются *Суд Адмиралтейства*, рассматривающий споры по морским перевозкам, столкновениям судов и возникающим в связи с этим убыткам, а также *Коммерческий суд*, занимающийся рассмотрением споров торгового характера.

Канцлерское отделение Высокого суда разбирает по первой инстанции дела из отношений, которые до сих пор не регулируются общим правом, например связанные с доверительной собственностью, банкротством, авторским и изобретательским пра-

вом. По тем из них, которые вправе рассматривать суды графств, отделение служит апелляционной инстанцией.

Семейное отделение занято в основном рассмотрением жалоб на решения магистратских судов по всем вопросам семейных отношений (разводы, взыскание алиментов, опека, попечительство и т. п.), а по наиболее важным из них выступает в качестве первой инстанции.

Различия в деятельности трех отделений связаны не только с предметной специализацией, но и с особенностями процедуры. Все три отделения могут выступать как в качестве первой, так и в качестве апелляционной инстанции. Разбирательство в отделениях Высокого суда по первой инстанции осуществляется единолично судьей, а при рассмотрении апелляций – коллегией из двух-трех судей. В рассмотрении дела в отделении королевской скамьи могут участвовать *присяжные* (10 или 11 человек), если имеет место обвинение в клевете, злонамеренном судебном преследовании или неправомерном лишении свободы. Вердикт о виновности выносится большинством в девять из 10 или 10 из 11 присяжных.

Суд Короны – относительно новое образование. Он учрежден Актом о судах 1971 г., заменив собой систему местных судов (судов четвертных сессий и судов ассизов, судьи которых действовали не на постоянной основе, а на основании особых королевских поручений). Суд Короны имеет в основном уголовную юрисдикцию, рассматривая по первой инстанции дела о тяжких преступлениях, а также апелляции на приговоры магистратских судов. Гражданская юрисдикция Суда Короны является ограниченной, касаясь главным образом апелляций по делам о выдаче лицензий. Формально считающийся единым судом, Суд Короны проводит свои заседания по округам, центры которых расположены в наиболее крупных городах Англии и Уэльса.

Заседание суда при рассмотрении дела по первой инстанции проводится с участием 10-12 присяжных заседателей под председательством судьи. В качестве судей в состав Суда Короны входят в зависимости от вида преступлений судьи Высокого суда (члены отделения королевской скамьи), окружные судьи, а также адвокаты (барристеры или солиситоры), имеющие не менее 10 лет статус *рикординера*, т. е. исполняющие обязанности судьи временно – на срок, определяемый Королевой при их назначении с указанием частоты и продолжительности их вызовов для выполнения

обязанностей. Присяжные выносят вердикт о виновности обвиняемого. Для этого требуется большинство голосов (10 из 11 или 12 присяжных либо девять из 10 присяжных). Оправдательные приговоры, вынесенные судом присяжных, апелляцииному обжалованию не подлежат.

Апелляционные жалобы рассматриваются в Суде Короны с участием двух-четырех мировых судей под председательством опять-таки члена Суда Короны. Они разрешаются большинством голосов, при их разделении поровну перевес имеет голос председательствующего.

Жалобы на решения Высокого суда и Суда Короны подаются, как правило, в *Апелляционный суд*, в состав которого входят лорд-канцлер, все бывшие лорды-канцлеры, лорд – хранитель судебных архивов, лорд – главный судья, а также до 18 лордов – апелляционных судей. Возглавляет Апелляционный суд лорд – хранитель судебных архивов. В его структуре имеются уголовное и гражданское отделения. Дела рассматриваются коллегиями из трех или более судей.

Около 90 % дел рассматриваются в Англии и Уэльсе нижестоящими судебными инстанциями, традиционно причисляемыми к низшим судам. К ним относятся суды графств и магистратские суды.

Судами графств рассматриваются гражданские дела с небольшой ценой иска – например, по искам из договоров и деликтов – до 5 тыс. ф.ст. Этих судов насчитывается более 350. Общее руководство судами графств осуществляет лорд-канцлер. В качестве судей в судах графств выступают окружные судьи или рикордеры. В каждом суде работает обычно один или два постоянных судьи. Кроме того, в каждом суде имеется один помощник судьи, назначаемый лордом-канцлером. Дела слушаются единолично судьями или рикордерами. По ходатайству сторон дело может слушаться с участием восьми присяжных. Решения судов графств могут быть обжалованы в Апелляционный суд, а по делам о банкротстве – в канцлерское отделение Высокого суда.

Малозначительные уголовные дела, по которым осужденные могут быть приговорены лишь к штрафу либо лишению свободы на срок не более шести месяцев, рассматриваются *магистратскими судами*. Кроме того, к их юрисдикции относится предварительное слушание по делам, рассмотрение которых относится к

компетенции Суда Короны, а также ограниченная сфера гражданского судопроизводства (например, дела о взыскании долгов, некоторые вопросы семейного права). Общее число магистратских судов составляет около 20 тыс. Это мировые судьи, которые в большинстве случаев не являются профессиональными юристами и не получают вознаграждения. Платные магистраты составляют довольно малочисленную группу: они назначаются из числа юристов и рассматривают дела единолично, в то время как мировые судьи в большинстве случаев действуют коллегиально, рассматривая дела в составе двух-трех человек. Судебные решения обжалуются в Высокий суд (отделения королевской скамьи и семейное) и Суд Короны.

Наряду с системой судов общей юрисдикции в Англии и Уэльсе имеются суды специальной юрисдикции. Это *военные суды*, юрисдикция которых распространяется на лиц, находящихся на военной службе, за исключением убийств и изнасилований, дела о которых разбираются общими судами; *церковные суды*, рассматривающие дела о неподобающем поведении лиц духовного звания; *суды по рассмотрению жалоб на ограничение свободы промысла* и др.

Все судебские должности в Англии и Уэльсе замещаются в порядке назначения. Судьи высших судов назначаются Короной по рекомендации лорда-канцлера, судьи низших судов – лордом-канцлером самостоятельно. Традиционно судьи высших судов назначаются из числа адвокатов привилегированной категории – барристеров, имеющих в отличие от солиситоров право выступления не только в низших, но и в высших судах. В последнее время возможность занятия судебских должностей в высших судах получили и солиситоры. Судьи Верховного суда назначаются, как правило, из числа барристеров с не менее чем 10-летним стажем, окружные судьи Суда Короны – из числа барристеров с таким же стажем или из числа рикордеров, замещающих эту должность не менее трех лет. Рикордером может быть назначен либо барристер, либо солиситор с не менее чем 10-летним стажем адвокатской практики. При этом судьи высших судов остаются в должности, «пока ведут себя достойно», и уходят в отставку в возрасте 72 или 75 лет в зависимости от должности, а до этого могут быть смещены со своей должности лордом-канцлером по причине недееспособности или недостойного поведения. Рикордеры же, как было

упомянуто ранее, назначаются на определенный срок, который указывается каждый раз индивидуально. Мировые судьи уходят в отставку по достижении 70 лет, а платные магистраты – 65 лет, но и те, и другие до этого могут быть смещены лордом-канцлером без указания причин.

Судьи судов специальной юрисдикции назначаются с меньшим участием центральной власти. Например, в системе военных судов только возглавляющие ее судья – генеральный адвокат и судья – генеральный адвокат флота назначаются Короной по рекомендации лорда-канцлера. Остальные судьи назначаются *ad hoc* судьей – генеральным адвокатом или судьей – генеральным адвокатом флота соответственно. Судьи церковных судов назначаются епископом или архиепископом в зависимости от их уровня.

Система *административной юстиции* Англии и Уэльса также обособлена от судов общей юрисдикции. Ее образуют многочисленные *административные трибуналы*. Их общее число составляет около 3 тыс. Каждая разновидность трибуналов имеет собственную узкую специализацию по отраслям и сферам управления. Их состав формируется соответствующим министром по согласованию с лордом-канцлером. Председатели (президенты) и члены трибуналов назначаются на определенный срок (от одного года до 10 лет).

Все административные трибуналы объединяются в две группы: трибуналы в сфере социального управления (например, местные трибуналы по предоставлению дополнительных пособий, трибуналы Национальной службы здравоохранения, иммиграционные трибуналы и другие) и трибуналы в сфере управления экономикой (промышленные трибуналы, земельные трибуналы, комиссии по налогам и другие).

Наряду с трибуналами, рассматривающими дела по первой инстанции, существуют *апелляционные трибуналы* каждого вида. Решения апелляционных трибуналов могут быть обжалованы в судебные органы, входящие в систему Верховного суда. В ряде случаев предусмотрена возможность подачи апелляций на решения трибуналов первой инстанции непосредственно в суд общего права, минуя апелляционный трибунал.

Внесудебный контроль за органами административной юстиции осуществляет лорд-канцлер через *Совет трибуналов*, учрежденный в 1958 г. и состоящий из 15 членов, из которых 14 на-

значаются лордом-канцлером, а один – председателем совета. Совет трибуналов наблюдает за их работой и периодически представляет лорду-канцлеру отчет об их деятельности. Существование судебного и внесудебного контроля за административными трибуналами обосновывается английскими юристами тем, что «административная юстиция может превратиться в довольно опасный институт, если... она будет бесконтрольна»³⁵.

Особое значение имеют учрежденные в 1964 г. *промышленные трибуналы*. Они рассматривают споры между администрацией предприятий и работниками. Каждый трибунал состоит из трех судей, один из которых является председателем. Это всегда профессиональный юрист. Решения промышленных трибуналов могут быть обжалованы в *Апелляционный трибунал по трудовым спорам*, учрежденный в 1975 г. Он состоит из судей Высокого и Апелляционного судов и иных членов трибунала – специалистов, а также представителей работодателей и работников.

В качестве альтернативы гражданскому судопроизводству Акт об арбитражах 1950 г. предусмотрел возможность рассмотрения споров *арбитрами*. Чаще всего стороны прибегают к помощи арбитров в коммерческих делах. На рассмотрение арбитража дело может быть передано только судом, к компетенции которого оно относится. Как правило, дело передается одному арбитру, назначаемому судом по указанию сторон. Если стороны не пришли к соглашению, арбитр назначается Высоким судом. Дело разбирается согласно общим нормам английского судопроизводства. Решение арбитра излагается в форме «присуждения», т. е. постановления об уплате денег, судебных издержек или об исполнении в натуре. Права на апелляции в отношении решений арбитров в суды не существует, кроме случаев, когда арбитром является судья Коммерческого суда (другие судьи не могут назначаться арбитрами). В качестве надзорной инстанции выступает Высокий суд.

В Шотландии действуют собственная система права и собственная судебная система. По уголовным делам в качестве высшей и окончательной инстанции выступает *Высокий суд юстициариев* (юстициариями в средние века называли чиновников, выполнявших функции главы исполнительной и судебной власти по поручению монарха на территории Ирландии и Шотландии). Он состоит из возглавляющего его лорда – генерального судьи Шотландии, лорда-судьи – клерка и лордов – членов Высокого суда юсти-

циариев. В нем рассматриваются уголовные дела по первой и апелляционной инстанциям. По первой инстанции Высокому суду подсудны дела о наиболее серьезных преступлениях. В процессах, которые проводятся в Эдинбурге, Глазго и других крупных городах Шотландии, участвуют один судья и 15 присяжных заседателей. В качестве апелляционной инстанции Высокий суд юстициариев действует в составе трех и более членов, рассматривая жалобы на приговоры любых шотландских судов, в том числе вынесенные судьей этого же суда.

Высшей судебной инстанцией по гражданским делам является Сессионный суд, заседающий в Эдинбурге. В его состав входят лорд – генеральный судья Шотландии (в качестве главы данного суда он именуется лордом – президентом Сессионного суда), лорд-судья – клерк, а также сессионные лорды, одновременно являющиеся членами Высокого суда юстициариев. Сессионный суд имеет внешнюю и внутреннюю палаты. Внешняя палата занимается рассмотрением наиболее важных гражданских дел по первой инстанции. Дела разбираются судьей единолично либо с участием 12 присяжных. Внутренняя палата состоит из наиболее опытных и квалифицированных судей и рассматривает апелляционные жалобы на решения суда внешней палаты. Дела слушаются коллегией из четырех судей – членов внутренней палаты. Решения Сессионного суда в отличие от приговоров и иных актов Высокого суда юстициариев могут быть обжалованы в Палату лордов.

На местах действуют *шерифские суды*, рассматривающие дела о менее серьезных преступлениях, по которым лицо может быть приговорено к лишению свободы до двух лет или штрафу, и основную массу гражданских дел. Гражданские дела рассматриваются шерифом единолично. Решение об участии в уголовном деле присяжных принимает обвинитель.

Низовое звено судебной системы Шотландии образуют *районные суды*, судьями которых являются оплачиваемые магистраты, рассматривающие дела единолично, либо мировые судьи, работающие коллегиально в составе двух и более человек. Районные суды учреждены Актом о районных судах в 1975 г. Им подсудны малозначительные уголовные дела: в качестве меры наказания приговор может определить лишение свободы на срок до 60 дней или штраф до 2 тыс. ф.ст. (по состоянию на 1990 г.).

Механизм обжалования в сферах уголовной и гражданской юрисдикции различен. По уголовным делам единственная (и окончательная) апелляционная инстанция – это Высокий суд юстициариев, рассматривающий жалобы на приговоры шерифских и районных судов. По гражданским делам решения шерифских судов могут быть обжалованы путем обращения к *главным шерифам*. Решения же главных шерифов могут быть обжалованы во внутреннюю палату Сессионного суда.

Судьи шотландских судов назначаются на свои должности монархом по рекомендации государственного секретаря по делам Шотландии, мировые судьи – самим указанным государственным секретарем, а оплачиваемые магистраты – местными советами. Судьи высших судов, а также шерифы остаются в должности, «пока ведут себя достойно». В возрасте 72 лет они уходят в отставку. Раньше они могут быть уволены в случае недееспособности или за «недостойное поведение». Увольнение производится государственным секретарем по делам Шотландии, после чего в течение 40 дней необходимо одобрение обеих палат Парламента.

В Северной Ирландии судебная система автономна, хотя по большей части копирует английскую. Здесь также имеется *Верховный суд*, состоящий из трех судов, одноименных английским. Низшими судами являются *суды графств* и *магистратские суды*. Различия североирландской и английской судебных систем касаются некоторых организационных и процедурных моментов.

Остров Мэн и острова Пролива также имеют собственные судебные системы. Апелляции на решения их высших судов рассматриваются Судебным комитетом Тайного совета.

ТЕХТ N 7

Судебная система США / Federal and State Court Systems

Court Systems Figure 1 illustrates the two separate court systems in the United States – federal and state. Federal courts hear criminal and civil cases involving federal law. They also hear cases involving parties from different states when the amount in dispute is more than \$10,000. Federal trial courts are known as U.S. District Courts. If you lose a trial in the U.S. District Court, you may be able to appeal to the U.S. Circuit Court of Appeals in your region. The United States has thirteen circuit

courts (see figure 4). The court of final appeal is the U.S. Supreme Court.

Most state court systems resemble the federal courts in structure and procedure. All states have trial courts. These are called superior courts, county courts, district courts, or municipal courts, depending on the state. State courts are often specialized to deal with specific areas of law, such as family law, traffic, criminal, probate, and small claims.

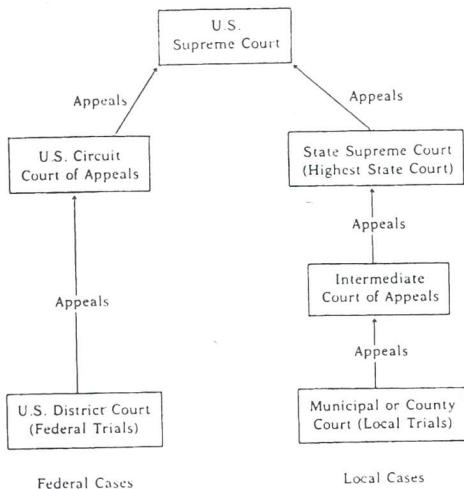
Family or domestic relations courts hear all actions involving divorce, separation, and child custody. Juvenile cases and intra-family offenses (fights within families) are also heard. Sometimes cases involving juveniles are heard in a special juvenile court. Traffic courts hear all actions involving violations while driving a motor vehicle. Criminal courts hear all cases involving violations of laws for which a person could go to jail. Frequently criminal court is divided between felony and misdemeanor cases. Probate courts handle all cases involving wills and claims against the estates of persons who the with or without a will. Small claims courts hear cases involving small amounts of money (e.g., \$200, \$500, or \$1,000, depending on the state). Individuals may bring cases here without lawyers – though it is sometimes advised that lawyers be present – and the court fees are low.

If you lose your case in the trial court, you may appeal to an intermediate court of appeals. In some states, the appeal goes directly to the state supreme court. If a state supreme court decision involves only state law, it can be appealed no further. But if it involves some federal law or constitutional issue, it can then be appealed to the U.S. Supreme Court.

Tasks and exercises

1. Read the text carefully and tell briefly about the information of the text.
2. Один из студентов задает 10 вопросов к тексту, а другие студенты по очереди отвечают на них по-английски.
3. What courts exist in a community?
4. What kind of cases do they handle? How are appeals handled in one state? What's the Highest state court and where is it located?
5. Name two differences between the American Supreme Court and the British House of Lords.
6. Compare the judicial system in the USA with the judicial system in Russian Federation. Discuss this topic.

FIGURE 1. Federal and State Court Systems



6. Look at the figure and describe in English the Federal and State Court Systems.

7. Translate the text «Court Systems» in writing into Russian.

TEXT N 7

Enforcing the law / Применение права

Governments have many ways of making sure that citizens obey the law.

They make the public aware of what the law is and try to encourage social support for law and order. They use police forces to investigate crimes and catch criminals. They authorize courts to complete the investigation of criminal and civil offences and to pass sentences to punish the guilty and deter others. And they make efforts to re-educate and reform people who have broken the law. Which of these is most effective in enforcing the law?

The laws of all countries are to be found in written records – the legal codes of countries with continental systems, the statutes and case judgments of common law countries, warnings on official forms, and notices in public buildings. Many people do not, know where to find these records and do not find it, easy to read them. But ignorance of the law is almost, never a defense for breaking it. Governments usually expect citizens to be aware of the laws which affect, their lives. Sometimes this seems very harsh, for example, when the law is very technical. Shopkeepers in England have been prosecuted for selling books on Sunday, although they were allowed to sell magazines. However, there are many laws, such as those prohibiting theft, assault and dangerous driving, which simply reflect social and moral attitudes to everyday behavior. In such cases a person knows he is breaking the law, even if he doesn't know exactly which law it is.

The police have many functions in the legal process. Though they are mainly concerned with criminal law, they may also be used to enforce judgments made in civil courts. As well as gathering information for offences to be prosecuted in the courts, the police have wide powers to arrest, search and question people suspected of crimes and to control the actions of members of the public during public demonstrations and assemblies. In some countries, the police have judicial functions; for example, they may make a decision as to guilt in a driving offense and impose a fine, without the involvement of a court. In Britain, when someone is found in possession of marijuana, the police may confiscate it and issue a formal warning rather than refer the matter to a court.

The mere presence of the police is a factor in deterring people from committing offences. In Japan, you are rarely more than a ten-minute walk from a small police station. The city of Tokyo has more policemen than the city of New York. Could this be one reason there is less crime in Japan than the United States? Comparing the crime figures of different countries is a complex matter. It is necessary to consider not, only how many crimes are committed, but how many are detected and recorded. The type of crime is another important factor. Britain has more reported crime in general than Japan but about the same number of murders (1.5 per 100,000 people, compared with 8.6 in the United States and 29 in the Bahamas). Rich countries tend to have more car thefts than poor ones. A just legal system needs an independent, honest police force, in countries where the public trusts the police force, they are more likely to report crimes, and it seems that, they are also more

likely to be law-abiding. Because of their wide powers it would not be difficult for corrupt police forces to falsify evidence against, a suspect, to mistreat someone they have arrested, or to accept, bribes in return for overlooking offences. In the Birmingham Six case, British police officers obtained confessions from men suspected of bombing a pub by beating them up. In the United States, illegally obtained evidence is not valid in court, but in Britain the court decides whether it is fair to accept such evidence on a case-by-case basis. A confession obtained by force would not be allowed, but one obtained by trickery might.

Legal systems usually have codes of conduct for the police, limiting the time and the methods which they can use to question suspects and guaranteeing the suspects access to independent lawyers. In Britain, however, the Police and Criminal Evidence Act, and especially the Prevention of Terrorism Act, give the police some powers to delay access to lawyers. The Police Complaints Authority was set up in 1984 to supervise the investigation of allegations of police misconduct. No police officer or former police officer may be appointed to the authority. However, investigations themselves are carried out by police officers. Of course, private legal action can be taken against a police officer as against any other individual – for example, in the tort of false imprisonment. But many people feel it, is difficult to gather evidence against the police.

In some countries, police officers are usually armed, whereas in others they only carry guns when engaged in certain kinds of work. As with the police, it is important that the public feels the judiciary is independent and unbiased. Americans feel that the best way of ensuring this is to have elected judges. Britons fear this might lead to politicalization of the judiciary and prefer to have judges appointed by the government on the recommendation of the lord chancellor.

Although courts have the highest legal authority, they rely on the power of the prison authorities to enforce their decisions. They can authorize the detention of an individual in order to gather evidence against him, compel him to obey a court order or punish him for a crime.

There are several kinds of punishment available to the courts. In civil cases, the most common punishment is a fine, but, specific performance and injunctions may also be ordered. For criminal offenses fines are also often used when the offense is not a very serious one and when the offender has not been in trouble before. Another kind of punishment available in some countries is **community service**. This

requires the offender to do a certain amount of unpaid work, usually for a social institution such as a hospital. For more serious crimes the usual punishment is imprisonment. Some prison sentences are **suspended**: the offender is not sent to prison if he keeps out of trouble for a fixed period of time, but, if he does offend again both the suspended sentence and any new one will be imposed. The length of sentences varies from a few days to a lifetime. However, a life sentence may allow the prisoner to be released after a suitably long period if a review (parole) board agrees his detention no longer serves a purpose. In some countries, such as the Netherlands, living conditions in prison are fairly good because it is felt that deprivation of liberty is punishment in itself and should not be so harsh that it reduces the possibility of the criminal re-educating and reforming himself. In other countries, conditions are very bad. Perhaps because of an increase in crime or because of more and longer sentences of imprisonment, some prison cells have to accommodate far more people than they were built to hold and the prisoners are only let out of their cells once a day. Britain and the United States are trying to solve the shortage of space by allowing private companies to open prisons.

In some countries there is also **corporal punishment** (physical). In Malaysia, Singapore, Pakistan, Zambia, Zimbabwe, among others, courts may sentence offenders to be caned or whipped. In Saudi Arabia theft and possession of alcohol may be punished by cutting off the offender's hand or foot.

The ultimate penalty is death (**capital punishment**). It is carried out by hanging (Kenya, for example); electrocution, gassing or lethal injection (U.S.); beheading or stoning (Saudi Arabia); or shooting (China). Although most countries still have a death penalty, 35 (including almost every European nation) have abolished it; 18 retain it only for exceptional crimes such as wartime offences; and 27 no longer carry out executions even when a death sentence has been passed. In other words, almost half the countries of the world have ceased to use the death penalty. The UN has declared itself in favor of abolition, Amnesty International actively campaigns for abolition, and the issue is now the focus of great debate.

Supporters of capital punishment believe that death is a just punishment for certain serious crimes. Many also believe that it deters others from committing such crimes. Opponents argue that, execution is cruel and uncivilized. Capital punishment involves not only the pain of dying (James Autry took ten minutes to die of lethal injection in Texas,

1984) but also the mental anguish of waiting, sometimes for years, to know if and when the sentence will be carried out. Opponents also argue that there is no evidence that it deters people from committing murder any more than imprisonment does. A further argument is that, should a mistake be made, it is too late to rectify it once the execution has taken place. In 1987, two academics published a study showing that 23 innocent people had been executed in the United States. Research has shown that capital punishment is used inconsistently.

In addition, while in some countries young people are not sent to prison but to special juvenile detention centres, in Nigeria, Iran, Iraq, Bangladesh, Barbados and the United States children under 18 have been legally put to death.

As the debate about capital punishment continues, the phenomenon of **death row** (people sentenced but still alive) increases. In 1991, no one was executed in Japan, but three people were sentenced to death, bringing the total number on death row to fifty. Sakae Menda lived under sentence of death for thirty three years before obtaining a retrial and being found not guilty. The debate also involves the question of what punishment is for. Is the main aim to deter? This was certainly the case in 18th century England when the penalty for theft was supposed to frighten people from stealing and compensate for inabilities to detect; and catch thieves. Is it, revenge or retribution? Is it, to keep criminals out of society? Or is it to reform and rehabilitate them?

Learn the words and expressions!

	VOCABULARY
enforcement of law	применение права / закона
to obey the law	соблюдать закон / право
police forces	полицейские силы / полиция
to investigate a crime	расследовать преступление / расследовать дело о преступлении
to catch criminals	поймать преступников
law and order	правопорядок
maintenance of order	поддержание порядка
police officer	полицейский чиновник / офицер полиции, полицейский
policeman, n	полицейский, полисмен
policewoman, n	сотрудница полиции
policing	обслуживание полицией / полицейская охрана общественного порядка / полицейское патрулирование
police station	полицейский участок / отделение полиции
police constable (P.C.)	констебль, полисмен, полицейский низшего звания

to retain the death penalty	сохранять смертную казнь
legal process	юридический процесс, судебный приказ
drug (- related) offence	преступление, связанное с наркотиками
organized crime	организованная преступность / организованное преступление
to fight / struggle against~	бороться с организованной преступностью
law-abiding	соблюдающий право / уважающий законы / законопослушный
bribe, <i>n</i>	взятка / подкуп
to~	дать / предложить взятку
to bribe an official	дать взятку должностному лицу / подкупать должностное лицо
bribegiver, <i>n</i>	взяточник
to take a bribe	получить взятку
to give a bribe	дать взятку
to get a bribe	получить взятку
briber, <i>n</i>	взяточник
bribery, <i>n</i>	дача / получение взятки / взяток / взяточничество
bribetaker, <i>n</i>	взяточполучатель, взяточник
to re-educate	перевоспитывать
to prevent a crime (an offence)	предотвратить совершение преступления
prevention of crime	предотвращение совершения преступления
to use police forces	использовать / применять полицейскую силу
to authorize	уполномочивать / давать право / разрешать / санкционировать
to punish the guilty	наказывать виновных
to complete the investigation of crime	завершать / закончить расследование преступления / уголовное расследование
to gather information	собирать информацию
to arrest, search and question people suspected of crimes	арестовывать / задерживать разыскивать / обыскать, опрашивать / допрашивать людей, подозреваемых в совершении преступлений
to control the actions of members of the public during the public demonstrations and assemblies	контролировать действия участников общественных демонстраций и собраний
to deter people from committing offences	удерживать людей от совершения преступлений
to detect a crime	раскрыть преступление
to obtain detention, <i>n</i>	получать / приобретать задержка / задержание / арест / заключение под стражу
to compel	заставлять / вынуждать
the abolition of capital punishment	отмена смертной казни
to abolish	отменять / аннулировать / упразднять
supporters of capital punishment	сторонники / приверженцы смертной казни
to rehabilitate	восстанавливать в правах / реабилитировать
retribution, <i>n</i>	воздаяние / кара
revenge, <i>n</i>	месть
to ~	мстить

Exercises and tasks.

1. Read the heading of the text and say what is about in general.
2. Read the text carefully and divide it into appropriate parts.
3. Give each part a suitable heading.
4. Choose the right heading (Role of police force. Capital punishment, Civil and criminal penalties).
5. Name each part, which tells about:
 - a) Enforcing the law;
 - b) Role of police force;
 - c) Civil and criminal penalties;
 - d) Capital punishment;
6. Retell each part in English as briefly as possible.
7. Tell your students about the purpose, functions, the role of police force.
8. Один из студентов задает 10 вопросов к теме «Гражданско-правовые и уголовные санкции наказания», а другие по очереди отвечают на них.
9. Затем один из студентов кратко рассказывает о Civil and Criminal penalties.
10. What do you understand by Capital punishment / Смертная казнь?
11. Преподаватель задает 10 вопросов к этой части текста а студенты на усмотрение преподавателя отвечают на них. Разрешается искать ответы на вопросы в тексте.
12. Объясните по-английски своим товарищам по учебе основное содержание этой части.
13. Write in English a one-page summary of this text.
14. What do you understand by «the phenomena of death row»?
15. What are main functions of the UK / US police?
16. Discuss this topic under the leadership of your English teacher.
- 16.1. List as many functions of the US police as you can think of.
17. How do you comment the statement «Rich countries tend to have more car thefts than poor ones»?
18. Name the main grounds for crimes?
19. What do you know about the organized crime?
20. Use an encyclopedia and explain how the UK / USA / Russia struggles / fights against the organized crime?
21. Say quickly. True or false?
 - 1) In Britain, complaints against the police are investigating by police officers themselves.

- 2) American judges are elected.
- 3) Most countries still retain the death penalty.
- 4) What is parole?
21. Some countries are against capital punishment. What do you think of it.
22. Discuss this topic. Give your arguments against and for it.
23. Discuss the following topic with other students. «Imprisonment is revenge, but not rehabilitation».
24. What is meant by the Interpol?
25. Translate into Russian:

В состав Интерпола – международной организации международной полиции – входят 151 государство. Интерпол борется с международной преступностью. Резиденция Интерпола – Франция. Основными задачами Интерпола являются борьба с терроризмом, наркобизнесом, фальшивомонетничеством, международной организованной преступностью. Рабочими языками Интерпола являются: английский, французский, испанский, арабский. Интерпол был организован в 1923 году в Вене. Россия тоже вступила в Интерпол и тесно сотрудничает с этой международной организацией, которая помогает национальным полицейским силам ловить преступников.

26. Подберите соответствующие русские эквиваленты for punishments for crimes available in the UK:

- | | |
|-------------------------|---|
| 1. capital punishment; | а) штраф |
| 2. probation; | б) тюремное заключение |
| 3. life imprisonment; | в) испытание/пробация |
| 4. fine; | г) смертная казнь |
| 5. suspended sentence; | д) пожизненное тюремное заключение |
| 6. corporal punishment; | е) телесное наказание |
| 7. imprisonment; | ж) приговор / наказание, отсроченные исполнением; отсрочка исполнения приговора / наказания |
| 8. theft; | з) кража |

1							
г.							

27. Discuss in small groups or in pairs the following questions:
- What do you think are the main aims of the penal system in our country? Do you agree with them?
 - Which punishments can help to rehabilitate the offender?
 - Which forms of punishment do you think are effective deterrents?
 - What are the most striking differences between the US police force, the UK police force and Russian police force?
28. Say it with one word:
- (an example of) the crime of taking someone else's property from a place is called...
 - a thief who breaks into houses, shops, etc. with the intention of stealing, esp. during the night is called...
 - a person who steals, esp. without using violence ...
29. Say quickly in English:
- а) взломщик / вор, совершивший кражу со взломом;
 - б) кража со взломом (обычно в ночное время);
 - в) кража автомобиля;
 - г) угонщик автомобиля / похититель автомобиля.
30. Thieves is a plural noun, isn't it?
31. Отнесите следующие слова к соответствующим частям речи. Переведите их на русский язык. Скажите, что общего они имеют. Употребите в своих предложениях: punish, punishability, punishable, punishment.
32. Образуйте от существительного maintenance соответствующий глагол. Образуйте от глагола re-educate существительное.
33. Образуйте множественное число от существительного policeman. Проверьте себя по словарю или по грамматике.
34. Who is the police constable? (a policeman having the highest rank / the lowest rank).
35. At what stage or stages of criminal process is the person involved called:
- a) the suspect
 - b) the offender
 - c) the convict
 - d) the criminal
 - e) the defendant
 - f) the accused
 - g) the felon
36. Use these words above in your own sentences.
37. Are the following events connected with the criminal process? If you don't understand their meaning use a dictionary to help you.

Read some of phrases which may have the same meaning as each other.

- (1) You are accused of an offense.
 - (2) You are charged with an offense.
 - (3) you are tried for an offense.
 - (4) You are sentenced for punishment for an offense.
 - (5) You are suspected of an offense.
38. How would you say that with one term, that an offense means?
«The crime of entering a building (esp. a home) by force with the intention of stealing», is... What is the Russian word for «burglary»?
39. Form the sentence by means of the following words: Fingerprints, to be, marks, left, finger, by, objects, you, on, touch, which, use, to identify the police criminals.
40. One of the students names in Russian different punishments for crimes which exist in our country and another name them in English.
41. Напишите основные формы неправильных глаголов, встречающихся в тексте:

Infinitive	Past Indefinite	Past Participle
to know знать		
to fight бороться/сражаться		
to bring приносить/приводить		
to steal красть/воровать		
to keep out off не допускать проникновения в общество		
to make делать		
to have иметь		
to break ломать/нарушать/раз- бивать		
to find находить		
to sell продавать		
to die умирать		
to put класть, положить, ставить		
to catch ловить, поймать		
to lose терять		

42. Проверьте правильность своих ответов в словаре.
43. Interpret this statement «Ignorance of the law is almost never a defense for breaking it».
44. Выпишите из текста имена существительные во множественном числе. Объясните способ образования множественного числа имен существительных. Используйте грамматику, если это необходимо.
45. Напишите имена существительные в единственном числе.
Example: children – child, forces – force, countries – country.
46. Переведите на русский язык «to be prosecuted in the courts»
47. Have the police wide powers? If yes how can you prove your view of point referring to the text. It is allowed to read some sentences from the text to prove it.
48. How would you say that in Russian? «Without the involvement of a court».
49. What is your attitude to/towards this statement? «In Britain, when someone is found in possession of marijuana, the police may confiscate it and issue a formal warning rather than refer the matter to a court».
50. Write the sentences which informs of the functions of the police.
51. What do you understand by «police station»?
52. What is the Russian word for «police station»?
53. Образуйте существительное от глагола «to defer». Проверьте себя по словарю. Переведите его на русский язык. Употребите глагол и существительное в своих английских предложениях.
54. What kind of police force does a legal system need?
55. What kinds of punishment are available to the courts?
 What is the ultimate penalty?
 Discuss in the class the topic «Capital punishment». Interpret the following statements:
- Supporters of capital punishment believe that death is just punishment for certain serious crimes. Many also believe that it deters others from committing such crimes.
 - Are you opponents of it then argue that execution is cruel and uncivilized. Give more important arguments against it?
56. Выпишите все сложноподчиненные предложения из текста и определите придаточные предложения и укажите, какими союзными словами они присоединяются к главной части.

Переведите их на русский язык. Напомним, что в тексте можно встретить придаточные:

- a) определительные придаточные предложения
- в) придаточные предложения места
- с) придаточные предложения условия
- d) придаточные определительные предложения
- e) придаточные предложения уступительные

57. Проверьте правильность своих ответов по грамматике.

* * *

1. How would you say that in Russian?:

- The police have caught the murder. Have you reported the incident to the police.
- Several hundred police were on duty at the demonstration.
- The police have not made any arrests.

2. Translate and notice it!

Please note this short definition!

«Interpol is an international police organization for helping national police forces to catch criminals».

3. Compare these three definitions of «police», translate them into Russian and decide which of them is most adequate:

Police is an organized civil force for maintaining order, preventing and detecting crime, and enforcing the laws.

Police station is/are police headquarters for a particular district, from which policemen are dispatched and to which persons under arrest are brought. Also called station house.

Police is an official body of men and women whose job is to protect people and property, to make everyone obey the law, to catch criminals etc.

4. Compare the functions of the UK/USA police with the functions of the police of Russian Federation and make out similarities and differences between them. Discuss this question.

What is the basic difference between the professional lawyers and the jury?

Are they synonyms?: «to indict» and «to charge with an offence»?

Where is the difference between «offence» and offense? (Choose the right explanations: BrE, AmE).

What is the role of each court and its capacity?

How many main reasons are there for having a variety courts?

5. Yes or no?

6. Are they synonyms?: «legislative or lawmaking bodies»

7. Read the text «One step at a time» at home. Use the dictionary if necessary.
8. Retell this story in detail. Comment this story as a professional lawyer.
9. Discuss this story at the lesson with other students.
10. Discuss with other students the subject «Matters such as corporal punishment and the status of women should be left up to individual societies, not international organizations»?
11. True or false?
«All decisions are made by professional judges».

One step at a time

Text for home-reading

Joan, who is 45, is married with two sons. In 1987 her younger son Barry, aged sixteen, was sent to prison for killing an old woman. This is Joan's story.

‘On the Thursday our neighbour, an old lady, was murdered. The police questioned people in the neighbourhood, and the following Wednesday it was Barry's turn. He'd known her quite well and used to visit her often. He'd clear the snow for her in winter, take her a card and chocolates at Christmas. Barry was a kind boy; he'd never been in any sort of trouble.

He and my husband went to the police station at about seven in the evening. At 11.30pm a policeman came round to the house to tell me I was needed at the station. They took me into an office – my husband was there, and he told me. The police said they'd found a fingerprint in some blood that proved it was Barry. It seemed as if the bottom had immediately dropped out of my world.

The policeman said we must listen to what lie was telling us and I told him I couldn't. I said that I'd finished with Barry - that if he could do that to an old lady he wasn't my son any more. They said Barry needed our help more than ever and that we must support him. People say the police are hard, but they were very kind to us.

We were at the police station until four in the morning. We only saw Barry for a few minutes that night and then not until the next evening when he'd finished making his statement. When we went in, he was sitting with his head down. He glanced up and I honestly expected him to look different. His eyes were so sad. I knelt down at his side and put my arms around him. My husband cried non-stop. I didn't cry. I was numb and stayed like that for days.

Barry wouldn't hurt a spider. He's a gentle, caring person, kind-hearted and sensitive. That was his trouble. He was very depressed - he was about to leave school and was worried about getting a job. Later we learnt that lots of other things were worrying Barry: his feelings about my divorce from his father, the fact that his father had stopped visiting when Barry was four, and jealousy of his older brother. He was at a painful age. And then he'd sniff glue or lighter fuel, and it just opened the gates, letting him release all that anger and fear.

Jim, his brother, had caught him glue-sniffing a few weeks before it happened and had told him off. He'd told Barry that if he found him doing it again he would tell me and my husband. "If only he'd told us," I'd say to myself.

At first we had no idea why he had done it. It was two and a half years before he told us the truth. At the beginning he said he'd been taking the dog for a walk at the time. Then they found the fingerprint. The story he told the police was that he'd taken two birds to show the old lady. She'd opened the door to let him in, the cage had caught on the door, sent it swinging back and she'd knocked her head - an accident at first. Then, because she was in pain, Barry hit her to stop her feeling anything - as you do to an injured animal. He has said since that it seemed he wasn't actually doing it but was standing back watching someone else kill her.

For months afterwards I thought a miracle would happen, that the police would say: "We've made a mistake and it wasn't Barry." I really believed at the time that someone else had done it. I knew Barry must have been there because of the fingerprint, but I thought that someone else had committed the crime. His solicitor thought that there might have been someone else. I thought:

"I hope to God there isn't." I wouldn't like anyone else to go through what we've been through.

Barry was charged with murder on the Thursday, and next day we, decided to sell our house. That was in May. We stayed there till August as we couldn't move into our new house until September. It was terrible. The old lady's house was only two doors away, and each time I had to walk past it I pictured what had happened. The bus regularly stopped at the traffic lights opposite our front window, and all the heads inside would turn towards our house. I would start shaking. If I'm upset now, I still do. I expect people to throw things through the window.

The trial seemed to go very quickly, but actually it was about half an hour. They read out a list of the old lady's injuries, which really

upset me. You think to yourself, "My son's done that." Barry pleaded guilty to murder. I don't remember what he said during the trial – I don't know if he said anything. He didn't move at all. It was November when he got his sentence: indeterminate life.

At first I blamed the glue, but that was too easy. Barry doesn't; he will now tell you: "I did it, and I'm responsible." That, to me, is a really big step forward. But there are still things we'll never know. I said to him a few months ago: "Do you feel any easier – have you come to terms with what you've done?" And he said: "No, not one little bit, Mum." That was more than three years later. He can't forgive himself and I don't think he ever will.

I'm lucky; I've got a very good husband and another very good son. It's brought us closer as a family. Jim doesn't write to Barry but he visits regularly, which is very important to me.

Sometimes you think you're going mad. For the first couple of years, as soon as I woke up I thought: Barry's in prison. There were days when I couldn't stop crying. Sundays were the worst. It was always just Barry and me before; Sam and Jim used to go out in the evening. Barry used to have a bath and wash his hair and I'd blow-dry it for him. We'd sit and watch TV, or play cards ... So on Sundays I became full of anxiety and despair.

I planned to kill Barry at one time. He was so thin and ill that I was going to shoot him. I had no idea how to get a gun. All I knew was that my son was in a terrible state about what he'd done. He wasn't sleeping much and when he did he had nightmares. If I asked him anything painful he'd turn away from me. I just wanted to end his pain.

But I've had to stand back, let go. I've realised that I can't serve Barry's sentence for him. He has to do it himself. But he also has to know that we will always be here.

We don't think about his release date because it's too far away, but his probation officer tells us that we must talk about it from time to time and know that it is going to come one day. I know there will be problems, but we'll just have to take things one step at a time.'

**КРАТКИЙ АНГЛО-РУССКИЙ СЛОВАРЬ
НАИБОЛЕЕ УПОТРЕБИТЕЛЬНОЙ
ЮРИДИЧЕСКОЙ ЛЕКSIКИ**

A

ab initio (<i>лат.</i>)	с начала (<i>текста</i>)
abjure, v	отрицать (<i>что-либо</i>) под присягой
abolish, v	отменять, аннулировать, упразднить
abolishment, n	отмена, аннулирование, упразднение
abuse, n	злоупотребление, оскорбление, нападки, совращение, изнасилование
abuse, v	злоупотреблять, оскорблять, совращать, насиловать
accountable, a	ответственный, подотчетный
accusation, n	обвинение, официальное обвинение, обвинительное заключение
to bring an ~ (of theft)	выдвинуть обвинение, обвинить (<i>в краже</i>)
accusatorial, a	относящийся к обвинению, содержащий обвинение
accuse, v	обвинять, предъявить официальное обвинение (<i>в совершении преступления</i>)
to ~ sb. of a crime	обвинить кого-либо в преступлении
accused, a, n	обвиняемый (<i>в преступлении</i>), подсудимый
accuser, n	обвинитель (<i>частное лицо</i>); свидетель обвинения; жалобщик
acquit, v	оправдать, признать невиновным
to ~ sb. (of/on sth.)	
He was acquitted of the crime.	Его признали невиновным в совершении преступления.
to ~ for lack of evidence	оправдать за недостатком /отсутствием доказательств
acquittal, n	оправдание, прощение
acquittal, n	оправдание, судебное решение об оправдании, оправдательный вердикт, приговор
Act of Parliament	постановление парламента, парламентский закон
action, n	деяние, поступок; иск; судебное преследование, обвинение перед судом; судебное дело; судебный процесс; судопроизводство
ad hoc (<i>лат.</i>)	для данного специального случая
adjudge, v	признать; установить; выносить приговор / судебное решение; осудить (<i>лицо</i>)
to ~ guilty	признать виновным
to ~ to die	приговорить к смертной казни
to ~ to jail	приговорить к тюремному заключению
adjudg(e)ment, n	признание, установление (<i>в судебном порядке</i>); вынесение судебного решения/приговора; судебное решение, приговор; осуждение
adjudicate, v	признать, установить, решить (<i>в судебном порядке</i>); рассмотреть спор, разрешить дело; вынести

adjudication, <i>n</i>	судебное решение / приговор; осудить (<i>лицо</i>) признание, установление, объявление (<i>в судебном порядке</i>); рассмотрение спора; разрешение дела; вынесение судебного решения; судебное решение, приговор; осуждение
~ of claim	рассмотрение иска
adjudicator, <i>n</i>	судья, арбитр
administer, <i>v</i>	отправлять (<i>правосудие</i>); применять (<i>нормы права</i>)
administration of justice	отправление правосудия
administration of legislation	применение законодательства
administrative law	административное право
advocacy, <i>n</i>	адвокатская деятельность; адвокатура; защита
advocate, <i>n</i>	адвокат, защитник
advocate, <i>v</i>	защищать, выступать в защиту
agency, <i>n</i>	орган, агентство
judicial ~	судебный орган, судебное учреждение
law enforcement ~	правоприменяющий орган; орган исполнения судебных решений и приговоров; орган юстиции; полицейский орган
agent, <i>n</i>	представитель, доверенное лицо
allege, <i>v</i>	заявлять, утверждать; обвинять
to ~ crime	приписывать, инкриминировать совершение преступления
ambiguous, <i>a</i>	сомнительный, неясный, двусмысленный, неопределенный (<i>о документе</i>)
amend, <i>v</i>	вносить поправку / поправки / изменения / дополнения (<i>в конституцию, закон и пр.</i>)
amendment, <i>n</i>	исправление; внесение поправки / поправок; поправка (<i>к конституции, закону, в документе, в договоре</i>); изменение, дополнение
-s to the constitution	внесение поправок в конституцию
amnesty, <i>n</i>	амнистия
amnesty, <i>v</i>	амнистировать, давать амнистию
annul, <i>v</i>	аннулировать, отменять
annulment, <i>n</i>	аннулирование, отмена
appeal, <i>n</i>	апелляция, апелляционная жалоба; обжалование
appeal, <i>v</i>	апеллировать, обжаловать, подавать апелляционную жалобу
appellant, <i>n</i>	податель апелляции; истец по апелляции; лицо, подающее апелляционную жалобу; апеллянт
appellate, <i>a</i>	апелляционный
The Appellate Committee of the House of Lords	апелляционный комитет палаты лордов
applicant, <i>n</i>	проситель, заявитель
application, <i>n</i>	применение (<i>права, закона</i>); заявление; заявка; просьба; ходатайство
~ of force	применение насилия
~ of punishment	применение наказания
apprehend, <i>v</i>	задерживать; арестовывать
apprehended, <i>n</i>	задержанный; арестованный

apprehension, <i>n</i>	задержание; арест; опасение; подозрение
arbitration, <i>n</i>	арбитраж; третейский суд; арбитражное разбирательство
arbitrator, <i>n</i>	третейский судья, арбитр
arrest, <i>n</i>	арест; наложение ареста; задержание
~ by warrant	арест по ордеру
illegal ~	незаконный арест
legal ~	законный арест
arrest, <i>v</i>	арестовывать; задерживать; накладывать арест на имущество
assault, <i>n</i>	нападение; словесное оскорбление и угроза физическим насилием
assault, <i>v</i>	совершить нападение; нападать, грозить физическим насилием
assent, <i>n</i>	согласие, разрешение; санкция; одобрение
attorney, <i>n</i>	атторней, уполномоченный, доверенный; поверенный (<i>в суде</i>) юрист; адвокат; прокурор
Attorney - General	высший чиновник органов юстиции (<i>являющийся членом кабинета министров</i>); генеральный атторней (<i>в Англии</i>); министр юстиции и генеральный прокурор (<i>в США</i>); главный прокурор штата (<i>в США</i>).
audience, <i>n</i>	аудиенция; слушание дела в суде
(right of ~)	право выступать в суде
authority, <i>n</i>	власть; полномочие; сфера компетенции; орган власти; орган управления; авторитетный специалист; авторитет; судебное решение; полномочие; правомочие

B	
Bachelor of Law	бакалавр юридических наук, бакалавр права
bail, <i>n</i>	залог, поручительство
Bar, <i>n</i>	адвокатура, коллегия адвокатов; барристер (<i>адвокат, имеющий право выступать в высших судах</i>); профессия барристера
bargain, <i>n</i>	сделка, соглашение, договор
bargain and sale	договор купли-продажи
Bench, <i>n</i>	суд; судьи; состав суда
Bill, <i>n</i>	билль; законопроект; акт парламента; иск
blackmail, <i>n</i>	шантаж
blackmail, <i>v</i>	шантажировать
blackmailer, <i>n</i>	шантажист
body, <i>n</i>	орган, организация
executive ~	орган исполнительной власти; исполнительная власть
legislative ~	законодательная власть; законодательный орган
bound, <i>a</i>	обязанный; связанный обязательством
branch of law	отрасль права
breach, <i>n</i>	нарушение (<i>права, закона, договора, обязанности</i>)
breach, <i>v</i>	нарушать (<i>право, закон, договор</i>)
break, <i>n</i>	нарушение (<i>права, закона, договора, обязанности</i>)
break, <i>v</i>	нарушать (<i>право, закон, договор, обязанность</i>)
breaker of the peace	нарушитель общественного порядка

bribe, <i>n</i>	взятка; подкуп
bribe, <i>v</i>	дать / предложить взятку; подкупать
to bribe an official	дать взятку должностному лицу; подкупать должностное лицо
to give a bribe	дать взятку
to take a bribe	получать взятку
bribegiver, <i>n</i>	взятокодатель
briber, <i>n</i>	взятокодатель
bribetaker, <i>n</i>	взятокополучатель. взяточник
bribetaking, <i>n</i>	получение взятки, взяточничество
burglar, <i>n</i>	ночной грабитель; взломщик; вор, грабитель
burglary, <i>n</i>	ночная кража со взломом
by-election, <i>n</i>	дополнительные выборы
C	
Cabinet, <i>n</i>	Кабинет министров
in camera (<i>лат.</i>)	в закрытом судебном заседании; при закрытых дверях; без публики
canon law	каноническое, церковное право
capital punishment	смертная казнь
case, <i>n</i>	судебное дело; судебное решение по делу
~ law, <i>n</i>	прецедентное право
Central Criminal Court	Центральный уголовный суд
certiorary (<i>лат.</i>), <i>n</i>	истребование дела (<i>из производства нижестоящего суда вышестоящий (суд)</i>); направление обвинительного акта в Высокий суд
Chancery Division	канцелярское отделение (<i>Высокого суда правосудия в Великобритании</i>)
charge, <i>n</i>	обвинение
charge, <i>v</i>	обвинять
charged, <i>a</i>	обвиненный, обвиняемый
charter, <i>n</i>	хартия; устав
The Charter of the United Nations	Устав Организации Объединенных Наций
circuit judge	окружной судья; судья графства округа; судья для отправления правосудия в провинциях
citation, <i>n</i>	вызов ответчика в суд; цитата; ссылка, цитирование; указание наименования закона
cite, <i>v</i>	вызывать ответчика в суд; привлекать к судебной ответственности (<i>амер.</i>); цитировать, ссылаться
citizen, <i>n</i>	гражданин
citizenship, <i>n</i>	гражданство
civil, <i>a</i>	гражданский; гражданско-правовой; штатский, невоенный
civil law	гражданское право; римское право
civil servant	государственный гражданский служащий
civil service	государственная гражданская служба; чиновничий аппарат министров
code, <i>n</i>	кодекс
civil ~	гражданский кодекс
criminal / penal~	уголовный кодекс
coerce, <i>v</i>	принуждать, принудить
coercion, <i>n</i>	принуждение; ограничение (<i>свободы</i>) насилие

coercive, <i>a</i>	принудительный
coincidence, <i>n</i>	совпадение; случайное сочетание обстоятельств
collective responsibility	коллективная ответственность
collegiate, <i>a</i>	корпорационный; коллегиальный
Commercial law	торговое право, коммерческое право
commit, <i>v</i>	совершать
to ~ a crime	совершить преступление
to ~ suicide	совершить самоубийство; кончить жизнь самоубийством
to ~ murder	совершить тяжкое убийство
common law	общее право
Company Law	право, регулирующее деятельность акционерных компаний
comparative law	сравнительное правоведение
competence, <i>n</i>	компетенция; правомочие
condemn, <i>v</i>	осуждать, приговаривать (<i>к смертной казни</i>)
The judge condemned the terrorist to life imprisonment.	Судья приговорил террориста к пожизненному тюремному заключению.
confess, <i>v</i>	признаваться, сознаться
confession, <i>n</i>	признание: признание в совершении преступления; признание вины
Conflict of Laws	коллизийное право; коллизия правовых норм
consideration, <i>n</i>	компенсация; вознаграждение; возмещение; рассмотрение; обсуждение
conspiracy, <i>n</i>	соговор (<i>о совершении преступления</i>); заговор
conspire, <i>v</i>	войти в сговор о совершении преступления; составить политический заговор
constituency, <i>n</i>	избиратели; избирательный округ
constitution, <i>n</i>	конституция; основной закон
Constitutional Law	конституционное право; государственное право; конституционный закон
constrain, <i>v</i>	принуждать; заключать в тюрьму
constraint, <i>n</i>	принуждение; пресечение; ограничение; тюремное заключение
by ~	принуждением
construction, <i>n</i>	толкование
construe, <i>v</i>	толковать
to ~ broadly	толковать расширительно
to ~ restrictively	толковать ограничительно
contempt of court	неуважение к суду
contempt of law	нарушение норм права; несоблюдение норм права; нарушение закона
contention, <i>n</i>	спор, предмет спора
contentious, <i>a</i>	спорный; рассматриваемый в порядке спора между сторонами
contract, <i>n</i>	договор, сделка, контракт
contract, <i>v</i>	заключать договор
contravene, <i>v</i>	нарушать (<i>закон, право</i>); противоречить (<i>закону, праву</i>); возражать; оспаривать
contravention, <i>n</i>	нарушение (<i>закона, права</i>); противоречие (<i>закону, праву</i>);
~ of law	нарушение норм права, правонарушение

convention, <i>n</i>	конвенция; обычай
Conveyancing Law	отрасль гражданского права, регулирующая вопросы перехода права собственности на недвижимость
convict, <i>n</i>	осужденный, заключенный; содержащийся под стражей
convict, <i>v</i>	осудить; осуждать на длительный срок тюремного заключения
conviction, <i>n</i>	судимость, осуждение
corporal punishment	телесное наказание
corpse, <i>n</i>	труп
corrupt, <i>v</i>	подкупать
corrupted, <i>a</i>	подкупленный
corruptee, <i>n</i>	лицо, которое пытаются подкупить <i>или</i> склонить к совершению преступления <i>либо</i> проступка
corrupter, <i>n</i>	взяточник
corruption, <i>n</i>	коррупция; получение взятки; склонение к получению взятки <i>или</i> совершению другого (<i>должностного</i>) преступления <i>либо</i> проступка
costs, <i>pl. n</i>	судебные издержки; судебные расходы
council, <i>n</i>	совет; комиссия
counsel, <i>n</i>	адвокат, юрисконсульт
counsellor, <i>n</i>	советник; адвокат (<i>в Ирландии и США</i>)
county court	суд графства; суд округа штата
court, <i>n</i>	суд; судьи; законодательное собрание
Court of Appeal	апелляционный суд
crime, <i>n</i>	преступление; преступность
criminal, <i>a</i>	уголовный; преступный
criminal, <i>n</i>	преступник; лицо, виновное в совершении преступления; лицо, осужденное за совершение преступления
Criminal Division	отдел/отделение уголовной полиции
Criminal Evidence	доказательство, показание по уголовному делу
Criminal Law	уголовное право
Criminal Procedure	уголовный процесс; уголовное судопроизводство; уголовно-процессуальное право
Criminology, <i>n</i>	криминология
Crown Court	Суд короны (<i>уголовное отделение Высокого суда правосудия</i>)
custody, <i>n</i>	задержание; содержание под стражей; лишение свободы; тюремное заключение
custom, <i>n</i>	обычай; обычное право
D	
damages, <i>pl. n</i>	возмещение убытков; убытки
decree, <i>n</i>	декрет; указ; судебное решение, постановление
deed, <i>n</i>	действие; поступок; деяние
defeat, <i>v</i>	отменять, аннулировать, прекращать
defeat, <i>n</i>	отмена, аннулирование, прекращение
defect, <i>n</i>	дефект, недостаток
defence, <i>n</i>	защита; возражение ответчика, подсудимого
defend, <i>v</i>	оборонять(ся), защищать(ся); защищать на суде; выступать защитником

defendant, <i>n</i>	ответчик; обвиняемый; подсудимый
defraud, <i>v</i>	обманывать; мошенничать; обманом лишать чего-либо
defraudation, <i>n</i>	обман, лишение чего-либо путем обмана; мошенничество
defrauded, <i>a</i>	обманутый; потерпевший от мошенничества
defy, <i>v</i>	нарушать, пренебрегать; не соблюдать
to ~ the law	нарушать закон
delegate, <i>v</i>	уполномочивать; передавать полномочия
delegated legislation	делегированное законодательство
delegation, <i>n</i>	передача, делегирование (<i>полномочий</i>)
delict, <i>n</i>	деликт; нарушение закона; правонарушение
delinquency, <i>n</i>	невыполнение обязанностей; нарушение (<i>договора, закона</i>) правонарушение; делинквентность (<i>несовершеннолетних</i>)
delinquent, <i>n</i>	правонарушитель; делинквент; нарушивший право
demise, <i>n</i>	смерть, кончина
derogate, <i>v</i>	уменьшать (<i>права</i>); частично отменять (<i>закон</i>)
derogation, <i>n</i>	уменьшение (<i>прав</i>); частичная отмена (<i>закона</i>)
deter, <i>v</i>	удерживать от совершения чего-либо (<i>с помощью средств устрашения</i>)
detriment, <i>n</i>	ущерб, вред, невыгода
to the ~ of	в ущерб кому-л. / чему-л.
detrimental, <i>a</i>	наносящий ущерб, вред
disburse, <i>v</i>	выплачивать, оплачивать, производить расходы
disbursement, <i>n</i>	выплата; расходы; издержки
dismiss, <i>v</i>	отклонять (<i>иск</i>); отказывать (<i>в иске</i>); прекращать дело;
dismissal, <i>n</i>	отклонение (<i>иска</i>); отказов (<i>иске</i>); прекращение дела
to disobey the law	нарушать закон
dispute, <i>v</i>	оспаривать; спорить
dissent, <i>n</i>	расхождение во мнениях; разногласие; несогласие; особое мнение (<i>члена суда</i>)
dissolution, <i>n</i>	расторжение; прекращение (<i>договора</i>); ликвидация; роспуск; аннулирование
~ of marriage	расторжение брака
dissolve, <i>v</i>	расторгнуть; прекратить (<i>договор</i>); ликвидировать; аннулировать
distinguish, <i>v</i>	устанавливать различие по существу
distort, <i>v</i>	извращать (<i>факты</i>)
distortion, <i>n</i>	извращение (<i>фактов</i>)
distress, <i>n</i>	наложение ареста на имущество; опись имущества; бедствие
distribute, <i>v</i>	распределять; распределять имущество умершего среди наследников
to ~ drugs	сбывать наркотики
to ~ justice	отправлять правосудие
disturb, <i>v</i>	причинять беспокойство; мешать пользоваться правом
to ~ the public peace	нарушать общественный порядок
disturbance, <i>n</i>	нарушение общественного порядка

division, <i>n</i>	отделение, отдел
divisional court	отделение королевской скамьи высокого суда (<i>в Англии</i>)
doctrine, <i>n</i>	доктрина, теория, принцип
domestic, <i>a</i>	внутренний; внутригосударственный
-law	внутреннее; внутригосударственное право
dormant, <i>a</i>	неиспользуемый, неприменяемый
draft, <i>n</i>	проект; переводный вексель, тратта
draft, <i>v</i>	составлять проект;
drunken driving	управление автомобилем в состоянии опьянения
<i>in due course</i>	своим чередом, в свое (надлежащее) время
E	
EC European Community	Европейское сообщество
EC Law	право Европейского сообщества
EEC European Economic Community	Европейское экономическое сообщество "Общий рынок"; ЕС
effraction, <i>n</i>	взлом
effractor, <i>n</i>	взломщик
elect, <i>v</i>	избирать, выбирать
electable, <i>a</i>	имеющий право быть избранным
electee, <i>n</i>	избранный, выбранный (<i>голосованием</i>)
election, <i>n</i>	выбор(ы); выборы, избрание
to hold ~	проводить выборы
elective, <i>a</i>	выборный; избирательный; имеющий избирательные права
elector, <i>n</i>	избиратель; выборщик
electoral, <i>a</i>	избирательный
electoral roll / electoral register	список избирателей
electorate, <i>n</i>	электорат: контингент избирателей; избирательный корпус
eligibility, <i>n</i>	право на избрание; пассивное избирательное право; право на занятие должности
enact, <i>v</i>	устанавливать; предписывать в законодательном порядке; постановлять; принимать (<i>закон</i>)
to enact a law	принять закон
enactment, <i>n</i>	издание, принятие (<i>закона</i>); установление в законодательном порядке; законодательный, нормативный акт; правовое предписание
to this end / for this purpose	с этой целью
enforce, <i>v</i>	принудительно применять (<i>право, закон</i>); обеспечивать соблюдение, исполнение
enforceable, <i>a</i>	имеющий исковую силу; могущий быть принудительно осуществленным в судебном порядке; обеспеченный правовой санкцией
enforcement, <i>n</i>	принудительное применение (<i>права, закона</i>); правоприменение, <i>амер.</i> полиция(<i>патрульная</i>); принудительное осуществление или взыскание (<i>по суду</i>); принудительное обеспечение соблюдения, исполнения; принуждение к исполнению; обеспечение правовой санкцией

enforcement of law	применение права, закона
entitle, <i>v</i>	давать название; давать право; уполномочивать
entitled, <i>a</i>	озаглавленный; имеющий право; уполномоченный
entitlement, <i>n</i>	право на что-л.; предоставление права; документ о праве
entrench, <i>v</i>	нарушать; посягать
entrenchment, <i>n</i>	нарушение; посягательство (<i>на право</i>)
envisage, <i>v</i>	предусматривать
equal, <i>a</i>	равный, одинаковый
equality, <i>n</i>	равенство; равноправие
~ before the law	равенство перед законом
equitable, <i>a</i>	справедливый
equity, <i>n</i>	справедливость; право справедливости; субъективное право, основанное на нормах права справедливости
in-	в праве справедливости; в суде права справедливости
equivocal, <i>a</i>	двусмысленный; допускающий двойное толкование
establishment, <i>n</i>	основание, учреждение; истэблишмент (<i>установившаяся система и аппарат власти, властвующая элита, официально принятые взгляды</i>)
estopped, <i>a</i>	лишенный права возражения; лишенный права ссылаться на какие-либо факты или оспаривать какие-либо факты (<i>о стороне по делу</i>)
estreat, <i>n</i>	копия судебного документа
European Commission of Human Rights	Европейская комиссия по правам человека
European Community	Европейское сообщество
European Convention on Human Rights	Европейская конвенция о защите прав человека
European Court	Европейский суд
European Court of Human Rights	Европейский суд по правам человека
European Economic Community	Европейское экономическое сообщество
European Parliament	Европейский парламент
evidence, <i>n</i>	средство доказывания, доказательство; доказательства; подтверждение, улика
to produce ~	представить доказательства
direct ~	прямое доказательство
incontrovertible ~	неопровержимое доказательство
indirect ~	косвенное доказательство
inferential ~	косвенное доказательство
material ~	вещественное доказательство
examination, <i>n</i>	опрос, допрос; следствие; расследование, досмотр; проверка
examine, <i>v</i>	опрашивать, допрашивать; расследовать
executive, <i>n</i>	исполнительная власть; правительство
executor, <i>n</i>	судебный исполнитель
ex parte (<i>лат.</i>)	односторонний; от имени; дело по заявлению
exound, <i>v</i>	разъяснять; толковать

extradite, v	выдавать (<i>преступника</i>); добиться выдачи (<i>преступника</i>)
extradition, n	выдача преступника, экстрадиция
eye-witness	свидетель-очевидец
F	
fabricate, v	подделывать, фальсифицировать
fabricated, a	поддельный, фальсифицированный
fabrication, n	подделка, фальшивка, фальсификация
falsification, n	фальсификация; подделка
falsifier, n	фальсификатор; субъект подделки
falsify, v	фальсифицировать; подделывать
Family Law	семейное право
fine, n	штраф
fine, v	налагать штраф; штрафовать
follow, v	следовать; соблюдать; придерживаться
force, n	сила; насилие, принуждение; полиция; полицейское подразделение
by ~	насильственно
to come into force	вступать в силу
with ~	с применением насилия
police ~	полицейские силы; полиция; полицейское подразделение
G	
gang, n	группа, шайка, банда
gangster, n	гангстер (<i>организованный преступник</i>)
general election	(все) общие выборы
government, n	управление, руководство; государственная власть; государственное устройство
grievance, n	основание для жалобы; ущерб, вред; жалоба
guarantee, n	поручительство; гарантия
guarantee, v	поручаться; давать поручительство
guilt, n	вина; виновность
guiltless, a	невиновный
guiltlessness, n	невиновность
guilty, n	вердикт о виновности
~, a	виновный
guilty of crime	виновный в совершении преступления
H	
habeas corpus (<i>лат.</i>)	судебный приказ о доставлении в суд лица; содержащийся под стражей, для выяснения правомерности содержания под стражей
harm, n	ущерб, вред
caused ~	причиненный ущерб
head of state	глава государства
department head	начальник отдела; министр
head-note, n	тезис, краткое изложение основных вопросов по решенному делу перед полным изложением последнего в сборнике судебных решений
hear, v	разбирать; заслушивать; слушать
hearing, n	слушание; устное разбирательство; допрос в суде
heir, n	наследник
~ at law	наследник по закону

held	решено; суд решил
heritage, <i>n</i>	наследство; наследуемая недвижимость; наследие
heritor, <i>n</i>	наследник
Home Secretary/Secretary of State for the Home Department	министр внутренних дел
homicide, <i>n</i>	лишение человека жизни; убийство
criminal ~	убийство
House of Commons	палата общин
House of Lords	палата лордов
human rights	права человека
I	
ICJ International Court of Justice	Международный суд
illegal, <i>a</i>	незаконный, противозаконный; неправомочный
illegality, <i>n</i>	незаконность; противозаконность; неправомерность; противоправность; нелегальность
immunity, <i>n</i>	неприкосновенность; иммунитет; привилегия, льгота
parliamentary ~	парламентская неприкосновенность
impartial, <i>a</i>	беспристрастный, нелицеприятный
impeachment, <i>n</i>	импичмент (<i>процедура привлечения к ответственности высших гражданских должностных лиц</i>)
impose, <i>v</i>	налагать; устанавливать; назначить (<i>в законе, приговоре</i>)
to - adjud(е)ment	вынести судебное решение
imposition of penalty / punishment	установление наказания, назначение наказания (в приговоре)
~ of sentence	вынесение приговора; назначение наказания
imprison, <i>v</i>	заключать в тюрьму; лишать свободы
He was imprisoned for three years.	Его приговорили к трем годам тюремного заключения.
imprisonment, <i>n</i>	тюремное заключение; лишение свободы
~ for life / life ~	пожизненное тюремное заключение
indecenty, <i>n</i>	непристойность, непристойное действие
indemnification, <i>n</i>	возмещение вреда, ущерба; компенсация
indemnify, <i>v</i>	гарантировать возмещение вреда, ущерба; возмещать вред, ущерб, убыток
indict, <i>v</i>	обвинять по обвинительному акту
indictable, <i>a</i>	являющийся основанием для уголовного преследования по обвинительному акту
~ offence	преступление, преследуемое по обвинительному акту
indictment, <i>n</i>	обвинительный акт
informer, <i>n</i>	осведомитель
injunction, <i>n</i>	судебный запрет; запретительная норма
injured party	потерпевшая сторона
International Court of Justice	Международный суд
International Law	международное право
interpret, <i>v</i>	толковать (<i>правовую норму, закон, договор</i>)
to ~ broadly / extensively	толковать расширительно

to ~ falsely interpretation, <i>n</i>	толковать ложно
interrogation, <i>n</i>	толкование
interrogator, <i>n</i>	допрос
interview, <i>n</i>	лицо, ведущее допрос, допрашивающий
interview, <i>v</i>	опрос, интервью
intra vires (<i>лат.</i>)	опрашивать; интервьюировать
	в пределах компетенции; в пределах полномочий; в пределах имеющихся прав; в пределах уставных прав
introduce, <i>v</i>	вносить на рассмотрение (<i>законопроект</i>)
to ~ a bill	внести законопроект
to ~ into evidence	представить доказательства
to ~ legislation	внести законопроект
introduction, <i>n</i>	внесение на рассмотрение (<i>напр. законопроекта</i>)
~ as evidence	представление в качестве доказательства
-of bill	внесение законопроекта
~ of evidence	представление доказательств
~ of legislation	внесение законопроекта
-of resolution	внесение резолюции
invalid, <i>a</i>	юридически недействительный; не имеющий силы
invalidate, <i>v</i>	делать недействительным; признавать недействительным
invalidation, <i>n</i>	лишение юридической силы; признание недействительным
invalidity, <i>n</i>	юридическая недействительность; отсутствие юридической силы
investigate, <i>v</i>	расследовать; изучать (<i>вопрос</i>); рассматривать (<i>дело</i>)
to ~ a crime	расследовать преступление; расследовать дело о преступлении
investigation, <i>n</i>	расследование, дознание; изучение (<i>вопроса</i>), рассмотрение (<i>дела</i>)
to mount an ~	начать расследование (<i>дела</i>)
to pursue ~	производить расследование
~ of accident	расследование несчастного случая
~ of crime	расследование преступления; уголовное расследование
investigator, <i>n</i>	следователь
crime / criminal ~	следователь по уголовным делам
ipse dixit (<i>лат.</i>)	голословное утверждение
ipso facto (<i>лат.</i>)	в силу самого факта
ipso jure (<i>лат.</i>)	в силу самого закона
irrevocable, <i>a</i>	безотзывный; не отменяемый; окончательно вступивший в силу
irritate, <i>v</i>	делать недействительным, аннулировать
issue, <i>n</i>	выдача (<i>документа</i>); выпуск в обращение; эмиссия; опубликование; спорный вопрос
issue, <i>v</i>	выдавать (<i>документ</i>), опубликовать; выпускать в обращение; осуществлять эмиссию
at issue	находящийся в споре; опорный (<i>вопрос</i>); подлежащий разрешению в суде

item, <i>n</i>	пункт, позиция, параграф, статья; вопрос (<i>в повестку дня</i>)
~ on the agenda	пункт, вопрос повестки дня

J

jail, <i>n</i>	тюрьма; тюремное заключение
jail, <i>v</i>	заключать в тюрьму; содержать в тюрьме
jail-house, <i>n</i> (<i>амер.</i>)	тюрьма
judge, <i>n</i>	судья
~ of the United States (<i>амер.</i>)	федеральный судья
circuit ~	окружной судья (<i>в США</i>)
judg(e)ment, <i>n</i>	судебное решение; приговор
judicial, <i>a</i>	судебный, судейский
judicial decision	судебное решение
judicial precedent	судебный прецедент
judicial review	судебный контроль; судебный надзор; судебный пересмотр
judicially, <i>a</i>	в судебном порядке
judiciary, <i>n</i>	суд: судебная власть; судоустройство; суды; судейский корпус
~ establishment, <i>n</i>	судебное ведомство; судебная власть; суды; судейский корпус
juridical, <i>a</i>	юридический, законный, правовой
jurisdiction, <i>n</i>	отправление правосудия; юрисдикция; подсудность; судебная практика; орган власти
jurisdictional, <i>a</i>	юрисдикционный
jurisprudence, <i>n</i>	юриспруденция, правоведение; судебная практика
jurist, <i>n</i>	юрист, ученый юрист
juror, <i>n</i>	присяжный заседатель; член совета присяжных
jury, <i>n</i>	присяжные, состав присяжных, суд присяжных
just, <i>a</i>	справедливый; обоснованный; законный
justice, <i>n</i>	справедливость; правосудие; юстиция: судья
justice of the peace	мировой судья; мировая юстиция
justicement, <i>n</i>	судопроизводство; ход дела
juvenile court	суд по делам несовершеннолетних
juvenile crime	преступление, совершенное несовершеннолетним

K

to keep the law	соблюдать закон
to keep the peace	охранять общественное спокойствие и порядок
kidnap, <i>v</i>	похитить человека с целью выкупа
kidnapper, <i>n</i>	лицо, похитившее человека с целью выкупа
kidnapping, <i>n</i>	похищение человека с целью выкупа
kill, <i>v</i>	убивать; лишать жизни
to ~ by contract	убивать по договору, по найму
to ~ by hire	убить по найму
killer, <i>n</i>	лицо, совершившее убийство; убийца
contract ~	убийца по договору; наемный убийца

malicious ~	лицо, совершившее убийство со злым умыслом; лицо, совершившее тяжкое убийство
murder, <i>n</i>	лишение жизни; убийство
malicious ~	злоумышленное убийство; тяжкое убийство
L	
Labour Law	трудовое право
lack of evidence	отсутствие доказательств; недостаточность доказательств
land, <i>n</i>	земельная собственность; недвижимость; земля
Land Law	земельное право
landlord, <i>n</i>	землевладелец; собственник недвижимости; арендодатель
landowner, <i>n</i>	землевладелец; собственник недвижимости
law, <i>n</i>	право; закон; общее право; юстиция
law-abiding, <i>a</i>	соблюдающий право; уважающий закон; законопослушный
law and order	правопорядок
lawbook, <i>n</i>	свод законов; кодекс
law-breaker, <i>n</i>	правонарушитель
law-breaking, <i>n</i>	нарушение закона, права
lawfull, <i>a</i>	законный, правомерный
lawfulness, <i>n</i>	законность, правомерность
lawless, <i>a</i>	неправомерный, противоправный, незаконный, противозаконный
lawlessness, <i>n</i>	беззаконие
lawmaking, <i>n</i>	правотворчество; законотворчество; законодательство
Law of Contract /Contract Law.	договорное право
law officer	служащий судебного ведомства
Law of Tort / Tort Law / the Law of Torts	деликтное право
law reports	сборник судебных решений
lawyer, <i>n</i>	юрист, адвокат, юрисконсульт
lay, <i>n</i>	не профессиональный; не являющийся юристом
lay down, <i>v</i>	устанавливать; формулировать (<i>в законе, норме общего права и т. п.</i>)
lease, <i>n</i>	аренда; наем недвижимости; жилищный наем
lease, <i>v</i>	сдавать или брать в наем
leasing, <i>n</i>	лизинг; долгосрочная аренда оборудования
legal, <i>a</i>	юридический, правовой; законный; основанный на законе
legal system	правовая система; судебная система
legislate, <i>v</i>	издавать законы; законодательствовать
legislation, <i>n</i>	законодательство; законодательный акт; закон; законодательная деятельность
legislative, <i>a</i>	законодательный
legislatively, <i>a</i>	в законодательном порядке
legislator, <i>n</i>	законодатель; член законодательного органа
legislatorial, <i>a</i>	законодательный
legislature, <i>n</i>	законодательная власть; законодательный орган; легислатура

legitimate, v	узаконивать; легитимировать
~, a	законный
legitimately, a	законно
legitimateness, n	законность
legitimation, n	узаконивание; легитимация
legitimation, n	узаконивание; легитимация
legitimize, v	легитимировать; узаконивать
lend, v	предоставлять заем; давать займы / ссуду, ссужать <i>что-либо</i>
lender, n	заимодаватель; займодаделец; ссудодатель
lending, n	предоставление займа
lend-lease (амер.)	ленд-лиз; передача в займы или в аренду
liability, n	ответственность; обязанность; <i>pl.</i> обязательства; долги или денежные обязательства
civil ~	гражданско-правовая ответственность
criminal ~	уголовная ответственность
liable, a	ответственный; обязанный; подлежащий
~ at/in law	ответственный по закону
libel, n	жалоба; исковое заявление
libel, v	подавать жалобу, исковое заявление
libelant, n	истец; лицо, подававшее заявление о конфискации
libelee, n	ответчик
liberate, v	освобождать
liberation, n	освобождение
liberty, n	свобода; привилегия; право
~ of conscience	свобода совести
~ of discussion	свобода слова
~ of printing/the press	свобода печати
~ of speech	свобода слова
personal ~	свобода личности
litigation, n	тяжба; судебный спор; процесс
Lord Chancellor	лорд-канцлер
Lord Chief Justice of England	судья-председатель отделения королевской скамьи Высокого суда правосудия; лорд – главный судья
Lord Justice / Lord Justice of Appeal	судья апелляционного суда (<i>в Англии</i>)
Lord of Appeal in Ordinary	назначаемые члены палаты лордов по рассмотрению апелляций
the Lords / House of Lords	палата лордов
Lords Temporal	светские члены палаты лордов
M	
magistrate, n	государственный чиновник; магистрат; судья, мировой судья
magistrates' court	суд магистрата, мировой суд, магистратский суд
to maintain order	поддерживать порядок
maintenance of order	поддержание порядка
majority, n	большинство; совершеннолетие
majorize, v	достичь совершеннолетия
malice, n	злой умысел
malicious, a	злоумышленный; совершенный со злым умыслом
mandate, n	мандат; наказ (<i>избирателей</i>); приказ суда
manslaughter, n	простое убийство (<i>без злого умысла</i>)

Master of the Rolls (<i>англ.</i>)	"хозяин свитков"; глава государственного архива; член Высокого суда правосудия; председатель апелляционного суда
matter, <i>n</i>	дело; предмет; вопрос
a ~ in dispute (in issue)	предмет спора
civil ~	гражданское дело
militia, <i>n</i>	милиция
minister of justice	слуга правосудия; министр юстиции
Prime Minister and First Lord of the Treasury	премьер-министр и первый лорд казначейства
ministry, <i>n</i>	министерство; правительство
monarch, <i>n</i>	монарх
monarchy, <i>n</i>	монархия
money Bill	финансовый законопроект
municipal law	внутригосударственное право; национальное право; муниципальное право
murder, <i>n</i>	тяжкое убийство
murderer, <i>n</i>	лицо, совершившее тяжкое убийство; убийца
N	
narctic, <i>n</i>	наркотическое средство; наркоман
narcticist, <i>n</i>	наркоман
national, <i>n</i>	гражданин, подданный
~ of the USA	гражданин США
nominate, <i>v</i>	указывать наименование; давать название; назначать; выдвигать; предлагать кандидата (<i>на должность</i>)
nomination, <i>n</i>	указание наименования; назначение; выдвижение; предложение кандидата (<i>на должность</i>)
norm, <i>n</i>	норма
legal~	правовая норма
normativ, <i>a</i>	нормативный
notarial, <i>a</i>	нотариальный
notarially, <i>a</i>	нотариально, в нотариальном порядке
notarization, <i>n</i>	нотариальное засвидетельствование
notarize, <i>v</i>	засвидетельствовать нотариально
notary, <i>n</i>	нотариус
notice, <i>n</i>	предупреждение. уведомление, извещение
O	
oath, <i>n</i>	клятва; присяга
on~	под присягой
to obey the law	подчиняться закону / соблюдать закон
obligation, <i>n</i>	обязательство; обязанность
observance, <i>n</i>	соблюдение (<i>закона и т.п.</i>)
law~	соблюдение закона
observant, <i>n</i>	свидетель-очевидец, соблюдающий (<i>законы</i>)
observe, <i>v</i>	соблюдать (<i>закон и т.п.</i>); наблюдать
offence, <i>n</i>	посягательство; правонарушение; преступление
~ against the law	нарушение закона; правонарушение
~ against the person	преступление против личности
~ against the property	преступление против собственности

coinage ~	фальшивомонетничество
criminal ~	уголовное преступление
sex ~	половое преступление
trivial ~	мелкое правонарушение; мелкое / малозначительное преступление
violent ~	насильственное преступление
offend, v	оскорблять; нарушать; посягать
to ~ the law	нарушать право
offender, n	правонарушитель; преступник
office, n	ведомство, министерство; учреждение
Home ~	Центральный уголовный суд (<i>в Великобритании</i>)
Old Bailey	ордер; приказ; предписание
order, n	порядок
overrule, v	отменять, аннулировать; отклонять, отвергать
ownership, n	собственность; право собственности
~ of property	собственность на имущество
joint ~	совместная собственность
state ~	государственная собственность
stock ~	акционерная собственность

Р	
pardon, n	помилование
pardon, v	помиловать
party, n	сторона (<i>по делу, в разговоре и т.д.</i>); партия
pass, v	одобрять; утверждать; принимать (<i>закон, резолюцию</i>)
to ~ a bill	принимать / утверждать законопроект
to ~ a judgement	выносить решение, приговор
to ~ an act	принять закон
to ~ a legislation	принимать законы
to ~ a resolution	принять резолюцию
to ~ a sentence	вынести приговор
patent law	патентное право; патентный закон
peace, n	мир; общественный порядок; общественное спокойствие
to keep the ~	поддерживать, соблюдать общественный порядок; обеспечивать общественный порядок
peer, n	пэр, лорд, член палаты лордов
penal, a	карательный, штрафной; уголовный; наказуемый
penalty, n	взыскание; санкция; штраф; пеня; штрафная неустойка; наказание; карательная мера
to assess the ~	определить меру наказания
to impose / to inflict a ~	назначать наказание
death ~	смертная казнь
money ~	денежная санкция; штраф
perjure, v	лжесвидетельствовать
perjurer, n	лжесвидетель
perjuror, n	лжесвидетель
perjury, n	лжесвидетельство
permission, n	разрешение
~ to stay	разрешение на проживание
perpetrate, v	нарушить уголовный закон; совершить преступление

to ~ a crime perpetration, <i>n</i>	совершить преступление нарушение уголовного закона; совершение преступления
~ of crime	совершение преступления
perpetrator, <i>n</i>	нарушитель уголовного закона; преступник
perpetrator of crime person, <i>n</i>	преступник; лицо, совершившее преступление лицо (<i>физическое или юридическое</i>)
injured ~	потерпевший
judicial / juristic ~	юридическое лицо
physical ~	физическое лицо
suspected ~	подозреваемый; подозрительное лицо
petition, <i>n</i>	прошение, ходатайство; петиция; заявление в суд; исковое заявление
petition, <i>v</i>	подавать прошение, ходатайство, петицию, заявление в суд
~ for appeal	просьба об апелляции; апелляционная жалоба
~ for review	заявление в суд о пересмотре дела
~ in bankruptcy	возбуждение дела о несостоятельности
petitioner, <i>n</i>	истец, проситель
pinch, <i>n</i>	арест
pinch, <i>v</i>	арестовать; взять под стражу
piracy, <i>n</i>	пиратство: нарушение авторского / издательского права; плагиат
plaint, <i>n</i>	исковое заявление
plaintiff, <i>n</i>	истец
plead, <i>v</i>	заявлять (<i>в суде</i>)
to ~ alibi	заявить алиби
to ~ statute	ссылаться на закон
to ~ guilty	признать себя виновным; заявить о своей виновности
to ~ guilty to the charge	признать себя виновным в предъявленном обвинении
to ~ not guilty	заявить о своей невиновности
to ~ to the Constitution	ссылаться на конституцию
police, <i>n</i>	полиция
International Police (Inter- pol)	Международная организация уголовной полиции (<i>Интерпол</i>)
policeman, <i>n</i> /cop (<i>разг. - груб.</i>)	полицейский, полисмен
policewoman, <i>n</i>	полицейский, полисмен (<i>о женщине</i>); сотрудница полиции
prayer, <i>n</i>	просьба, ходатайство (<i>в суде</i>)
precaution, <i>n</i>	предосторожность; мера предосторожности
precedent, <i>n</i>	прецедент
prejudice, <i>n</i>	вред, ущерб (<i>правам, интересам</i>); предубеждение
prejudice, <i>v</i>	наносить ущерб, вред; причинять вред
prerogative, <i>n</i>	прерогатива; исключительное право
prescribe, <i>n</i>	предписывать; назначать (<i>наказание</i>)
prescription, <i>n</i>	предписание; распоряжение
~ of law	правовое предписание
presumption, <i>n</i>	презумпция
~ of innocence	презумпция невиновности

prevent, v	предотвращать, предупреждать
to ~ a crime (an offence)	предотвратить совершение преступления
prevented, a	предотвращенный
preventing, a	предотвращающий, превентивный
prevention, n	предотвращение; предупреждение
~ of crime	предотвращение преступления
principle, n	принцип; доктрина; правило; норма
private, a	частный, неофициальный, конфиденциальный; закрытый (<i>о заседании</i>)
in ~	при закрытых дверях
private law	частное право; частный закон
Privy Council	Тайный Совет (<i>в Великобритании</i>)
probation, n	доказательство; доказывание; испытание; система испытания (<i>вид условного осуждения</i>)
procedure, n	процедура; порядок; производство дел; судопроизводство; процесс
civil ~	гражданский процесс; гражданское судопроизводство; гражданско-процессуальное право
criminal ~	уголовный процесс; уголовное судопроизводство; уголовно-процессуальное право
proceedings, pl. n.	процессуальное действие; судебное разбирательство; рассмотрение дела в суде; судопроизводство; процесс
prohibition, n	запрещение; запрет; приказ о запрещении производства по делу
promulgate, v	обнародовать
promulgation, n	обнародование, опубликование (<i>закона</i>)
pronounce, v	объявлять в формальном порядке; выносить (<i>решение</i>); высказывать (<i>мнение</i>)
to~ajudgement	выносить судебное решение; объявлять приговор суда
to ~ a sentence	выносить приговор; объявлять меру наказания
proof, n	доказательство; доказывание; доказанность
~ of witness	свидетельские показания
proofless, a	недоказанный, бездоказательный
prorogation, n	отсрочка; продление срока; перерыв в работе парламента по королевскому указу
prorogue, v	отсрочить, отложить, продлить срок
prosecute, v	вести, продолжать, проводить; преследовать в судебном порядке; обвинять
prosecution, n	ведение (<i>войны, судебного дел и т. д.</i>); судебное преследование; уголовное преследование; обвинение
prosecutor, n	обвинитель; истец
prove, v	доказывать; доказать
provide, v	предусматривать; постановлять (<i>в законе, в договоре</i>)
provision, n	условие, постановление; положение (<i>договора, закона и т. д.</i>)
public Bill	публичный законопроект
public Law	публичное право; публичный закон (<i>закон, касающийся всего населения</i>)

punish, <i>v</i>		наказывать (<i>в уголовном порядке</i>)
punishable, <i>a</i>		наказуемый
punishment, <i>n</i>		наказание
to commute / to mitigate punishment		смягчать наказание
punishment of death / capital punishment		смертная казнь
pursue, <i>v</i>		преследовать; осуществлять преследование
pursuer, <i>n</i>		преследователь, истец
Q		
QB/QBD – The Queen's Bench Division	Queen's	Правовой сборник; решения отделения Суда Королевской скамьи (1876-1890)
Queen in Council		"королева в совете", исполнительная власть (<i>в Великобритании</i>)
Queen in Parliament		"королева в парламенте", законодательная власть (<i>в Великобритании</i>)
Queen's Bench Division		правовой сборник; решения отделения Суда королевской скамьи
R		
racket, <i>n</i>		рэкет
racket, <i>v</i>		заниматься рэкетом
rape, <i>n</i>		изнасилование
ratification, <i>n</i>		ратификация
ratify, <i>v</i>		ратифицировать; одобрять; санкционировать; утверждать; скреплять (<i>подписью, печатью</i>)
ratio decidendi (<i>лат.</i>)		мотивы решения
reason, <i>n</i>		причина, основание, мотив
recover, <i>v</i>		взыскивать в судебном порядке; получать возмещение по суду
refugee, <i>n</i>		беженец; эмигрант
regulation, <i>n</i>		регулирование; регламентирование; норма; правило, постановление; устав; инструкция
rehabilitation, <i>n</i>		восстановление в правах; реабилитация
reject, <i>v</i>		отвергать; отклонять; отводить; отказываться
rejection, <i>n</i>		отклонение, отказ
remand in custody		возвращение под стражу
remedy, <i>n</i>		средство защиты права
remit, <i>v</i>		прекращать; отменять; аннулировать; прощать; помиловать; освобождать (<i>от ответственности наказания, уплаты</i>)
reparation, <i>n</i>		компенсация, возмещение; репарация
repeal, <i>v</i>		отменять (<i>о законе</i>)
repeal, <i>n</i>		отмена (<i>о законе</i>)
representative, <i>n</i>		представитель; член палаты представителей
repress, <i>v</i>		подавлять, усмирять; репрессировать; пресекать
repression, <i>n</i>		подавление, усмирение, репрессия, пресечение
repressive, <i>a</i>		репрессивный; пресекающий
responsibility, <i>n</i>		ответственность; вменяемость
to bring to ~ right, <i>n</i>		привлекать к ответственности
~ of assembly		право собраний

~ of asylum	право убежища
~ of choice	право выбора; право избирать; активное избирательное право
~ of counsel (<i>амер.</i>)	право пользоваться помощью адвоката
rights of person	личные права
right of petition	право подачи петиций
~ of privacy	право на неприкосновенность частной жизни
human rights	права человека
robbery, <i>n</i>	грабеж с насилием; разбой
~ with violence	грабеж с насилием; разбой
bank robbery	ограбление банка
Roman Law	римское право
Royal Prerogative	королевская прерогатива
rule, <i>n</i>	правило; постановление; предписание, приказ; власть; правление; господство
~ of court	судебный приказ; судебное предписание; судебное постановление
ruling, <i>n</i>	постановление; определение; решение (<i>суда</i>) издание норм, правил

S

sanction, <i>n</i>	санкция; одобрение; утверждение
sanction, <i>v</i>	санкционировать; применять санкции (<i>против какой-либо страны</i>)
scene, <i>n</i>	место происшествия
~ of crime / offence	место совершения преступления
search, <i>n</i>	обыск, досмотр, расследование
search, <i>v</i>	искать, исследовать, обыскивать, производить обыск; производить расследование
seat, <i>n</i>	место (<i>в парламенте</i>); должность; местонахождение; место пребывания
secretary, <i>n</i>	секретарь, министр
Secretary General (of the United Nations)	генеральный секретарь (Организации Объединенных Наций)
-of State	государственный секретарь (<i>министр иностранных дел США</i>)
Home secretary (<i>англ.</i>) / Secretary of State for the Home Department	министр внутренних дел
security, <i>n</i>	безопасность; гарантия; залог; поручительство; поручитель
~ of person	личная неприкосновенность
~ of residence	неприкосновенность жилища
seize, <i>v</i>	захватывать, налагать арест, задерживать
seizure, <i>n</i>	захват, наложение ареста (<i>на имущество</i>); конфискация
self-defence, <i>n</i>	самозащита, самооборона
sentence, <i>n</i>	приговор (<i>к наказанию</i>); наказание (<i>по приговору</i>); вердикт
sentence, <i>v</i>	приговаривать к наказанию
sentenced, <i>n</i>	приговоренный
session, <i>n</i>	заседание; сессия
settlement, <i>n</i>	урегулирование; заселение; уплата, расчет

sharing, <i>n</i>	разделение, распределение
~ of powers	разграничение компетенции; разделение функций между властями
signatory, <i>n</i>	сигнатарий; подписавшаяся сторона; подписавшееся государство
signature, <i>n</i>	подпись, подписание
fictitious / forged ~	поддельная подпись
sitting, <i>n</i>	заседание
judicial ~	судебное заседание
smuggle, <i>v</i>	заниматься контрабандой; провозить контрабандным путем
smuggler, <i>n</i>	контрабандист
smuggling, <i>n</i>	контрабанда, провоз контрабандным путем
solicit, <i>v</i>	просить, ходатайствовать, хлопотать; подкупать (судью)
solicitation, <i>n</i>	ходатайство; просьба; попытка подкупить (судью)
solicitor, <i>n</i>	стряпчий; юриконсульт
Solicitor General (<i>амер.</i>)	генеральный солиситор; заместитель министра юстиции (<i>амер.</i>)
Solicitor to the Treasury (<i>англ.</i>)	юриконсульт министерства финансов
source, <i>n</i>	источник
~ of law	источник права
original ~	первоисточник
sovereign, <i>n</i>	суверен, монарх
sovereignty, <i>n</i>	суверенитет
Speaker, <i>n</i>	оратор; спикер; председатель палаты парламента, конгресса
specific performance	реальное исполнение
speech for the defence	речь защитника
speech for the prosecution	речь обвинителя
spite, <i>n</i>	злой умысел
stare decisis (<i>лат.</i>)	«стоять на решенном», обязывающая сила прецедентов
state, <i>n</i>	государство; положение; состояние
State sovereignty	суверенитет государства; государственный суверенитет; суверенитет штата
statement, <i>n</i>	заявление; утверждение; изложение; формулировка; показания; дача показаний
~ of prosecution	версия обвинения
~ of the accused	показания обвиняемого
statute, <i>n</i>	статут; устав
Congressional ~	законодательный акт конгресса
Statutes at Large (<i>амер.</i>)	свод законов
Statute of the International Court of Justice	Устав / статут Международного суда
statutory, <i>a</i>	действующий в силу закона; основанный на законе; предусмотренный законом; законный
steal (<i>разг.</i>)	кража
steal, <i>v</i>	красть; украсть; совершить кражу; похищать имущество
stealer, <i>n</i>	вор

stealing, <i>n</i>	похищение имущества; кража; воровство
stealings (<i>pl.n.</i>)	краденое имущество
subject, <i>n</i>	подданный; предмет (<i>договора, иска</i>), субъект, объект, тема, вопрос, предмет
subordinate legislation	подзаконные нормативные акты
suborn, <i>v</i>	подкупать. давать взятку; подстрекать к совершению преступления
subornation, <i>n</i>	подкуп, взятка; подстрекательство к совершению преступления
suborner, <i>n</i>	взяточник; подстрекатель
sue, <i>v</i>	преследовать по суду; выступать в качестве истца / обвинителя; предъявлять иск / обвинение
sufferer, <i>n</i>	пострадавший, потерпевший; попуститель
suffrage, <i>n</i>	право голоса; избирательное право; голосование; голос
direct ~	прямое избирательное право
equal~	равное избирательное право
universal ~	всеобщее избирательное право
suicide, <i>n</i>	самоубийство
to commit ~	совершить самоубийство
suit, <i>n</i>	иск; преследование по суду; судебное дело; судебная тяжба; судебный процесс; судопроизводство
law / legal ~	судебный процесс
suitor, <i>n</i>	истец
suitress, <i>n</i>	истица
summarily, <i>a</i>	в ускоренном порядке; в порядке упрощенного (суммарного) производства
summary, <i>n</i>	выводы; резюме; краткое изложение
summary, <i>a</i>	суммарный, краткий, скорый
summit, <i>n</i>	совещание / встреча на высшем уровне
to summon to appear	вручить приказ о явке в суд
summons, <i>n</i>	вызов в суд; приказ о явке в суд
suspect, <i>n</i>	подозреваемое / подозрительное лицо
crime / criminal ~	лицо, подозреваемое в совершении преступления
suspect, <i>v</i>	подозревать
to ~ in the crime	подозревать в совершении преступления
suspended sentence	приговор / наказание, отсроченные исполнением; отсрочка исполнения приговора / наказания
swear, <i>v</i>	присягать. показывать под присягой; приводить к присяге
to swear an oath	приносить присягу
to swear as a witness	присягнуть в качестве свидетеля
to swear a witness	приводить свидетеля к присяге
swindle, <i>n</i>	мошенничество
swindle, <i>v</i>	мошенничать
swindler, <i>n</i>	мошенник
swindling, <i>n</i>	мошенничество

T	
tap, <i>n</i>	подслушивающее устройство
tap, <i>v</i>	подслушивать (<i>телефонные разговоры</i>)
unlawfull / illegal tapping	противоправное / незаконное подслушивание / прослушивание с помощью специальных устройств

tenant, <i>n</i>	арендатор, съемщик, наниматель
term, <i>n</i>	термин, выражение; промежуток времени; срок полномочий; аренда на срок; наказание (<i>амер.</i>); срок
testament, <i>n</i>	завешание
testamentation, <i>n</i>	составление завешания
testate, <i>v</i>	завещать; оставлять по завещанию; составлять завешание
testator, <i>n</i>	завещатель; наследователь
testificator, <i>n</i>	свидетель
testifier, <i>n</i>	свидетель
testify, <i>v</i>	давать показания; показывать; свидетельствовать; быть свидетелем
testimony, <i>n</i>	свидетельское показание
theft, <i>n</i>	кража
~ from a car	кража из автомобиля
personal ~	кража личного имущества
thief, <i>n</i>	вор; лицо, совершившее кражу
resident ~	вор-домушник
thieved, <i>n</i>	обворованный; потерпевший от кражи
thievery, <i>n</i>	воровство (<i>профессиональное</i>); кража
title, <i>n</i>	титул, звание; правовой титул
tort, <i>n</i>	деликт, гражданское правонарушение
constitutional ~	нарушение конституции
tortfeasor, <i>n</i>	причинитель вреда; делинквент; правонарушитель
treaty, <i>n</i>	договор
-of limits	договор о границах
trial, <i>n</i>	судебное разбирательство; судебный процесс; слушание дела по существу
tribunal, <i>n</i>	орган правосудия; судебное или арбитражное учреждение; трибунал
trust, <i>n</i>	вера, доверие, кредит
trust, <i>v</i>	доверять, предоставлять в кредит
trustee, <i>n</i>	доверительный собственник; лицо, распоряжающееся имуществом на началах доверительной собственности
try, <i>v</i>	судить, привлекать к судебной ответственности; разбирать, рассматривать, расследовать (<i>дело, слушай</i>)

U

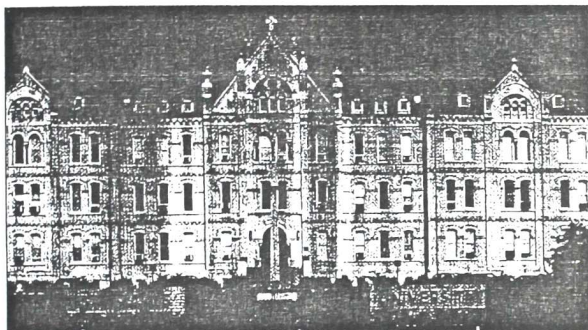
under the hand and seal	за подписью и печатью
United Nations Organization	Организация Объединенных Наций
unlawful, <i>a</i>	неправомерный, противоправный, незаконный

V

validation, <i>n</i>	признание юридической силы; утверждение; ратификация
validity, <i>n</i>	юридическая сила; юридическое действие
verdict, <i>n</i>	решение присяжных; вердикт
vest, <i>v</i>	облекать, наделять (<i>правами, властью</i>)
veto, <i>n</i>	вето

veto, v	налагать вето
victim, n	потерпевший; жертва
violate, v	нарушать (<i>право, закон, договор</i>), насиловать
violation, n	нарушение (<i>права, закона, договора</i>); изнасилование
~ of contract	нарушение договора
~ of law	нарушение права
~ of law and order	нарушение правопорядка
~ of peace	нарушение мира; нарушение общественного порядка
~ of public order	нарушение общественного порядка
criminal ~	уголовное правонарушение; преступление
violator, n	нарушитель, насильник
violence, n	насилие; оскорбление действием; изнасилование
vote, n	голос; право голоса; голосование; вотум; избирательный бюллетень
~ of confidence	вотум доверия
~ of no confidence	вотум недоверия
decisive ~	решающий голос
direct ~	прямое голосование
majority ~	большинство голосов; решение большинством голосов
minority ~	меньшинство голосов
voteless	не имеющий права голоса
voter, n	избиратель; лицо, имеющее право голоса
voting, n	голосование; участие в голосовании
~ paper	избирательный бюллетень
W	
war crime	военное преступление
war crimes	военные преступления
war criminal	военный преступник
ward, n	опека; попечительство; лицо, находящееся под опекой / на попечении
warrant, n	приказ, ордер (<i>на обыск, арест и т.д.</i>) / предписание
~ of arrest	ордер на арест
~ of search	ордер на обыск
apprehension ~	приказ о задержании
arrest ~	ордер на арест
search ~	ордер на обыск
wilful, a	намеренный, умышленный, сознательный
will, n	воля, завешание
will, v	желать, проявлять волю; изъявлять волю; завешать
witness, n	свидетель; понятой; свидетельство; свидетельское показание
witness, v	давать свидетельские показания; свидетельствовать; подписывать в качестве свидетеля
writ, n	судебный приказ; королевский приказ
wrong, n	неправда; правонарушение; деликт; вред
legal-	правонарушение; деликт
wrongful, a	противоправный; неправомерный; незаконный
wrongfulness, n	противоправность; неправомерность; незаконность

Приложение №1.



St. Louis Hall (Administration Building)

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