

АНГЛИЙСКИЙ ЯЗЫК ДЛЯ СТУДЕНТОВ - ЮРИСТОВ

ПРАКТИКУМ

Автор: Мрвич Н. В., канд. филос. наук, доцент кафедры социально-гуманитарных наук и правовой информатики Северо-Западного института (филиала) Университета имени О.Е. Кутафина (МГЮА).

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ВВЕДЕНИЕ

Данный практикум предназначен для бакалавров, владеющих английским языком в объеме программы высшего профессионального образования.

Практикум «Английский язык для студентов – юристов» ставит целью: обучить бакалавров чтению и пониманию литературы по специальности;

обеспечить развитие навыков устной речи с учетом юридической профессии.

Практикум состоит из 6 тем, включающих в себя тексты и лексические упражнения юридической направленности. Контрольно-проверочные задания пособия предназначены для закрепления лексико-грамматического материала курса.

TEXT 1

I. Read and translate the text.

THE EARLIEST LAWS

Rules and laws, and the customs from which they are descended have been a part of human life ever since our ancestors first began to live in large and settled groups. But our knowledge is vague of laws that were in effect before the invention of writing in about 3500 B.C. The earliest known legal text was written by Ur-Nammu, a king of the Mesopotamian city of Ur, in about 2100 B.C. It dealt largely with compensation for bodily injuries, and with the penalties for witchcraft and runaway slaves.

One of the most detailed ancient legal codes was drawn up in about 1758 B.C. by Hammurabi, a king of Babylonia. The entire code, consisting of 282 paragraphs, was carved into a great stone pillar, which was set up in a temple to the Babylonian god Marduk so that it could be read by every citizen.

The laws laid down by Hammurabi were more extensive than any that had gone before. They covered crime, divorce and marriage, the rights of slave owners and slaves, the settlement of debts, inheritance and property contracts. **There were** even regulations about taxes and the prices of goods.

Punishments under the code were often harsh. Not only murders but also thieves and false accusers faced the death penalty. And a child who hit his father could expect to lose the hand that struck the blow.

Nevertheless, Hammurabi's laws represented an advance on earlier tribal customs, because the penalty could not be harder than the crime.

II. Answer the questions.

1. When were the first laws mentioned?
2. Who wrote the detailed ancient legal code?
3. How many paragraphs did it include?
4. Why was it set up in a temple?
5. What crimes did the laws cover?

III. Find in the text the equivalents of the following words and expressions.

Действовать до изобретения письменности, телесные повреждения, наказания за колдовство, согласно кодексу, законы охватывают, наследство, клеветник, вор, наказание, смертная казнь.

IV. Translate sentences into English.

1. Самый ранний юридический текст был написан Ур – Намму в 2100 до нашей эры.
2. Законы короля Хаммурапи были составлены в 1758 году до нашей эры.
3. Кодекс Хаммурапи состоит из 282 параграфов.
4. Законы охватывали все сферы жизни рабовладельческого общества.

5. Кодекс рассматривал также вопросы наследства и имущества.
6. Согласно кодексу, законы были суровы.
7. В основе Кодекса лежит принцип талиона: «око за око, зуб за зуб».

V. Write down sentences with the following idioms.

1. The law of talion. Закон возмездия; око за око, зуб за зуб.
2. The great fish eat up the small. Закон джунглей: сильные пожирают слабых.

TEXT 2

I. Read and translate the text.

LAWS: DESCRIPTIVE AND PRESCRIPTIVE

The English word “law” means various forms of behavior. Some laws are descriptive: they simply describe how people, or even natural phenomena, usually behave. An example is the law of gravity; another is laws of economics. Other laws are prescriptive – they prescribe how people ought to behave. For example, the speed limits are laws that prescribe how fast we should drive. They rarely describe how fast we actually do drive, of course.

In all societies, relations between people are regulated by prescriptive laws. Some of them are customs – that is informal rules of social and moral behavior. Some are rules we accept if we belong to particular social and cultural groups. And some are laws made by nations and enforced against all citizens within their power. It is important to consider to what extent such laws can be distinguished from customs and social rules.

When governments make laws for their citizens, they use a system of courts and the police to enforce these laws. Of course, there may be instances where the law is not enforced against someone – such as when young children commit crimes, or when certain people are able to escape justice by using their money or influence.

The laws made by the government of one country are often very different from the laws of another country. Law today is, to a large extent, a complex of different and relatively independent systems.

II. Answer the questions.

1. What is the difference between descriptive and prescriptive laws?
2. What are customs?
3. Why should we distinguish laws from customs?
4. How do certain people escape justice?
5. Are the laws of different countries the same?

III. Find in the text the equivalents of the following words and expressions.

Создавать законы, различные формы поведения, предписывающие законы, установленные ограничения скорости, принадлежать к различным социальным группам, отличаться от обычаев, проводить законы в жизнь, отношения между людьми, совершать преступление, избегать правосудия.

IV. Translate sentences into English.

1. Отношения между людьми регулируются предписывающими законами.
2. Предписывающие законы – предписывают, как люди должны вести себя в обществе.
3. Законы необходимы в интересах всего общества.
4. Законы одной страны отличаются от законов других стран.
5. Обычаи - это неформальные правила поведения людей в обществе.
6. При отсутствии права люди могли полагаться только на законы джунглей.
7. Правительства используют систему судов и полицию, чтобы проводить законы в жизнь.

V. Write down sentences with the following idioms.

1. The pen is mightier than the sword. Что написано пером – не вырубишь топором.
2. Every land has its own law. В каждой стране свой закон.

TEXT 3

I. Read and translate the text.

STATE SYSTEM OF THE RF

The Russian Federative Republic was set up by the Constitution of 1993. Under the Constitution Russia is a democratic federative law-governed state with a republican form of government.

The President of the Russian Federation is the head of state. He is the Supreme Commander –in Chief of the Armed Forces of the Russian Federation. The President signs treaties, enforces laws. He appoints ministers who are subject to approval by the Federal Assembly. He nominates judges to the Constitutional Court, The Supreme Court and the Arbitration Court of the RF, and the Procurator-General.

The federal government consists of three branches: legislative, executive and judicial. Each of them is balanced by the President.

The legislative power is vested in the Federal Assembly. It consists of two chambers. The Upper Chamber is the Council of Federation. The Lower Chamber is the State Duma. Each chamber is headed by the Speaker. Bills may be initiated by

each chamber. But to become a law a bill must be approved by both chambers and signed by the President. The President may veto the bill.

The executive power belongs to the government which is headed by the Prime Minister. The first action of the Prime Minister on appointment is to form the Cabinet. The Government ensures state security and the realization of foreign policy.

The judicial branch is represented by the Constitutional Court, the Supreme Court and district courts.

Judges are independent and subject only to the Constitution of the Russian Federation and federal law.

II. Answer the questions.

1. What are the branches of the federal government?
2. What are the functions of the President?
3. Who is the Commander-in Chief of the Armed Forces of the Russian Federation?
4. Who forms the Cabinet?
5. Whom is the Judicial branch represented?

III. Find in the text the equivalents of the following words and expressions.

Учреждать конституцией, три ветви власти, правовое государство, состоять из двух палат, возлагать власть на кого-либо, подписывать договоры, накладывать вето, принадлежать правительству, подчиняться конституции, обеспечивать соблюдение законов.

IV. Translate sentences into English.

1. Президент РФ является главой государства.
2. Президент может наложить вето на законопроект.
3. Законодательная власть возлагается на Федеральное Собрание.
4. Каждая палата возглавляется спикером.
5. Исполнительная власть принадлежит правительству.
6. Правительство обеспечивает государственную безопасность.
7. Судьи независимы и подчиняются только Конституции РФ и федеральным законам.

V. Write down sentences with the following idioms.

1. Good laws are the nerves of a state. Хорошие законы – основа государства.
2. Order is heaven's first law. Порядок – первая заповедь Господня.

TEXT 4

I. Read and translate the text.

THE COURT SYSTEM OF ENGLAND AND WALES

The most common type of law court in England and Wales is the Magistrates' court. The magistrates' courts deal with some 98 per cent of all criminal work which includes motoring offences, minor thefts, criminal damage and public order cases.

More serious criminal cases then go to the Crown Court, which has 90 branches in different towns and cities. The Crown Court deals with such criminal offences as murder, rape and robbery.

Justice in minor civil cases is administered in the County Courts. Ninety per cent of all civil cases are started and finished in the County Courts. Typical proceedings in the County Courts include debt recovery mortgage, repossession cases, bankruptcy, insolvency and divorce matters.

Appeals are heard by higher courts. For example, appeals from Magistrates' Courts are heard in the Crown Court, unless they are appeals on points of law.

The highest court of appeal in England and Wales is the House of Lords. Scotland has its own High Court in Edinburgh, which hears all appeals from Scottish courts. Certain cases may be referred to the European Court of Justice in Luxembourg.

The legal system also includes Juvenile Courts which deal with offenders under seventeen. Coroners' Courts investigate the death of any person which has been sudden, violent, or unnatural, deaths of prisoners, and deaths of persons in mental institutions where there is no satisfactory medical evidence as to the cause of death.

There are administrative tribunals which make up quick, cheap and fair decisions with much less formality. Tribunals deal with professional standards, disputes between individuals, and disputes between individuals and government departments (for example, over taxation).

II. Answer the questions.

1. What types of courts are there in England and Wales?
2. What are the functions of the magistrates' courts?
3. What kind of cases does the House of Lords hear?
4. What do Coroners' courts deal with?
5. What court considers bankruptcy cases?

III. Find in the text the equivalents of the following words and expressions.

Магистратский суд, отправлять правосудие, суды графства, неплатежеспособность, доказательства, суд короны, гражданские дела, суды по делам несовершеннолетних, расследовать внезапную смерть, споры между физическими лицами.

IV. Translate sentences into English.

1. Правосудие по незначительным уголовным и гражданским делам отправляется в мировых судах.
2. Апелляции из мировых судов слушаются в судах Короны.
3. Суд Короны рассматривает такие уголовные преступления как убийство, изнасилование и ограбление.
4. Суды коронеров расследуют любую внезапную, неестественную, насильственную смерть.
5. Суды графства рассматривают гражданские дела.
6. Высшим апелляционным судом в Англии и Уэльсе является палата Лордов.
7. Суды по делам несовершеннолетних работают с подростками, не достигшими возраста семнадцати лет.

V. Write down sentences with the following idioms.

1. The end crowns all. Цель оправдывает средства.
2. Evil deeds are evil seeds. Злые дела – злые семена. Зло порождает зло.

TEXT 5

I. Read and translate the text.

THE COURT SYSTEM OF THE USA

The judicial branch works together with the legislative and executive branches to protect the constitution and the rights of people. The judicial branch of the government is the system of courts in the United States. 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 laws, decides if a law passed by the Congress is not contradictory to the Constitution of the USA and may veto any law. The Supreme Court settles disputes among states.

The American court system is complex. It functions as part of the federal system of government. Each state runs its own court system. These federal courts coexist with the state courts. Each state has a Constitution similar to the Constitution of the entire nation and all the power in each state is divided into legislative, executive and judicial. The head of each state is the governor of the state. Each state has its own system of courts similar to that of Federal courts.

Individuals fall under the jurisdiction of two different court systems, their state courts and federal courts. They can sue or be sued in either system, depending mostly on what their case is about. The vast majority of cases are resolved in the state courts.

The federal courts are organized like a pyramid in three tiers. At the bottom of the pyramid are the US district courts, where litigation begins. In the middle are the US courts of appeals. At the top is the US Supreme Court. The courts of appeal and the Supreme Court are appellate courts. Most federal courts hear and decide cases involving federal law conflicts between states or between citizens of different states.

II. Answer the questions.

1. What is the highest court in the USA?
2. Who appoints the justices of the highest court?
3. Why is the American court system complex?
4. What is the structure of Federal courts?
5. What cases do Federal courts decide?

III. Find in the text the equivalents of the following words and expressions.

Законодательная и исполнительная ветви, подчиняться закону, назначать судей бессрочно, подпадать под юрисдикцию, принятый Конгрессом закон, суд штата, управлять судебной системой, окружной суд, апелляционный суд, сосуществовать.

IV. Translate sentences into English.

1. Верховный суд является высшим судом в стране.
2. Судьи назначаются пожизненно.
3. Каждый штат имеет свою собственную судебную систему.
4. Частные лица подпадают под юрисдикцию двух различных судебных систем: судов их штата и федеральных судов.
5. Физические лица могут быть истцами или ответчиками в любой системе судов, в зависимости от рассматриваемого дела.
6. Судебное дело начинается в окружном суде.
7. Большинство дел рассматривается в судах штата.

V. Write down sentences with the following idioms.

1. Lack of knowledge is no excuse. Незнание – не оправдание.
2. One's sin will find one out. Совершенное преступление когда-нибудь раскроется. Все тайное становится явным.

TEXT 6

I. Read and translate the text.

LEGAL PROFESSION IN GREAT BRITAIN

The court system is dependent upon the legal profession to make its work. In Britain the legal profession is divided into two branches: barristers and solicitors. The solicitor is the legal adviser of the public. The solicitor may conduct client's case in the lower courts. The barrister can be consulted only through the solicitor; he has the right of audience in the higher courts.

The judge is the presiding officer of the court. Judges are not themselves a separate profession: they are barristers who have been elected to the bench. The judge decides the interpretation of the law. The great strength of the Britain legal system lies in the position of the judges. Once they are appointed it is practically impossible to dismiss them as long as they remain of "good behavior".

The professional judges, "High Court Judges", deal with the most serious crimes. They are paid salaries by the state. But in Britain, the vast majority of judges are unpaid, doing their work voluntarily, and they are called Magistrates or Justices of the Peace (JPs). They are usually well-known local citizens who are selected not because they have any legal training but because they have "sound common sense". They are appointed by the Lord Chancellor.

The jury system is one of the most distinctive features of British justice. A jury consists of twelve people who are selected at random by the officers of the court. They are not legal specialists, but simply ordinary men and women who have been ordered to attend. The jury listens to the evidence given in court in certain criminal cases and decides whether the defendant is guilty or innocent.

Coroners inquire into violent or unnatural deaths. They have medical or legal training (or both). Clerks of the court look after administrative and legal matters in the courtroom.

II. Answer the questions.

1. What are the main types of legal professions in Great Britain?
2. What are the two kinds of lawyers in England?
3. Who are the judges appointed by?
4. What is the function of the jury?
5. What training do coroners have?

III. Find in the text the equivalents of the following words and expressions.

Солиситоры и барристеры, вести дела в низших судах, насильственная смерть, иметь право выступать в суде, подсудимый, секретарь суда, слушать улики, платить зарплату, отличительная черта, виновный и невиновный.

IV. Translate sentences into English.

1. В Англии есть два типа юристов - солиситоры и барристеры.
2. Солиситоры и барристеры имеют разное юридическое образование.
3. Солиситоры консультируют клиентов по любым юридическим вопросам.
4. Только барристеры имеют право выступать в суде.
5. Судьи Высокого суда рассматривают серьезные преступления.
6. Мировые судьи назначаются лордом - канцлером.
7. Коронеры расследуют внезапную и неестественную смерть.

V. Write down sentences with the following idioms.

1. Overcome evil with good (Bible). Побеждай зло добром.
2. When in Rome, do as the Romans do. В чужой монастырь со своим уставом не ходят.