ENGLISH for Law Students in two parts
Part 1

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1999
Учебник английского языка для студентов-юристов в двух частях
Часть 1

Минск
БГУ
1999
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Васючкова О.И., Крюковская И.В. и др.
Учебник английского языка для студентов-юристов.
Учебное пособие для студентов юридического факультета: В 2 ч. Ч.1.

Настоящее пособие представляет собой тематически организованный учебно-методический комплекс по проблемам, представляющим интерес для студентов-правоведов: профессия юриста, история государства и права, конституционное право. Каждый тематический раздел состоит из аутентичных (ам. и брит.) монологических и диалогических текстов с заданиями для разных видов чтения и аудирования, грамматического блока, разработки по домашнему чтению, текстов для дополнительного чтения. Цель пособия — обучить студентов чтению, реферированию, пониманию на слух текстов по специальности и ведению дискуссии. Предназначено для студентов первого курса юридического факультета.
UNIT I

Agents of the Law

READING MATERIAL

Text A. “Legal Profession”

Task: read and translate the following text.

England is almost unique in having two different kinds of lawyers, with separate jobs in the legal system. This division of the legal profession is of long standing and each branch has its own characteristic functions as well as a separate governing body. The training and career structures for the two types of lawyers are quite separate.

The traditional picture of the English lawyer is that the solicitor is the general practitioner, confined mainly to the office. If a person has a legal problem he will go to a solicitor and seek his advice in a personal interview. There is no end to variety of matters which can appear on a solicitor’s desk. They deal with all the day-to-day work of preparing legal documents for buying and selling houses, making wills, writing legal letters, they do the legal work involved in conveyancing, probate, divorce. Solicitors work on court cases for their clients outside the court, they prepare a case for barristers to present in the higher courts and the barrister receives it in the form of a brief from which he plans his advocacy in the particular case. In a civil action solicitors have the right to speak in the lowest Courts when the case is one of divorce, recovering some debts, matrimonial matters, petty crimes.

Law Society\(^1\) is a governing body of solicitors. To qualify as a solicitor a young man joins a practising solicitor as a “clerk” and works for him whilst studying part time for the Law Society exams. When you have passed all the necessary exams, you may apply to the Law Society to be “admitted”, then you can start business on your own. It is not necessary for you to go to university.

In England, the decision is between becoming a barrister or a solicitor. Although solicitors and barristers work together on cases barristers specialise in representing clients in court. A barrister can only be consulted indirectly, through a solicitor. Thus they are not paid directly by clients, but are employed by solicitors. Most barristers are professional advocates but it is a mistake to regard a barrister entirely as an advocate. A barrister must be capable of prosecuting in a criminal case one day, and defending an accused person the next.

Barristers are experts in the interpretation of the Law. They advise on really difficult legal matters (this is known as “taking counsel’s opinion”). So barristers spend a lot of time at paper work apart from their actual appearances in court where they wear wigs and gowns in keeping with the extreme formalities of the proceedings.
Judges are usually chosen from the most senior barristers, and once appointed they cannot continue to practise as barristers.

The highest level of barristers have the title QC (Queen’s Counsel)\(^2\). The status is bestowed on about 30 counsellors a year by the Queen on the advice of the Lord Chancellor. Before a junior counsel can hope to achieve the status he must be able to point to at least 10 years successful practice as a barrister. The QC is expected to appear only in the most important cases.

A would be barrister must first register as a student member of one of the four Inns of Court\(^3\): Gray’s Inn, Lincoln’s Inn, Inner Temple or Middle Temple. A student must pass a group of examinations to obtain a Law degree and then proceed to a vocational course, highly practical in nature, the passing of which will result in his being called to the Bar\(^5\).

A lot of work in English solicitor’s offices is undertaken by managing clerks, now called “legal executives”\(^6\), who are a third type of lawyers. They have their own professional and examining body – “The Institute of Legal Executives”.

Taking the legal profession as a whole, there is one practicing lawyer per 1200 people. This compares with about one lawyer per 600 in the USA. There are about 5,000 barristers and 50,000 solicitors, a number which is rapidly increasing, and they make up by far the largest branch of the legal profession in England and Wales.

Many people believe the distinction between barristers and solicitors should be eliminated in England. The government is considering various proposals, but there are arguments for maintaining, as well as removing, the division.

Notes:

1. Law Society – Общество юристов (профессиональный союз солиситоров)
2. Queen’s Counsel – королевский адвокат (высшее адвокатское звание)
3. Inns of Court – “Судебные инны” (четыре корпорации барристеров в Лондоне; пользуются исключительным правом приема в адвокатуру; в школах при этих корпорациях готовят барристеров; существуют с XIX в.)
4. Gray’s Inn – “Грейз Инн” (самый новый из “судебных иннов”, назван по имени первого владельца здания).
   Lincoln’s Inn – “Инн Линкольна” (готовит преимущественно барристеров Канцлерского отделения высокого суда правосудия; назван по имени первого владельца здания).
   Inner Temple – “Внутренний темпл” (самый старый из судебных типов.)
   Middle Temple – “Средний темпл”
5. “to be called to the Bar” – быть принятым в коллегию адвокатов
6. “legal executives” – законные исполнители (персонал, нанимаемый солиситорами, клерки)
Word Study

Ex. 1.  a) Read the international words and guess their meaning. Mind the stress.

'legal       'system       pro'fession       ,character'istic
'type        'function    so'licitor       ,speciali'zation
'form        'problem     ca'reer           ,proble'matic
'plan        'action      ex'treme
'clerk       'practice    spe'cific
'office      'advocate    prac'titioner
'status      'business    tra'ditional
'expert      'structure   for'malities
'client      'barrister   pro'cedure
'document    'argument

b) Pronounce correctly the following proper names:

Law Society  [lA: sÃ¡sÃ¡ti]  Lincoln’s Inn  [lÃŒkÃ¡lnz 'in]
Queen’s Counsel  ['kwÃ­nz 'kÃ¡unsÃ¡l]  Inner Temple  ['inÃ­ 'tempI]
Inns of Court  ['ins Ã­v 'kÃ¡:t]  Middle Temple  ['midI 'tempI]
Gray’s Inn  ['greiz 'in]

Ex. 2.  Complete the list of derivatives. Use a dictionary if necessary.

<table>
<thead>
<tr>
<th>Verb</th>
<th>noun (agent)</th>
<th>noun (concept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>to train</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to practise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>to advocate</td>
<td></td>
<td></td>
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<tr>
<td>to specialize</td>
<td></td>
<td></td>
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<tr>
<td>to convey</td>
<td></td>
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<tr>
<td>to apply</td>
<td></td>
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<tr>
<td>to accuse</td>
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<tr>
<td>to interpret</td>
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<tr>
<td>to prosecute</td>
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<td>prosecutor</td>
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<tr>
<td></td>
<td></td>
<td>prosecution</td>
</tr>
</tbody>
</table>

Ex. 3.  Pair the words in column  B with the ones from column  A.

A.    senior   vocational   law
      accused   extreme

B.    barrister   degree   course
      documents   exam
professional advocate
necessary matters
civil advice
day-to-day structure
variety (of) action
personal person
general interview
career formalities
legal practitioner

**Ex. 4.** Decide which verbs you would use with the noun phrases you have identified in **Ex. 3**.

to seek; to separate; to be; to have; to deal with; to prepare; to plan; to pass; to appoint; to defend; to obtain; to proceed.

**Ex. 5.** Add nouns to the following adjectives to form noun phrases.

legal; general; criminal; civil; matrimonial; petty; junior; vocational; senior; successful; important.

**Ex. 6.** How are the following ideas expressed in the text?

1. a lawyer who has the right of speaking and arguing in the higher courts of law;
2. a kind of lawyer who gives advice, appears in lower courts;
3. allowed or made by law;
4. a room or building in which law cases can be heard and judged;
5. questions to be decided in a court of law;
6. a rule that is supported by the power of government and that governs the behaviour of members of a society;
7. a person whose business is to advise people about laws and to represent them in court;
8. a person who speaks in defence of or in favour of another person;
9. a lawyer who prepares an official paper by which the right to ownership of one’s property is given by one person to another;
10. a person who pays a professional person for help and advice;
11. a public official who has the power to decide questions brought before a court of law.

**Ex. 7.** Match English and Russian equivalents.

1. matrimonial matters; a) быть профессиональным адвокатом;
2. petty crimes; b) защищать обвиняемого;
3. recovery of debts; c) незначительные преступления;
Ex. 8. Choose the best alternative to complete the following sentences.

1. England is almost unique / ordinary in having two / three different kinds of lawyers, with separate / the same jobs in the legal system.
2. Solicitors / managing clerks prepare a case for a barrister / a judge.
3. In a civil / criminal action solicitors have the right to speak in the lowest / highest courts.
4. Law Society / the Bar is a governing body of solicitors.
5. It is a mistake to regard / to point a barrister entirely as an advocate / prosecutor.
6. Barristers are experts in the interpretation / examining of the Law.
7. Judges are usually chosen / appointed from the most senior / junior barristers.
8. The Queen’s Counsel / the Lord Chancellor is expected to appear only in the most important / trivial cases.
9. A number of lawyers is rapidly increasing / cutting down in England and Wales.
10. A lot of work in solicitors’ / barristers’ offices is undertaken by legal executives / students.

Ex. 9. Complete the following sentences by adding the phrases given in part B.

Part A

1. England is almost unique ..... 
2. Each branch of legal profession has ..... 
3. A general practitioner, confined mainly to the office ...
4. The solicitors deal with preparing ..... 
5. The solicitor has the right to speak in the Lowest Courts when .... 
6. The barrister plans his advocacy .....
7. A young man joins a practicing solicitor as a clerk ..... 
8. When you have passed all the necessary exams and you are admitted to the Law Society ..... 
9. Barristers specialize ..... 
10. A barrister must be capable ..... 
11. Barristers are ..... 
12. Judges are chosen ..... 
13. When the student obtains a law degree and passes highly practical in nature vocational course ..... 
14. Clerks who undertake a lot of work in English solicitor’s offices ..... 

**Part B**

a) the case is one of divorce, recovery some debts, petty crimes. 
b) to qualify as a solicitor. 
c) its own characteristic functions and a separate governing body. 
d) in the form of a brief prepared by a solicitor. 
e) is the solicitor. 
f) in having two different kinds of lawyers. 
g) legal documents for the clients. 
h) you can start business on your own. 
i) in representing clients in court. 
j) of prosecuting in a criminal case one day and defending an accused person the next. 
k) experts in the interpretation of the Law. 
l) from the most senior barristers. 
m) he may be called to the Bar. 
n) are a third type of lawyers called “legal executives”.

**Discussion**

**Ex. 1.** Choose the best way to complete the sentences.

1. England has two different kinds of lawyers: ..... 
   a) solicitors and barristers  
   b) barristers and legal executives  
   c) solicitors and judges 

2. Solicitors work on court cases of clients ..... 
   a) in the court 
   b) outside the court 
   c) at home
3. ..... is a governing body of solicitors.
   a) the Bar
   b) the Highest Court
   c) Law Society

4. The highest level barristers have the title of ..... 
   a) Queen’s Counsel
   b) Queen’s Advocate
   c) Senior Barrister

5. The status to the barrister is bestowed by the Queen on the advice of ..... 
   a) the Lord Chancellor
   b) Prime Minister
   c) the Attorney-General

6. A would be barrister must first be registered ..... 
   a) as a member of Law Society
   b) as a student member of one of the four Inns of Court
   c) as a member of the Bar

7. Many people believe the distinction between barristers and solicitors ..... 
   a) should be adopted
   b) should be eliminated
   c) should be kept

Ex. 2. Mark the statements which are true.

1. The division of the legal profession is of long standing and each branch has its own characteristic functions.
2. The training and career structures for the two types of lawyers are quite the same.
4. A barrister can only be consulted indirectly through a solicitor.
5. Barristers are paid directly by the clients.
6. A barrister is regarded to be an advocate.
7. In court, barristers wear wigs and gowns in keeping with the extreme formalities of the proceedings.
8. Judges are chosen from the most senior barristers and they can continue to practise as barristers.
9. Before a junior counsel can achieve the status of QC he must be able to point to at least 10 year’s successful practice as a barrister.
The government doesn’t consider it necessary to eliminate the distinction between barristers and solicitors.

Ex. 3. Choose someone to act as a guide and answer the visitors’ questions.

What is (are) having two different kinds of lawyers
variety of matters on solicitors’ desks
What do you mean by work on court cases of clients outside the court
the right to speak in the Lowest Courts
Law Society
Could you explain to me when I can start business on my own
experts in the interpretation of the law
Can you tell me about the status of Queen’s Counsel
(who, what) being called to the Bar
the distinction between barristers and solicitors
training and career structures for the two types of lawyers

Ex. 4. Speak on the legal profession in Great Britain.

1. General characteristics: two kinds of lawyers; separate jobs; governing body; training structure; one practicing lawyer per 1200 people; to compare with the USA; to increase rapidly; to make up.

2. Solicitor: to seek legal advice; variety of matters; to deal with legal documents; to buy and sell houses; to make a will; to write legal letters; conveyancing; probate; divorce; to work on court cases; to prepare a case for a barrister; to speak in the lowest courts; to recover some debts; matrimonial matters; petty crimes.

3. Barrister: an expert in the interpretation of the law; to specialize in representing clients in court; to be consulted indirectly through a solicitor; to be employed by a solicitor; to be a professional advocate; to advise on really difficult legal matters; to spend a lot of time at paper work; to wear wigs and gowns; to have the title of Queen’s Counsel.

4. Judge: to choose from; senior barristers; to continue to practise as a barrister.

5. “Legal executives”: solicitor’s offices; to undertake; managing clerks; to be a third type of lawyers; to have a professional and examining body.

Text B. “Judges”

Task: read the text and get ready to discuss its main points.

The judge is the presiding officer of the court. The statutory basis for the appointment of judges dates from the Act of Settlement 1700.
Judges themselves are not a separate profession: they are barristers who have demonstrated competence in litigation and have been elevated to the bench\(^2\), itself a name derived from the part of the Court where they sit. A barrister always enters the judiciary at the lower trial level. He is thereafter promoted, if he proves successful in the initial judicial post.

The traditional function of judges is to apply existing rules of law to the case before them. The judge decides the interpretation of the law. After all the evidence has been given the judge summarizes the case, both law and facts, for the jury. This is called his summing up.

Judges are capable of “making law” both through the interpretation of statutes and the doctrine of precedent. When an Act of Parliament makes no provision for the case in question and there is no existing precedent, the judge must, if necessity, create a new law.

Judges are not under the control of Parliament, or the Civil Service. The independence of the judiciary is a fundamental principle of constitutional law. Closely related to judicial independence is the doctrine of judicial immunity.

The professional judges, “High Court Judges”, deal with the most serious crimes. They are paid salaries by the state. Alongside with the professional judges there are unpaid judges. They are called “Magistrates” or “Justices of the Peace” (JPs)\(^3\). They are ordinary citizens who are selected not because they have any legal training but because they have sound “common sense”\(^4\) and understanding of their fellow human beings.

Magistrates are selected by special committees in every town and district. Nobody, even the Magistrates themselves, knows who is on the special committee in their area. The committee tries to draw Magistrates from different professions and social classes.

The work of the Magistrates’ Courts\(^5\) throughout the country depends on the unpaid services of JPs.

Notes:
1. Act of Settlement – акт о престолонаследии
2. be elevated to the bench – возвысить до положения судьи
4. “sound common sense” – (эд.) чувство здравого смысла
5. Magistrates’ Courts – суд магистратов, мировой суд (рассматривает дела о мелких преступлениях)

Ex. 1. Say if these statements are true or false.
1. The judge is the presiding officer of the court.
2. Judges themselves are a separate profession.
3. A barrister always enters the judiciary at the highest level.
4. The judge decides the interpretation of the law.
5. Judges are capable of “making law” through the doctrine of precedent.
6. Judges are under the control of Parliament.
7. Judicial independence is a fundamental principle of constitutional law.
8. Professional judges are paid salaries by the state.
9. Magistrates are also the professional judges but they deal with the less serious crimes.
10. Magistrates are selected by special committees in every town and district.

Ex. 2. Here are the answers to some questions on the text. What are the questions?

1. The Act of Settlement 1700.
2. They are barristers who have demonstrated competence in litigation.
3. If he proves successful in the initial judicial post.
4. The judge summarizes the case for the jury.
5. The judge must, if necessity, create a new law.
6. The doctrine of judicial immunity.
7. The professional judges.
8. Justices of the Peace.
9. The committee tries to draw Magistrates from different professions and social classes.
10. The unpaid services of JPs.

Ex. 3. Give microcontexts from the text to the following groups of derivatives:

a) judge, judicial, judiciary
b) summarize, summing up
c) immune, immunity
d) jury, jurisdiction

Ex. 4. Complete the following sentences:

1. The judge is ...
2. The statutory basic for the appointment of judges dates from ...
3. Judges are barristers who ...
4. The traditional function of judges is ...
5. Judge’s summing up is ...
6. Judges “make law” through ...
7. The fundamental principle of constitutional law is ...
8. Judicial immunity means ...
9. The professional judges deal with ...
10. Magistrates or Justices of the Peace are ...
11. JPs are selected by ...
**Ex. 5. Explain and expand on the following:**

1. Judges themselves are not a separate profession.
2. A barrister enters the judiciary at the lower trial level.
3. The judge decides the interpretation of the law.
4. Judges are capable of making laws.
5. Judges are not under the control of Parliament.
6. Alongside with the professional judges there are unpaid judges.
7. Magistrates are selected by special Committees.

**Ex. 6. Points for discussion:**

1. Entering the judiciary.
2. Functions of judges.
4. The appointment of Magistrates and their work.

**Text C. “Judges in the US”**

**Task:** read the text, get ready to compare judges in Great Britain and in the US.

Judges in the United States initially come to the bench from other lines of legal work and after years of professional experience. A person can enter the judicial system at any level. A lawyer can initially become a judge on the highest court, the lowest court, or any court in between.

All American judges have studied law and have been licensed to practise law. Many judges have been litigators, some have been office lawyers or counsels to organizations. Numerous judges have been lawyers in government service as prosecuting attorneys or counsel government agencies. Some judges are former law professors.

Lawyers become judges in the United States through four methods: (1) by nomination of the chief executive with confirmation by a legislative body, (2) by appointment of the chief executive from a short list of persons certified by an independent commission to be qualified for the position, (3) by popular election, and (4) by election in the legislature.

Terms of office range from four or six years to the term “for life”.

The concept of judicial independence means that in deciding cases judges are free from control by the executive and legislative branches of government as well as from control by the popular will of the moment.

A federal magistrate judge is a full-time judicial office, although in some courts it is filled on a part-time basis. Unlike federal judges, they are appointed by the court, and they hold office for eight years, with the possibility of reappointment.
Federal magistrate judges perform two kinds of functions. First, they hold hearings on a variety of motions, such as motions seeking to control lawyers’ conduct of discovery in civil cases. Second, they are authorized to conduct trials in civil cases and in criminal misdemeanor cases if the parties consent. In other words, the parties can choose to go to trial before a magistrate judge instead of a district judge. If so, the magistrate judge is empowered to decide the case and enter final judgement in the name of the district court.

**Ex. 1.** *Comparing the information of Texts B and C:*

1. Name the differences in: a) entering the judiciary; b) nomination of judges; c) magistrates’ work.
2. Name the common features of British and American judges.
3. Give the advantages and disadvantages of the US and British judicial systems.
4. Compare these two judicial systems with that of your country.

**Text D.**

“Fusion of the Legal Profession”

**Task:** read the text and write down possible steps to fusion of the legal profession.

The division of the legal profession into two branches has been a topic of much discussion in recent years. The Royal Commission established in 1976 to investigate every aspect of legal services considered it in length, eventually concluding (as generally expected) in favour of maintaining the status quo.

A number of reforms have been suggested, for example solicitors could be given a full right of audience in all courts, all barristers could be permitted to form partnerships with solicitors. Alternatively all lawyers could have a common training and qualify in the same way and then practise as they please. One class of lawyers would exist, some would be specialists and other general practitioners. Those who want to specialize in advocacy – the branch of the profession in which barristers have traditionally been preeminent – would have to pass specialist examinations before becoming barristers. Each lawyer could adjust his own practice to the needs of his clients, and his own preferences. The decisions as to which lawyers to use, and in what combinations could then be taken by the client in his own best interests.

Cutting out one tier of lawyers could lead to cheaper law, it has been argued. Since the passing of the COURTS AND LEGAL SERVICES ACT\(^1\) 1990 it is clear that no unification of the profession is likely to take place in the foreseeable future. Only radical reform of the legal profession can bring crucial changes.

**Note:**

1. Courts and Legal Services Act – Акт о судах и предоставлении законных услуг
Ex. 1. *Points for discussion.*

1. Prove that hardly any changes in the legal profession are likely to take place in the foreseeable future.
2. Give your arguments for and against the fusion of the legal profession.
3. Suggest the most appropriate model of the legal profession.

Text E. “*US Attorneys*”

**Task:** *fill in suitable adjectives from the box*

<table>
<thead>
<tr>
<th>federal</th>
<th>judicial</th>
<th>powerful</th>
</tr>
</thead>
<tbody>
<tr>
<td>faithful</td>
<td>political</td>
<td>considerable</td>
</tr>
</tbody>
</table>

The Justice Department is responsible for _______ execution of the laws under the president’s authority. The main administrators of _______ law enforcement are the ninety four US attorneys, appointed by the president on the advice and consent of the Senate. Unlike federal judges, they are _______ appointees who serve at the pleasure of the president and are expected to relinquish their positions with the government changes.

There is a US attorney in each federal _______ district. US attorneys have _______ discretion, which makes them _______ political figures in the community. Their decision to prosecute or not affects the wealth, freedom, right, and reputation of individuals and organizations in the district.

**REVISION TRANSLATION**

**Task:** *translate into English.*

<table>
<thead>
<tr>
<th>“Professional conduct”</th>
<th>an officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Правил профессионального поведения”</td>
<td>advisor</td>
</tr>
</tbody>
</table>
законом правах и обязанностях и о том, как они реализуются на практике. Как защитник интересов клиента, адвокат активно отстаивает позицию клиента в соответствии с правилами состязательной системы. Как лицо, ведущее переговоры, адвокат стремится к достижению благоприятного для клиента результата, соблюдая при этом правила честного ведения дел. Действуя в качестве посредника между клиентами, адвокат стремится примирить их противоположные интересы. Адвокат дает всестороннюю оценку, изучая юридические дела клиента и информируя о них клиента или других лиц.

Поведение адвоката должно соответствовать требованиям закона как при оказании им юридических услуг клиентам и осуществлении своей профессиональной деятельности, так и в личной жизни. Адвокат должен использовать установленные законом процедуры только в законных целях, а не для того, чтобы обесконоить или запугать других.

Как официальное лицо адвокат должен добиваться улучшения законов, отправления правосудия и качества юридических услуг. Как представитель профессии юриста адвокат должен расширять свои познания в области права, применять эти знания для усовершенствования законов и добиваться улучшения юридического образования.
Dialogue 1 "Starting a Law Practice"

**Task:** read the dialogue and reproduce it a) abridged  b) in the form of a monologue.

Robert Backer, a law student, and Dr. Michael Gordon, an experienced lawyer, are discussing some problems of starting a law practice.

**Robert Backer:** — Dr. Gordon, this year I’m graduating from law school. I’m thinking of opening up my own practice. What are, to your mind, the pros and cons\(^1\) of private practice?

**Dr. Gordon:** — They are numerous. For me the most important is the fact that as my own boss I have greater (not absolute) freedom to turn down cases and clients when I disagree morally with the legal principles espoused by the clients.

**Robert Backer:** — What about the risks of failure?

**Dr. Gordon:** — You see, nothing in life is guaranteed except death. There is a substantial risk of failure in opening up your own law practice, especially if you are a new lawyer. But the risks are justified by the rewards.

**Robert Backer:** — And when did you start your own practice?

**Dr. Gordon:** — To satisfy your curiosity, I opened my own doors right out of law school. I faced a lot of difficulties I should say. One of them was getting an office.

**Robert Backer:** — As far as I know, some lawyers work at home.

**Dr. Gordon:** — If you have a choice, don’t work at home. My principal objections remain to the client -advocate relationships. How will a client react if, for example, children, a spouse or a pet walk into a conference? Or a client hears family argument or children fighting? If you can’t get an office use the attorney conference room in the local courtroom or meet the client at his or her place of business.

**Robert Backer:** — Which do you consider preferable for a new lawyer: partnership or a sole practice?

**Dr. Gordon:** — Both sole (or solo) practice and partnership can have some economic and psychological advantages as well as disadvantages. I would recommend you a shared office arrangement. In this way you can remain a sole practitioner, but the proximity of other lawyers will give you the second opinion if you need it. Besides, the costs will be several times less.

**Robert Backer:** — Suppose, a new lawyer selects an office that will fit the needs of the practice and equips it with everything necessary. Then the question arises: how to get clients?
Dr. Gordon: — It’s a fact of life that many, if not most of a new lawyer’s clients will be friends and relatives. Second, try to get an office in the area where there will be a need for you. You shouldn’t also forget about announcing your services in yellow pages or neighborhood newspaper.

Robert Backer: — Dr. Gordon, thank you very much for your valuable suggestions and advice.

Dr. Gordon: — Begin. The rest is easy!

Notes: 1. pros and cons — за и против

Useful vocabulary: pros and cons, private, numerous, to turn down, to justify, reward, an objection, a spouse, sole (solo), a shared office arrangement, proximity, to fit one’s needs, to arise.

Ex. 1. Do the translation making further use of it in your retelling:

1. Каковы достоинства и недостатки (“за” и “против”) частной практики? 2. У вас больше свободы отказаться от каких-либо дел. 3. Существует огромный риск потерпеть неудачу. 4. Я столкнулся с множеством трудностей. 5. Я бы посоветовал вам снять помещение совместно с другой фирмой. 6. Вам можно будет узнать чье-то еще мнение. 7. Он оборудует помещение всем необходимым. 8. Как найти клиентов? 9. Это - факт из повседневной жизни.

Dialogue 2 "Getting Legal Education"

Task: study the dialogue between a student of Law from Great Britain and a student of Belarusian State University, Law Faculty.

Jack: - Where can one get legal education in this country?

Ann: - You see it’s available at the state University as well as a number of private we call them ‘commercial’ institutions, but...

J.: - State means free I reckon.

A.: - Not quite. In fact they provide both free and paid education. But the state-owned University has a better choice as the number of applicants at the entrance exams is several times greater than they can enroll.

Джек: - Где в вашей стране можно получить юридическое образование?

Анна: - В государственном университете, а также в ряде частных - мы их называем коммерческими, но ...

- Государственный значит бесплатный, я думаю.
- Не совсем так. Вообще обучение бывает платным и бесплатным. Но у государственного университета имеется больший выбор, так как количество абитуриентов в несколько раз больше, чем они могут зачислить.
J.: - You mean it enjoys reputation. I hear the subjects your students take are all obligatory.

A.: - There are some optional courses too. And of course traditional law courses are offered. Well, and in the third year students are to select their specialization.

J.: - I think to make a good lawyer one requires some apprenticeship. I mean one must be present at the trials, questioning. Then it’s important to watch some preliminary investigation, drawing up documents, then preparations for the case hearing. Well, and all that stuff.

A.: - Of course apprenticeship is included into the curriculum. Students can have it in administrative agencies, then in the district procurator’s office and in the courts.

J.: - Where can they work upon getting qualification?

A.: - The range of work is great. One can find a job in a law firm. In fact any agency, enterprise or company engage a lawyer or have a law department. And then one can work as an investigator or procurator or notary.

J.: - And can one work as a judge just out of law school?

A.: - Some years of experience are required in this case.

- Ты хочешь сказать, что он пользуется хорошей репутацией. Я слышал, у вас все предметы обязательны.
- Есть также несколько факультативов. И конечно же предлагаются традиционные курсы права. Ну и на 3-м курсе студенты должны выбрать специализацию.
- Мне кажется, чтобы стать хорошим юристом нужна некоторая практика. Я хочу сказать, что необходимо присутствовать на судебных процессах. Потом важно понаблюдать предварительное расследование, как составлять документы, затем подготовку к слушанию дела. Ну, и все такое.
- Конечно, практика включена в программу. Студенты могут проходить ее в государственных учреждениях, затем в прокуратурах и судах.
- Где они могут работать по получению диплома?
- Сфера работы огромна. Можно найти работу в какой-нибудь юридической фирме. Вообще любое агентство, предприятие, компания нанимают юриста или имеют юридический отдел. И потом ... можно работать следователем, прокурором, нотариусом.
- А можно ли работать судьей сразу после окончания учебы?
- В этом случае необходимы несколько лет практики.

Ex. 1. Find English equivalents:

а также, государственный значит бесплатный, вообще-то, абитуриенты, в несколько раз больше чем, зачислить, пользоваться хорошей репутацией, факультативы, курс права, выбрать специализацию, стать хорошим юристом,
Ex. 2. Insert the derivatives from the box:


1. Did you have to do any ________ action of your own during your practice?
2. ______ industrial courts deal with disputes over contracts on employment matters.
3. The advocate ________ the judge’s opinion as erroneous.
4. Your will is not valid unless it is _________.
5. He was disclaimed his ________ because he violated some moral rules.
6. What branch of law do you ________ in?
7. Your case will be tried by a ________ judge.
8. The Law Society ________ complaints’ against lawyers by their clients.
9. Only ________ lawyers can work in the Procurator’s office.
10. A ________ has the authority to witness signing of legal documents.
11. The ________ carefully examined the scene.
12. In the US there are a limited number of ________ offices established by law.

Ex. 3. Sum up the information you have learnt from the dialogue. Use the following list of words and word combinations.

to get legal education, to be available, as well as, free education, to provide, to have a better choice, an applicant, to enroll, to enjoy reputation, optional, traditional law courses, to make a good lawyer, apprenticeship, preliminary investigation, to draw up a document, curriculum, range of work, to engage, years of experience.

LISTENING COMPREHENSION

Text “A solicitor’s work”

Part A. Pre-listening activities:

I. Make sure that you know the following words phrases:

to have a certain founding in law = to have some knowledge in law

to be prone to do something = to be likely to do something

to be down the league in terms of income = to be particularly not wealthy as a solicitor
to be self-employed = to do business for oneself
to be worthwhile bearing in mind = it should be remembered

II. Before listening you should try not to forget about the following:

In England and Wales, before you can take the professional examinations to become a solicitor, you have to be one of the following:
a) a non-law graduate with a degree in any other subject
b) a non-law graduate with practical experience in a law firm
The professional examinations are run by the Law Society

III. Before listening answer the questions:

1. What is a solicitor?
2. Which of these professions do you think has the lowest pay: solicitors, doctors, surveyors, accountants?

Part B. Listening activities

I. As you listen to the tape, make brief notes to help you answer the following questions:

1. When did the speaker leave University?
2. Which of the following are true now, was true when the speaker left University, or both?
   a) Non-law graduates must have legal training
   b) Big law firms pay for legal training
   c) Local authorities pay for legal training
   d) The examination is called Part One
   e) It is called The Common Professional Examination
3. In the speaker’s opinion, which of the professions: solicitors, doctors, dentists, accountants has the lowest pay?
4. Why does the speaker think so?
5. What did one of his clients do with a letter he received at 4.30 p.m.?
6. Why is Monday morning particularly busy?

II. Listen to the tape recording once more and fill in the gaps:

1. Well, I graduated from University over _____ and _____ different then.
2. For example the large London firms will actually pay _______ to take what is now called _______, it was called _______ in my day.
3. Solicitors are some way _______ in terms of income.
4. The clients can only afford to pay _____ will stan
5. And it’s not uncommon for the phone _______ on a Monday morning
6. And if fifty people do that all at the same time, life _____

**Part C.**

_After listening_

I. _Discuss in pairs_

1. What evidence is there in the tape, solicitors are overworked and unpaid?
2. What do you think the clients’ view would be?

II. _Writing task_

_Use the notes you made on the interview to write a short paragraph on the work of a solicitor in England._

**A solicitor’s work (tapescript)**

I, well I graduated from university over twenty years ago and the Law Society’s examinations were different then. But what has stayed the same is that non-law graduates have to have a certain founding in law before they can qualify, before they can take the final examination which law graduates take. And that has not changed.

One thing that has changed over the years is that local authorities are less prone to finance it now than was the case then. And for example the large London firms will actually pay non-law graduates to take what is now called the Common Professional Examination. It was called Part One in my day, but there is still a significant number of non-law graduates coming into the profession, and that will continue to be the case.

By comparison with other professional people in England and Wales, solicitors are some way down the league in terms of income. I think that for example dentists, doctors and surveyors, are all significantly better off, and accountants too in the recent survey which I didn't read personally, but I heard this on the grapevine.

I think the pro . . . is, one of the things you’ve got to remember about this is that a very large number of solicitors in England and Wales are in small firms and are self-employed. Their clients are not particularly wealthy people and one has to look at it in the context that the clients can only afford to pay what their pockets will stand. And therefore no matter how well-qualified or expert the professional person is, if his
paymaster isn’t a large multinational corporation, he can’t charge the earth, because the client can't afford to pay it. I think that's worthwhile bearing in mind.

... there was a client of the firm who lived within walking distance, and so when the post was taken out to be dropped into the box at something like. I don't know, say 4.30 in the afternoon, when the first lot of post went, there was a letter by hand to this particular chap, and it, would be dropped in at his shop near to the postbox, and before the girl who had dropped it off could be back at the office, he'd not only opened the envelope and read it but then phoned the chap who'd written it to discuss it with him, all literally within a minute or so of receiving the letter.

And it's not uncommon for the phone to go potty on a Monday morning simply because people have received letters and have thought about it over the weekend and as soon as 9.00 or 9.30 arrives they're on the phone because they feel that it's their privilege to talk about it first thing in the week. And if fifty people do that all at the same time, life isn't too much fun, first thing on a Monday morning, so, I don't know, one can smile about it, but it's not good for the indigestion ...

**Dialogue "Radio Phone-In"**

**Part A. Before you listen.**

1. Read the letters from a weekly magazine below. Try to understand them in details.

**The legal problem page**

‘The Law and You’

**A** The other weekend I bought a jacket for my son in a sale. When I got home he said it was too small and refused to wear it so I went back the next day and asked them to exchange it for a larger size. Unfortunately they didn’t have a larger size and when I asked for my money back they refused, saying that no refunds were given on sales goods. Are they within their rights to do this?

refuse [ r i 'fjuːz ] — отказать, отказываться

refund [r i 'fʌnd ] — возврат вложенных денег, возмещение расходов.

**B** Myself and two friends have been renting a house near the college we go to for the last two years. The landlord has now decided he wants us to leave and has more or less said that we have to be out within the next two weeks. We have nowhere else to go
and with exams coming up shortly we would rather stay where we are. Friends of ours are saying he can’t get us out unless we have signed a contract agreeing to go. Is this right?

to rent a house — снимать квартиру, дом
landlord — владелец дома или квартиры, сдаваемых внаем.
shortly — вскоре

C I have been living in what used to be a very quiet area for about a year now but in the last few months it has changed completely — if I had known this would happen I would never have bought my house. Opposite me there is now a fish and chip shop which fries day and night except for Sunday — the smell is disgusting and so are all the empty paper bags all over the street. It doesn’t close until after midnight so every night there are people shouting, radios blaring, car doors slamming — I never seem to get a night’s sleep these days and it’s beginning to affect my work. Is there anything I can do?

a fish and chip shop — зд. магазин, торгующий рыбой с жареным картофелем.
empty paper bags — пустые бумажные пакеты
radios blaring — зд. рев радиоприемников
car doors slamming — хлопанье дверьми автомобилей
to affect smb’s work — зд. отрицательно влиять на чью-либо работу

2. Look at the letters above once more. What do you think the answers will be? Discuss your answers in groups.

A. a) They must give you your money back, or a credit note.
   b) They are not obliged to do anything.

B. a) He can get you out if he needs the house back for his family.
   b) You friends are right.

C. a) There is nothing you can do except move.
   b) If the disturbance happens regularly you can ask a solicitor to write them.
3. *Learn the following words and phrases:*

- **radio phone-in** — радиопередача “Ответы специалистов на вопросы радиослушателей по телефону”
- **a resident solicitor** — зд. местный адвокат, юрисконсультант
- **to give smb the benefit of one’s advice** — зд. поделиться с кем-либо своими профессиональными знаниями, опытом; посоветовать
- **caller** — зд. тот, кто звонит по телефону
- **tenant** — (временный) владелец, арендатор, квартирант
- **to pay rent** — платить за квартиру
- **provide** — зд. обеспечивать
- **linen** — зд. белье
- **to keep phoning up** — продолжать звонить
- **to keep on at a person** — разговаривать беспрестанно; бранить кого-либо
- **to get smb down** — зд. (разговором) выводить из себя
- **Well, a couple of things there** — И еще пара вопросов есть
- **to keep pestering** — продолжать надоедать, докучать
- **a court order for possession** — судебный приказ о владении имуществом
- **to sue smb for harassment** — возбудить против кого-либо дело за постоянное беспокойство, тревогу
- **to regain** — зд. получить обратно
- **to assume** — зд. предполагать
- **the whole issue** — зд. предмет обсуждения
- **to be protected by Legal Aid** — быть защищенным специальным законом о правах студентов
- **to be obliged** — быть обязанным
- **sales items** — зд. товары, находящиеся в продаже
- **a receipt** — чек
- **a purchase** — покупка
- **bad customer relations** — плохие отношения с покупателем, клиентом
Part B. \hspace{1cm} \textit{Listening activities}

1) Listen to a legal expert, Charles Andrews, talking and match the caller with his or her letter. Put a circle round the appropriate letter below.

First caller: \hspace{1cm} A \hspace{2mm} B \hspace{2mm} C

Second caller: \hspace{1cm} A \hspace{2mm} B \hspace{2mm} C

2) Complete the following summaries, using the words listed below each summary.

a) Shops are not legally $1$ \text{__________} to give you your money back or $2$ \text{__________} goods if the items are bought in a $3$ \text{__________} although most big stores would probably give you a $4$ \text{__________} \hspace{2mm} \text{__________} if you had a $5$ \text{__________}.

\begin{tabular}{|c|c|c|}
\hline
receipt & sale & credit note \tabularnewline
\hline
obliged & exchange \tabularnewline
\hline
\end{tabular}

b) Stephen has not $1$ \text{__________} an agreement but he pays $2$ \text{__________} monthly. The $3$ \text{__________} does not live in the house and $4$ \text{__________} no services. He has to write formally asking them to leave - at least a $5$ \text{__________} in advance. Unless he wants the house for himself or $6$ \text{__________} \hspace{2mm} \text{__________} , Stephen is probably a protected $7$ \text{__________}.

\begin{tabular}{|c|c|c|c|c|}
\hline
month & rent & provides & landlord & tenant \tabularnewline
\hline
his family & signed \tabularnewline
\hline
\end{tabular}

Radio Phone-In (tapescript).

\textbf{Announcer}: Good morning. This is Nick Swift on Radio Sussex with our usual Wednesday morning phone-in. This morning the topic is you and the law, and with us in the studio is our resident solicitor, Mr Charles Andrews.

\textbf{Charles}: \hspace{1cm} Good morning.

\textbf{Announcer}: Mr Andrews has been looking at some of the letters sent in by our listeners and is now ready to give us the benefit of his professional advice. And the first caller, waiting expectantly on the line is Mr Stephen Lawson from West Denham. Stephen, can you hear me?

\textbf{Stephen}: \hspace{1cm} Yes, yes I can. Good morning, Mr Andrews.
Charles:  Good morning, Mr Lawson. Yes, your problem is a very common one, I'm afraid and in order to decide whether you're a protected tenant or not, legally, I mean, I'd like to ask you a few questions.

Stephen:  Yeah, yeah, of course.

Charles:  Now firstly, what kind of agreement do you have, if you don't mind my asking?

Stephen:  Well, we haven't signed anything, if that's what you mean - er, we've got a rent book and we pay rent every month.

Charles:  Ah, you do have a rent book, and you pay every month. Does the landlord live on the premises?

Stephen:  No, no, in fact we hardly ever see him, he lives in another part of the country.

Charles:  So he doesn't provide any services for you - by that I mean, breakfast, linen, that kind of thing?

Stephen:  (laughing) No, nothing like that — unfortunately.

Charles:  Ah, well, actually it is better for you that he doesn't. Now he's written to you formally asking you to leave, I take it?

Stephen:  No, no, he just keeps phoning up and keeping on at us - it's really getting us down.

Charles:  Yes, quite so. Well a couple of things there. Firstly, he must inform you in writing, or else it's not legal. And after that, since you pay monthly he's got to give you a month before you leave anyway. Now secondly, he's not allowed to keep pestering you like this until he has got a court order for possession — you could sue him for harassment.

Stephen:  Oh, I see, that's interesting to know.

Charles:  Now do you happen to know his reasons for wanting to regain possession of the house?

Stephen:  No, we assumed he wanted to sell or something, but ... 

Charles:  Yes, because if he needs it for himself or a member of his family then I'm afraid you've got problems. Otherwise it seems to me that you've probably got a pretty good chance of staying put, at least for a year or so.

Stephen:  That would be wonderful, because we leave college then, anyway.

Charles:  But er, I have to say that this whole issue is so complex that you'd be better off going and speaking to a solicitor in more detail. We haven't got time in this phone call to cover everything, I'm afraid.

Stephen:  OK, well, thanks very much.
Charles: And remember if you're a student you are protected by Legal Aid, which means you don't have to pay the fees yourself.

Stephen: Great! Thanks again.

Announcer: I'm sure Stephen is much more optimistic already. Next on the line is Mrs Mary Peters from Townley and she has a problem with a jacket she wants to return to the shop.

Mary: Hello.

Charles: Hello Mrs Peters. Yes, I think your case may be a little more simple. The main question is, was there anything wrong with the jacket at all, was it faulty in any way?

Mary: No, it was just too small — it was my mistake.

Charles: All yes, because in that case I'm afraid they're right, they are not legally obliged to give you your money back or even exchange on sales items. However, if the goods are faulty in any way then they must, sale or no sale.

Mary: So there's nothing I can do?

Charles: I'm afraid not Mrs Peters. Actually, I think you were unfortunate. Most big department stores would at least have given you a credit note as long as you had a receipt and had returned the item fairly soon after the purchase. It's not worth having bad customer relations, you see.

Mary: No, this was quite a small shop. Oh well, not to worry. Thanks anyway for your time — I'll know next time, won't I?

Charles: Yes, you certainly will.

GRAMMAR SECTION

Grammar to be revised:  **English Tenses (Active Voice)**

**Ex. 1.** *Put the verbs into the correct form:*

**Alan:** Hello, Brian. I haven’t seen you for ages. What _____ (you / to do) at present?

**Brian:** I __________ (to lecture) for continuing legal education and bar association.

**Alan:** Really? _______ (you / to enjoy) it?

**Brian:** Yes, it’s quite interesting. How about you?

**Alan:** I am very busy now. I ______ (to prepare) the documents on a very difficult case.

**Brian:** _____ (you / to do) it alone?

**Alan:** No, two managing clerks _____ (to help) me.
Ex. 2. **Put the verbs in brackets into the Present Continuous or the Present Simple:**

1. A solicitor (to deal) with matters outside the court.
2. The Law Society (to regulate) the conduct of solicitors in England.
3. What kind of law you (to practise)?
4. — What the attorney (to do) at present?
   — He (to study) the particulars of the case.
5. I (not to believe) your evidence! You (to lie)!
6. Legal service costs (to increase) permanently due to inflation.
7. Attorney rarely (to discuss) with their clients the possibility of losing the case.

Ex. 3. **This is a lawyer’s diary for the next few days. Say, what his plans for the nearest future are using the Present Continuous:**

**Model:**  
**Monday.** Action for damages (to prepare).
On Monday he is preparing an action for damages.

**Tuesday.** Contract of hiring work for GBL Company. (to negotiate)
**Wednesday.** 9 a.m. Seminar on contract law. (to take part)
**Thursday.** 11 a.m. Criminal case. (to argue)
**Friday.** 12 a.m. Brief for the judge. (to prepare)
2 p.m. Case on appeal. (to present)
**Saturday.** 7 p.m. Dinner with Miss Black. (to have)

Ex. 4. **Insert Future Simple or “to be going to do something” to express future actions:**

1. The Government has been in the past and _______ in the future a major consumer of legal talent (to be).
2. This argument _______ the judge (not / to convince).
3. I don’t trust this juror. I _______ him (to challenge).
4. He’s a practitioner with long experience. I am sure he _______ the case (to win).
5. Jack is in trouble and needs a legal backing. — I know. I _______ his matter tomorrow (to discuss).
6. I’ve decided to retire from the Federal Agency. — Have you? What _______ you (to do)?
7. Did you send him a summons? — Oh, I’m sorry. I completely forgot. I ______ now (to do).
8. Can I get your opinion on the case today? — No, you ______ it tomorrow (to get).
Ex. 5. Combine two simple sentences into a complex one with the subordinate clause of time or condition:

**Model:** First he’ll gain some experience as a house counsel. Then he’ll start his own practice (when).
— He’ll start his own practice when he gains some experience.

1. First you must spend two years as an articled clerk. Then you’ll become a solicitor. (after)
2. The attorney will prepare the necessary documents. He’ll send the copy to the client. (as soon as)
3. “Sir, you do not know it to be good or bad. Only the judge can determine it”. (till)
4. Please, don’t touch anything. The police will be here in no time. (before)
5. The counsel will not preserve the client’s confidence. He discloses his secrets. (if)
6. He will succeed, I think. He devotes much time to the development of his own practice. (in case)
7. He studies well. His legal education will probably last about five years (providing).

Ex. 6. Express solidarity.

**Model 1:** – They specialize in criminal law. (I) — So do I.
– Small firms of attorneys are in daily contact with people. (A solo lawyer)
  – So is a solo lawyer.

**Model 2:** – A solicitor has no right to argue cases in front of a judge. (An associate)
– Either (nor) has an associate.

1) Dr. Gordon is a practitioner with long experience (Dr. Funberg). 2) This year I’m graduating from law school (I). 3) Judges are not by themselves a separate profession (procurators). 4) You will become an object of a fee dispute (your assistant). 5) The Attorney-General is a member of the government, but not a Cabinet member (the Solicitor-General). 6) People connected with the law by occupation are not eligible to jury service (ex-prisoners). 7) A chief justice holds office for life (associate justices).

Ex. 7. Translate the sentences into Russian. Mind the meaning of “used to + infinitive”, “would + infinitive”:

1. Those reading the law used to live in the chosen Inn of Court. 2. Attorneys or advocates used to spend their days milling about the courts. 3. For 600 years ordinary people rather than professional judiciary used to keep the judicial process for keeping the
peace. In the middle age a king and later his Chancellor used to accept petitions for equitable relief. Until the mid-18-th century teaching of law used to be academic rather than professional. People would apply the term “solicitor” to an attorney appearing in Chancery Court. The three Royal Courts would sit at Westminster even in the absence of the king. Although the king’s courts did not replace directly old local courts, if overlapping jurisdiction existed, litigants would often prefer common law courts.

Ex. 8. These are Prof. Brown’s report notes taken at the conference on law education reflecting the changes in the sphere. Make up sentences in the Present Perfect using the given verbs. Mind the words of time indication:

1. Much (to happen) in the science of law since then.
2. Both common law and civil law schools (to find) a better balance between theory and practice lately.
3. Civil law faculties (to recognize) the importance of practical work.
4. Legal education (to become) less general and more professional in recent years.
5. In the latest publications there (to be) considerable pressure for change in the legal profession in Britain.
6. A number of law faculties (to institute) various reforms and experimental changes.

Ex. 9. Make up questions with “How long?” and “When?”.

Model: He is a judge.

How long /he /to work /as a judge? — How long has he been working as a judge?
When / he / to hear / his first case? — When did he hear his first case?

1) Common Law system applies the doctrine of precedent.
   How long / it / to apply / this doctrine?
   When / it / to begin / to apply / the doctrine as precedent?

2) Common Law is the basis of the procedure.
   How long / it / to be / the basis of the procedure?
   When / lawyers / to start / to use it?

3) I am investigating a computer theft.
   How long / you / to investigate it?
   When / the investigation / to begin?

4) The barrister is arguing his client’s case before the court.
Ex.10. Answer the questions using the words in brackets; change the tense form of the predicates:

Model: — When did you last speak to your advocate? (for ages)
— I haven’t spoken to him for ages.

1. When did you last investigate a murder? (in years)
2. When did the Bar last admit new members? (since June)
3. When did you last give evidence to the court? (for many years)
4. When did Steve Williams last violate the Rules of Professional Conduct? (for ages)
5. When did this attorney last lose a case? (in a long while)
6. When was this patrolman last on duty? (for the last few days)
7. When did you last deal with a common law action? (since last year).

Ex.11. Jim Bruce, a retired policeman, came to see his former colleagues at the police station and found that many things were different. Complete the sentences using the verbs in brackets.

Model: Some of his colleagues were no longer there. They (to retire). — They had retired.

1) Jack Brown was no longer single. He (to marry) the secretary.
2) Their boss captain Johnson was no longer there. He (to get) a promotion.
3) Bob Smith was no longer alive. A criminal (to shoot) him.
4) Sam Jenkins was no longer a sergeant. He (to pass) a special exam and (to become) a detective.
5) His friend Munch was no longer a failure. He (to disclose) several serious crimes.

HOMEREADING SECTION

Text “Lawyers Who Want to Start Their Own Practices”

I opened my own doors right out of law school. To satisfy your curiosity I will tell you that I turned down several unsolicited job offers and walked away from a successful CPA practice to open my doors.

A classmate of mine went to work for a firm. My classmate told me, "Jay, you're crazy. You'll be worrying about getting clients and overhead and collecting fees, while
I'm getting my paycheck. It will take you years to make up the difference between your earnings and my paycheck. At the end of five to seven years, with luck, you'll be a partner in a good firm and so will I. You're doing it the hard way."

To some extent he was right and to a great extent he was wrong. Let me list some of the factors with pros and cons:

1. **Personality.** I could take three months to two years in law libraries doing the scutwork\(^2\) of other lawyers, while I was being looked at with a magnifying glass for fear I might say or do something to embarrass the firm. When I believe another lawyer is wrong on the law I tell that person so (after documenting my position). I didn't want candid criticism of a legal position to cost me my job.

2. **Client Contact.** Three years of law school was enough. I wanted contact with clients and the responsibility of making decisions immediately. Another year of apprenticeship held no appeal for me. I had been an "apprentice" in two different unions and an "apprentice" with a CPA firm. To me an apprenticeship seemed more a matter of getting cheap profitable labor than of improving the quality of the work done by the apprentice.

3. **Practical Training.** Law firms hire associates because there is work to be done, not because the firm is interested in teaching new lawyers. In some firms there is no formal training program and in some others the training program is not functioning because the partners have little or no time to teach you anything. If they had that time they wouldn’t need the associates. Therefore, in many, if not most, instances you'll get just as much training in the law on your own as with a firm.

4. **Money.** My friend was simultaneously right and wrong. It took me five years until my cumulative earnings as a self-employed lawyer\(^3\) equalled what my cumulative earnings as an employee would have been. In my fourth year of private practice I was earning more than my classmates, but I had yet to make up for the difference of the first three years.

   After the fifth year I was ahead of my friends, my employed classmates, etc. I've never fallen behind either on a year-by-year basis or on a cumulative basis.

   After ten years some of my classmates had weathered the selection process and become junior partners in the large prestige law firms. They still earned less than I did.

   I suppose that at some point I will fall behind my classmates with the large firms when they attain senior partnership. On the other hand, I believe that those of my classmates who initially or ultimately started their own practices are earning about as much as I am.

5. **Type of Legal Work.** As a CPA I had to work on matters where I frankly didn't care for the client or type of work or what the firm was doing for the client. I
didn't want the problem as a lawyer of doing work on matters or for clients for whom I had no respect simply because they had money to hire lawyers and I was a lawyer. As my own boss I have greater freedom (not absolute freedom) to turn down cases and clients when I disagree morally with the legal principle espoused by the client.

6. **Security.** Except for some civil service situations, there is no such thing as job security in legal practice. If anything, I feel more secure standing on my own two feet than being dependent on the success or failure of an organization which I cannot control.

I've seen banks fire their entire legal division to "experiment on cost savings using outside counsel". If the experiment is a failure, some vice-president will shrug it off and the careers of some good lawyers who thought they had security will have been destroyed.

I've seen private law firms fire associates on a mass basis when a large client leaves.

I've seen law firms and corporations where there are two lawyers in line for every promotion. The better lawyer (better-liked lawyer may be more accurate) gets promoted and the other gets fired, and the competition starts again.

In the 1990s, law firms split up and merge and split up again like amoebae. Whole departments and individual lawyers suddenly find themselves unemployed and forced to start a law practice.

No, Virginia, except for some civil service positions, there is no security as a lawyer, other than what you carry under your hat. Security is both relative and illusory. Slaves on plantations had pretty good job security.

7. **Fringe Benefits.** Obviously there are many other fringe benefits to being your own boss:

   a. **Vacations.** Go when you want to go.

   b. **Tax Benefits.** There are huge tax benefits in being self-employed, compared to being on a job (including loss carry-forwards). These benefits, however, in the main are more significant to you after a few years in practice. At the beginning you need more income, not deductions.

   c. **Prestige.** A firm name with your name carries more prestige than working for another name firm. Being "self-employed" sounds better than being "unemployed".

8. **Avoiding Burnout and Career Dissatisfaction.** Many young lawyers accept high-paying jobs with megafirms and then are forced to work long hours to justify the high salaries. After two or three years, the lawyer is burned out or feels "used up" and quits the practice of law.
You'll have to work long hours in your own firm, but you'll feel good about it because you're doing it for yourself. You'll grow to love, not hate, the practice of law.

**Notes:**
1. CPA (Certified Public Accountant) — дипломированный общественный бухгалтер (звание, получаемое в дополнение к юридическому образованию в США)
2. scutwork — черновая работа
3. self-employed lawyer — юрист, имеющий частную практику
4. legal division — юридический отдел
5. fringe benefits — дополнительные льготы
6. loss carry-forwards — предстоящие расходы
7. to work long hours — работать сверхурочно

**Words and Word Combinations**

1. apprentice, *n* — ученик  
   He is an ~ with “Johnson & Johnson”
2. associate, *n* — коллега, сотрудник
3. promotion, *n* (in) — повышение, продвижение (по служебной лестнице)
4. earn, *v* — зарабатывать  
   cumulative earnings — совокупный доход
5. train, *v* — обучать, подготавливать  
   He gets trained, as a lawyer
6. employ, *v* — нанимать (на работу)
7. security, *n* — безопасность, гарантия
8. counsel, *n* — совет
9. justify, *v* — оправдывать
10. solicit, *v* — ходатайствовать, испрашивать  
    The local priest often had to solicit for Judy of helping many people.
11. fee, *n* — гонорар
12. quit, *v* — оставлять, покидать, прекращать
13. to work on a matter — вести дело
14. to fire from work — уволить с работы
15. to turn down an offer — отклонить предложение

**Task 1.** Complete the list of definitions by matching a word on the left with the proper explanation on the right

1. an “associate” is a) smb who is acquiring smth new
2. to “train” denotes b) “merge”
3. to “employ” is c) to leave with a purpose of never returning
4. to “earn” means d) to make or acquire money
5. under “qualification” we understand e) payment for one’s work
6. “promotion” presupposes f) fitness, suitableness, competency or legal power
7. “secure” can be interpreted as g) confident and free from danger
8. a “fee” is h) progress or advancement in one’s profession or a higher position in it
9. an “apprentice” can be called i) smb you work together with
10. to “quit” can be regarded as j) to educate
11. “benefit” means k) a kind of advice or suggestion given by a lawyer (counsellor)
12. “significance” is defined as l) unskilled, unimportant, rough work
13. “counsel” is viewed as m) an act of kindness or a favour
14. “scutwork” is n) smth important, meaningful, full of sense and logic
15. “split” is opposite to o) to “hire”

**Task 2:**

**a) Match the word-combinations on the left with those on the right conveying the same meaning**

1. initially or ultimately a) for and against
2. to fall behind b) with the exception (of)
3. pros and cons c) to leg behind
4. to get training (in) d) to start one’s own practice
5. to carry prestige e) to be made to do smth
6. except for f) sooner or later
7. on a large scale g) legal practice
8. to be forced to do smth h) to be educated (as)
9. the practice of law i) to be prestigious
10. to open one’s own doors j) on a mass scale

**b) Match the word-phrases on the left with those on the right bearing the opposite sense**

1. to be ahead (of) a) to be on a job
2. to turn down an offer b) to follow the law
3. to be on the right side c) to fall behind
4. a highly-paid job d) to hire to work
5. to fire from work e) to accept a proposal
6. on the one hand f) to a great extent
7. to some extent g) on the other hand
8. to be unemployed h) to lose a matter
9. to violate the law i) the danger of losing one’s job
10. job security j) a low-paid job
11. to win a case k) to be on the wrong side

e) to accept a proposal
f) to a great extent
g) on the other hand
h) to lose a matter
i) the danger of losing one’s job
j) a low-paid job
k) to be on the wrong side

Task 3. Find in the text the English equivalents for the following:
1. перечислить несколько факторов, содержащих “за” и “против” to list ..... 
2. неправильно истолковывать закон to be wrong ..... 
3. улучшить качество работы to improve ..... 
4. выдержать процесс отбора to weather ..... 
5. плестись в хвосте to fall ..... 
6. отказаться от (ведения) дела to turn ..... 
7. зависеть от успеха или провала организации to be dependent ..... 
8. уволить весь (целиком) юридический отдел to fire ..... 
9. быть вынужденным начать юридическую практику to be forced ..... 
10. принять предложение на высокооплачиваемую работу to accept ..... 
11. оправдать высокие заработки to justify ..... 
12. нуждаться больше в доходах, нежели нести убытки to need ..... 
13. оставить юридическую практику to leave ..... 

Task 4. Fill in the gaps with the appropriate form of the words you’ve come across in the text:
1. Many graduates from _______ schools in America can’t get jobs as _______ to use their _______ training. (legal, lawyer, law)
2. Many of the lawyers who once _______ their own _______ have no choice today. (practice, to start)
3. A lawyer in _______ practice can increase _______ without _______. (limitation, private, earnings)
4. The _______ or partners you are _______ to will have little time to make up a _______ program for you. (to assign, training, associate)
5. In many cases _______ risks are _______ by rewards. (to justify, professional)
6. No lawyer or a public _______ is _______ if he doesn’t take into account the responsibility of a _______. (candid, failure, accountant)

7. Considering all _______ and _______, being employed sounds better than being ____________. (unemployed, pro, con)

8. The “legal group” of lawyers agrees to _______ a certain _______ of legal service for some part of prepared _______. (fee, provide, quantity)

9. To “_______” means to give legal _______. (advice, solicit).

10. He _______ senior partnership because he had managed to _______ the selection process. (to weather, to attain)

**Task 5. Use the text to convey the same idea, paraphrasing the italicised parts of the sentences given below**

1. Individual practice in law (a) has many advantages (b), and at the same time (c) it doesn’t lack to have certain drawbacks.

2. An apprentice with a law firm does a lot of rough and unskilled work (a).

3. If I believe another lawyer doesn’t interpret the law properly (a) I’ll tell that person so.

4. The author didn’t care for (a) one more year of apprenticeship.

5. A lawyer who is a master of his own self (a) enjoys more freedom in taking decisions and coming in contact (b) with clients.

6. There’re law firms with two or more colleagues (a) waiting for their turn to receive a higher position (b).

7. A private law firm can dismiss its associates (a) on a large scale (b) when an important client leaves.

8. There’re firms that don’t have any official plan of teaching or preparing specialists (a).

9. Lawyers who take (a) high-paying jobs have to (b) work much to prove they are worthy of (b) their salaries.

**Task 6. Complete choosing the appropriate idea(s)**

1. For the author, practical training meant mainly:
   a) getting clients; b) collecting fees; c) getting training in the law; d) documentaring his position; e) candid criticism

2. The author wanted contact with:
   a) apprentices; b) associates; c) clients; d) supervisors; e) other lawyers

3. The author thought of apprenticeship as a chance of dealing with:
   a) clients; b) the supervisors of his law school;
c) a CPA firm;
d) matters that could give him cheap profitable labour;
e) people who could help him to improve his quality of work

4. The most significant benefits for a private lawyer, according to the author, are:
a) job security;  b) independence;  c) prestige;  d) vacations;
e) tax benefits;  f) high cumulative earnings

5. The most evitable drawback of any solicited job, in the author’s opinion, is:
a) the possibility of making decisions immediately;
b) the necessity of improving the quality of work;
c) lack of criticism on the part of one’s associates;
d) worrying about getting clients;
e) the unpleasant necessity to weather the selection process

6. The author gives advantage to a self-employed lawyer
a) as compared with a Civil Service agent;
b) on par with some other unsolicited jobs;
c) as distinct from a CPA;
d) as contrary to working for a firm;
e) similar to that of any other legal profession

Task 7. Combine the two parts of the sentences to convey the true ideas of the text.

1. To the author an apprenticeship seemed a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

2. Jay wanted contact with the clients and a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

3. It will take you years to make up the difference

4. When Jay believes another lawyer is wrong on the law a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

5. As a CPA the author had to work on matters a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

6. There’re huge tax benefits

7. Law firms hire associates because

8. Many young lawyers accept high-paying jobs with megafirms and then a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

9. You’ll get as much training in the law on your own a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

10. Except for some civil service positions, a) between your earning and my paycheck
b) he tells that person so
c) being depended on success or failure of an organization which he cannot control
d) either on year-by-year basis or on a cumulative basis
e) as with a firm

j) more a matter of getting cheap profitable labour than of improving the
11. If the experiment is a failure, they might find themselves unemployed and forced to start a law practice.

12. At the beginning, some good lawyers who thought they had security may have been destroyed.

13. If anything, one feels more secure standing on their own feet rather than waiting for work to be done.

14. Whole departments and individual lawyers suddenly find there is no such thing as job security in legal practice.

15. The author has never fallen behind the responsibility of making decisions immediately.

**Task 8. Comment on the meaning of the following sentences:**

1. “I didn’t want candid criticism of a legal position to cost me my job.”

2. “Except for some civil service positions, there is no security for a lawyer, other than what you carry under your hat.”

3. “I had been an “apprentice” in two different unions and an “apprentice” with a CPA firm.”

4. “I didn’t want the problem as a lawyer of doing work on matters or for clients for whom I had no respect simply because they had money to hire lawyers and I was a lawyer.”

5. “These benefits, however, in the main, are more significant to you after a few years in practice.”

6. After a few years the lawyer ... feels “used up” ...

7. “... I had ... to make up for the difference of the first three years.”

8. “... to fire the entire legal division” to experiment on cost savings using outside counsel.”

**Task 9. Choose proper sentences from the text as expanded answers to the following questions.**

1. When did the author start his own practice?
2. A classmate of Jay’s was on the right side when he said Jay was making his career the hard way, wasn’t he?
3. How long could it take the author to enter the profession?
4. Is there, according to the author, much or little security in legal practice?
5. On what does the security of a CPA depend?
6. What job securities do American lawyers, engaged in civil service, enjoy?
7. Is it difficult for a lawyer, if he works for a firm, to be promoted?
8. What is a perfectly valid reason for a lawyer in America to start his own business?
9. In what case(s) will a lawyer, according to the author,
   a) have to quit the job?
   b) start to love, not to hate, the practice of law?

**Task 10.** *Draw a diagram of pros and cons of an independent legal practice.*  
*Work in pairs arguing the position of your opponent*

<table>
<thead>
<tr>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Independence in choosing clients and taking decisions</td>
<td>1. Clients and fees</td>
</tr>
<tr>
<td>2. Much practice in law</td>
<td>2. .....</td>
</tr>
<tr>
<td>3. .....</td>
<td>3. Less possibilities in attaining senior partnership</td>
</tr>
<tr>
<td>4. <em>Job security</em></td>
<td>4. <em>Absence of job security</em></td>
</tr>
<tr>
<td>5. Tax benefits</td>
<td>5. Risk of failure</td>
</tr>
<tr>
<td>6. .....</td>
<td>6. .....</td>
</tr>
<tr>
<td>7. .....</td>
<td>7.</td>
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<tr>
<td>8.</td>
<td>8.</td>
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<tr>
<td>.....</td>
<td>.....</td>
</tr>
</tbody>
</table>

**Task 11.** *Role-play the following situations. Use the suggested*

a) *colloquial phrases to make your discussions lively and convincing:*

as a matter of fact; to say nothing about, slowly but surely; sooner or later; first of all (primarily); in the long run (finally); now and then; to be on the safe side; to say nothing about; with a good luck; to some extent; in many instances; to be simultaneously right and wrong; on the one hand, on the other hand; to cut a long story short; to satisfy one’s curiosity.

b) *professional vocabulary to make your discussions up to the point:*

to guarantee security; to follow the law (to become a lawyer); to walk away from (to avoid responsibility); the responsibility of making/taking decisions; candid criticism; to cost smb his position; to work on (legal) matters; to be right/wrong on the law; to (dis)-agree morally with the legal principles (espoused by smb).
c) proverbs and saying your discussions vivid and eloquent:

1. It is easily to be said than done.
2. Velvet paws and iron claws (an iron hand in a velvet glove).
3. Better be first in the village than second in Rome
4. It's (only) the first step that costs.
5. All things are difficult before they are easy.
6. Where the timid loses a brave man wins.
7. Every cloud has a silver lining

Situation 1.
- You’re boss of a legal office. Your partner is a person you’re going to hire.

Situation 2.
- You’re three candidates. One of you has just been hired, another has been working for the company for five years already and is expected to be promoted, and the other is just going to apply.

Situation 3.
- You and your partner have been working for the corporation honestly and effectively for seven years and think your security will never be destroyed. But half an hour ago you learnt you’d been fired.

Situation 4.
- You’re a group of young lawyers who are being instructed by their supervisor how to avoid mistakes and failure in setting up and running one’s own business. Ask your supervisor as many questions as possible.

Situation 5.
- You’re a group of lawyers who have recently started their own practices. Exchange your opinions on pros and cons of being self-employed.

Situation 6.
- You haven’t seen a classmate of yours since you started your own practice. Tell him how you’ve progressed in your career. Give profound answers to all the questions he is interested in.
Writing

Task 12. Write an imaginary letter to a relation/friend of yours and describe him/her how you started the individual law practice. Dwell briefly on the following points:

- your first step(s) in private practice;
- progress you’ve achieved;
- the “back side” of your profession;
- the hardships you’ve come across while running your business.
- the advantages the private practice has given to you.

ADDITIONAL READING

Text “Ministers of the Crown”

The United Kingdom does not have a Minister of Justice. The link between Parliament and the Judiciary is provided by four ministers:

a. The Lord Chancellor is the Speaker of the House of Lords, appointed by the Crown on the advice of the Prime Minister. He is chosen from eminent lawyers or judges who support the party in office and he has a seat in the Cabinet.

The Lord Chancellor:

i. Is Head of the Judiciary;
ii. Presides over the House of Lords in both its legislative and judicial capacities;
iii. Is responsible for advising the Crown on the appointment of High Court judges;
iv. Is Head of the Chancery Division of the High Court;
v. Is responsible for the work of the Law Commission, the Land Registry, the Public Trustee and the Public Record Office;
v.i. Acts as general legal advisor to the Government and as its spokesman in the House of Lords.

b. The Home Secretary is a member of the House of Commons and of the Cabinet. His responsibilities include:

i. The Prison, Borstal and Probation services;
ii. The Police;
iii. The Administration of Metropolitan Courts;
c. *The Attorney–General* is a barrister and a member of the House of Commons. As a senior Law officer of the Crown in important civil and criminal matters, he appoints and supervises the Director of Public Prosecutions.

d. *The Solicitor–General* is also a barrister and a member of the House of Commons. He assists and deputizes for the Attorney–General both in the Commons and in Court.

e. *The Director of Public Prosecutions* (DPP) is a barrister or solicitor with at least 10 years experience. He is appointed by the Home Secretary and assisted by a staff of professional lawyers and civil service administrators. His role concerns the administration of criminal justice and his duty is to institute proceedings:

i. When the offence is punishable by death;

i.i. When a case is referred to him by a government department; and

i.i.i. In other cases where he considers that his intervention is needed.

Text

“*Judges*”

Two posts deserve special mention:

i. **The Lord Chief Justice.** He is the head of the Criminal Division of the Court of Appeal and the Queen’s Bench Division.

i.i. **The Master of the Rolls.** He is the head of the Civil Division of the Court of Appeal. He also has duties in connection with the admission of solicitors.

High Court (puisne) judges, circuit judges, and recorders are appointed by the Crown on the advice of Lord Chancellor.

i. **Puisne judges** must be barristers of at least 10 years standing or circuit judges who have held office for at least two years. They are usually appointed to the division of the High Court in which they practised, but they may sit in any division. Appointment is by invitation. On retirement a Knighthood is automatic.

i.i. **Circuit judges.** Any barrister of at least 7 years standing may apply to become a circuit judge, but in practice these judges are appointed from the middle rank of barristers. Top barristers often do not apply because either they are unwilling to take a drop in salary.

i.i.i. **Recorders** must be barristers or solicitors of at least 3 years standing. They are part-time judges who sit in the county court for about 20 days each year.

Judges can only be removed on an address by both Houses of Parliament. No judge has been removed from office since before 1700. Puisne judges retire at 75, and circuit judges at 72.

Judges also exercise certain administrative functions, for example:
i. The Court of Protection (Chancery Division) supervises the affairs and administers the property of persons of unsound mind.

i.i. A rule committee chaired by the Lord Chancellor makes rules to govern procedure in the Supreme Court.

**Text**

“*Provision of Legal Services*”

The Courts and Legal Services Act 1990, has significantly affected the traditional work of solicitors and barristers, for example

a. The Act sets up a Lord Chancellor’s Advisory on legal education and conduct. This Committee may consider applications by professional and other bodies to be granted rights of audience in court.

b. The Act also provides a framework for persons other than solicitors to conduct pre-trial work, for example the issue of writs. Such persons would have to demonstrate to the Advisory Committee that they have the necessary education and training and will be bound by an appropriate code of conduct.

c. The Act also widens rights to engage in conveyancing practitioners, licensed conveyancers who are not qualified solicitors.

d. There is no legal obligation to employ a solicitor when seeking a legal remedy. A person may conduct his own case in any court in the land. He can do his own conveyancing, drawing his own will, and conduct his own divorce provided he has the time and common sense to understand and apply the basic procedures involved.

e. Prior to the Court and Civil Services Act 1990 a barrister could only take instructions from a solicitor. Now the act allows a barrister to enter into a conduct with a client for the provision of services and payment of fees. The decisions as to which lawyers to use, and in what combinations is taken by the client in his own best interests.

* * *

**HANS:** I’ve been trying to understand the difference between a solicitor and a barrister. They’re both lawyers, aren’t they?

**MR GREEN:** Yes, but the work they do is quite different. It’s not difficult to understand the difference if you know what they do. Let’s take solicitors first.

Suppose you want to make a will, your “Last Will and Testament”, as the lawyers call it. You’d go to a solicitor. He’d probably be a member of a firm of solicitors, and you’d go to his office.
Suppose you want to buy a house or some land. Again, you’d go to a firm of solicitors. You can’t buy property without the help of a solicitor.

Then there’s the work that solicitors do in the courts. Solicitors can appear in the lower courts of justice and can speak for their clients. If a man is drunk while in charge of a car, he has to appear in one of these lower courts, a magistrates’ court. A solicitor can speak for him there. A solicitor doesn’t wear a wig and gown like a barrister, though.

A solicitor can’t appear for his client in the higher courts of justice. That’s where the barristers come in. A barrister is an expert who’s studied law for many years and has passed certain examinations. Solicitors have very difficult examinations to pass, too, but they’re not the same kind as those taken by barristers.

Let’s take the case of somebody who needs a barrister in the High Court. This person doesn’t go to a barrister himself. He goes first to a solicitor. The solicitor collects any evidence that’s needed. Then he writes a short account of the case, called a “brief”, and sends it to a barrister, noting on the brief the fee that’s offered. The barrister can accept or refuse. If the barrister accepts, he will appear in the High Court and will speak there on behalf of his client. He wears a wig and a black gown.

**HANS:** Barristers earn a lot of money, don’t they?

**MR GREEN:** That depends! Not all of them do. If a barrister wins a name for himself, he’ll probably get plenty of briefs and high fees. After ten years he can ask to be made a Queen’s Counsel, or Q.C. That means that he can be called upon for the prosecution in criminal cases. Q.C.s get higher fees than ordinary barristers. But there are many barristers who don’t make much money. If they don’t get briefs, they have to earn money in other ways – writing law reports for The Times, for example.
UNIT II

The Essence of Law

READING MATERIAL

Text A

“What is Law?”

Task: read and translate the following text.

The English word “law” refers to limits upon various forms of behaviour. Laws prescribe how people ought to behave. There is a vague distinction between man-made law and moral precepts in all societies relations between people are regulated by laws. Law can be defined as a set of rules which form the pattern of behaviour of a given society.

Law essentially serves two functions in modern society. First, it serves to order and regulate the affairs of all “persons” be they individuals, corporations or governments. Secondly, law acts as standard of conduct and morality. Through both of these functions law seeks to promote and achieve a broad range of social objectives.

Law can appear as the highest achievement of civilization. In man’s capacity to legislate against his own defects we can discern his chief claim to stand clearly above the animal level.

The student of law is concerned with the questions of relationships between individual citizens and the state, as well as the relationships between states. The study of a legal process is the study of how decisions are made, who makes them, what the decisions are, how they influence subsequent events.

Law seems to exist apart from man and is not even noticed by him until somebody violates its orders or until it is called upon to defend interests that have been the object of encroachments.

We commonly speak of both law and laws — the English Law, or the Laws of England; and these terms point to two different aspects under which legal science may be approached. The laws of a country are separate, distinct, individual rules; the law of a country however much we may analyse it into separate rules, it is something more than the mere sum of such rules. It is rather a whole, a system which orders our conduct, in which the separate rules have their place and their relation to each other and to the whole. Thus each rule which we call a law is a part of the whole which we call the law. Lawyers generally speak of Law; laymen more often of laws. This distinction between
law as a system and law as enactments is brought out more clearly in those languages which use different words for each.

In a developed state the sphere in which the law operates proves to be quite extensive. It embraces all the spheres of production, distribution and exchange. Law fixes the forms of administration and the constitutional system, and determines the legal status of citizens and activity of the state mechanism (state law, administrative law). It fixes the existing property relations and operates as a regulator of the measure and forms of distribution of labour and its products among the members of society (civil law, labour law). Finally, the law lays down the measures for combating encroachment on the state system, the existing order of social relations, together with the forms in which this is done (criminal law, procedural law, corrective labour law).

**Word Study**

**Ex. 1.** Read the international words and guess their meaning. Mind the stress.

| 'limit' | 'operate' | mo'rality | , indi'vidual |
| 'form' | 'analyze' | ac'tivity | , corpo'ration |
| 'object' | 'social' | pro'duction | , civili'zation |
| 'aspect' | 'standard' | | , distrib'u tion |
| 'person' | 'function' | | , regu'lator |
| 'sphere' | 'mechanism' | | consti'tutional |
| 'status' | | | ad, mini'stration |

**Ex. 2.** Complete the list of derivatives. Use a dictionary if necessary.

| Verb | noun (agent) | noun (concept) |
| to promote | | |
| to legislate | legislator | legislation |
| to operate | | |
| to distribute | | |
| to regulate | | |
| to violate | | |
| to separate | | |
| to administrate | | |

**Ex. 3.** Pair the words in column B with the ones from column A

A. 1. forms  
   2. set  

B. a) of exchange  
   b) of labour
3. standard  c) of law
4. sphere  d) of encroachment
5. system  e) of morality
6. distribution  f) of rules
7. object  g) of interests
8. part  h) of behaviour
9. violation  i) of relationships

Ex. 4. Decide which of the verbs you would use with the noun phrases you have identified in Ex. 3.
1. to fix; 2. to embrace; 3. to act; 4. to define; 5. to limit;
6. to operate; 7. to punish; 8. to apply; 9. to defend.

Ex. 5. Add nouns to the following adjectives to form noun phrases.
Adjectives:  1. modern; 2. chief; 3. legal; 4. existing; 5. individual; 6. subsequent;
7. extensive; 8. administrative; 9. constitutional; 10. moral.
Nouns:  a) status; b) approach; c) claim; d) event; e) sphere;
f) relations; g) rules; h) system; i) precept; j) forms.

Ex. 6. How are the following ideas expressed in the text?
1. to bear (oneself) in a socially-acceptable or polite way;
2. rightness or pureness of behaviour or of an action;
3. the control or direction of affairs, as of country or business;
4. an object to be won;
5. a guiding rule on which behaviour is based;
6. to make laws;
7. a statement of something at last;
8. the body of laws and principles according to which a country is governed;
9. a condition that determines one’s formal position;
10. the way or order of directing business in an official meeting, a law case;
11. to fight or struggle against;
12. the act or result of encroaching;

Ex. 7. Match English and Russian equivalents.
1. forms of behaviour  1. установленная норма нравственного поведения
2. to regulate the relations 2. различать главное требование
3. to define a set of rules 3. устанавливать правовой статус
4. the pattern of behaviour 4. простая сумма правил
5. a standard of morality 5. форма поведения
6. man-made law 6. образец поведения
7. moral precepts 7. широкий ряд социальных целей
8. a broad range of social objectives 8. определять формы управления
9. to discern a chief claim 9. издавать закон против чьих-либо пороков
10. to influence subsequent events 10. объект посягательства
11. to fix a forms of administration 11. нечеткое различие
12. to determine the legal status 12. нравственные заповеди
13. to lay down the measures 13. определять набор правил
14. the mere sum of rules 14. закон, созданный человеком
15. a vague distinction 15. регулировать отношения
16. to legislate against one’s defects 16. влиять на последующие события
17. the object of encroachment 17. устанавливать меры

Ex. 8. Choose the best alternative to complete the following sentences.
1. The English word “law” refers to limits upon various / some forms of behaviour.
2. Laws prescribe how people can / ought to behave.
3. Law essentially serves two / four functions in modern society.
4. There is a vague / clear distinction between man-made law and moral precepts.
5. Law can appear as the highest achievement of civilization / industrialization.
6. In a developed / feudal state the sphere in which the law operates / develops proves to be extensive.
7. Law fixes the forms of constitutional / educational system.
8. Law operates as a regulator / obstacle of distribution of labour and its products.
10. The law of a country may be analyzed as a selection / set of rules.

Ex. 9. Complete the following sentences by adding the phrases given in part “B”.
Part A
1. In all societies relations between people ...
2. Law can be defined as a set of rules which ...
3. Law serves to order and regulate ...
4. The functions of law seek to promote and achieve ...
5. The student of law is concerned with ...
6. The study of a legal process is ...
7. Law fixes the forms of ...
8. Law lays down the measures for ...
9. Each rule which we call a law is a part of ...
10. Lawyers generally speak of law and laymen ...

Part B
1. are regulated by laws.
2. form the pattern of behaviour.
3. the affairs of all “persons”.
4. a broad range of social objectives.
5. the questions of relationships between citizens and the state and between states.
6. the study of how the decisions are made.
7. administration and constitutional system.
8. combating encroachment on the state system.
9. the whole which we call the law.
10. more often of laws.

Discussion

Ex. 1. Choose the best way to complete the sentences.

1. The English word “law” refers to ...
   a. development of institution of behaviour.
   b. limits upon various forms of behaviour.
   c. discernment in main claims for forms of behaviour.

2. Law can be defined as ...
   a. a set of rules which form the pattern of behaviour of a given society.
   b. a body of abstract rules of a particular society.
   c. concept of common sense.

3. Law acts as ...
   a. product of social and historical forces.
   b. hallmark of civilized society.
   c. standard of conduct and morality.

4. The study of a legal process is ...
   a. the study of how decisions are made.
   b. the operation of court system.
   c. the influence of a society upon individual citizens.
5. Each rule which we call the law is a part of ...
   a. the whole which we call the law.
   b. a completely new subject.
   c. the obvious question: what is law?

**Ex. 2.** *Mark the statements which are True.*

1. In all societies relations between people are regulated by government.
2. Functions of law seek to promote and achieve a broad range of social objectives.
3. There is a definite distinction between man-made law and moral precepts.
4. In man’s capacity to legislate against his own defects one can discern his claim to stand above.
5. The spheres of law embrace all forms of production, distribution and exchange.
6. Law enacts the legal status of citizens and the activity of the state mechanism.
7. Law embraces the measures for combating encroachment.
8. The laws of the country are common rules enforced by the government.
9. Law is based upon long observation of different people in different situations.
10. The general nature of the law is that it is enforced equally against all members of the nation.

**Ex. 3.** *Choose someone to act as an expert of law and answer the students’ questions.*

What do you mean by the English word “law” refers to limits upon various forms of behaviour;

What are (is) laws prescribe how people ought to behave;

Could you explain to me law can be defined as a set of rules;

Can you tell me law serves two functions in modern society;

Could you prove to me that vague distinction between man-made law and moral precepts;

Would you give the examples of the chief claim to stand clearly above the animal level;

the law operates in extensive spheres;

two different aspects under which legal science may be approached;

the distinction between law as a system and law as enactments.
Ex. 4. *Speak on the essence of Law. Include the following points.*

1. Law is the highest achievement of civilization:
   - to refer to; to appear; various forms of behaviour;
   - to be regulated by laws; to define as a set of rules;
   - the pattern of conduct; to legislate against one’s own defects;
   - to discern one’s chief claim; to stand above the animal level.

2. Functions of law:
   - to serve; to regulate the affairs; to act; individuals; governments;
   - a standard of conduct; morality; to seek; to promote; to achieve;
   - a broad range; social objectives; a vague distinction; man-made law.

3. The spheres of law:
   - to operate; to prove; to be quite extensive; to embrace all the spheres;
   - of production; distribution and exchange; to fix the forms;
   - the constitutional system; to determine the legal status;
   - the existing property relations; to lay down the measures of combating encroachment.

4. The study of legal process:
   - to be concerned with the question; the relationship between individual citizens and the state; the study of a legal process; to make decisions; to influence subsequent events.

5. Law and laws:
   - to point; different aspects; to approach legal science; separate; distinct;
   - individual rules; to analyse as separate rules; to order one’s conduct; the mere sum of rules; to call a law; law as a system; law as enactments.

Ex. 5. *Argue the following points.*

1. Laws are made to be broken.
2. The law is an ass.
3. Laws are like nets: little fish slip through them, big fish break through them and only medium-sized fish get caught.
4. There’s one law for the rich and another for the poor.
5. The law of the jungle and the people.
Task: read the text and get ready to discuss its main points.

Students of the law discover early that law is complex and flows from a great number of sources. Law can and does take many forms. British Law comes from two main sources: parliamentary or statutory law and Common Law, sometimes known as customary or case law.

English common law dates from "time immemorial". Various customs, usages and conventions have been developed throughout the history of British legal tradition. Case law arises out of disputes and may be found in the decisions of courts. This is a system in which legal decisions are based upon decisions in previous cases and on custom, rather than on detailed written law. If there is no previous similar case the court will decide by applying existing laws to a new set of facts and its decision will become a new precedent for courts to follow in the future. The essential feature then, of Common Law is, that although partly based on local and national customs it is fundamentally judge-made law developed over many centuries.

Laws made by Parliament constitute parliamentary or statutory law. It always prevails, there is nothing move supreme than parliamentary law. Now it is parliamentary law which is gradually seeing common law off the legal field. Statute law can be used to abolish common law rules which have outlived their usefulness, or to amend the common law to cope with the changing circumstances and values of society. Once enacted, statutes, even if obsolete, do not cease to have the force of law. A state stands as law until it is specifically repeated by Parliament. All Acts of Parliament can be repeated by subsequent Parliaments.

Statutes alone would not provide a system of law but merely a set of disjointed rules. The basis of the law remains the Common Law and if all the statutes were repeated we should still have a legal system.

Ex. 1. Fill in the following chart.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Outcome of these activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Students of Law discover that</td>
<td>.....</td>
</tr>
<tr>
<td>2. .....</td>
<td>becomes a new precedent for courts to follow</td>
</tr>
<tr>
<td>3. Parliament makes laws which constitute</td>
<td>.....</td>
</tr>
<tr>
<td>4. Statute law can be used</td>
<td>.....</td>
</tr>
<tr>
<td>5. .....</td>
<td>gradually sees common law off the legal field</td>
</tr>
<tr>
<td>6. Legislation of subsequent Parliaments can</td>
<td>.....</td>
</tr>
</tbody>
</table>
Ex. 2. How are the following ideas expressed in the text:

1. A rule that is supported by the power or government and that governs the behaviour of members of a society;
2. that part of the law which is based on former judgements;
3. the body of written laws established by Parliament;
4. allowed or made by law;
5. use the former customs or decisions as a guide to present actions;
6. a room or building in which law cases can be heard and judged;

Ex. 3. State the main idea of each passage of the text. Begin with the following: This passage deals with ...

Text C. “Advantages and disadvantages of case law”

Task: read the text, get ready to discuss its main points.

The system of Case Law is peculiar to England and the countries which have derived their law from England. Its essential principle is the rule that decided cases are building authorities for the future.

In other countries the judge is not bound by previous decisions of the same or any other court. The great advantages of a system of Common Law in the English sense are four:

1) **Certainty.** The fact that decided cases are binding for the future makes it certain or highly probable that every future case which is essentially similar will be decided in the same way. People may therefore regulate their conduct with confidence upon the law once laid down by the judges.

2) **The possibility of growth.** Where there is no system of Case Law the work of the judge is to develop new rules of law.

3) **A great wealth of detailed rules.** Case Law is much richer in detail than any code of law can possibly be.

4) **The practical character.** Case Law rules are the product of difficulties which actually arise in everyday life, they are practical in nature, not solely academic speculations.

The great disadvantages of Case Law are:

1) **Rigidity.** When a rule has once been decided, even though wrongly, it is difficult and sometime impossible to depart from it. Flexibility is not a characteristic of Case Law.
2) **Bulk and complexity.** The fact that the rules of law are scattered over more than 2,000 volumes of law reports, make the law extraordinary difficult to learn and apply.

**Ex. 1.** *Complete the following table of notes*

<table>
<thead>
<tr>
<th>Case Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Advantages</strong></td>
</tr>
<tr>
<td>To the judge</td>
</tr>
<tr>
<td>1. to decide the future case in the same way</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
</tbody>
</table>

| **Disadvantages** |
| To the judge | To the people |
| 1. to depart from wrong judgement | 1. to be sentenced wrongly |
| 2. | 2. |
| 3. | 3. |

**Ex. 2.** *Put the following sentences in the right order.*

1. The system of Case Law is peculiar to England.
2. People may regulate their conduct with confidence upon the law once laid down by the judges.
3. The rules of case law are practical in nature and arise in everyday life.
4. There are some disadvantages of Case Law.
5. The work of the judge is to develop new rules of law if there is no system of Case law (in the possibility of growth).
6. The law is extraordinary difficult to learn and apply because it is bulky and complex.
7. It is difficult and sometimes impossible to depart from the rule once has been decided.
Text D.  

“Retrospective of British Legislation”

Task: read the text and give your understanding of the underlined parts of the sentences.

In early times there were few statutes and the bulk of law was case law, though legislation in one form or another dates from A.D. 600.

The earliest Norman legislation was by means of Royal Charter, but the first great outburst of legislation came in the reign of Henry II (1154 - 1189). This legislation was called by various names: here were Assizes, Constitutions, and Provisions, as well as charters. Legislation at this time was generally made by the king, but sometimes by a kind of Parliament which consisted in the main of a meeting of nobles and clergy summoned from the shires.

In the 14th century parliamentary legislation became more general. The Tudor period saw the development of modern procedure, in particular the practice of giving three readings to a bill.

From the Tudor period onwards Parliament became more and more independent and the practice of law making by statutes increased.

Text E.  

“Early systems of Law”

Task: read the text and insert a suitable law term from the box

<table>
<thead>
<tr>
<th>law</th>
<th>verdict</th>
<th>case</th>
<th>codify</th>
</tr>
</thead>
<tbody>
<tr>
<td>legal</td>
<td>code</td>
<td>jury</td>
<td>court</td>
</tr>
</tbody>
</table>

One of the earliest systems of law of which we have knowledge is the collection of laws, known as the Code of Hammurabi, the Babilonian king, who lived in about 1900 B.C. Another early ______ is the code of Hebrew Law, contained in the Book of Exodus in the Bible.

In Greece each city state had its own ______. Some laws were common to many states. In the seventh century B.C. the Greeks began to put their laws into writing. About 594 B.C. Solon, the famous Athenian law-giver, provided a new code of law. The Athenians did not consider it necessary to have ______ experts for non-criminal cases. In a civil ______ the _____ was given by a jury. The members of the ______ listened to speeches made by persons who had brought the case before them.

Roman Law is one of the greatest systems that has ever existed. It was based upon custom. Roman Law has had a strong influence on the law of most European countries and on Anglo-Saxon law, which is the other great law system of the world. In the eleventh century many European countries began to use Roman Law in their ______. In France, however, until Napoleon ______ the law in 1804, each province
had its own laws. The Napoleonic Code was a splendid achievement, and it has influenced the laws of many countries in Europe and South America.

Revision Translation

Закон

Закон — нормативный акт, принятый высшим представительным органом государственной власти либо непосредственно волеизъявлением населения (референдумом). Закон регулирует наиболее важные общественные отношения. Закон как самостоятельный источник права сложился еще в древности и пришел на смену правовому обычаю.

Он обладает наибольшей юридической силой по отношению к нормативным актам всех иных органов государства. В то же время Закон может отменить любой иной нормативный акт. Наибольшая юридическая сила Закона означает, что акты всех государственных органов должны ему соответствовать, издаваться на основании и во исполнение его предписаний, то есть быть подзаконными. Любой правовой акт, противоречащий Закону, должен признаваться недействительным. Закон имеет особый порядок принятия - специальная процедура: законодательная инициатива, обсуждение законопроекта, принятие и его опубликование.

Законы подразделяются на конституционные и обыкновенные. Обыкновенные законы считаются принятыми, если за них подано более 1/2 голосов депутатов. Эти законы, в свою очередь, делятся на кодификационные и текущие.

К числу кодификационных относятся основы законодательства государств, кодексы. Текущие законы регулируют различные конкретные вопросы политической, хозяйственной и социально-культурной жизни общества.
Dialogue 1. ‘Classes and Leisure’

Task: read the dialogue, reproduce it  a) abridged,  b) in the form of a monologue.

Jane: Jack, d’you want to see a play tonight? The dramatic club is putting on ‘The Time of your Life’.

Jack: Thanks. Trouble is I have to write a theme for my Law course. It’s due at 9 in the morning. And I only started it on Monday.

Jane: Why did you put it off so long? The professor assigned you that theme two weeks ago. And it’s not hard either. I recall it’s something introductory.

Jack: Yes, it’s ‘Essence of Law’. It doesn’t seem hard. But as soon as you get down to it it stops being so simple. It gets vague and impossible to render on just only a few pages. You write that ‘Law refers to limits upon various forms of behaviour’ and then you see if you want to be consistent you’ll require a book not a theme. It’s just like ‘justice’. You feel what it is but are not able to put it into words.

Jane: You’re always exaggerating! All you need is to mention that relations between people are regulated by prescriptive laws.

Jack: Well, you come down to it and clearly see some references to sources are required ...... . I mean all those customs and historical background, and national peculiarities ...... . And as soon as you have mentioned Common Law and Continental Law you are in need of more rooms and time.

Jane: Sorry to hear that. Any how I don’t think you ought to consider national systems. Perhaps just socialist systems stating that they’re being revised to fit the present requirements. I mean they mustn’t be instruments to deal with political opponents any longer.

Jack: I’m through with all these yet. I’m now speculating of how to render the main categories of law and whether to dwell on all those trusts, torts, probate or just mention them. All the same it’ll take me the whole evening if not night.

Jane: Good luck. I regard you’ll turn in on time.

Notes: 1. It’s due at ..... — Это должно быть (сделано) в .....
Ex 1. Translate into English making use of it in your further retelling:

1. Драматический кружок ставит новую пьесу. 2. Я должен написать курсовую. 3. Преподаватель дал задание 2 недели назад. 4. Эту тему невозможно изложить на нескольких страницах. 5. Отношения между людьми регулируются предписательными законами. 6. Нужны ссылки на источники. 7. Эта система пересматривается, чтобы привести ее в соответствие с требованиями настоящего времени.

Ex 2. Retell the dialogue in the form of a monologue using the following:

she invited, he replied, he added, she wondered, she recalled, he regarded, (considered, believed), he admitted, she advised, etc.

Dialogue 2. ‘At Oxford Law School’

Task: study the dialogue between a British and an overseas law student.

Foreigner: Trouble is I can’t get used to this University as yet. Being a law student here is quite different from what I was home.

British: Any language problem? You seem to be speaking good English.

F.: It’s because I can’t get used that a judge here interprets rather than applies it. I just can’t comprehend it though I know of course that our systems are based on different legal principles.

Br.: Yes, the doctrine of precedent is the essential feature. But you should keep in mind of course the decision made is based on common sense and law.

F.: This is what makes it so difficult for me. A judge must experience an overwhelming feeling of responsibility when he interrupts the operating law to interpret it and fit the particular case.

Ин.: Проблема в том, что я еще не могу привыкнуть к вашему университету. Студент-юрист здесь - это нечто отличное от того, что у меня было дома.

Бр.: Неудачи с языком? Ты, кажется, говоришь на хорошем английском.

Ин.: Это потому что я не могу привыкнуть к тому, что судья создает закон, а не просто его применяет. Я не могу это воспринимать, хотя, конечно, знаю что наши правовые системы основываются на различных правовых принципах.

Бр.: Да, доктрина прецедента - основная черта. Но ты должен помнить, что принятое решение основано на здравом смысле и законе.

Ин.: Именно это и делает все таким сложным для меня. Судья должно быть испытывает огромное чувство ответственности, когда приостанавливает действующий закон, интерпретируя его,
чтобы привести в соответствие с данным делом.

Br.: Of course the responsibility is great, but your continental codes get out of date too frequently.
Бр.: Конечно, ответственность велика, но ваши континентальные кодексы так часто становятся устаревшими.

Е.: Hush! The Professor’s coming.
Ин.: Тише! Идет профессор.

Ex. 1. Find English equivalents to the following:

Проблема в том, что; ты, кажется, говоришь на хорошем английском; привыкнуть; а не просто; основываются на разных правовых принципах; следует помнить (иметь ввиду); здравый смысл; должно быть испытывает; приостановить действующий закон; привести в соответствие с данным делом; устареть; часто.

Ex. 2. Put questions to the italicized words:

1) People’s behaviours is regulated by customs and prescriptive laws.  2) The law was revised to fit modern requirements.  3) He exaggerated the similarities between the two systems of law.  4) Law plays a bigger part in regulating relations between citizens and state.  5) He is not used to rapid changes in social life and trends.

Ex. 3. Insert appropriate derivatives from the following list:

to interpret - interpretation
to apply - application
to interrupt - interruption
to operate - operation
to exaggerate - exaggeration
to regulate - regulation

1) If a particular law doesn’t operate in society there of course must be good reason for that. Its _______ depends on various circumstances including those of social system itself, political situation and social trends.
2) Judge applies law. _______ of Law is backed by police and court system.
3) The law will be interrupted to interpret it for the particular case. _______ and _______ of law is made by judge in the Common Law system.
4) I am afraid he has exaggerated the importance of the event. His _______ makes it difficult to understand its actual impact.
5) It is the legal system that regulates relations between institutions of the kind and private individuals. These _______ make it possible to interact peacefully.
Ex. 4. Sum up the information you have learned; use the following words and word combinations.

Trouble is, to get used to, quite different, to make law, to apply, to interpret, legal principles, the doctrine of precedent, essential feature, common sense, to experience, to interrupt the operation law, to fit the particular case, responsibility, out of date.

LISTENING COMPREHENSION

Text “The Spread of Common and Continental Law”

Part A. Pre-listening activities:

I. Before you listen to the text learn the following words:

- spread (n, v) — распространение, распространяться
- derive (v) — происходить
- divergence (w) — расхождение
- widespread (adj.) — широкораспространенный
- inherit (v) — наследовать
- adopt (v) — принимать
- codify (v) — кодифицировать

II. Think of the derivatives to the following verbs used in the text:

- to define, to exist, to grow, to consult, to exaggerate, to consult, to introduce, to define

Part B. Listening activities

I. Say which is true:

a) Both California and Louisiana have continental systems of law.
b) India and Louisiana share some Legal traditions.
c) Most of the US and Sri Lanka have Common Law.
d) The spread of Common Law in the world is due to the immense influence of its former colony, the US.
e) Continental Law has been codified and adopted alongside a Hindu tradition of Law in India.
II. Complete the microtext using what you remember from the recording.

The spread of Common Law in the world is _______. Nevertheless ________ legal divergence from England. The state of Louisiana has ____________, which derives from its days as _______________. In India English Common Law has been codified and adopted alongside _______________. Sri Lanka has inherited a criminal code from ____________ introduced by __________, and an uncodified civil Law introduced by ___________.

California has a case Law tradition, but its laws are codified as extensively as many Continental systems.

III. Put questions to the given answers.

a) Unified federal Law is only a small part of American Law.
b) Sri Lanka has inherited a criminal code from the Russian Law.
c) The spread of the Common Law in the world is due to the influence of Britain in the world.
d) In the US political divergence has produced its legal divergence from England.
e) In India English Common Law has been codified and adopted alongside a Hindu tradition.

The Spread of Common and Continental Law (tapescript)

The spread of Common Law in the world is due both to the widespread influence of Britain in the world and the growth of its former colony, the US. Nevertheless political divergence has produced legal divergence from England. Unified federal Law is only a small part of American Law. The state of Louisiana for example has a Roman civil form of Law, which derives from its days as a French colony. California has a case Law tradition, but its laws are codified as extensively as many Continental systems. In India English Common Law has been codified and adopted alongside a Hindu tradition of Law. Sri Lanka has inherited a criminal code from the Russian Law introduced by the Dutch and an uncodified civil Law introduced by the British.

Dialogue “Radio-Phone-in”

Part A. Before you listen

I. Learn the following words and phrases:

radio-phone-in — радиопередача “Ответы специалистов на вопросы радиослушателей по телефону”
a resident solicitor — зд. юристконсультант
to give smb the benefit of one’s advice — поделиться с кем-либо профессиональным опытом
II. Discuss the following statements. While discussing them use the expressions below:

a) making your point:
   in my opinion / view ........
   I think / feel / believe that ........
   If you ask me .... / as far as I’m concerned ...

b) introducing your ideas / when you disagree
   I see your point but ..... 
   I understand what you’re saying but ..... 
   You have a good point there, but ..... 
   I respect your opinion but ..... 

1) Japanese Law has been influenced by both Common and Continental Law.
2) There’s no great distinction between the system of Common and Continental Law.
3) In Chine Law courts historically are regarded as political instruments to deal with its political opponents.
4) The most important thing concerning the spread and influence of Common and Continental Law throughout the world is not to exaggerate the differences between these two legal systems of Law.
5) Latin America and many countries in Asia and Africa were historically influenced by the USA.

Part B.  Listening activities

I. Listen to the recording and then fill in the table for each subject

<table>
<thead>
<tr>
<th>countries</th>
<th>Common Law</th>
<th>Continental Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>USA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great Britain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Japan</td>
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<td>China</td>
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<td>France</td>
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</tr>
<tr>
<td>Canada</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
II. Complete the microdialogue using what you remember from the recording.

**Announcer:** Good morning. This is Alan King on Radio Sussex with our usual Wednesday morning phone-in. This morning the topic is ___________. In the studio is ___________. He is on the line to answer your questions and here’s the first caller. Can you hear me?

**Mr Jack:** Yes, yes I can. Could you possibly assist me with _________________. In what way do these two main traditions of Law differ from each other?

**Mr Andrews:** Well, the question concerns ___________.

**Mr Jack:** Ah, yes, excuse for butting in, but what’s the particular distinction between the two legal systems?

**Mr Andrews:** It’s interesting to know that Common Law differ from Continental Law in _______________. But I have to say the whole issue is so complex that we haven’t got enough time in this phone call to cover everything, I’m afraid.

**Mr Jack:** Oh, well, thanks very much for your information.

**Part C.** After listening

**I. Writing task**

1. Compare legal systems in the USA and Great Britain: what they have in common, and what way they differ

2. Write some arguments proving the distinction between Common Law and Continental Law.

**Radio Phone-in (tapescript)**

**Announcer:** Good morning. This is Alan King on Radio Sussex with our usual Wednesday morning phone-in. This morning the topic is You and Law, and with us in the studio is our resident solicitor Mr Charles Andrews.

**Mr Charles:** Mr Andrews has been looking at some of the letters sent in by our listeners and he is now ready to give us the benefit of his professional advice. He is on the line, ready to answer your questions and here is the first caller Mr Jack Whiteman from Leeds. Can you hear me?

**Mr Jack:** Yes, yes I can. Could you possibly assist me with clarifying some particulars of Common Law and Continental Law. In what way do these two main traditions of Law distinct from each other?

**Mr Andrews:** Well, as you see, your question concerns the essence of modern Law, its historical and political backgrounds. In short, Common Law has been adopted by
many Commonwealth countries and most of the United States and Continental Law has developed in most of continental Europe, Latin America and many countries in Asia and Africa, strongly influenced by Europe. It has also influenced Japan and several former socialist countries.

**Mr Jack:** Ah, yes, excuse for butting in, but what’s the particular distinction between these two legal systems?

**Mr Charles:** Yes, it’s interesting to know that Common Law especially that of England differ from Continental Law in having developed gradually throughout the history, not as a result of the government attempt to define or codify every legal relation, as it’s characteristic of Common Law.

But I have to say that the whole issue is so complex that we haven’t got enough time in this phone call to cover everything, I’m afraid.

**Mr Jack:** OK well, thanks very much.

**Announcer:** I’m sure Mr Jack is satisfied with your answer. In addition I must say that it’s important not to exaggerate the differences between these two legal systems of Law, as nowadays there are attempts to internationalize them throughout the world.

Next on the line is Mrs Kate Stown from Townley.

**Mrs Kate Stown:** Hello Mr Charles, a couple of things there. I’d like you to tell me some words about the sources of the modern Japanese Law.

**Mr Charles:** Well, you see, despite a tradition of private law that resembled principles of judicial precedent the Lawmakers of Japan have adopted criminal and civil codes closely based on the existing French models in their attempts to modernize Japanese Law. Thus Japanese Law has been influenced by both Common Law and Continental Law.

**Mrs Kate:** Thanks a lot, but I’ve heard some changes have been taken place in Chinese Law.

**Mr Charles:** Yes, certainly. In Chinese Law courts historically are regarded as political instruments, used both to control theft and violence and to deal with political opponents. But recently citizens in some areas have been encouraged to seek legal redress in disputes with other citizens, for example over consumer matters. Attempts have been made to codify Chinese Law, but so far there has been little progress.

**Mrs Kate:** Thanks for your consultation Mr Charles.

**Mr Charles:** Not at all. Nice to be useful to you.
Announcer: I’m afraid, we are short of time. I’m very grateful to you, Mr Charles for your exciting information. Next time we’ll be also pleased to get your professional advice on different points and hope that our listeners will keep phoning up.

GRAMMAR SECTION

Grammar to be revised: Reported Speech. Sequence of Tenses.

Ex. 1. Change the sentences according to the modal.

Model: He says: "The question "What is law?" doesn't occur to me".
– He says that the question "What is law" doesn't occur to him.
– He said that the question "What was law" didn't occur to him.

1. The King's adviser says, "Barons are on the verge of rebellion by the evolution of Common Law courts." 2. The teacher asks, "Are you going to make a report on Roman Law?" 3. The lecture adds, "At this time Edward Coke, Chief Justice, is ruling persistently to preserve the autonomy of the Common Law Courts." 4. The paragraph reads, "Blackstone's impact in America is immeasurable; no other legal book has so affected legal practice." 5. The lecture says, "By the end of the 13 century judges developed the law and practicing bar dominated legal education." 6. The text says, "In 1873 Parliament turns to make some order out of the fragmented judicial structures." 7. The introduction reads, "Before the Norman Conquest legal institutions made few lasting contributions". 8. He says, "I hope you won't ask us questions on Tudor period". 9. The teacher says, "I think I should say a few words about the Star Chamber as the oppressive institution of royal power." 10. The author stresses, "English legal scholars trace the origins of English Common Law principally to the Norman Conquest."

Ex. 2. Render the following sentences in the reported speech.

1) The director said, "The lawyer will have access to the files of all the clients of our firm"
2) My friend remarked, "I am afraid they'll expel him from the bar association"
3) The lecture added, "You won't find the materials on the history of Greek law in Greek legal texts"
4) King James said, "Such questions are, have been and will be the province of the court"
5) The commentator said, "Existing common law is in need of revision and clarification. Perhaps, the government will pass new legislation."
6) "The Law Quarterly Review" wrote, "The application of EEC law to this case will pose certain constitutional problems".

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8) The journalist wrote, "I don't think that the Court of Justice of European Community will rule against our government"

Ex. 3. Change the following simple sentences into complex ones.

Model: The new decision has modified the law (He/to admit) – He admitted that the new decision had modified the law.

1) The mere payment of money damages is not enough to give the injured party a proper relief. (the attorney/ to declare).

2) The equity action must be brought (He/to add).

3) "...a clear addition has been made to the precedent" (Main/to write in "Ancient Law").

4) I judge is not free to decide as he pleases. He must decide according to principle (I/to think).

5) The Common Law may be codified (I/to think)

6) Judicial decisions interpreting the code must still be binding (He/to indicate).

7) The rules of Common Law and Equity are recognized and administered in the same way (The Judicature Act of 1875/to read).

8) I am the Chancellor and the keeper of the King's conscience (The bishop/to declare).

9) It became plain to the court that the debtor cannot or will not pay (The judge/to say).

Ex. 4. Say what somebody offered, suggested or advised.

Model 1: He said, "Shall I explain the distinction between Statute Law and Common law?" She said, "Do please" ("No, don't trouble").
— He offered to explain the distinction between Statute Law and Common Law and she accepted the offer (declined the offer).

Model 2: He said, "Suppose we eliminate the distinction between Statute and Common Law? "They said, "The division should be maintained" (If is necessary to remove the division").
— He suggested that they should eliminate the division between Statute and Common Law and they consented (refused).

Model 3: He said to them, "You'd better not the difference between these two traditions of law"
— He advised them not to exaggerate the difference between these two traditions of law.

1) He said to them, "You'd better sue your neighbour for harassment". They said, "No, we won't".
2) He said, "Shall I deliver a report on the nature of law?" The teacher said, "Do, please".
3) He said, "You'd first consider the terms of the contract". They said, "It's absolutely necessary".
4) He said, "Why not institute proceedings to obtain possession of the building?" We said, "Nothing will come out of it".
5) He said to me, "Shall I provide you with necessary legal aid in advance?" I said, "I'll be very much obliged to you".
6) He said, "You'd better not support you decision by a case from another country". They said, "Of course we won't!"
7) He said to me, "We should first obtain sufficient legal knowledge and then start reading a statute." I said, "You are right".
8) Some scholars said, "Would it not make sense to combine the two sources of law?"
9) The lawyer said to me, "You should file an appeal to the House of Lords". I said, "Nothing more is left to do".

Ex. 5. You've just passed your exam. Tell your friends about the questions the examiner asked you.

Model: Do you know the difference between Statute and Common Law?
— The examiner asked me if I knew the difference between Statute and Common Law.

1) What do you know about great law-givers like Justinian and Napoleon?
2) What was the role of judges in classical Roman times?
3) When did the decline of Roman Law begin?
4) How long was the administration of English justice centralized in King's Courts?
5) Was the early law written or not?
6) What did the Magna Carta protect?
7) Do you know when Parliament achieved status as law-making body?
8) Did the Court of Star Chamber impose death penalty?

Ex. 6. Open the brackets.

1) The policeman (to say) that the girl (to miss) for two weeks. 2) I (to discover) that he (to think) nothing special (to happen). 3) It appeared that Oliver Cromwell (to be going) to appoint himself as Lord Protector of the Commonwealth. 4) In 1783 a lot of People in France (to expect) that a consequence of the political revolution (to be) a radical change of the legal system. 5) He admitted that he (to have) no idea of Common Law traditions. 6) I (to read) in the article that by the first century B.C. the Jurisconsults (to become) the first professional lawyers. 7) By the end of the Tudor period it (to became) clear that Parliament (to achieve) status as the law-making body. 8) While in Southern Europe the most important factor in moulding the legal system (to be) Roman
Law, in England the Saxon tribes (to develop) already their own legal process. 9) I didn't suppose that the judicial interpretation of that kind of case in itself (to establish) a precedent. 10) The speaker emphasized that the term "precedent" (to be) historically associated with the Common Law.

Ex. 7. Translate into English

1) Я понял, что у меня слишком мало знаний по правовым вопросам. 2) Мы спросили, не будут ли наши действия посягательством на частную собственность. 3) Было объявлено, что суд будет заседать и в отсутствие Короля. 4) Охранник сказал, что может передать записку заключенному. 5) Экзаменатор спросил меня, было ли во время Вильгельма Завоевателя общее для всего королевства право. 6) Я прочитал, что Римское право долгое время оказывало влияние на многие страны Европы. 7) Преподаватель добавил, что между статутом и законом имеется существенная разница. 8) В 1966 г. Палата Лордов решила, что она в будущем сможет отойти от своего предыдущего решения, когда посчитает себя вправе это сделать. 9) Я подумал, что то, что мы считали законом, никогда в действительности не было законом. 10) Макс Вебер отметил, что каждая правовая система была сформулирована конкретной группой лидеров. 11) Адвокат сказал, что процесс может закончиться для Картера тюремным заключением. 12) Джон Селдон заметил, что право справедливости "... варьирует в зависимости от длины стопы канцлера". 13) Королевский суд решил, что он невиновен. 14) Считалось, что "где нет судебных приказов (writs), нет и права". 15) Было решено, что мы обратимся в суд.

HOMEREADING SECTION

Text “OUTLINES OF ENGLISH LEGAL HISTORY” (from “English Legal History”)

English Law is like a river. The channel widens and deepens as it flows through the course of years and tributaries join it from time to time. Though fed by the springs of the Common Law, the fountain of Equity and the wells of the Law Merchant and Ecclesiastical Law, to mention only some, have increased the waters of the rapidly growing current. And upon the tide is borne the ship which is the soul of England. English Law, as its history shows, was made by Englishmen for Englishmen and expresses the spirit of England. It was no mere chance that in the dark days that were "England’s finest hour" Englishmen were prepared to stand, if need be alone, for law and freedom within the law.

We have likened English Law to a river, not only because it flows in an ever increasing stream from the early days of history, but also because it has flowed in clearly defined channels. What is more, the character of the channel has affected greatly the
kind of flow. These channels are the Law Courts, the institutions which have administered law if they have not always done justice.

Law is made by men’s minds and Law Courts are the places where these minds are capable of expressing themselves.

In the history of civilisation Courts have been made up in very various ways. Sometimes the Courts were composed of ordinary folk with no particular training; such people are bound to approach the decision of a dispute differently from those with trained minds. Again, the kind of training and the kind of knowledge will affect the approach. And it has so happened that English Law has been developed in a number of Law Courts which for historical reasons remained distinct until modern times. Not only the Law Courts were different but for a long time there were two separate professions of law, one trained in the Universities and one in the Inns of Court.

It is more difficult to realise it, but even the machinery by which a dispute is settled may affect the character of the law. If the usual way of settling a quarrel is to leave it to the arbitrament of twelve ordinary men it is not likely that they will be well suited to deal with complicated questions of accounts or to choose between different types of remedy. The different English Courts had different machinery and the nature of the law propounded differed in spirit as well as in subject-matter. Hence it is impossible to pursue the study of legal history without some knowledge of the Law Courts and the machinery by which they tried the disputes before them.

It is far from true that the history of legal institutions is the history of English law. But the legal institutions did largely determine the course of law. This course has two aspects.

The Common Law rule was established that no man should be judge in his own cause. Once upon a time there was a Pope who had committed a great offence, and his Cardinals came and said to him: ‘You have sinned’; and he said: ‘Judge me’; but they said: ‘We cannot because you are the head of the Church; judge yourself’; and the Apostolic Head said: ‘I judge myself to be burned’; and he was burned; and in that case he was judge in his own cause; and afterwards he was made a saint.

Nevertheless where the political issues are most important, the Law Court is least significant in the history of English Law. Whatever may be true of other systems of law and of modern developments in England the Law has proved most fertile when kept outside the arena of politics. Therefore less attention need be paid to those Courts which played their principal part in political history. They belong to the sphere of the political theorist.

At the same time the general social history of the country took a share in shaping both legal institutions and the law. It should be remembered that the growth of law is
guided very much by current thought and notions of philosophy. If a country gets the government it deserves, it also gets a law which reflects current ideas of right and wrong, of good and bad. So, it is not surprising that mercantile law begins to be prominent in the struggles of the Courts to oust one another’s jurisdiction during the sixteenth and seventeenth centuries. It was in these centuries that “merchant ventures” came to take a prominent place in English life.

Notwithstanding this primary part played by legal institutions that make some knowledge of them the first essential to legal history, the history of most of the English law until very modern times is an account of judicial development. This means that it is a growth determined by the process of reasoning, though we may not always agree the premises and some conclusions may appear highly artificial. The free flow of the stream of reason was undoubtedly barred by conditions that may have amounted in the end to a denial of justice. It is well to remember that for the most part English Judges came from one school. Long before they became Judges they were trained to think in a particular way, indeed in a very insular way.

One of the greatest impediments to justice is the tyranny of procedure. Wherever an ordered legal system exists this must probably be the case, but in England long tradition enhanced this difficulty. Early procedure is always very rigid and formal. By reason of the procedural rule about writs commencing a Common Law action an owner of a chattel could obtain a remedy in only a few cases until the Judges invented the fiction that he had lost it and it had been found. A legal fiction has no merits of its own, but our legal history has many examples and they served a beneficial purpose. It is for reasons such as this that an elementary knowledge of procedure is necessary to any history of English Law or, indeed, probably of any law which has grown out of primitive origins.

Judicial law in England, at least, has this further peculiarity. It deals with concrete cases; the hard facts that have to be decided. Unless there is a dispute the Court to-day cannot deliver any judgement but must dismiss the proceedings. Though in early times both Judges and counsel presented hypothetical problems and their solution more readily than is now the custom, they were addressed to a precise dispute.

The process of reasoning step by step, which we may call “judicial logic”, is the basis of modern English law of precedent and it is fundamental to all legal study in England. Although statute, when unassisted by judicial decisions, may provide rules without much apparent reason, the basic English Judge-made law can be understood by patiently unravelling the steps by which the rule came into being. Some of the reasons may be very poor and quite a number sound strange in modern ears, but these steps explain the principle even if they do not commend it. It is this fact which lends
importance for the lawyer to the study of legal history. If a rule is inadequately understood it cannot be applied properly. Therefore, the reason for each step is as important as the step itself — sometimes more important.

Although the reasons behind the growth of the law are generally to be found in the later period it must be admitted that in mediæval times origins are sometimes obscure. Part of this is due no doubt to our ignorance of contemporary records and thought, but a good deal of it comes from the fact that the Judges very nearly invented the laws one of them once picturesquely put it: “the law is written in the breasts of the Judges”. In the later middle ages at least arguments were put forward of a general character that would not readily be acceptable to-day. As one of the judges of the past said: “If we should judge in this case as the Canonists and Civilians deal with a new case concerning which they have no existing law then they resort to the law of nature which is the ground of all law”.

But for the most part the Judges followed faithfully in the steps of their predecessors and the law grew under their hands as they granted or refused a remedy upon their knowledge of the past.

Here we can only speak of the principal steps, or stages, on the path trodden by the Judges. And be it remembered that “law does not consist in reading but in understanding”.

So, the Common Law is the essential law of English heritage. But the legal system of England has for many years had more than one Law. The Courts of Chancery and Admiralty, and the Ecclesiastical Courts had each their own Law and, though now much moulded to the form of the Common Law, they had different origins and different purposes. That all these branches of the legal system now form the Laws of England is part of the history of the country. That originally they were different and often in conflict remains important. That each in its time aided and supplemented the others makes their share doubly so. The broad river of English Law is, indeed, still fed by the waters from these several streams.

**Notes:**

1. to propound law - (зд.) разрабатывать закон
2. to oust jurisdiction - выйти из-под юрисдикции
3. mediæval = medieaval - средневековый
4. the path trodden by Judges - тропа, проторенная судьями
5. mould, v - превращать (в)
WORDS AND WORD COMBINATIONS

1. affect, v — оказывать влияние (на)
2. arbitrament, n — авторитетное решение
3. distinct, adj — четкий, отчетливый
4. determine, v — определять
5. establish, v — основывать
6. cause, n — дело
7. shape, v — придавать форму
8. enhance, v — увеличивать, усиливать
9. rigid, adj — жесткий
10. significant — значительный
11. resort, v (to) — прибегать (к чему-либо)
12. prominent, adj — видный, заметный
13. apply, v — применять
14. obscure, adj — неясный, малоизвестный
15. reason, v — рассуждать, продумывать
16. bar, v — запрещать
17. impediment, n (to) — препятствие (на пути к)
18. a judicial decision — решение суда
19. a judge-made law — закон, издаваемый судьей
20. a denial of justice — отказ в правосудии
21. to take share (in) — принимать участие (в)
22. to settle a dispute — уладить (разрешить) спор
23. to administer law — отправлять правосудие
24. to dismiss the proceeding — отклонить иск, прекратить дело

Task 1. Pair the suitable right and left parts to complete the list of the definitions.

1. “significant” and “essential” are both thought of as
   a) insignificant
2. “to administer” means
   b) settle, decide, set one’s purpose on
3. “cause” can be regarded as
   c) settlement, judgement, test, decision or determination
4. “to determine” is viewed as d) “to direct”
5. “arbitrament” is e) motive, consideration; or purpose, aim; or trial, case
6. When we use the word “to affect” we presuppose f) think, debate; draw conclusions
7. To “establish” is understood as g) raise, advance, increase, aggraxate
8. To “enhance” is sensed as h) fix, settle, make stable; prove
9. “rigid” bears the meaning of i) definite, unmistakable, clear, well-defined or separate and discrete
10. “obscure” can be explained as j) vague, dim, shadowy; doubtful, unknown
11. The verb “to reason” can be interpreted as k) influence, acting upon; modifying, altering or transforming
12. “prominent is opposite to l) smth important and vital
13. “fertile” bears the meaning of m) fruitful, productive, rich
14. Under “distinct” one should understand n) inflexible; severe; formal; exact or firm and hard
15. “Impediment” is smth that o) interferes; a kind of an obstacle

**Task 2. a)** Think of a suitable word to express the true ideas of the following sentences.

1. The author compares (describes/draws a parallel between/estimates) English law to a river which has flowed – gradually – in well shaped channels.
2. In the history of civilization Courts have been organized (composed/determined/consisted) quite differently.
3. One can’t start studying the history of law thoroughly if he doesn’t know anything of Law Courts and the way they dealt with the cases (judged the facts/settled the disputes/discussed matters).
4. The course of law was greatly dependent on (administered/affected by/instructed by) the type of legal institutions.
5. Judicial law in England regards (discusses/describes/has to do with) concrete cases.
6. In spite of the fact that the component parts of English Law had different sources, they influenced (interfered with/acted upon/were interested in) one another.
7. The Common Law is the most important (significant/rigid/fertile) law of the legal system inherited.

**b) say how the same ideas are expressed by the author.**
Task 3. a) Give the English equivalents for the following:

- обычный способ разрешения спора (the usual way of ...)
- механизм разрешения спора (the machinery by which ...)
- выражать настроение (to express ...)
- идти по стопам (to follow ...)
- подойти к решению вопроса (to approach the ...)
- хорошо подходить для рассмотрения сложных вопросов ... (to be well suited to ...)
- определить путь, по которому развивался закон (to determine ...)
- занимать выдающееся место в ... (to take a ...)
- выносить [судебное] решение (to deliver ...)
- преградить путь свободному потоку оснований (to bar ...)

b) Give your translation of the two introductory and the concluding paragraphs of the text.

Task 4. Combine the two parts of the sentences to convey the true ideas of the text.

1. English law expresses a) the evolution of British Government
2. Law is made by men’s minds, and b) is an account of judicial development
3. Sometimes Courts were composed of c) with no particular training ordinary folk
4. Legal institutions have been partly d) the tyranny of procedure responsible for
5. The history of English Law until very e) Law Courts are the places where these modern times minds are capable of expressing themselves
6. One of the greatest impediments of f) when kept outside the arena of politics justice is
7. English law has proved most fertile g) in understanding
8. Judicial law in England deals h) for Englishmen
9. If a rule is inadequately understood i) with concrete cases
10. The branches of the legal system j) form the laws of England
11. Law doesn’t consist in reading, but k) it can’t be applied properly
12. English law was made by Englishmen l) the spirit of England
**Task 5.** Say whether the following ideas are true or false. Argue them with your partner using colloquial phrases which will make your arguments more convincing:

*I’m not (too) certain about it, but I think ...
I expect you’re not quite right (absolutely right / right only to some extent)
I don’t quite know, but I suppose ...
I’m sorry to disappoint you, but I find ...
I can’t affirm, but to my mind ...
I don’t know it for sure, but I suggest ...
I don’t think I’m mistaken, and I can assure you (that) ...

1. English law is based on the Common Law, the right of Equity, the Law of Precedent, the Law Merchant and the Ecclesiastical Law.
2. English law is made by judges.
3. Sometimes the courts were composed of ordinary folk.
4. The machinery by which a dispute is settled may affect the character of the law.
5. The history of legal institutions is the history of English Law.
6. Unless there is a dispute the court today cannot deliver any judgement.
7. The process of reasoning step by step, [which can be called judicial logic], is the basis of modern Law of Equity.
8. Law consists in reading it and following it.
9. Common Law is the essential law of the English legal heritage.

**Task 6. a) Dwell on the meaning of the following word combinations:**

to do justice; to propound a law; the tyranny of procedure; an ordered legal system; for the benefit of all; to enhance the difficulty of ...; to follow faithfully in ...; to determine the course of law; ... stream of reasons; beneficial purpose; to supplement one another; to develop in a number of law courts; to oust one another’s jurisdiction.

**b) Say how you understand the ideas the following sentences convey:**

1. The character of the channel of English Law has affected greatly the kind of flow.
2. ... the institutions which have administered law if they have not always done justice.
3. ... to approach the decision of a dispute differently from those with trained minds.
4. The different English Courts had different machinery and the nature of the law propounded differed in spirit as well as in subject-matter.
5. One of the greatest impediments of justice is the tyranny of procedure.
6. The process of reasoning step by step is fundamental to all legal study in England.
Task 7. Give answers to the following questions.

1. What is moral law?
2. Which is the essential law of the English legal heritage?
3. What branches of the legal systems form now the laws of England?
4. How did legal institutions determine the course of law?
5. What is Common Law? Why was Common Law rule established?
6. How is the notion “the tyranny of procedure” expressed in the text?
7. When did “merchant venturers” begin to take a prominent place in English life?
8. What are the peculiar features of the legal system in England?

Task 8. This is a kind of a plan of an introductory lecture on English Law. Using the text, make it complete. Pay attention to the use of the italicized colloquial expressions.

1. If you want to know what the river of the English law is fed with, you should think of ...
2. When compared to a river, it can be said that the English law has flown into clearly defined channels which are ...
3. Speaking about law courts, one can state that they are places where ...
4. It’s of great significance to mention that in the history of human civilization courts have been composed in very various ways, namely ...
5. One shouldn’t forget that the history of most of English law until very modern times is ...
6. It is generally acknowledged that the court today cannot deliver any judgement unless ...
7. One cannot deny the fact that the basis of the modern law of precedent is “judicial logic” which is ...
8. If someone has an intention to find out the reasons of the growth of the law, he shouldn’t fix his eyes upon mediaeval times as ...
9. It must be admitted that the principal steps on the path of the English law were paved by the Judges who [for the most part] ...
10. It remains indisputable that originally all branches of the legal system of England [which now form the laws of the country] were ...

Task 9. Roleplay the following situations.

Situation 1.

■ You’re a group of experts who are making a brief survey of the development of English Law. Say how you’re going to reveal the following aspects:
1. General characteristics and basic components of the English law:
   a) development in the course of years
   b) sources of the law
   (like a river; flows through the course of years; made by Englishmen for Englishmen; expresses the spirit and soul of England, widens and deepens; Common Law; (the right of) Equity; Law Merchant and Ecclesiastical Law)

2. Law Courts and the machinery they settled disputes
   (to administer law/justice; to pursue the study of legal history; to affect the character of law; the usual way of settling (trying) a dispute/quarrel; the arbitrament of twelve ordinary men; to deal with [complicated] questions of ...; different types of remedy; to differ in spirit as well as in subject-matter)

3. The role of Judges in administering justice
   (an account of judicial development; the growth of law jurisdiction; to be barred by; to amount to; to come from; to be trained to ...)

   a) Start your brief survey of the events with:
      • talking of . . . , . . .
      • on the subject of . . . , . . .
      • to begin with . . . , . . .
      • somebody once mentioned . . . , . . .
      • if I may just refer back to . . . , . . .
      • to go back to what smb [has] said about . . . , . . .

   b) Proceed your narration of events with the help of:
      • further on . . . ,
      • as the narration proceed(s)ed . . . ,
      • shortly after that . . . ,
      • then . . . ,
      • later on . . . ,
      • (soon) afterwards . . . ,

   c) Finish your accounts with:
      • so, . . .
      • (so), basically . . .
      • in a word, / to put it in a word, / to put it in a nutshell, . . .
      • the point I’m making is . . .
      • briefly, . . .
• to sum (it) up, / to summarise, ...

**Situation 2.**
- You’re an examiner. Ask your “students” whether they know anything about
  - the component parts of the English law,
  - the institutions that have administered law in England;
  - the development of English courts;
  - the process of establishing the Common law rule [in the early days of the history of the law];
  - the meaning and the essence of the term “judicial logic”

**Situation 3.**
- You’re a lecturer. You speak about the history of law courts as institutions that administered law. (Think what colloquial phrases will be more suitable for describing each of the stage)

  *It’s a well-known fact; it is generally acknowledged; it is a scientific approach to; it is (not) disputable (that); it’s absolutely true; nobody can deny that; the idea of ... is still obscure; it is worth while (studying/ drawing the listener’s attention to): it’s absolutely clear; I can (can’t) assure you (of) ... but let me confirm the idea of that ...*

  a) The way the courts were organized:
  (composed of; no particular training; to approach the decision of a dispute; the kind of training and the kind of knowledge; to remain distinct until modern times; two separate professions of law);

  b) The way the legal institutions have determined the course of law:
  (the evolution of the government; to play/ take part; instrument of tyranny; to be controlled by the executive power);

  c) Law and politics:
  (a judge in one’s own case; political issues; less significant; to be kept outside the arena of politics; to play part in political history).

  d) Law and legal institutions in the light of social history:
  (to take share in; to shape the law; to be guided by; the growth of law; to reflect; the ideas of right and wrong (good and bad)).

**Situation 4.**
- Imagine you’re taking your postgraduate’s exams. Choose any of the suggested in situation 3 or in Task 8 points and develop it into a kind of a report. To make its ideas more clear, evident and personal, use the following conversational formulas:
- Indeed/ really;
- I find it surprising/amazing/extremely interesting;
- I’m delighted to hear/learn (that)...
- It gives me pleasure/satisfaction to (inform the audience) ...
- To be (quite) frank, I find the topic/question/issue/problem ... rather/very tedious/important/up-to-the moment ...
- Actually, it bores me stiff/is rather annoying
- I can’t (honestly)say I’m all that interested in/care about ...

**Situation 5.**

You’re conducting a discussion at a lawyers’ conference. The topic of the discussion is “English legal history. Hardships and Achievements”. Make your colleagues active participants. For this

**a) use the proverbs and sayings to make your utterances eloquent:**
- Every law has a loophole.
- Laws like cobwebs catch flies and let hornets go.
- What is writ is writ.
- When in Rome, do as Romans do.
- The end justifies the means.
- Prevention is better than cure.
- It’s Greek to me (это китайская грамота).

**b) use the popular phrases to supply more logic to your utterances:**
- The Holy of Holies (святая святых)
- A Hercule’s labour
- The Gordian knot
- The unwritten law
- To rest on one’s laurels
- Breaking is not making
- Good weight and measure is the people’s treasure
- Custom without reason is an ancient error.

**Task 10. Writing**

*Write a summary of the article “Outlines of English legal History”. Reflect the following ideas:*

- the sources and the component parts of the English law;
- the function of the Law Courts in the development of the judicial system of England;
- the distinctive features of the English legal system;
Express your **personal attitude** towards the process of the development of the English legal history.

**ADDITIONAL READING**

**Text**

"**Law**"

Law is the set of enforced rules under which a society is governed. Law is one of the most basic social institutions — and one of the most necessary. No society could exist if all people did just as they pleased, without regard for the right of others. Nor could a society also have certain obligations toward one another. The Law thus establishes the rules that define a person’s rights and obligations. The Law also sets penalties for people who violate these rules and it states how government shall enforce the rules and penalties. However, the laws enforced by government can be changed. In fact, laws frequently are changed to reflect changes in a society’s needs and attitudes.

In most societies, various government bodies, especially police agencies and courts see that laws are obeyed. Because a person can be penalized for disobeying the law, most people agree that laws should be just. Justice is a moral standard that applies to all human conduct. The laws enforced by government have usually had a strong moral element, and so justice has generally been one of the law’s guiding principles. But governments can, and sometimes do, enforce laws many people believe to be unjust. If this belief becomes widespread, people may lose respect for the law and may even disobey it. But in democratic societies the law itself provides ways to amend or abolish unjust laws. Law can be divided into two main branches: private law and public law. Private law deals with the rights and obligations people have in their relations with one another. Public law concerns the rights and obligations people have as members of society and as citizens.

The major branches of public law are: constitutional law, criminal law, administrative law, international law. The major branches of private law are: contract and commercial law, tort, property law, inheritance law, family law, company law.

**Text**

"**Systems of law**"

Every independent country has its own legal system. The systems vary according to each country's social traditions and form of government. But most systems can be classed as either (1) a common-law system or (2) a civil-law system. Australia, Ireland,
New Zealand, Great Britain (except Scotland), the United States, and other English-speaking countries have a common-law system. Most other countries have a civil-law system. Many countries combine features of both systems.

**Common-law systems** are based largely on case law — that is, on court decisions. The common-law system began in England many hundreds of years ago. The English called their system the common law because it applied throughout the land.

English common law developed from the rules and principles that judges traditionally followed in deciding court cases. Judges based their decision on legal precedents that is, on earlier court rulings in similar cases. But judges could expend precedents to make them suit particular cases. They could also overrule (reject) any precedents that they considered to be an error or outdated. In this way, judges changed many laws over the years. The common law thus came to be law made by judges.

Case law is still important in common-law countries. However, the lawmaking role of legislatures in these countries has increased greatly during the 1900's. The changes have dealt with such matters as employee management relations, workers' wages and hours, and environmental protection. Nevertheless, common-law countries have kept the basic feature of the English legal system, which is the power of judges to make laws. In addition, constitutional law in these countries, continues the common-law tradition of defending the people's rights and liberties.

**Civil-law systems** are based mainly on statutes (legislative acts). The majority of civil-law countries have assembled their statutes into one or more carefully organized collections called codes. Most modern law codes can be traced back to the famous code commissioned by the Roman emperor Justinian I in the A.D. 500's. Justinian's code updated and summarized the whole of Roman law. It was called the *Corpus Juris Civilis*, meaning *Body of Civil Law*. For this reason, legal systems that are based on the Roman system of statute and code law are known as *civil-law systems*. This use of the term *civil law* should not be confused with its use as an alternative term for *criminal law*.

In civil law countries, such as France, Germany, and Mexico, the statutes, not the courts, provide the final answer to any question of law. Judges may refer to precedents in making their decisions. But they must base every decision on a particular statute and not on precedent alone.

**Other systems.** Many countries have patterned their legal system after both civil law and common law. For example, Japan and most Latin-American nations have assembled all their private law into a code. But public law in these countries has been greatly influenced by common-law principles, especially those that guarantee the rights and liberties of the people.
Social conditions are continually changing, and so the law must also change or it will become outdated. Every nation changes its laws in the manner that its political system prescribes. In a dictatorship, only the top government leaders are able to change the law. Democracies, however, have developed four main methods of changing the law: (1) by court decision, (2) by legislation, (3) by administrative action, and (4) by direct action of the people.

**By court decision.** Judges in common-law countries change laws by expanding or overruling precedents. However, a precedent can normally be overruled only by a higher court. If a government does not like the way a court has interpreted the law it must change the law by legislation.

**By legislation.** Legislature may change laws as well as make them. A legislature can change a statute by amending it; by repealing (cancelling) it; or by passing a new law on the same subject. In most countries with a written constitution, some form of legislative action is required to amend the constitution.

**By administrative action.** Government departments may be authorized to make, amend, repeal, or replace regulations. This is known as delegated legislation. They may also be authorized to interpret an old regulation to meet changing conditions.

**By direct action of the people.** Some national and many local governments give the people direct power to change the law by referendum and by initiative. In a referendum, a law or a proposed law is submitted to the voters for their approval or rejection. In an initiative, a group of citizens proposes a law, which is then approved or rejected by the legislature or by referendum. Many countries have repealed their constitution one or more times and replaced it with a new one. In most such cases the new constitution cannot take effect until it has been approved by referendum.

**“If the law supposes that, the law is a ass”**

WERE, IN CAPITALIST SOCIETY, the law merely "a ass", one might sleep a lot easier. However, as the articles in this June Insight show, the law, its institutions, how it is applied, and how it is interpreted confront entire sectors of the Canadian people as an enemy.

Canadians have been taught to believe that the law is blind, neutral, standing above individuals, groups and even entire classes. We have been taught to believe — and many of us do — that recourse to the law, or involvement in legal procedure, will ensure us perfect, or near-perfect justice.
It has always been part of the ideology of the ruling class in each particular historical era to present its concepts of society, philosophy, morality and ethics, its concepts of democracy and social and individual justice, along with the institutions founded on their premises, as eternal, those of, and inherent to, all citizens.

The law is no exception. We are told about "natural justice", "equality before the law", "equal access", "one law for rich and poor alike". And so, basically, it should be.

UNFORTUNATELY, things don’t work that way. The majority of Canadians — working people, the poor, people of color, Native people, women, trade unionists, progressive activists — find that when confronted with the law, it is a single, alien being that mitigates for and defends the rich, the employers, the privileged and powers-that-be.

Laws, however, like those who write them, are not eternal, just as governments, entire societies and social systems are not eternal. Laws can be changed. But to do so requires political pressure and political action.

The same overall body of law, written and applied by the same powers-that-be, oppresses each of the groups alluded to above. By the same token, the law, which in Canada is in fact one of the ideological and coercive foundations of an unequal society, cannot be changed unless all of these groups act together politically.

In this sense, they are natural allies — constrained and oppressed by laws written by and in the interests of the ruling class.

CHANGING THE LAW to serve and protect the interests of those whom it currently works against — the majority of Canadians — requires political change in the interests of that same majority. It requires of them concerted and united political action, a new political direction charted and won by a people's coalition that will change not only laws, but the entire course of Canadian development as part of a program of peace, independence, full employment and genuine equality.
UNIT III
British Constitutional Law

READING MATERIAL

Text A. "British Constitution"

Task: read and translate the following text.

A constitution is the political and ideological structure within which a system of law operates. Most countries have a formal written Constitution describing how laws are to be made and enforced. A constitution is more than a mechanical set of ground rules. It is a mirror reflecting the national soul. It reflects those values the country regards as important, and shows how these values will be protected.

The British constitution has evolved over many centuries. Unlike the constitutions of most other countries, it is not contained in any single document: there is no written constitution. Instead it is made up of statute law, common law and conventions. The constitution can be altered by Act of Parliament or by general agreement to alter a convention. It is thus adaptable to changing political conditions. One of the reasons for having special constitutional laws is to prevent governments from becoming too powerful. Most modern constitutions have adopted the principle of separation of powers, developed in the eighteenth century by the French philosopher Montesquieu. In Britain Parliament is vested with legislative powers and is the supreme authority. Parliament makes laws. Executive branch is represented by the government, which executes laws, i.e. puts them into effect. Law courts constitute the judicial branch, they interpret and apply laws.

Parliament. The tree elements which make up British Parliament are the Queen, the House of Lords and the elected House of Commons. The agreement of all three is normally required for legislation.

To become an Act of Parliament a bill must be passed in the House of Commons, adopted in the House of Lords and finally signed by the Queen. Any member of the House of Lords may introduce a bill (a draft law). In the House a bill must pass three readings. There is no debate at the first reading. This is followed by a thorough debate on general principles at the second reading. A bill is then given detailed consideration, clause by clause, by a Commons committee and amended, if necessary, before a third and final reading. If a bill is passed by the Commons it goes to the Lords. The House of Lords has similar procedures. The Lords cannot reject bills passed by the Commons but can only delay the passage of a bill.

If the Lords agree to a bill it will be passed before the Queen for signature. When the Queen signs it, it becomes an Act of Parliament.
Government. The party which has majority in the House of Commons forms the government and may hold office for five years. The leader of the majority party is appointed by the Queen on the advice of the Prime Minister. Her Majesty’s Government is responsible for the administration of national affairs. Government consists of about seventy politicians. The composition of government may vary both in the number of ministers and in the titles. New ministerial offices may be created, others may be abolished and functions may be transferred from one minister to another. There are departmental (in charge of government departments) and non-departmental ministers, holders of various traditional offices, the latter performing any duties the Prime Minister may wish to give them. Departmental ministers are usually in the Cabinet. The Cabinet is composed of about twenty ministers chosen by the Prime Minister, although the number can vary. The functions of the Cabinet are initiating and deciding on policy, the supreme control of government and the coordination of government departments. The Cabinet can always have the last word. No change of policy of any importance would be considered without the Cabinet sanction. The Cabinet meets in private and its proceedings are confidential. The Cabinet is also the Court of Appeal.

The Judiciary. The judiciary is independent of the executive; its judgements are not subject to ministerial direction or control. The Prime Minister recommends the highest judicial appointments to the Crown. The Lord Chancellor is head of the judiciary except in Scotland (although Britain is a unitary state, England and Wales, Scotland and Northern Ireland all have their own legal systems). Lord Chancellor’s responsibilities include administration of all courts, judicial appointments and appointment of magistrates.

Word Study
Ex. 1. a) Read the international words and guess their meaning. Mind the stress.

'statute' me'chanical ide'o'logical
'detail' con'vention consti'tution
'sanction' phi'losopher polit'ician
de'bate de'partment
co'mmittee confi'dential pro'cedure

b) Pronounce correctly the following proper names:

Act of Parliament ['Àkt Àv 'pÀ:lÀmÀnt] Queen ['kwin]
Britain – British [britn – britÇ] Prime Minister ['praIm ministÀ]
Montesquieu [,mÀnte's kju:] Majesty ['mÀdÈisti]
Complete the list of derivatives. Use a dictionary if necessary.

<table>
<thead>
<tr>
<th>verb</th>
<th>noun(agent)</th>
<th>noun(concept)</th>
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<tbody>
<tr>
<td>to operate</td>
<td>operator</td>
<td>operation</td>
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<tr>
<td>to enforce</td>
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<td>to protect</td>
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<td>to adopt</td>
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<td>to elect</td>
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<td>to function</td>
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<td></td>
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<tr>
<td>to compose</td>
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<tr>
<td>to administer</td>
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</table>

Pair the words in column B with the ones from column A

<table>
<thead>
<tr>
<th>B</th>
<th>A</th>
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</thead>
<tbody>
<tr>
<td>1. political</td>
<td>a) government</td>
</tr>
<tr>
<td>2. ministerial</td>
<td>b) affair</td>
</tr>
<tr>
<td>3. single</td>
<td>c) document</td>
</tr>
<tr>
<td>4. general</td>
<td>d) procedure</td>
</tr>
<tr>
<td>5. changing</td>
<td>e) structure</td>
</tr>
<tr>
<td>6. special</td>
<td>f) condition</td>
</tr>
<tr>
<td>7. powerful</td>
<td>g) authority</td>
</tr>
<tr>
<td>8. supreme</td>
<td>h) law</td>
</tr>
<tr>
<td>9. administrative</td>
<td>i) agreement</td>
</tr>
<tr>
<td>10. similar</td>
<td>j) office</td>
</tr>
</tbody>
</table>

Decide which of the verbs you would use with the noun phrases you have identified in ex. 3

1. to contain; 2. to have; 3. to operate; 4. to alter; 5. to vest; 6. to pass; 7. to create; 8. to adapt; 9. to form; 10. to be responsible for

Add adjectives to the following nouns to form noun phrases.

1. political; 2. formal; 3. national; 4. general; 5. constitutional; 6. judicial; 7. initiating; 8. Considerable
Ex. 6. In the sentences below, fill each blank space with a suitable word from the word family given in CAPITALS on the right.

1. Nearly all British citizens over the age of 18 are members of the ______ (ELECT).
2. In the British constitutions the Queen in Parliament is the legislative __________ (SOVEREIGN).
3. Many British ________ are in favour of changing the ________ (VOTE; ELECT).
4. For the purpose of tax, a person is _____ in the UK if s/he stays there for more than six months of the year.(RESIDE)
5. Parliament _____ the ____ of the special Commission. (APPROVE; RECOMMEND)
6. Direct ________ to the European Parliament are held every five years. (ELECT)

Ex. 7. Match Russian and English equivalents.

a) изменять договор 1. a set of ground rules
b) приводить в действие 2. to reflect the national soul
c) проект закона 3. to alter the convention
d) откладывать закон 4. to vest with the legislative power
e) проводить частное и секретное судопроизводство 5. to put into effect
f) набор основных правил 6. to interpret laws
g) облекать законодательной властью 7. to apply laws
h) толковать закон 8. a draft law
i) делать (давать) детальное обсуждение 9. to give detailed consideration
j) координарирование правительственноых ведомств 10. to delay the law
k) отражать национальный дух 11. coordination of government departments
l) применять закон 12. to have private and confidential proceedings

Ex. 8. Complete the following sentences by adding the phrases given in part B

Part A.

1. A constitution is ...
2. British constitution is made up of ...
3. Most modern constitutions have adopted ...

89
4. The executive branch puts ...
5. Law courts constitute ...
6. The first reading of a bill is followed by ...
7. If the Lords agree to a bill ...
8. The composition of government may vary both ...
9. The Cabinet can always have ...
10. The job of Lord Chancellor is ...

**Part B.**
1. ... the judicial branch.
2. ... in the number of ministers and in titles.
3. ... administration of all courts, judicial appointments and appointment of magistrates.
4. ... more than a mechanical set of ground rules.
5. ... the laws into effect.
6. ... it will be passed before the Queen for signature.
7. ... the last word.
8. ... statute law, common law and conventions.
9. ... a debate in general principle.
10. ... the principle of separation of powers.

**Discussion**

**Ex. 1.** Choose the correct alternative and complete each of the sentences below.

1. The _______ met urgently at 10 Downing Street to decide government policy on the new economic crises.
   a) civil service       b) Privy Council       c) Cabinet       d) ministries

2. The exact effect of legislation is influenced by judicial ____________.
   a) interpretation       b) custom       c) sovereignty       d) codification

3. Parliament is a ____________ body.
   a) legislation       b) legislature       c) legislative       d) legislate

4. ____________, codes and delegated legislation are all sources of written law.
   a) Law reports       b) statutes       c) Rules of law       d) Court cases

5. The Minister presented the new Housing ____________ to the House of Commons for reading and debate
   a) Act       b) Code       c) Law       d) Bill
6. The government lost the confidence of the House of Commons, Parliament was dissolved and a/an ___ was called.
   a) general Election   b) electoral roll   c) by-election   d) election campaign

7. In general, a Bill becomes an Act of Parliament when it has received the ________ of both Houses of Parliament and the sovereign.
   a) consent   b) ratification   c) enactment   d) assent

Ex. 2. *Mark the statements which are true.*

1. The Constitution describes the life of the people.
2. The Constitution is contained in a lot of documents.
3. In Britain Parliament is the supreme authority.
4. Law courts interpret and apply laws.
5. To become an Act of Parliament a bill must be signed by the Queen.
6. In the House a bill must pass only one reading.
7. The Lords can reject any bill.
8. Government consists of about seventy politicians.
9. The Cabinet proceedings are private and confidential.
10. The Court judgements are the subject to ministerial direction or control.

Ex. 3. *Write down 10 questions you could ask about "British Constitutional Law". Begin each question differently, like this:*

   Did ...?; Are ...?; Do ...?; Who ...?; When ...?; What kind of ...?; How many ...?; Why ...?

Ex. 4. *Speak on the British Constitution*

A. The Constitution itself as the supreme law:
   the political and ideological structure, to make and enforce laws, to reflect the national soul, to protect the values, to contain, to make up, to alter a convention, to prevent, to vest with powers, to be the supreme authority, to put into effect, to constitute, to interpret laws, to apply laws.

B. Parliament:
   to require for legislation, to pass laws, to adopt, to sign, to introduce a bill, the first reading, to debate, to give detailed consideration, to amend, to reject.

C. Government:
   to hold office, to be responsible for, to create, to abolish, to transfer, to be composed of, to have the last word, the Cabinet sanction, the Court of Appeal.
D. Judiciary:

to be independent, judgements, control, to recommend, the Lord Chancellor, legal
system, administration of courts, judicial appointments, the appointment of
magistrates.

Text B. "Monarchy in Britain"

Task: read the text and get ready to discuss its main points.

Great Britain is a monarchy, but the British Queen is not absolute, her powers are
limited by Parliament. The power is hereditary and not elective. The Queen is not only
head of state, but also an important symbol of national unity. In law she is head of the
executive, an integral part of the legislature, head of the judiciary, commander-in-chief
of all the armed forces of the Crown and the supreme governor of the established Church
of England. Today she is only a formal ruler and does not actually govern. Whatever she
does must be done on the advice of the Prime Minister who is politically responsible for
the Royal act.

The duties of the Queen are numerous. The Queen summons, prorogues and
dissolves Parliament, as a rule she opens each session with a speech from the throne. She
must give Royal assent before a bill which has passed all its stages in both Houses of
Parliament becomes legal. It is her duty to make appointment to all important state
offices, including those of judges, officers in the armed forces, governors and diplomats,
and to all leading positions in the church of England. The Queen has the power to
conclude treaties, to cede or annex territory, to declare war and make peace. All these
matters are conducted in her name by Ministers and their officials.

The Queen has her own Privy Council. The Cabinet developed from this Council
which used to be a body of advisers of English monarchs and was the chief source of
executive power in the state. As the system of Cabinet developed, the Privy Council
decayed in importance. It consists of members of the Royal family, the Arch-bishops,
colonial governors and all senior Ministers, together with others to whom membership
has been given as an honour. There are about 400 Privy Counsellors. There are a number
of advisory Privy Council committees. The Judicial Committee of the Privy Council is
the final Court of Appeal.

Ex. 1. Here are the answers to some questions. What are the questions?

1. Queens powers are limited by Parliament. (What ...?)
2. The Prime Minister is politically responsible for the Royal act. (Who ... ?)
3. Yes, she summons, prorogues and dissolves Parliament. (Disjunctive)
4. The duties of the Queen are numerous. (Alternative)
5. Yes, today she is only a formal ruler and does not actually govern. (General)

Ex. 2. Complete the following sentences.
1. The Queen is not only the head of state but ... .
2. Today the Queen is only a formal ruler and ... .
3. The duties of the Queen are ... .
4. All the matters are conducted in her name in the state by ... .
5. The Privy Council used to be ...
6. As the system of Cabinet developed the Privy Council ... .
7. The Cabinet consists of ... .

Text C. "Political Parties"

Task: read the text, get ready to compare the policy of the Conservative and Labour Parties.

The main political parties in Great Britain are the Conservatives, the Labour party and the Liberal Democrats. The most powerful parties are Conservative and Labour parties. These parties as a rule control Parliament. In this context there is a two-party system in Britain. Since 1945 these parties have held power. The Conservatives have always been the party of the Right. It is the party supported traditionally by the rich and the privileged. The origins of the party go down to the 17th century when it was called the Tory party. The Conservative party has no official permanent programme. On the eve of general elections the party issues a pre-election manifesto which states the main aspects of the home and foreign policies of the future Conservative government if the party wins the elections. Tories favour radical policies, they welcome privatization of sections of the national industries, the state's withdrawal from direction of the economy, they stress the pursuit of the national interest and priority for defence and law and order.

The Labour Party was founded in 1900 by the Trade Union Congress on the initiative of socialist organizations to win working-class representation in Parliament. The Party believes that private ownership and free enterprise should be allowed to flourish, but not at the expense of their traditional support of public services. Membership of the Labour Party is provided by trade-union members, cooperative organizations, working class and petty bourgeoisie. Today the Labour Party shows no radical change in policy from the Tories.
The Liberal Democrats are the result of alliance in 1988 of two parties – the Liberal party (the Whigs), which could frame its origins to the XVII century, and the social Democratic party created in 1981.

There are some other minority political parties in Great Britain: the Communist party (formed in 1920), the Green party, the Scottish and the Welsh Nationalist parties.

Ex. 1. **Explain and expand on the following:**

1. There is a two-party system in Britain.
2. The Conservatives have always been the party of the Right.
3. On the eve of general elections the Conservative Party issues a pre-election manifesto.
4. The Labour Party was formed to win working-class representation in Parliament.
5. Today the Labour Party shows no radical change in policy from the Tories.

**Text D.**

“**Elections in Great Britain**”

**Task:** read the text and give your understanding of the underlined parts of the sentences.

For parliamentary elections Great Britain is divided into 650 electoral districts, called constituencies, of approximately equal population. Each constituency elects one member to the House of Commons. Any British subject can be nominated as a candidate for any seat on payment of a deposit, though peers, clergymen, lunatics and felons in prison are disqualified from sitting in the House of Commons. Practically no person can stand any chance of being elected except under the name of a party, and a little chance except as a candidate backed by either the Labour or the Conservative Party. In every constituency each of these two parties has a local organization, whose first task is to choose the candidate, and which then helps him to conduct his local campaign.

The British citizens of over the age of 18 are entitled to vote at local elections in the area in which they are registered as electors.

The franchise (right to vote) became universal for men by stages in the nineteenth century. Women suffrage came in two stages (1918 and 1928). Voting is not compulsory, but in the autumn of each year every householder is obliged by law to enter on the register of electors the name of every resident who is entitled to vote.

Ex. 1. **Discussion points**

1. Compare the UK electoral system with another electoral system that you know well. What are the main similarities and differences? What are the strongest and weakest points of each system in your opinion?
2. Imagine what an ideal democratic electoral system would be like? In what way does it differ from the UK system and the system in your country?

3. What are the main disadvantages of the UK electoral system and the electoral system in your country? What advantages does each system have? Suggest possible changes in each system.

4. Do members of parliament /deputies in your country (like MPs in Britain) always "follow the party line" in Parliament, or are they free to vote independently of their political party? What advantages and disadvantages do you see in each case?

Text E. “Prime Minister”

Task: read the text and insert a suitable verb from the box

<table>
<thead>
<tr>
<th>to win</th>
<th>to belong</th>
<th>to nominate</th>
</tr>
</thead>
<tbody>
<tr>
<td>to preside</td>
<td>to inform</td>
<td>to include</td>
</tr>
</tbody>
</table>

Prime Minister is the leader of that party which _________ most seats at a general election or which has the support of a majority of the members of the House of Commons. He _________ members of the Government, forms the Cabinet. In Britain he (or she) is a virtual ruler of the country. The Prime Minister _________ the Queen of the general business of the Government, _________ over the meetings of the Cabinet and is responsible for the allocation of functions among ministers. The Prime Minister's other responsibilities _________ recommending to the Queen a number of important appointments. The decisive role in the Cabinet _________ to the Prime Minister. His position in the Cabinet is described as "primus inter pares".

Notes:
1. "primus inter pares" (L.) – первый среди равных

REVISION TRANSLATION

Об этике в Палате Общин

Вестминстер по праву считается "матерью парламентов". Богатая традициями работа палаты лордов и палаты общин до сих пор остается предметом особого внимания законодательных органов других стран. Наверное, во многом это оправданно. Палата общин – формально низшая, но на деле justified

in fact
главная палата парламента. Ее состав, в отличие от палаты лордов, регулярно обновляется по итогам всеобщих выборов, ее доминирующее влияние на британскую политическую жизнь объясняется тем, что здесь утверждают все законы. Именно депутаты палаты общин составляют основу правительства страны, а само правительство формируется партией, обладающей в палате общин большинством. Премьер-министром Великобритании может стать только член палаты общин.

Главная роль в организации работы парламента и соблюдение этики дебатов принадлежит спикеру. Он предоставляет право выступить тому или иному законодателю, обладает правом внесения дисциплинарных наказаний, в частности правом изгнания нарушителя дисциплины из палаты общин. Однако самое суровое наказание для британского законодателя состоит в том, что спикер называет провинившегося по имени, а не "почтенный". Второе обращение по имени влечет лишение парламентария права присутствия в парламенте в течение 20 дней, третье – на неопределенный срок.

Одна из функций спикера – устанавливать продолжительность дебатов по тому или иному вопросу. Спикер избирается из числа наиболее опытных парламентариев, которые ни разу не позволили усомниться в их моральном облике. Спикер наказывает за употребление "непарламентских" выражений и следит за соблюдением кодекса поведения законодателей.

Dialogue 1 “A Good Lesson”

Task: read the dialogue, reproduce it a) abridged, b) in the form of a monologue:

Jane: Anything the matter? You look gloomy.
Jack: I’ve got a C¹ at the seminar on the British Constitution.
Jane: Have you? That serves you right². You’ve been lazing about instead of getting ready for it. And it wasn’t hard either. Well, I mean knowing Constitution is the first necessary step for a lawyer and a politician too. It’s important. It is the only means to prevent governments from becoming too powerful and from interfering too much in our lives.

Jack: I learned my lesson³. Well, you see when I mentioned that constitutional rights of our citizens and powers of government are found in various rulings, statutes, recorded cases and even traditions I was immediately asked to give examples of cases and exact dates. I hadn’t looked it up.

Jane: I’m sorry, Jack. I didn’t mean you to be so upset.

Jack: To crown it all I failed to give my own opinion. It’s something like this, some people argue that it isn’t secure to have Constitution in recorded cases and traditions ’cause it can be easily amended. All you need is just to change a tradition or even a procedure.

Jane: Why? It’s true.

Jack: It isn’t, Jane. Though a written constitution which is quite democratic on the surface doesn’t always prevent governments from becoming totalitarian.

Jane: I’m not going to argue that. It’s rather philosophy than law. I’ve never been keen on it. But you’d better be careful, you’ll flunk your exams.

Jack: We’ve settled with professor. I’ll give a talk on the USA Constitution next time. I regard I can catch up on my studying⁴.

Notes:
1. a “C” — “Удовлетворительно”
2. That serves you right — Так тебе и надо
3. I learned my lesson — Я получил хороший урок.
4. to catch up on smth — догнать в чем-то (наверстать).

Useful vocabulary: gloomy, to get a “C”, to lazy about, instead of doing smth, to prevent, powerful, to interfere in, a ruling, a recorded case, exact, to be upset, to fail to do smth, surface, to argue, to flunk exams.

Ex 1. Do the translation making further use of it in your retelling:

1. Знание конституции – первый необходимый шаг. 2. Конституция не позволяет правительству стать чрезмерно могущественным. 3. Конституционные права граждан изложены в судебных предписаниях, официальных записях дел, в традициях. 4. Не буду спорить с этим. 5. Ты провалишь экзамены. 6. Я договорился с профессором. 7. Я смогу наверстать учебу. 8. Такую конституцию легко изменить.
Ex 2. *Retell the dialogue in the form of a monologue using the following verbs:* to wonder, to remark, to complain, to explain, to be sure, to add, to mean, to advise, to warn, to agree.

**Dialogue 2 “At Oxford Law School”**

**Task:** study the dialogue between a British and an overseas law student:

**British:** Well, how are you getting on with your studies now?

**Foreigner:** I seem to be making progress, but it’s difficult for me so far to get used to the things that make your nation different from others.

**Br.:** What d’you mean?

**F.:** It’s monarchy.

**Br.:** Limited monarchy I’d rather say. Royal power is restricted to a large extent. It’s rather tradition than power.

**F.:** I know there should be balance between the three powers: legislative, judicial and executive. Under this condition democracy can survive and human rights are observed. I see no room for a monarch here.

**Br.:** You see democracy can’t be established by law only. It can’t be like this: the totalitarian regime is abolished, you make good laws and wake up in a democratic country next day. It’s a long process.

**F.:** you mean society itself must be democratically minded and queen is part of this society.

**Br.:** Yes, it’s tradition, the way you think, feel ...
**Ex 1.** Find English equivalents for the following:

Как твои дела? Кажется, у меня получается; до сих пор, мне трудно привыкнуть, равновесие между тремя ветвями власти, при таких условиях соблюдаются права человека; нельзя установить, демократичный (демократично настроенный); то как ты думаешь.

**Ex 2.** Sum up the information you have learned. Use the following words and word combinations:

To get on with, to make progress, to get used to, to mean, to restrict, to a large extent, balance of the three powers, to abolish, democratically-minded, the way you think.

**Ex 3.** Insert the derivatives from the box:

<table>
<thead>
<tr>
<th>to balance – balance</th>
<th>to <code>comment – </code>comment</th>
<th>to <code>influence – </code>influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>to <code>im</code>port – `import</td>
<td>to <code>con</code>duct – `conduct</td>
<td>to ex<code>port – </code>export</td>
</tr>
</tbody>
</table>

1. He is balancing on the edge of the wall. It is dangerous to break his...
2. The speaker commented on the new bill. His ... were interesting to listen to.
3. The country imports electronics. ... of electronics has increased for the past two years.
4. Mr. Shrumm, we’d like you to represent the case in court. You’ve conducted a similar case lately and we liked your ...
5. The judge was influenced by mass media ... of the kind ought to be eliminated.
6. We hope to export the machine. It is primarily produced for ... .

**LISTENING COMPREHENSION**

**Text.**

“Monarchy”

**Part A**

Pre-listening activities

1. Before listening make sure that you know the following word phrases:

   - ostentatious way = extravagant way
   - to be dignified = to be noble (imposing)
   - to swop smth for smth = to exchange
II. Before listening answer the following questions:

What countries have monarchies?
Which of these adjectives do you associate with the British monarch: ostentatious, greedy, modest, vulgar, wealthy, lazy, dignified, popular, hard-working?

Part B Listening activities

I. As you listen to the tape, make brief notes to help you answer the following questions:

a) Does the speaker approve:
   - of the British monarchy?
   - of the monarchies in general?
b) How does he compare monarchs and presidents?
c) Which monarchies does he praise? Why?
d) Does he feel sorry for the British Royal Family?
e) How does he compare monarchs and soap operas' (popular television dramas)?
f) Which of the adjectives (given above in the pre-listening activities) does he associate with the British monarchy? Is your own list different?

II. Listen again to the tape and fill in the gaps:

a) I used to ... royal families in general.
b) I think now I ... the idea of a royal family
c) I ... them personally, if you like
d) I think I would ... a monarchy of the sort you find in other countries in Northern Europe.

Part C After listening activities

I. Work in pairs and discus the following:

a) What do you see as the advantages and disadvantages of having a monarchy?
b) The speaker wouldn't swap his job for their job any day. Would you exchange lives with a member of the British Royal Family? Why? (Why not?)
c) If so, which member would you swap with?

Monarchy (tapescript)

Well, I suppose I do approve of the monarchy, of the idea of a monarchy, I used to disapprove of royal families in general. I think now I accept the idea of a royal family, because they can function and operate outside politics. What I mean by that is that they're not going to be touched by political scandal, in the way that a president, for example, might be, President of the United States, for example.

But although I approve of the idea of a monarchy, I don't approve of the monarchy we have in Britain at the moment. I'm against them personally, if you like. I think the problem we have with our monarchy is that they are greedy, I would say. They
are lazy. They display their wealth in a very ostentatious and vulgar way. They keep their wealth and their treasures well away from the public. They don't contribute to the public good.

I think I would be in favour of a monarchy of the sort you find in other countries in Northern Europe: in Scandinavia, in Holland, for example, perhaps in Belgium. Because those royal families set a good example. They're modest. They work hard. You know, you hear, in England you hear all the time, 'Oh, don't you feel sorry for the Royal Family. They work so hard.' I simply don't believe this. I would love to swap my job for their job any day. I don't think they work hard.

The other thing that I don't like about our Royal Family is the fact that they now seem to behave in, you know, like actors in a soap opera. That they've become vulgar. They've become popular and at the same time, they've become vulgar. They're not dignified. And I do think that a monarchy, although it should be modest, it should be dignified. And it should set a good example.

**Dialogue  “Interview”**

**Part A**  
**Pre-listening activities**

I. *Make sure that you know the following words and expressions:*

- a figurehead = nominal leader
- hereditary = inheritable (ancestral)
- dubious ancestry = doubtful birth (origin)
- aspiration = desire (dream)

**Part B**  
**Listening activities**

I. *As you listen to the tape make brief notes to help you answer the following questions:*

   a) Why does any information published about the royal family increase the circulation figures?
   b) What makes the British feel so strongly about the royal family?
   c) Why do they tend to favour the Queen and the royal family?

II. *Listen to the tape recording once more and fill in the gaps:*

   a) What is important about the royal family is that it's ..., it performs ... role.
   b) The English Royal Family, after all have ... but they've been in England for ... generations.
   c) Its important function is ...
   d) The royal family is ... family.
   e) I personally wouldn't like ...
Part C

After listening activities

I. Discuss in pairs

What social groups in Great Britain tend to favour the British monarchy?
Why? Your own attitude to monar chies.

Interview (tapescript)

When it comes to selling newspapers, nothing increases the circulation figures more than a royal scandal. No doubt, the British public are fascinated by their figureheads. I spoke to Patrick Orman Ward from England about his feelings for the British monarchy. First I asked Patrick if the royal family was important to him.

Patrick: It's not important to me, personally. It's a hereditary institution and I think it's important to the social structure of British society, to it's political structure.

Interviewer: Why? They're apolitical, in what way is it important to the political structure?

Patrick: OK, you say it's apolitical, it's hereditary but in fact not apolitical. The British constitution is a very difficult constitution, because it doesn't exist. It exists by, through history, through acquired gentlemen's agreements if you like. What is important about the royal family is that it's a figurehead institution, it performs a useful socio-political role.

Interviewer: But isn't it much better to have somebody elected which comes from the people, than somebody who inherits the title who could and has often been in English history somebody of dubious ancestry who is half-mad and not even English anyway?

Patrick: Half-mad yes, often, not even English, absolutely. I don't think that's important. When you know ... let's face if-not English? What's English? I call myself an Englishman and I'm a quarter Dutch. The English royal family after all, have German origins but they've been in England for five generations and be completely English is indeed very unusual and rare. It's important function is to represent the state. And symbolically. To say that it, perhaps it's better to have somebody elected from the people, but it's not part of British social tradition.

Interviewer: But may be we're lucky, may be Prince Charles is going to be a wonderful king but that's a very, the royal family, is a very average, middle-class family doing a boring job very well. Would you agree with that definition?

Patrick: Yes, insofar, as I think, they are average in their talents they are middle-class in their aspirations, in their tastes, let's say doing a difficult job very well and I personally would not like to do that job.
GRAMMAR SECTION

Grammar to be revised: Passive Voice

Ex. 1. Read a sentence and write another sentence with the same meaning.
Model: The committee examines the matter in detail. (The matter...) 
The matter is considered in detail by the committee.

1. The Government sponsors most public bills that become laws. 
   Most public bills...
2. The Prime Minister appoints and dismisses members of the government. 
   Members of the government...
3. The Sovereign grants membership of the Privy Council to eminent people of Britain. 
   Eminent people of Britain...
4. The Queen summons, prorogues and dissolves Parliament. 
   Parliament...
5. Government "White Papers" sometimes set up proposals for legislative changes. 
   Proposals...
   The life of Parliament...
7. By tradition the Sovereign asks the majority party to form a government. 
   The majority party...

Ex. 2. Answer the questions using the prompts in brackets.
Model 1: Who wrote the British constitution? (It/never/to write) 
   It has never been written.

1. What are the results of the elections? (They / not / to count)
2. Are there new articles in your constitution? (It / not / to change / since 1968)
3. Is there a court of jury in Japan? (It / not / to use / since World War II)
4. What is the maximum life of the House of Commons? (It / to restrict / to five years / since 1911)
5. What countries joined the European Convention on Human Rights? (It / to sign / by every country of Western Europe)
6. Does the Conservative Party often dominate the political scene? (Since 1945 / general elections / to win / by the Conservatives/several times)

Model 2: What is happening in the House? (The / votes / to count / the tellers) 
   The votes are being counted by the tellers.

1. What is the committee discussing? (The bill / to discuss / the committee)
2. It's the second reading of the bill, isn't it? (Yes / it / to read / for the second time)
3. What is the Cabinet busy doing? (New projects / to consider / the Cabinet)
4. Is the House in session now? (Yes / Chancellor of the Exchequer / to ask questions / MPs)
5. Does the opposition criticize the bill introduced by the Government? (Moreover, / attempts to amend it / to make)

**Ex. 3.** Choose a verb from the box below and put it in the gap in the correct form.

| govern, confirm, direct, elect, use, dissolve, give, great, address, adopt, consider, influence, defeat, fix |

1. Parliament ________ as the central lawmaking authority by the Act of Settlement 1700.  
2. House of Commons members ________ by a plurality.  
3. Criticism of the monarchy usually ________ to its financial burden to the nation.  
4. Legislation ________ in the House of Commons, ________ by the House of Lords, and ________ royal assent by the sovereign.  
5. Since 1949 the delaying power of the House of Lords ________ primarily to obtain the amendments.  
6. After the Government ________, Parliament ________ and the date for new elections ________.  
7. The structure of the monarchy and activities of the sovereign ________ by legislation and conventions.  
8. Social life of Britain ________ by the sovereign.  
9. Before a government bill ________, there will be considerable consultation with organizations who are interested in the subject.  
10. All speeches in the chamber ________ to the Speaker.

**Ex. 4.** Translate the sentences paying attention to the passive constructions:

1. The well-known speech of Byron in Parliament is often referred to.
2. The irrelevant discussion was put an end to.
3. This proposal has been paid a great deal of attention.
4. The speaker will be given a chance to explain all the details of the matter.
5. All Parliament sessions are widely commented on by newspapers.
6. This new bill is much spoken about.
7. We were given an opportunity to attend the sitting of Parliament.
8. I think this problem can be approached in different ways.
9. The decision of the committee was greatly influenced by the political situation in the country.
10. The Liberal party was looked upon as the representative of trading and manufacturing classes.
11. These days the Conservative Party is often referred to as the party of business directors.
12. The day's work in the Commons begins with prayers which are followed by one of the most important routines – asking and answering questions.

**Ex. 5.** Expand the sentences using the suggested words and passive constructions.

**Model 1:** He is a clergyman. (can't / elect / to Parliament)

He is a clergyman, he can't be elected to Parliament.

1. The bill has passed three readings. (it / must / give / a royal assent)
2. The Conservative party is not new formed. (its / origin / can / trace back / to the 18-th century)
3. The Queen has dissolved Parliament. (the elections / must / hold / in seventeen days)
4. I am already 21. (can / register / as an elector)
5. Minister of Defence is making a speech in Parliament. (he / can / ask / questions / afterwards)
6. The Lord Chancellor has no authority to bring debate to an end. (such matters / can / decide / by the House)
7. The Prime Minister's office has a staff of civil servants who assist the Prime Minister. (special advisers / may / appoint / from time to time).
8. The Cabinet members are bound by their oath not to disclose information about its proceedings. (Cabinet papers / may / publish / after 30 years)

**Ex. 6** Make up sentences in the passive using the suggested words:

**Model:** It / to know / he / the Prime Minister / to make / new appointments.

It is known that the Prime Minister has made new appointments.

1. It / to say / Parliament / still / to be / in session.
2. It / to report / the bill / not to be adopted / yet.
3. It / to expect / the MPs / to vote / for this project.
4. It / to decide / the discussion / to be postponed.
5. It / to announce / Parliament / to be dissolved.
6. It / to agree / the new law / to be / of great importance.

**Ex. 7.** Translate into English using passive constructions.

1. Его пригласили выступить в парламенте. 2. На эту поправку к конституции часто ссылаются. 3. Законопроект не может быть отклонен Палатой Лордов. 4. Когда все эти факты стали известны, резолюция уже была принята. 5. Если парламентский закон будет противоречить прецеденту, более ранний закон будет модифицирован, но не будет нарушен. 6. Принцип разделения власти был разработан в 18 веке французским политическим философом Монтецекью. 7. Когда
голоса были подсчитаны, результаты были объявлены спикером. 8. В настоящее время рассматривается как предпосылка дальнейшего существования палаты. 9. На все запросы членов парламента будут даны ответы. 10. После того, как законопроект пройдет третье чтение, он будет направлен а Палату Лордов. 11. Когда политика правительства по какому-либо вопросу определена, министр должен либо поддержать ее, либо уйти в отставку.

**HOMEREADING SECTION**

**Text**

"**Monarchy and Monarchs: Prince Charles**"

(from "Reminiscences of Wynford Vangham Thomas")

"I maintain that the greatest function of any monarchy is the human concern which its representatives have for people..."

*Prince Charles*

It is now just thirty years since I stood, microphone in hand, outside Buckingham Palace on the evening of 14 November 1948, looking out over a huge and happy crowd chanting with cheerful determination, 'We want the King'. We came out onto the balcony, and a great wave of cheering swept the thousands jammed to the very gates of the palace. I've seen and described many royal appearances on that famous balcony, but I knew that the cheering on this occasion had an unusual depth and warmth to it. The announcement had just been made that a son had been born to the Princess Elizabeth, and everyone in that vast crowd felt that this was a very special occasion.

Not everyone in Britain shared that feeling, but to the vast majority of the people of these islands the monarchy still represented something solid, unchanging and worthwhile. They could not conceive of a Britain without it. The long ordeal of the war seemed to have added new strength to the links between the King and his country.

Since then, there have been profound changes in Britain. Within the country the emphasis has been placed increasingly on social equality. Voices have been raised questioning the validity of an institution like the monarchy as this troubled century enters its closing decades. No one doubts that our present Queen – with the Duke of Edinburgh at her side – has amply filled the role of a modern monarch. The people look to the Queen, above all, as an example of personal integrity and devotion to duty. They want her to uphold standards and values in her public and family life. These expectations Her Majesty has magnificently fulfilled.

But what of the future? Can the remarkable personal respect and loyalty that the Queen has built around herself during the twenty-five years of her reign be transferred to her successor, for more than ever before the personality of the monarch is vitally important. The monarchy retains its hold because of the examples set by the monarch.
For all those who wish the institution to continue – and in truth this means the majority of the people of Britain – the character of the heir to the throne is of crucial importance. What sort of a man is Prince Charles?

Prince Charles is the forty-fourth heir to the throne and can trace his ancestors back to such unlikely figures as Mutamid Ibn Abbad Cadi, King of Seville, whose reign began two years after William the Conqueror's, to George Washington, first President of the United States of America, and some even say, to Mohammed, the prophet of Islam. But today most people only look back to Queen Victoria, Prince Charles' great – great grandmother.

Every now and then the question comes up as to whether Queen Elizabeth will abdicate in favour of her son, Prince Charles has made it exceedingly clear that he can see no reason why the Queen should ever retire.

"I don't think monarchs should retire and be pensioned off, say, at sixty as some professions and businesses stipulate. The nature of being a monarch is different. Take Queen Victoria. In her eighties she was more loved, more known, more revered in her country than she had ever been before. In other walks of life, too, age may bring accumulations of respect – and possibly wisdom — which are valuable to society." Far from being frustrated by the prospect of a long wait before he becomes king, Prince Charles is determined that his long apprenticeship should be as useful and productive as possible. He realizes that attitudes toward the monarchy are rapidly changing.

For the first twenty years the Queen and the Duke very wisely tried to give him as normal a life as possible under the almost unbearable glare of publicity that inevitably surrounds the royal family. 'It's like living in a glass-house', has been Charles' own description of it.

The royal family are a balanced, happy family with a tremendous sense of unity. They love to be together. Prince Charles readily admits that he is happiest when he is with his family and, indeed, the big get-togethers to celebrate Christmas or birthdays must bring a welcome relief from the pressures that normally surround the heir to the throne.

The Prince firmly believes that the family unit is one of the most important aspects of our society and ensures to a certain extent an open society rather than a closed one. He has been accused by some of being a bit old-fashioned in his attitudes, but is quick to retort:

"If being old-fashioned means fostering a good family atmosphere, then I am proud to be old-fashioned and will certainly remain so."

The Queen Mother once called Charles "my gentle little boy" and it's not hard to see that her gentle little boy has a great fondness for his grandmother. He often goes to her for advice and a friendly chat and enjoys sharing his experiences with her. The Queen Mother can see many resemblances between her eldest grandchild and her late
husband, king George VI, to whom she was so deeply attached, and a great bond has developed between them.

Charles belongs to a very close-knit family and when he travels abroad he keeps in constant touch by telephone or letter. He has both a great respect and a great affection for his parents. In speeches he never refers to the Queen as "my mother", but always as "the Queen." He is however, more informal with regard to Prince Philip, often calling him "my father." It was George V who once said, "My father was frightened of his father... I was frightened of my father...and I'm going to see to it that my children are frightened of me." Luckily, royal paternal attitudes have changed considerably since then and Prince Philip enjoys a very close relationship with all his children, based, not on fear, but on love and respect for each other's achievements.

In some ways Charles seems to take more after his mother than his father. Like the Queen, he is gentle and kind, instinctively shy and immensely conscientious, with a sense of duty always well to the fore. From his father he has inherited his zany sense of humour, and they have particular mannerisms in common, such as the habit of clenching their hands behind their backs and, in conversation, clawing the air with both hands. They also share many sporting interests – polo and shooting for example – experiences, such as their schools and the Royal Navy and an active concern for the youth movement and the preservation of the environment.

"I wasn't made to follow in my father's footsteps in any sense or in any way", insists Charles. "His attitude was very simple: he told me what were the pros and cons of all the possibilities and what he thought was best. Then he left me to decide. I freely subjected myself to what he thought best because I saw how wise he was. By the time I had to be educated, I had perfect confidence in my father's judgment. When children are young, of course, you have to decide for them. I'm talking about the later stage when they are old enough to share in decisions about themselves".

The Queen has always wished her children to be brought up as normally and with as little public attention as possible, but, as Prince Philip once pointed out: If you're going to have a monarchy, you have got to have a family, and the family's got to be in the public eye. And being in the public eye is something Charles has in common with his brothers and sister.

Prince Charles is very clear about the role he has to play and its importance for the future. He realizes that attitudes towards the monarchy are rapidly changing. He himself has said that he fully recognizes that, as people become more radical, there may be periods in the future when there is much less interest in having a monarchy, but he added, "I maintain that the greatest function of any monarchy is the human concern which its representatives have for people, especially in what is becoming an increasingly inhuman era – an age of computers, machines, multi-national organizations. This, to my mind, is where the future can be promising."
**Notes:**
1. the Queen Mother (Queen Elizabeth's mother) — королева-мать
2. glare of publicity — блеск славы
3. claw the air — загребать воздух руками

**Proper names**

- Buckingham Palace ['bʌkiŋmən ˈpɒlɪs]
- Royal Navy ['rɔiəlniːvɪ]
- Prince Philip ['prɪns fɪlɪp]
- Princess/Queen Elizabeth ['prɪns ˈkwɪn ˈelɪzbɛθ]
- Duke of Edinburgh ['djuːk əv ˈedɪnbɜːr]n
- Prince Charles ['prɪns ˈtʃɑːlz]
- Queen Victoria ['kwɪn ˈvɪktəri]
- George V ['dʒiːruː mniː jɪl]

**Words and Word Combinations**

1. ancestor, n — предок
   - *He was amazed to trace his ancestors back to that famous political leader.*
2. heir, n — наследник
   - *There were at least two possible heirs to the throne.*
3. royal, adj. — королевский
4. retire, v — выйти в отставку
5. old-fashioned, adj. — старомодный
6. attitude, n — отношение, позиция, взгляд
   - *Thompson could appreciate that paternal attitude towards him.*
7. inherit, v — наследовать
   - *The child has inherited the title from his ancestors.*
8. public, adj. — общественный, публичный
   - *Statesmen are always in the public eye.*
9. abdicate, v — отречься от престола
10. to follow in smb's footsteps — идти по чьим-либо стопам
11. to keep in touch with — поддерживать связь с
12. to have smth /much/ little in common with ... — иметь что-либо /много /мало общего с
13. to share interests — разделять интересы
14. to make smth (exceedingly) clear — сделать что-либо (предельно) очевидным, дать (ясно) понять
15. in any sense /way — ни в коем смысле, ни коим образом
16. with regard to... — в отношении кого-либо
17. every now and then — всякий раз
Task 1. Match a proper definition

1. the word "cheer" is used to denote a) "fatherly" or "hereditary"
2. to "inherit" means b) resignation or going into retirement
3. "paternal" can be equal to c) goodness and weight, soundness and justice, force and importance
4. "stipulation" is synonymous with d) community, fellowship, fraternity
5. "abdication" is understood as e) some kind of entertainment, or gladness and merriment
6. under "validity" people realize f) agreement, contract, as well as to "convention" or "pact"
7. "retirement" presupposes g) publicans and daylight, notoriety and spotlight
8. mentioning "sense" the speaker means h) custom, style and model (pattern)
9. the word "publicity" reflects i) first of all, thinking principle, reason, judgment and then, of course, sensation and faculty of perception
10. when pronouncing the word "fashion" everyone mainly thinks of j) help, comfort, support
11. hearing the word "relief" one immediately imagines k) withdrawal or abdication
12. "society" is mainly regarded as l) to get smth from one's ancestors
13. to "frustrate" means m) honourable, fair, high-minded
14. "conscientious" conveys the idea of n) to ruin, defeat, disappoint

Task 2. Express the opposite ideas matching suitable words and word combinations from the box with those in the italics

<table>
<thead>
<tr>
<th>a) considerably</th>
<th>f) has in common with</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) preservation</td>
<td>g) balanced</td>
</tr>
<tr>
<td>c) have great concern about</td>
<td>h) abdicate</td>
</tr>
<tr>
<td>d) constant</td>
<td>i) unity</td>
</tr>
<tr>
<td>e) to the fore</td>
<td></td>
</tr>
</tbody>
</table>

1. Will the Queen retain her power in favour of the heir?
2. The royal family are an unbalanced family; they have a great sense of separatism.
3. When abroad, Charles keeps in temporary touch with the family.
4. The royal paternal attitude has changed slightly since the times of George V.
5. Charles' sense of duty has always been hidden.
6. Being in the public eye is something that **differs** Charles **from** his brothers and sister.
7. Both Prince Philip and his son are **absolutely indifferent** to the **destruction** of the environment.

**Task 3.** Express similar ideas changing a word in the italics by a suitable one from the three given in the brackets

1. The Prince is absolutely sure that the family unit is one of the most **important** (vital / necessary / tremendous) aspects of the society.
2. Charles belongs to a very **close-knit** (friendly / connected / united) family.
3. Prince Charles is the forty-fourth **heir** (ancestor / inheritor / predecessor) to the throne.
4. The heir to the throne doesn't think monarchs should retire and be pensioned off, as some professions and businesses **stipulate** (presuppose / admit / describe).
5. The Prince is far from being **frustrated** (disappointed / taken aback / dissatisfied) by the prospect (thought / promise / perspective) of a long wait before he becomes king.
6. Charles is **more informal** (more friendly / less official / more polite) with regard (with attitude / in reference / with connection) to his father, Prince Philip.
7. Prince Charles fully **recognizes** (acknowledges / admits / realizes) his responsibility as a possible British monarch.

**Task 4.** Find in the text English equivalents for the following word combinations; Use them as kind of a plan to speak on

a) monarchy in Britain:
- подвергать сомнению (to question) законность такого института, как монархия;
- отречься от престола (to abdicate) в пользу...;
- с блеском оправдать (to fulfill) надежды...;
- учитывать (to consider) общее настроение простых людей;
- выйти в отставку (to retire/resign) в возрасте...;
- быть уверенным (to have confidence) в ... суждениях;
- иметь (to enjoy) тесные родственные связи с ...;
- поддерживать (to keep in) постоянную связь с ...;
- испытывать (to feel) огромное уважение к ...;
- способствовать установлению (to foster) хорошей семейной атмосферы;
- проявлять чувство (to demonstrate) единства;
- испытывать (to feel) облегчение от напряжения которое обычно создается вокруг королевской семьи;
- устраивать (to have) большие семейные сборы;
- выражать (to express) решимость защищать монархию;
- являться (to be) образцом преданности долгу;
b) pros and cons of being a possible heir to the throne:
– всегда быть на виду (... in the public eye);
– быть любимым, известным и почтаемым (... known and revered);
– (не) огорчаться по поводу долгого пребывания в (long period of) учениках на роль монарха;
– брать на себя часть ответственности в (to share in) принятий решений;
– спокойно (freely) подчиняться тому, что кто-то считает лучшим;
– идти по (to follow in) стопам родителей
– проследить (to trace) свою родословную;
– установить (to foster) должную атмосферу внутри страны и на международной арене.
– отношения между родителями и детьми (paternal attitudes) в королевской семье;
– тесные семейные узы (ties);
– чувство (a sense) долга;
– блеск (a glamour) славы;
– ответственность (responsibility) перед будущим;

Task 5. Pair the suitable left and right parts of the sentences to convey the true ideas of the text

1. The royal family are
2. Today most people in England look back
3. As people become more radical
4. The Prince firmly believes that a family unit is
5. He is, however, more informal with regard to Prince Philip
6. The people look to the Queen, above all, as
7. In speeches Charles never refers
8. Prince Charles has often been accused by some of
9. Royal paternal attitudes have changed considerably since the times when children were frightened of their parents, and
10. The Queen has always wished her children

a) one of the most important aspects of the society
b) being a bit old fashioned in his attitudes
c) to the Queen as "my mother"
d) a balanced, happy family with a tremendous sense of unity
e) Prince Philip enjoys a very close relationship with all his children
f) smth solid, unchangeable and worth while
g) to Queen Victoria
h) to be brought up as normally and with as little public attention as possible
i) there may be periods in the future when there is much less interest in having a monarchy
j) often calling him "my father"
11. When Prince Charles was born, to the vast majority of the British people the monarchy represented an example of personal integrity and devotion to duty.

12. Charles is determined that his long apprenticeship should be as useful and productive as possible.

Task 6. Say how the same ideas are expressed in the text

1. Prince Charles sticks to the opinion that to retire at a certain age is not a sensible idea.
2. Prince Charles has intention to protect the monarchy and asserts that "the role of any monarchy is human care ... for people."
3. The Queen Mother can see many resemblances between Charles and his grandfather who has been dead.
4. Queen Victoria, when she was over seventy, enjoyed more love, fame and honour, which she had ever had before.
5. For the British people Queen Elizabeth is a model of personal integrity and dedication to her obligations.
6. The greeting of the royal family by the rank-and-file people in connection with Prince Charles' birth were unusually warm and deep.
7. Since the World War II, when deep changes took place in Britain, social equality has become the main item of the home policy of the country.

Task 7. Use the text to answer the following questions

1. How old is Prince Charles?
2. Why did the cheering of the rank-and-file people on the occasion of his birth have an unusual depth and warmth to the members of the Royal family?
3. Does, according to the author, anyone in Britain doubt that Queen Elizabeth II represents a modern monarchy in the best possible way?
4. Prince Charles sees no reasons for the Queen's quick retirement, does he?
5. What is the most peculiar feature of the members of the Royal family?
6. What are Charles's attitudes in regard to his parents?
7. What does Charles have in common with his brothers and sister?
8. What social and political changes took place in Britain in the after-war period?
9. Prince Charles maintains that in the coming age of computers the necessity of a monarchy, as an institution standing on the safeguard of people's interests, is obvious, doesn't he?
10. What monarch does Charles refer to asserting that age brings accumulations of respect?
**Task 8. Comment on the meaning of the following ideas:**

1. ... a great wave of cheering swept the thousands jammed to the very gates of the palace.
2. Within the country the emphasis [in late forties] was placed on social equality.
3. Voices have been raised questioning the validity of an institution like the monarchy.
4. The monarchy retains its hold because of the examples set by the monarch.
5. ... to uphold standards and values in public and family life.
6. These expectations her Majesty has magnificently fulfilled.
7. ... can trace his ancestors back to ...
8. ... age can bring accumulation of respect.
9. ... ensures to a certain extent an open society rather than a closed one.
10. ... royal paternal attitudes have changed considerably...
11. ... with a sense of duty always well to the fore.
12. For all those who wish the institution to continue the character of the heir to the throne is of crucial importance.

**Task 9. Quote the text to prove that:**

1. The announcement of the birth of an heir to the throne caused a double reaction of the British population to that event.
2. Queen Elizabeth hasn't deceived the expectations of those of her co-citizens who didn't doubt the validity of an institution like the monarchy.
3. Prince Charles isn't frustrated by the prospect of a long wait before he becomes king.
4. Charles belongs to a very close-knit family.
5. Though Charles seems to take more after his mother, he has much in common with his father, too.
6. The way Charles was brought up helped him to elaborate such features of character, as determination and responsibility.
7. Publicity is one of the phenomena none of the Royal family succeeds to avoid.
8. Queen Elizabeth has amply fulfilled the role of a modern monarch.
9. The validity of the monarchy in Great Britain has been questioned (has started being questioned).
10. The heir to the British throne has never hurried to occupy it.
Task 10. Discussion

a) Working in pairs dwell on the following ideas. State, whether they are true or false. Here are speech cliches to be used:

<table>
<thead>
<tr>
<th>Agreement</th>
<th>Disagreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Absolutely./ Sure./ No doubt of it.</td>
<td>1. It isn't (quite)so.</td>
</tr>
<tr>
<td>2. Quite so/just so.</td>
<td>2. Nothing of the kind.</td>
</tr>
<tr>
<td>3. I (fully) agree with you.</td>
<td>3. I can't agree with you.</td>
</tr>
<tr>
<td>5. It can't be otherwise.</td>
<td>5. You're (absolutely) wrong, I'm sorry to say.</td>
</tr>
<tr>
<td>6. It looks like that.</td>
<td>6. It's far from that / being so/true.</td>
</tr>
<tr>
<td>7. You're (quite) right.</td>
<td>7. I wish it were so/true.</td>
</tr>
<tr>
<td>8. It can't be denied.</td>
<td>8. I can't support that (idea)</td>
</tr>
<tr>
<td>9. I can't but agree with you / to it.</td>
<td>9. I don't think so.</td>
</tr>
<tr>
<td>10. I'm of the same opinion.</td>
<td>10. I'm of the contrary opinion.</td>
</tr>
</tbody>
</table>

1. The mood of the crowd outside the Buckingham Palace on November 14, 1948 wasn't optimistic.
2. For the vast majority of the British population, the monarchy then represented something solid, unchanging and worthwhile.
3. The international role of the postwar Britain hadn't diminished by the end of the forties.
4. At the beginning of the fifties Britain faced insignificant changes.
5. The overwhelming mood of the public within the post-war Britain was that of social equality.
6. Prince Charles is the forty-fifth heir to the British throne.
7. Prince Charles firmly believes that the Queen should retire as soon as possible and abdicate in his favour.
8. Prince Charles has made it exceedingly clear that he can see no reason why the Queen should ever retire.
9. The very nature of being a monarch, according to Prince Charles, stipulates the value of the retirement at a most mature age.
10. The Prince doesn't think that a family unit is an essential part of a society.
11. Prince Charles' life, as well as that of his brothers and sisters, has always been in the public eye.
12. At the end of her reign, Queen Victoria, Queen Elizabeth's great-grandmother, enjoyed neither respect, nor popularity.
b) *using the vocabulary suggested*

- **give a digest of Charles' views on monarchy and monarchs:**
  - attitude(s) towards the monarchy; the function of the monarchy; to be valuable to the society; to have concern for; be determined to defend; to retire or to be pensioned off; to abdicate in one's favour; to uphold standards and values; to accumulate respect and wisdom; long apprenticeship;

- **speak of Prince Charles as a personality and human being, here is the vocabulary suggested:**
  - a possible heir to the throne; a good mixer; to transfer one's qualities to one's successor; to be in the public eye; to travel much; to be well educated; to belong to a close-knit family; to keep up with the time; to be brought up in the atmosphere of ...; to inherit ... from...; devotion to duty; personal integrity; sense of responsibility/unity/duty; zany sense of humour; sociable; determined; reserved; serious; concern for the youth movement; care for the preservation of the environment.

  **c) speak of Queen Elizabeth as a monarch, a woman, and a statesman:**
  - a happy, balanced family; a tremendous sense of unity; to celebrate holidays; the succession of the monarchy; foster a good family atmosphere; relationships based on love; the succession of the monarchy; the validity of an institution; the attitude towards the monarchy; to fulfill [amply] the role of a modern monarch; a devoted mother; the leader of the state.

  **d) working in groups, express your views on the following.**
  - You're welcome to use speech patterns given below:
    - to a small/some/certain extent ...; luckily ...; far from ...; despite the fact (that) ...; indeed ...; above all ...; nobody doubts (that) ...; in any sense or in any way ...; every now and then.

  1. Being a polititioner stipulates ...
     - (have perfect confidence in; be in constant search of; make smth exceedingly clear to smb.; pressures and attacks; foster one's position; subject oneself to; have perfect confidence in; share in [political views /decisions], accumulations of experience and political maturity)

  2. To belong to a Royal family means ...
     - (glare of publicity; always well to the fore; retire and be pensioned off; abdicate in favour of one's inheritor; an heir to the throne, "ensure an open society rather than a closed one "; sense of unity; get - together - a welcome relief from ...; have [active] concern for ...)

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3. The problem of fathers and sons in the royal family is regarded as ...
   (an important aspect of ..., keep in [constant] touch with; paternal attitudes; be
   (in)formal with regard to ...; have /feel respect and strong affection for ...; close
   relationship; general education and experience; share common interests with ...; inherit
   smth from smb.)

4. Being born into a royal family and brought up "as normally as possible" can be
   viewed as ...
   (receive a classic education; not to be made to follow one's parents' steps in ...;
   share experiences in; subject oneself to ...; the atmosphere of love and respect; assure the
   succession of the monarchy; public attention; the personality of monarch; the character
   of the heir to the throne)

**Task 11. Role-play the following situations:**

**Situation 1**

- You're representatives of mass media who've got a chance to interview Prince Charles. Comment on his possible answers:

  "Correspondent"

  – I'd like to /learn/find out/ clear up некоторые моменты вашей биографии;
  – Would you be so kind as to рассказать несколько слов о вашей семье;
  – Would you kindly высказать свои взгляды на:
  – Would you do me a favour to – проблему охраны окружающей среды;
  – I'd be very much obliged to you if – роль монархов и монархии в
  you tell me современном обществе;
  – You'll do me a favour if you как члены королевской семьи проводят
    explain/clarify/ say досуг;
  – It's interesting to know/learn что такое "блеск славы";
    whether/if
  – Can/would you kindly express your Вы любите давать интервью;
    opinion on позировать перед камерой;
  – Could you dwell on много ли времени проводите за
    проблема выбора жизненного пути;
    который/каков предельный возраст правления
    самостийный жизненный опыт
    монарха и какие привилегии он дает;
    "за" и "против" быть знаменитым;
Situation ②
You're members of the editorial board of the magazine “Sure!” The article on the results of the interview has just been printed. The editor-in-chief wants to find out the impression the article’s produced on the subscribers

(to get an impression of; to understand better, to learn curious details; to enlarge one's knowledge of; to share experiences with, to be touched /puzzled/ shocked by)

The discussion will be easier if you use the following conversational patterns:

I find it surprising/amazing/(extremely) interesting /(surprising) strange...
I’ve been shocked/taken aback/puzzled to learn/find out that...
I was delighted/pleased to realize...// It was exciting/enjoyable/funny/unpleasant to hear
It gave me pleasure / satisfaction to...

Situation ③
You're the producer of a future film about the royal family. During one of traditional big get-togethers you happened to find out what the Queen Mother thinks of “her favourite”. The rest of the film-makers can’t help attacking you with their questions Prince Charles’ character, habits, hobbies, the features he has in common with his sister and so on

(great fondness for, “gentle little boy”, friendly chat; share experiences with...; many resemblances [between the late husband and the grandson]; travel (abroad) much; keep in touch with (by telephone or letter) tremendous respect and affection (for the parents; gentle and kind; instinctively shy and immensely conscientious; sense of duty; moral obligations; sense of humour; particular mannerism)

Writing

Task 12. Write about the British monarchy as you see it. Reflect the following facts:

– the historical background and origin;
– the inheritance to the throne;
– pasttime and hobbies; the general atmosphere within the family;
– rank-and-life people's and officials' attitude;
– the view on the monarchy as a social institution from “inside” and “outside”.

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The position of the monarch in Britain is a perfect illustration of the contradictory nature of the constitution. From the evidence of written law only, the Queen has almost absolute power, and it all seems very undemocratic. The American constitution talks about 'government of the people, for the people, by the people'. There is no law in Britain which says anything like that. In fact, there is no legal concept of 'the people' at all.

Similarly, it is the Queen, and not any other figure of authority, who embodies the law in the courts. In the USA, when the police take someone to court to accuse them of a crime, the court records show that 'the people' have accused that person. In other countries it might be 'the state' that makes the accusation. But in Britain it is 'the Crown'. This is because of the legal authority of the monarch. And when an accused person is found guilty of a crime, he or she might be sent to one of 'Her Majestys' prisons.

Other countries have 'citizens'. But in Britain people are legally described as 'subjects' – subjects of Her Majesty the Queen. Moreover, there is a principle of English law that the monarch can do nothing that is legally wrong. In other words, Queen Elizabeth is above the law.

It is the same story with Parliament. Again Prime Minister will talk about 'requesting' a dissolution of Parliament when he or she wants to hold an election, but it would normally be impossible for the monarch to refuse this 'request'. Similarly, while, in theory, the Queen could refuse the royal assent to a bill passed by Parliament - and so stop it becoming law no monarch has actually done so since the year 1708. Indeed, the royal assent is so automatic that the Queen doesn't even bother to give it in person. Somebody else signs the documents for her.

In reality the Queen has almost no power at all. When she opens Parliament each year the speech she makes has been written for her. She makes no secret of this fact. She very obviously reads out the script that has been prepared for her, word for word. If she strongly disagrees with one of the policies of the government, she might ask the government minister to change the wording in the speech a little beforehand, but that is all. She cannot actually stop the government going ahead with any of its politics.

What, then, is the monarch's role? Many opinions are offered by political and legal experts. Three roles are often mentioned. First, the monarch is the personal embodiment of the government of the country. This means that people can be as critical as they like about the real government, and can argue that it should be thrown out, without being accused of being unpatriotic. Because of the clear separation between the symbol of government (the Queen) and the actual government (the ministers, who are also MPs), changing the government does not threaten the stability of the country as a whole. Other countries without a monarch have to use something else as the symbol of
the country. In the USA, for example, one of these is its flag, and to damage the flag in any way is actually a criminal offence.

Second, it is argued that the monarch could act as a final check on a government that was becoming dictatorial. If the government ever managed to pass a bill through Parliament which was obviously terribly bad and very unpopular, the monarch could refuse the royal assent and the bill would not become law.

Third, the monarch has a very practical role to play. By being a figurehead and representing the country, Queen Elizabeth II can perform the ceremonial duties which heads of state often have to spend their time on. This way, the real government has more time to get on with the actual job of running the country.

However, all these advantages are hypothetical. It cannot be proved that only a monarch can provide them. Other modern democracies manage perfectly well without one. The British monarchy is probably more important to the economy of the country than it is to the system of government. Apart from this, the monarchy is very popular with the majority of the British people. The monarchy gives British people a symbol of continuity, and a harmless outlet for the expression of national pride. Occasions such as the state opening of Parliament, the Queen's official birthday, royal weddings, and ceremonial events such as the changing of the guard make up for the lack of colour and ceremony in most people's daily lives. In addition the glamorous lives of 'the royals' provide a source of entertainment that often takes on the characteristics of a television soap opera.

The British monarchy as an institution has not been a burning issue in British politics for several hundred years. There is almost no debate about the existence of the monarchy itself. Few people in Britain could be described as either 'monarchists' or 'anti-monarchists', in the sense in which these terms are often used in other countries. Most people are either vaguely in favour or they just don't care one way or the other. There is, however, a great deal of debate about what kind of monarchy British should have. During the last two decades of the twentieth century, there has been a general cooling of enthusiasm. The Queen herself remains popular. But the various marital problems in her family have lowered the prestige of royalty in many people's eyes. The problem is that, since Queen Victoria's reign, the public have been encouraged to look up to the royal family as a model of Christian family life.

It is, in fact, on the subject of money that 'anti-royalist' opinions are most often expressed. In the early nineties even some Conservative MPs, traditionally strong supporters of the monarchy, started protesting at how much the royal family was costing the country.

Questions

1. Why does the British Prime Minister continue to 'advise' and request' the Queen, when everybody knows that he or she is really telling her what to do?
2. The attitude of the British people toward their royal family has changed over the last quarter of the twentieth century. In what way has it changed, and what demonstrates that there has happened?

3. Would you advise the British to get rid of their monarchy?

4. Do you have a monarch in your country, or someone who fulfills a similar role? If you do, how does their position compare with that of the British monarch? If you don't, do you think your country would benefit from having a figurehead who could perform the function of a monarch?

**Text**

"The Royal Family – Worth a Fortune?"

"We can't afford a Royal Family"
Willie Hamilton, MP

I believe it's immoral to have a Royal family, and immoral to give them special treatment. Personally I have nothing against the Royal family – I do not dislike them as people – but some of them are paid a fortune each year and do very little to earn their £100 a day or more.

Politically the Queen now has very little power, while the Duke of Edinburgh has as much influence on important affairs of state as a county priest. It is difficult to justify paying him more than four times the salary of the Prime Minister.

Prince Charles can't spend the next twenty years just opening things, eating things or visiting things.

To justify her well-paid existence Princess Anne is always making meaningless visits.

The Queen Mother's household is second in size only to that of the Queen.

The Queen is known to be among the wealthiest women in the world. It is not wealth that has been created by her own or her financial advisers' good business sense; it is wealth that has been built up by her special treatment by Parliament. The total wealth is unknown – one of the most closely guarded secrets of modern times.

**Text**

"Queen Elizabeth to visit Russia"

Her Majesty Elizabeth II, the Queen of the United Kingdom and North Ireland by the grace of God, is arriving in our country on October 17, for the first time in the history of post-revolutionary Russia.

The last head of the Windsor dynasty ruling in Great Britain to visit Russia was Edward VII in 1908. At that time in Revel (today's Tallinn), where he arrived on board his yacht, the British monarch discussed with his relative, Russia's Tsar Nicholas II the prospects of forming an anti-German coalition. The reply visit of the Russian emperor took place in 1909: Nicholas II and his family arrived in southern England where an international yachting regatta is held every year.
Since then two world wars have been fought, during which alliances were formed with the participation of Russia and Britain, although without kings (Entente and the anti-Hitler Allies). However, it is quite possible that the issues of European geopolitics will be discussed during this visit as well. Two Russian revolutions also took place. Their results were the downfall of monarchy and the execution of the members of the Tsar's family (which established for a long time hostile relations of the Windsors towards Moscow rulers). Members of the royal family have visited Russia in recent decades, but unofficially. In 1973 the husband of the Queen, Duke of Edinburgh, came to the USSR for the first time, and in recent years Prince Edward and Princess Anne have visited.

One of the consequences of the revolutionary transformations of the 1990s in Russia was the actual rehabilitation of Nicholas II, and British researchers actively participated in searching for the precise remains of the Romanov family. The first to officially invite Queen Elizabeth to visit Russia was President Mikhail Gorbachev of the USSR, who paid a visit to Britain. However, as became known recently, Margaret Thatcher put the veto on the visit, which was deemed to be "premature". Now it looks as if such problems have become a thing of the past.

According to preliminary information, during her three-day stay in Russia, Her Majesty Elizabeth II intends to visit Moscow, St. Petersburg, and possibly Nizhni Novgorod.

(from "Moscow News")

Text

“In the House of Lords: peer pressure”

It was precisely 9 a.m. when the second Baron Denham arrived at the peers' entrance to the Palace of Westminster. After striding through the Gothic arch he hung his topcoat on a brass hook marked with his name. Adjacent hooks were reserved for the Prince of Wales, the Duke of Edinburgh and the Duke of Wellington. Clutching a red and gold dispatch box, Denham passed through a labyrinth of corridors festooned with such painting as "King John Assenting to Magna Carta" and Daniel Maclise's "The Death of Nelson". By 9.05 a.m. Denham had reached his office to begin his duties as the government's chief whip in the House of Lords.

Throughout the morning, advisers and junior whips bobbed in and out to discuss strategy and receive instructions from a relaxed Denham, glass in hand and feet on table. At noon he moved to the office next door to confer with Viscount Whitelaw, the Tory leader in the Lords. The subject: an important debate that afternoon on welfare payments. "We should win if we get enough of our chaps in from their clubs and boardrooms", advised Denham. But not enough chaps made it: the government was defeated, 131 to 11, on an amendment regarding social welfare claims. The usually good-humored Denham exploded. Urgent messages were sent out to Tory backwoodsmen to "get their skates on" (translation: "get moving"). Dukes, earls and
viscounts duly arrived, and when the vote was taken on another opposition amendment, the government won easily.

Peers once dominated the British government with more than half the Cabinet drawn from the House of Lords. Change began in 1911, when the Lords lost its power to veto tax and expenditure bills; today it can do little more than revise and delay passage of Commons legislation: "can't kill, but still can wound". Indeed, one of the house's most important roles lies in its status as the final court of civil cases in the United Kingdom and criminal cases in England.

Despite its reduced circumstances, the upper house has been enjoying a revival of late. Long a bastion of right-wing politics, the peers have been showing centrist tendencies.

In a chamber where every speech begins with a courteous "my lords", and the strongest rebuke is the occasional interjection "too long", the peers make their points with sardonic wit and exaggerated gentility.

Every November, pageantry and politics combine when the monarch goes to the Lords to open a new session of Parliament. On the benches before her, the lords sit in ermine-trimmed scarlet robes and coronets set with pearls. During the four days a week when the house is in session the peers wear street clothes, circulating among the smoking rooms, the imposing library with its 120,000 books and manuscripts, and the half-dozen subsidized bars and restaurants. From time to time they slip into the red and gold chamber to hear debates that are occasionally punctuated by lordly snores.

Text

"GOOD-BYE, MAGGIE!"

British PM resigns of her own volition

Compared with political life it seems simply incredible. Under British laws she could go on discharging her duties as Premier comfortably for another year and a half. Those striving for power in her own party and in the opposition could easily be defeated. No thousands-strong crowds in Trafalgar Square chanted: "Thatcher resign!" There seemed to be no problems in London shops with meat, milk, shoes or any other goods. Despite all this, her resignation.

The ability to leave with dignity after losing is valued in Britain more than any victory.

Margaret Thatcher is leaving with dignity without having lost. She became Premier in 1979 (a British and European record for a head of government in our century, excluding totalitarian countries). Her special mission was to inflict strategic defeat upon the "socialist choice" in Britain. This, naturally, did not mean she wanted to deprive the Labour party of an opportunity to return to power some day, and make her friends from the Conservative party the vanguard of the British people for life. Her veritable aim was consistent privatization of state and interference in business, transition to the market
regulated by itself only. She did a great deal of what was planned, as far as possible towards such political ideas.

She is firmly convinced of the advantages of the freest possible private enterprise for the entire society. But she is also convinced that no person can make everyone happy and rich, and the state can do that least of all. She believes inflation to be a greater danger than unemployment. She is sure that it is necessary to renounce state regulation of prices and incomes, making it the exclusive right of the market.

Many Britons did not like Thatcher, and not only because of her economic creed. A great deal of Nietzschean thought was seen in her approach to people: instinctive suspicion toward the idea of equality, distrust of the free thought of intellectuals, idolization of the will and energy. Admittedly though, she never asked the parliament to furnish her with special powers.

The time had come for the Conservative party to moderate the policy and make it more social. Whoever comes to replace her – more traditional Conservatives or even members of the Labour party – Britain shall never return to former bizarre experiments with nationalization, state regulation of prices and so on. Thatcher has done her job.

**A CARRER HISTORY. MARGARET THATCHER**

1925  Born in Granthour, Lincolnshire, Margaret Hilda, daughter of Alfred Roberts, a grocer. Later attended Granthuor Girls School. Studied Chemistry at Somerville College, Oxford
1947-51  Worked as a research chemist
1951  Married Denis Thatcher, a London-based business executive
1951-54  Studied Law. Specialized in tax law.
1953  Had twins, a son and a daughter, Mark and Carol.
1954  Became a lawyer.
1959  Elected Member of Parliament for Fincklly.
1970-74  Member of Cabinet-Secretary of State for Education and Science
1975  Elected leader of the Conservative Party. First woman to lead a British political party.
1979  Conservatives defeated Labour Party in General Election. Became Prime Minister (first woman, 52-nd Prime Minister).
1982  Retained control of the Folkland Islands by use of military force
1983  Won a General Election
1984  Survived an IRA bomb attack at the Grand Hotel, Brighton. Visited the USA.
1986  Published a book, in Defence of Freedom.
1987  Won a third General Election.
1990  Replaced as Prime Minister by John Major.
UNIT IV.

American Constitutional Law

READING MATERIAL

Text A. “American Constitution”

Task: read and translate the following text.

No document in American history can compare with the Declaration of Independence (adopted July 4, 1776) in the place that it holds in the minds and hearts of American citizens. It is far more than the announcement of the birth of a new nation. In it one can find the key ideas about how the Americans of that generation thought free people should live, what form their governments should take, and what the natural responsibilities between a government and its citizens should be in order that both order and liberty could be sustained.

The Declaration laid the foundations for the Articles of Confederation (1781) - the United States’ first constitution. Devised and amended in 1787, the Articles inspired a completely new document, the Constitution, adopted in 1790 in Philadelphia.

The first ten amendments to the Constitution, known as the Bill of Rights (1791), stated fundamental rights of any American: freedom of speech, of the press, of worship, assembly, the right of trial by jury, right to be protected against unreasonable searches, arrest, seizures of property.

Perhaps the most striking feature of the Constitution is the prevailing notion of separation of powers. Clear lines divided the legislative, executive and judicial branches. A great deal of power is put in the hands of the president. At the same time, a system of checks and balances provides that no one branch of the government would dominate the others.

The American Constitution is the oldest still in force in the world. The Constitution has been repeatedly amended to meet the changing needs of the nation, but it is still “the supreme law of the nation”. All governments and governmental groups, federal, state, and local must operate within its guidelines.

Americans have the great pride in their Constitution. Under the American Constitution all power belongs to the people (“We the people of the United States in Order to form a more powerful 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”).

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The Constitution has served the people of the United States admirably for over 200 years, in part because the framers were wise enough to recognize that they could not foresee every problem. Those who followed them thus had the ability to take the document and adapt it to new conditions.

Other amendments have followed, for the most part they have expanded the democratic nature of American society (by abolishing slavery, widening the suffrage or making elections direct).

**Word Study**

**Ex. 1.** a) Read the international words and guess their meaning. Mind the stress.

- nation
- ' articles
- ' federal
- ' natural
- ' dominate
- ' problem
- ' group
- ' president

- i'dea
- a'nnounce
- a'rrest
- t'he following
- t'he following

- decla'ration
- demo'cratic
- confede'ration
- funda'mental

b) Pronounce correctly the following proper names:

- The Articles of Confederation ['Á:tiklz ˈAv kÂn, feðÂ'reiÇn]
- Philadelphia [, filÂ‘deľfjÂ]
- Declaration of Independence [, deklÂ’reiÇn ˈAv , indi‘pendÂns]
- Bill of Rights [bil Â‘râıts]

**Ex. 2.** Complete the list of derivatives. Use a dictionary if necessary.

- verb to announce
- to find
- to divide
- to form
- to serve
- to follow
- to make

- noun (agent) follower
- noun (concept) the following
Ex. 3. Pair the words in column A with ones from column B.

A. a. freedom  
b. a system  
c. citizen’s  
d. American  
e. the branch  
f. key  
g. seizure

B. 1. history  
2. ideas  
3. liberty  
4. of speech  
5. of property  
6. of checks and balances  
7. of government

Ex. 4. Decide which of the verbs you would use with the noun phrases you have identified in ex.3.

1. to compare with; 2. to find; 3. to sustain; 4. to state; 5. to protect (against);  
6. to ensure; 7. to form

Ex. 5. Add adjectives to the following nouns to form noun phrases.

Nouns: searches, announcement, condition, people, elections, authority, state, responsibilities, rights, lines, pride;

Adjectives: direct, natural, great, loud, clear, local, new, unreasonable, free, federal, fundamental.

Ex. 6. How are the following ideas expressed in the text?

1) a paper that gives information, proof or support of something else;  
2) habitually taking decisions alone;  
3) freedom from control, service, being shut up, etc.;  
4) a written statement containing a record of something;  
5) a change, made in or suggested for a rule, law, statement, etc.;  
6) of or formed into a political federation;  
7) a person owned in law by another;  
8) the right to vote in national elections;  
9) the head of government in many modern states that do not have a king or queen;  
10) the choosing of representatives to fill a position, a political office, by vote.

Ex. 7. Match English and Russian equivalents.

1. to compare  a. вдохновлять  
2. key ideas  b. закладывать основу  
3. to sustain order and liberty  c. право рассмотрения дела с участием
Ex. 8. Choose the best alternative to complete the following sentences.

1. The Declaration of Independence is more than the announcement of the *upheaval* / *birth* of a new nation.
2. The Declaration *laid* / *marked* the foundations for the Articles of Confederation.
3. The Constitution was adopted in *Philadelphia* / *Washington*.
4. The first ten amendments *stated* / *clarified* fundamental rights of any American.
5. The most *striking* / *unusual* feature of the Constitution is the separation of powers.
6. A great deal of power is in the hands of the *president* / *Congress*.
7. The Constitution has been repeatedly *amended* / *interpreted* to meet the needs of the nation.
8. Under the American Constitution all power *prevails* / *belongs* to the people.
9. The Constitution has *served* / *influenced* people for over 200 years.
10. Other *amendments* / *considerations* have *expanded* / *protected* the democratic nature of American society.

Ex. 9. Complete the following sentences by adding the phrases given in part B.

Part A.
1. No document in American history can ..... 
2. In Declaration one can find ....
3. Devised and amended in 1787, the Articles .....
4. The Bill of rights stated the right to be protected ....
5. The most striking feature of the Constitution is ....
6. A system of checks and balances ensured ....
7. All governments and governmental groups must operate ....
8. The great framers were wise enough but ..... 

**Part B.**
1. against unreasonable searches
2. the key ideas of future American generation
3. compare with Declaration of Independence.
4. the division of the legislative, executive and judicial branches
5. inspired a completely new document.
6. within “the supreme law of the land” guidelines.
7. that no one branch of the government would dominate the other.
8. could not foresee every problem.

**Discussion**

**Ex. 1. Choose the best way to complete the sentences.**

1. The Declaration of Independence is far more than .....  
   a) the argument of governments.  
   b) the announcement of the birth of a nation.  
   c) the appointment of a new government

2. The Articles of Confederation were ...
   a) not working well.  
   b) radical indeed.  
   c) devised and amended.

3. The Bill of Rights .....  
   a) stated fundamental rights of any American.  
   b) revised the Articles.  
   c) stated too few powers for defense, trade.

4. The most striking feature of the Constitution is .....  
   a) breaking with an age-old traditions.  
   b) the prevailing notion of separation of powers.  
   c) a new form of government

5. A great deal of power is put in .....
6. The Constitution has been repeatedly ..... 
   a) adopted by some status.
   b) operated under federal government.
   c) amended to meet the changing needs of the nation.

7. Other amendments have expanded ..... 
   a) a vital aspect of the levels of government.
   b) the democratic nature of American society.
   c) local politics.

8. Those who followed the Constitution had .... 
   a) to strike down the unconstitutional ones.
   b) to pass all laws.
   c) to adapt the document to new conditions.

Ex. 2.  **Mark the statements which are true.**

1. The Bill of Rights stated fundamental rights of any American.
2. The Articles inspired a completely new document, the Constitution.
3. The most striking feature of the Constitution is prevailing notion of President’s powers.
4. The Constitution didn’t recognize the notion of separation of powers.
5. The system of checks and balances was of no use.
6. The Constitution still in force hasn’t been changed.
7. Under the American Constitution all power belongs to the government.
8. In part the framers were enough to recognize that they couldn’t foresee every problem.

Ex. 3.  **Choose someone to act as an American citizen and answer the tourists’ questions.**

What do you mean by 1. the Declaration of Independence adopted;
What is (are) 2. the place that it holds in the minds and hearts of
Could you explain to me Americans;
Can you tell me 3. far more than the announcement of the birth of a new
When was (were) nation;
Where was (were) 4. the key ideas of the document;
Why is it 5. the first ten amendments to the Constitution;
6. the most striking feature of the Constitution;
7. the function of a system of checks and balances;
8. the oldest still in force;
9. the great pride of the nation;
10. the nature of other amendments.

Ex. 4. **Speak on American Constitution. Include the following points.**

1. The Declaration of Independence:
   to compare with, to hold in minds and hearts, key ideas, free people, to form the
government, natural responsibilities, liberty, to sustain;

2. The Bill of Rights:
   to lay foundations, the Articles of Confederation, to devise, to amend, to inspire, to
adopt, the Bill of Rights, to state fundamental rights, freedom of speech, to right of
trial by jury, to protect against unreasonable searches, arrest, seizures of property.

3. The Constitution:
   striking feature, president, a system of checks and balances, the oldest in force, “The
Supreme law of the land“, to belong to the people, to foresee every problem, to adapt
to new conditions, democratic nature, to abolish slavery, to widen suffrage, to make
elections direct.

**Text B.**

**“The Legislature”**

**Task:** read the text and get ready to discuss its main points.

Congress is the legislative branch of the federal government. Congress is to
provide for the “common defense and general welfare” of the country. Although the
three branches are presumably coequal, the legislature takes the lead in formulating the
structure and duties of the other two branches. No money shall be drawn from the
Treasury, but in consequence of appropriations made by law. This is one of the
legislature’s most powerful weapons in overseeing the executive, “the power of the
purse”. There are two main components of this power: taxing and spending. Congress
passes broad powers over the nation’s economic well-being and political security. It
may coin money, incur debts, regulate commerce, establish post offices, issue patents
and copyrights, provide for a militia, repel invasions and suppress rebellions. Congress’s enumerated powers are not boundless, there are light specific limitations on
Congress’s powers noted in Article 1 Section 9 of the Constitution. They deal with
criminal proceedings, slave trade, taxation, appropriations, titles of nobility.
Congress is made up of the Senate and the House of Representatives. There are 100 Senators, two from each state. One third of the Senators are elected every two years for six-year terms of office.

The House has 435 members. They are elected every two years for two-year terms. They represent the population of “congressional districts” into which each state is divided. The number of representatives from each state is based upon its population. The candidate who wins the largest number of votes in a Congressional district is the winner.

Congress makes all laws, and each house of Congress has the power to introduce legislation. If both houses agree legislation becomes law.

**Ex. 1.** *Fill in the following chart.*

1. Congress is the legislative branch which provides . . . .
2. . . . . becomes the legislature’s most powerful weapon.
3. Congress possesses broad powers which may . . . .
4. Congress’s powers in Article 1 Section 9 deals with . . . .
5. The House of Representatives is elected to represent . . . .
6. . . . . becomes laws.

**Ex. 2.** *How are the following ideas expressed in the text.*

1. the highest law-making body of the US;
2. a person who wants or whom others want, to be chosen for a position in an election;
3. the smaller of the 2 law-making groups in some countries;
4. a person acting in place of one or more others;
5. to express one’s choice in favor of (a person or political party) at an elections;
6. protection against law-breaking, violence;
7. something owed to someone else;
8. money paid in accordance with the law to the government;
Text C. “System of government”

Task: read the text, get ready to compare federal and local systems of government.

The United States is a federal union of 50 states. There are various levels of American government: federal, state, county and local. The whole system of American government is based on the principles established in the Constitution and Bill of Rights. All government in the United States is “of, by and for the people”.

The Constitution divides the powers of the government into three branches - the Executive, headed by the President, the Legislative, which includes both houses of Congress (the Senate and the House of Representatives); and the Judicial, which is headed by the Supreme Court.

Members of Congress, the President, state officials and those who govern counties and cities are elected by popular vote.

The state governments follow much the same pattern as the federal government. Each has a governor as the chief executive, with power divided among the Executive, Legislative and Judicial branches. State governments arrange such affairs as maintaining order, educating children and young adults, and building highways. The federal government deals with regional problems that involve more than one state. Laws affecting the daily lives of citizens are enforced by police in the cities and towns. Agents of the Federal Bureau of Investigation track down criminals who cross state borders or who break federal laws.

The President of the United States is head of the Executive branch. There are numerous executive departments. The Department of State, headed by the Secretary of State, advises the President on foreign relations, the Treasury Department manages government finance, collects taxes, mints coins and prints paper money, the Department of Justice, headed by the Attorney General, deals with legal matters, etc.
**Ex. 1.** *Complete the following table of notes.*

<table>
<thead>
<tr>
<th>System of government</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Federal</td>
<td>Local</td>
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<td>State</td>
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<td>State</td>
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</table>

1. 
2. 
3. 

**Ex. 2.** *Put the following sentences in the right order.*

1. The federal government deals with regional problems and international relations.
2. Those who govern counties and cities are elected by popular vote.
3. There are three levels of American government.
5. The state governments follow much the same pattern as the federal.
6. The Constitution divides the powers of the government into three branches.
7. The President of the United States is head of the Executive branch.
8. Laws affecting the daily lives of citizens are enforced by police in the cities and towns.
Text D. “Political Parties”

Task: read the text and give your understanding of the underlined parts of the sentences.

The two leading parties in the U.S. are the Democrats and the Republicans. There are other minor parties besides these two - a Communist party and several Socialist parties. Minor parties do not play role in national politics.

The Democrats are thought of as associated with labor, and the Republicans with business. Democrats tend to favor an active role of the central government in social matters, Republicans tend to oppose the greater involvement of the federal government in public life which they consider to be the responsibility of the states and communities. To distinguish between the parties is often difficult, however. The traditional European terms of “right” and “left”, or “conservative” and “liberal” do not quite fit the American system. Representatives or Senators are not bound to a party program if they have been elected as Democrats and the Republicans.

Both Representatives or Senators are elected to serve the interests of the people and areas they represent, that is, their “constituencies”.

As a result, the political parties have much less actual power than they do in other nations.

In the U.S., the parties cannot win seats which they are then free to fill with party members they have chosen.

Text E. “American President”

Task: read the text and insert a suitable verb from the box.

| to reelect | to resign | to convince |
| to approve | to allow | to dispose |

The President of the United States is chosen in a national election for a four-year term, and may be __________ for a second term. The President must be a native-born citizen at least 35 years old. He is elected directly by the voters.

President is head of the executive branch. The President’s policies and appointments of federal judges and government officials must be __________ by Congressmen. Therefore he must be able __________ the Representatives and Senators of his point of view. The rule is “the President proposes, but Congress __________”.

Under the US Constitution President is made to __________ before the expiry of his term of office only by an impeachment process. He is to stand trial in the Senate, with the Chief Justice of the U.S. acting as the judge and the Senators as the jury.
Revision Translation

Американская система управления

Система управления в Соединенных Штатах на федеральном уровне, в штатах, графствах и муниципалитетах легка для понимания, если вы воспитаны на этой системе и изучали ее в школе.

Есть, однако, несколько главных принципов, положенных в основу системы управления на всех уровнях. Первый — “один человек, один голос” — определяет, что законодатели избираются от географических округов путем прямого голосования избирателей. В соответствии с этим все избирательные округа должны иметь приблизительно равное число жителей.

Другой основополагающий принцип состоит в том, что при системе “сдержек и противовесов” компромисс в политике является вопросом необходимости, а не выбора. Например, палата представителей конгресса контролирует бюджетные расходы, а это значит, что президент должен получать ее согласие на осуществление своих предложений и программ. Он также не вправе объявлять войну, не получив на то согласие обеих палат конгресса. Любой внешнеполитический договор требует ратификации его сенатом — нет утверждения, нет и договора. Правило таково: “президент предлагает, а конгресс располагает”. Зачастую президент намерен делать одно, а вынужден делать другое.

Dialogue 1 “After the Seminar”

Task: read the dialogue, reproduce it a) abridged, b) in the form of a monologue.

Jack: Jane, are you through with the USA Constitution?
Jane: Oh yes, it wasn’t hard you know. Just a bit of history... I mean I mentioned that reading and debating the Federalist Papers Americans became deeply conscious of the principles of democracy and its proper role in their life and ... and all that stuff
Jack: How in the world do you find enough time? If things go on like this you’ll soon become a straight ‘A’ student².

June: To tell the truth, I could hardly manage extra questions. You see Constitution provides the rule of the majority, and it can be so cruel, so wrong, so oppressive to minorities that it perverts democracy itself. I mean society ought to be tolerant. And tolerance is something that we get through education, social traditions, through the instruction of family, our experiences in dealing with strangers. And ... 

Jack: You are far too deep in it yet. It’s for this purpose that constitutional law is made and it regulates relations of the kind by providing us rights and freedoms ... Of speech or expression ... Why should we talk of the thing like this?

Jane: What I was asked, Jack, is to which extend these have to be restricted. The problem has been debated ever since nations originated. And of course I can’t be expected to solve it.

Jack: You need a bit of relaxing. What about an hour or two of music and dancing at our cafe? Some new records they’ve got there are terrific.

Jane: A good idea. And then we’ll have a walk to the campus under the new moon³

Notes:
1 and all that stuff — и все такое;
2 a straight ‘A’ student — круглый отличник;
3 the new moon — молодой месяц.

Vocabulary:
to debate, to be conscious (of), proper, to provide, majority, minority, to pervert, tolerant, oppressive

Dialogue 2 “Progress in Studies”

Task: study the dialogue between an American and a foreign law student:

Am.: I see you are quite at home here now

F.: Sure. I’ve got friends and I’m making progress both in the language and in the subjects I’m taking. Now we are taking American Constitution in law.

Am.: How are you getting on with it?

F.: It’s the easiest part. The freedoms and rights citizens are entitled are the

Ин.: Конечно. У меня есть друзья, и я добился кое-каких результатов и в языке, и по предметам, которые я изучал. По праву мы сейчас изучаем Американскую Конституцию.

Am.: И как идут дела?

Ин.: Это самое легкое. Свободы и права, на которые граждане имеют право,
same everywhere. Differences arise when we take a particular freedom and compare how it is implemented in a particular country.

Am.: I see Americans place a high value on a political debate. I mean openness of society is important.

F.: Well, and particular clauses can differ. Your Constitution sets a four year term of office for the President. It’s longer with us.

Am.: And I must say many of the president’s decisions must be approved by a majority in Congress. By the way, there’s a debate club on our campus. You can join us if you like.

F.: Thanks.

Ex. 1. Find English equivalents for the following:

Ex. 2. Put questions to the italicized words:

Ex. 3. Sum up the information you have learned. Use the following words and word-combinations:

to be quite at home, to make progress, to get on with, to be entitled, to arise (differences), to implement, to place a high value on, a four year term of office, to approve, by a majority.
Ex. 4. Insert the derivatives from the box:

minor — minority; value — valuable; major — majority; progress — progressive; prior — priority

1. It’s not a minor thing to observe the rights and freedoms of ________.
2. It is one of the major Constitutional clauses. It is to be approved by the ________.
3. The matter they have advanced is to be considered prior to any others. Its ________ is due to the importance of the possible decision for further cooperation in the area.
4. You have made a valuable present. Its ________ can’t be exaggerated.
5. They elected a democratically-minded progressive President. Much ________ has been made in every sphere of life during two years of his presidency.

LISTENING COMPREHENSION

Text “The American Constitution”

Part A Pre-listening activities

I. Make sure that you know the following words phrases:

- to amend — to correct, to improve
- amendments — restitution
- to petition smb — to appeal
- peaceful assembly — peaceful convention (gathering)
- unalienable rights — indivisible rights

II. Before listening answer the questions:

a) How does the American Constitution separate the powers of the government?

b) Has the text of the Constitution ever been changed? How did it become possible?

c) What’s the Bill of Rights?

Part B Listening activities

I. Listen to the tape recording and fill in the gaps:

a) The former colonies operated first under ________

b) The Constitution outlines ________ of the national government and specifies ________.

c) The ultimate power under the Constitution belongs to ________

d) Americans stated in the first ten Constitutional Amendments, known together as ________ what they considered to be their fundamental rights.
e) The great pride of Americans in their Constitution comes from ________
f) Over the past two centuries the Constitution ________ throughout the world.

Part C  
After listening activities

I. Work in pairs and discuss the following question

1) What’s the difference between the American Constitution and the Bill of Rights?

**The American Constitution (tapescript)**

The former colonies now “the United States of America” first operated under an agreement called the Articles of Confederation, but it was soon clear that this loose agreement among the states wasn’t working well, the central, federal government was too weak. In 1989 therefore delegated from the states met in Philadelphia, they wanted to revise the Articles, but they did much more than that. They wrote a new document, the Constitution, which was officially adopted by the thirteen states by 1790. The Constitution outlined the structure of the national government and specified its powers and activities. The Constitution has been repeatedly amended to meet the changing needs of the nation, but it is still the “supreme law of the land”. The ultimate power under the Constitution is not given to the President (the executive branch), or to the Supreme Court (the judicial branch). It belongs to “we the People” in fact and in spirit. Americans stated in the first ten Constitutional Amendments, known together as the Bill of Rights, what they considered to be the fundamental right of any American. Among these rights are the freedom of religion, speech and the press, the right of peaceful assembly and the right to petition the government to correct wrongs.

The great pride Americans have in their Constitution, it comes from the knowledge that these ideals, freedoms and rights are regarded as the natural “unalienable” rights of every American, for which they have fought and won. Over the past two centuries the Constitution has also had considerable influence outside the US. Several other nations have based their own forms of government on it.

**Dialogue “The American Administration”**

Part A  
Pre-listening activities

I. Before listening answer the questions:

1. What principles is the American system of government based on?
2. How do you understand the saying: “The President proposes, but Congress disposes?”
3. Name at least three functions of the President.
II. *Make sure you know these words and expressions:*

to be all ears — to listen to smth attentively
if I get you right —if I understand you

**Part B**

**Listening activities**

I. *As you listen to the tape, make brief notes to help you answer the following questions:*

a) What is the highest governmental office in the US?
b) I wonder whether any American can become President.
c) What do you know about “Inauguration Day”?
d) By whom are Cabinet officials appointed?
e) What is the term of office of the American President?

II. *Listen to the tape recording once more and complete the sentences:*

a) The highest governmental office of the US is ...
b) The President must be ...
c) The term of office of the President is ...
d) The US President is assisted ...
e) The Cabinet members are ...

**Part C**

**After listening activities**

I. *Arrange a round-table discussion of the American Administration.*

**Dialogue “The American Administration”** (tapescript)

— I say, you promised to tell me everything about the American Administration. Remember?
— Yes, I do remember I promised to tell you something about it.
— I am all ears.
— To begin with, the highest governmental office of the USA is the presidency.
— If I get you right, the President, Vice-President and the President’s Cabinet are responsible for administering and executing the laws.
— That’s right. They are called the executive branch.
— I wonder whether any American can become President.
— The President must be a natural-born citizen, at least thirty-five years old and for at least fourteen years a resident of the US.
— I wonder when the President is sworn to preserve, protect and defend the Constitution.
— It takes place on January 20.
— Is the time fixed?
— Yes, it is. It takes place at noon.
— Is it called “Inauguration Day”?
— Exactly. You should know that the President is limited to two terms only.
— Does it mean that the term of office of the President is not more than eight years?
— Sure. The US. President is assisted in Administration by his Cabinet.
— How many persons does the Cabinet consist of?
— It consists of 12 members. They are appointed by the President and serve during his office.

GRAMMAR SECTION

Grammar to be revised: Modal verbs

Ex. 1. Complete the sentences using "can" or "to be able":

1. In 1776 Americans ... break with old traditions.
2. President (not) declare war without the approval of Congress.
3. A decision of the Supreme Court (not) ... be appealed to any other court.
4. Neither President nor Congress ... change the decision of the Supreme Court.
5. It was very difficult but we ... persuade our opponent.
6. He is a well-known politician, he ... be nominated as the Democratic presidential candidate.
7. In spite of hostility between Indians and colonists the chief of the Wampanoag tribe ... conclude a peace treaty with Pilgrim Fathers in 1621.
8. He is a Secretary, so he (not) serve in the Congress.
9. The president must ... convince Congressmen of his point of view.

Ex. 2. Use "must" or "have to" (in its correct form)

1. The government ... do something about employment.
2. The committee may ... continue the discussion of the problem.
3. In many countries citizens ... take part in the elections whether they want it or not.
4. The commission will start its sitting tomorrow. President ... answer a lot of questions.
5. You (not) ... make this information known to wide public.
6. I (not) ... type the documents. My secretary is supposed to do it.

Ex. 3. Express suppositions boarding on assurance. Use the prompts.

Model: a) What party does he belong to? (a Republican)
— He must be a Republican.

b) Is the name of a new President know already? (to announce)
— They must have announced the name of a new President.

1. Bella Abzug is a very extraordinary woman. (the most picturesque figure of American politics)
2. Do they know for whom they'll vote? (to make their choice)
3. Are the debates over? (still to go on)
4. She was elected sheriff of New County in Nevada. (to respect and trust)
5. Are the documents ready? (to type)
6. Was a new tax law adopted? (to veto)

**Ex. 4.** Express supposition implying uncertainty. Mind the form of the infinitive.

*Model:* Do you know where senator Perryson is? – He may/ might (to make) a speech in the Congress.
– He may/ might be making a speech in the Congress.

1. What are these people doing here? – I am not sure, but they might (to protest) against tax raising.
2. Do you think the republicans gained a majority of delegate votes? – Well, they may (to win), but I am not sure.
3. What party does he support? – I know very little of his political views. He might (to be) a neutralist.
4. Will everybody vote for their proposal? – I don't think so. It may (to vote down).
5. When shall we know the results? – They may (to declare) at midnight.
6. Why aren't political meetings well attended nowadays? – There might (to be) a kind of distrust of political speeches and promises.
7. What did the rival party ask for? – I am not sure, but they may (to ask) for a recount.

**Ex. 5.** Express possibility:

*Model:* These public officials failed to perform their duties properly. – They (to remove) from office.
– They can be removed from office.

1. Let's demand a recount. It (to show) majority in Wilcot's favour.
2. He has a great number of supporters. He (to win) the election.
3. The orator spoke in a dull flat voice. We (not to follow) him.
4. Associated Justices (not to elect), they are nominated.
5. A veto (to override) by a two-third vote of the Congress.
6. Government policies (not to change) by new president as they wish.
7. Congress (to refuse) to provide funds requested by the President.
**Ex. 6.** Express improbability or doubt using "can" or "could" and different forms of the infinitive.

*Model:* I don't believe that he has won the elections.
   – He can't (couldn't) have won the elections.

1. Is he really making investigations all alone?
2. I don't believe that he resorted to sordid methods in running the elections.
3. Is it true that Bert Glimmer supports the Democrats? He has quite opposite political views.
4. I doubt that the proposal has been put to vote. I think it's still being discussed.
5. Is the commission still sitting? Unbelievable!

**Ex. 7.** Answer the questions.

1. What a candidate should do to persuade electors to vote for him?
2. What should government do about water and air pollution?
3. Whom should a party nominate for presidency?
4. What should a politician bear in mind fulfilling his duties?
5. Should TV and radio programmes be censored?

**Ex. 8.** Express reproach or criticize a person. Use "should (not)/ ought (not) " and perfect infinitive.

*Model:* Your supporters have helped you a great deal. (to thank them)
   – You should have thanked them.

1. He is just a typical TV glamour boy (to vote for him).
2. Robert is upset about his failure (to support him).
3. People don't respect you any more (to sling mud your opponents).
4. Our candidate has lost the election (to nominate a recognized politician).
5. They said they could see practically no difference between your party program and that of your rivals (to have more clear-cut programme).

**Ex. 9.** Express the same idea using modal verbs.

*Model 1: a)* Are we permitted to vote? (Are there any regulations against voting?)
   – Can we vote?
   
   *b)* Do you advise us to vote for this candidate?
   – Should we vote for this candidate?
   
   *c)* Are we required to vote at the elections?
   – Must we vote at the elections?
1. It is necessary to register for local elections?
2. It is advisable to contact journalists.
3. It is not obligatory to be a party member to run in elections.
4. The committee decided to meet on Monday.
5. Perhaps he will change his decision.
6. I am not rich enough. I have no possibility to benefit the electoral campaign.
7. She managed to get a majority of ten in her favour.

**Model 2:**

- a) I am sure he is a party leader.
  - He must be a party leader.
- b) I doubt that he has won the elections.
  - He might have won the elections.
- c) It was a bad idea to join this lobby.
  - You shouldn't have joined this lobby.

1. Everybody is sure that he appealed to the U.S. Supreme Court.
2. I don't believe that such a minor party has won the majority of seats.
3. Why didn't you participate in decisions that concerned you?
4. Beyond doubt, he didn't do it!
5. Perhaps President vetoed the Act of Congress, but I don't know.
6. It can't be that the congress refused to provide funds for such a project!

**Ex. 10. Translate into Russian:**

1. "It is evident that the future of civilization and the chief possibility for mankind is to be found in America" (Bertrand Russel).
2. It should go without saying that America is not a land where gold is found on the streets.
3. If we wish we can prove without difficulty that New York City is either a brutal concrete jungle, or the art capital of the world.
4. Many reasons have been offered to explain why the U.S. has been able to go from a small, struggling economy to a leading industrial and agricultural country.
5. The America state had to be built, as they say, from the ground up.
6. The environmental movement in the U.S., never associated with one political party or group, was able to gain widespread trust and support.
7. Federal laws such as Clean Air Act and Water Pollution Control Act must have led to may specific improvement in the environment.
8. If an American loses his or her job there may be a number benefits.
9. Some American say that the press is not and should not be part of the government.
10. The newspapers might support one candidate or the other but one year might be a Republican and the next a Democrat.
Ex. 11. Translate into English:

1. Во многих городах и округах свои законы, определяющие, кто может и кто не может владеть оружием. 2. Штаты не могут принимать законы, идущие вразрез с конституционными правами личности. 3. Каждый отдельный политик должен уделять особое внимание нуждам своих избирателей. 4. Это политическое лобби, несомненно, ослабило позиции демократов. 5. "Мы способны поверить, что наше правительство глупое, слабое, неэффективное; но это, несомненно, самое лучшее правительство в мире". 6. Журналистам следовало бы проявить большее уважения к лидерам правительства. 7. Чтобы участвовать в выборах, не нужно быть членом политической партии, можно просто объявить, что им являешься. 8. Думаю, вам придется проголосовать за наше предложение. 9. Только 53,3% из тех, кто мог проголосовать, сделали это. 10. Вам не следовало поддерживать эту политическую группировку, это было ошибкой. 11. Не может быть, что суд признал действия президента неконституционными!

HOMEREADING SECTION

Text

"I Have a Dream"

(from "Basic Readings in US Democracy" by Melvin I. Urofsky)

As far as black Americans were concerned, the nation's response to Brown was agonizingly slow, and neither state legislatures nor the Congress seemed willing to help their cause along. Finally, President John F. Kennedy recognized that only a strong civil rights bill would put teeth into the drive to secure equal protection of the laws for African Americans. On June 11, 1963, he proposed such a bill to Congress, asking for legislation that would provide "the kind of equality of treatment which we would want for ourselves." Southern representatives in Congress managed to block the bill in committee, and civil right leaders sought some way to build political momentum behind the measure.

A. Philip Randolph, a labor leader and longtime civil rights activist, called for a massive march on Washington to dramatize the issue. He welcomed the participation of white groups as well as black in order to demonstrate the multiracial backing for civil rights. The various elements of the civil rights movement, many of which had been wary of one another, agreed to participate. They all managed to bury their differences and work together. The leaders even agreed to tone down the rhetoric of some of the more militant activists for the sake of unity, and they worked closely with the Kennedy administration, which hoped the march would, in fact, lead to passage of the civil rights bill.

On August 28, 1963, under a nearly cloudless sky, more than 250,000 people, a fifth of them white, gathered near the Lincoln Memorial in Washington to rally for "jobs and freedom." The roster of speakers included speakers from nearly every segment of
society – labor leaders like Walter Reuther, clergy, film stars such as Sidney Poitier and Marlon Brando and folk-singers such as Joan Baez. Each of the speakers was allotted fifteen minutes, but the day belonged to the young and charismatic leader of the Southern Christian Leadership Conference.

Dr. Martin Luther King Jr. had originally prepared a short and somewhat formal recitation of the sufferings of African Americans attempting to realize their freedom in a society chained by discrimination. He was about to sit down when gospel singer Mahalia Jackson called out, "Tell them about your dream!" Encouraged by shouts from the audience, King drew upon some of his past talks, and the result became the landmark statement of civil rights in America – a dream of all people, of all races and colors and backgrounds, sharing in an America marked by freedom and democracy.

“I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.”

Martin L. King

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.

But one hundred years later, the Negro still is not free; one hundred years later, the life of the Negro is sadly crippled by the manacles of segregation and the chains of discrimination; one hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity; one hundred years later, the Negro is still languished in the corners of American society and finds himself in exile in his own land.

So we’ve come here today to dramatize a shameful condition. In a sense we’ve come to our nation’s capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was the promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note in so far as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked "insufficient funds." We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so we’ve come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy; now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial
justice; now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood; now is the time to make justice a reality for all God’s children. It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro’s legitimate discontent will not pass until there is an invigorating autumn of freedom and equality.

Nineteen sixty-three is not an end, but a beginning. And those who hope that the Negro needed to blow off steam and now will be content, will have a rude awakening if the nation returns to business as usual.

There will be neither rest nor tranquillity in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds.

Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as I evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and they have come to realize that their freedom is inextricably bound to our freedom.

And as we walk, we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.

We can never be satisfied as long as our bodies, heavy with fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro’s basic mobility is from a smaller ghetto to a larger one.

We can never be satisfied as long as our children are stripped of their selfhood and robbed of their dignity by signs stating "for whites only." We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No. We are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you come here out of excessive trials and tribulation. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans
of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi; go back to Alabama; go back to South Carolina; go back to Georgia; go back to Louisiana; go back to the slums and ghettos of the northern cities, knowing that somehow this situation can, and will be changed. Let us not wallow in the valley of despair.

So I say to you, my friends, that even though we must face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream that one day this nation will rise up and live out the true meaning of its creed – we hold these truths to be self-evident, that all men are created equal.

I have a dream that one day on the red hills of Georgia, sons of former slaves and sons of former slave-owners will be able to sit down together at the table of brotherhood.

I have a dream that one day, even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today! ...

This is our hope. This is the faith that I go back to the South with.

With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

With this faith we will be able to work together, knowing that we will be free one day. This will be the day when all of God's children will be able to sing with new meaning – "my country 'tis of thee; sweet land of liberty; of thee I sing; land where my fathers died, land of the pilgrim's pride; from every mountainside, let freedom ring" - and if America is to be a great nation, this must become true.

So let freedom ring from the prodigious hilltops of New Hampshire.
Let freedom ring from the mighty mountains of New York.
Let freedom ring from the heightening Alleghenies of Pennsylvania.
Let freedom ring from the snow-capped Rockies of Colorado.
Let freedom ring from the curvaceous slopes of California.
But not only that.
Let freedom ring from Stone Mountain of Georgia.
Let freedom ring from Lookout Mountain of Tennessee.
Let freedom ring from every hill and molehill of Mississippi, from every mountainside, let freedom ring.

And when we allow freedom to ring, when we let it ring from every village and hamlet, from every state and city, we will be able to speed up that day when all of God's
children – black men and white men, Jews and Gentiles, Catholics and Protestants – will be able to join hands and to sing in the words of the old Negro spiritual, "Free at last, free at last; thank God Almighty, we are free at last."

Notes:
1. as far as black Americans are concerned...
2. state legislature – законодательный орган штата, легислатура;
3. ...seemed willing to help their cause along – ...казалось, не имели желания помочь им в решении проблем;
4. would put teeth into the drive... – послужили бы поводом для проведения компании;
5. ... [had been] wary of one another – [ранее] остерегались друг друга;
6. ... to bury ... differences – ... забыть о различиях;
7. the Emancipation Proclamation – Декларация о правах женщин;
8. until the bright day of justice emerges – (до тех пор), пока справедливость не восторжествует в один прекрасный день;
9. pledge, n – публичное обещание лидера партии придерживаться определенной политики;
10. trials and tribulation – испытания и беды.

WORDS AND WORD COMBINATIONS
1. concern, v – касаться, иметь отношение (к);
2. exile, n – ссылка;
3. originally, adv – первоначально;
4. prosperity, n – процветание;
5. sacred, adj – священный;
6. legitimate, adj – законный;
7. content, adj – довольный;
8. revolt, n – восстание;
9. gain, v – получить, добиться;
10. militancy, n – воинственность;
11. evidence, v – служить доказательством;
12. persecution, n – преследование, гонение;
13. brutality, n – грубость, жестокость;
14. oppression, n – притеснение, угнетение;
15. to grant (citizenship) rights – гарантировать гражданские права;
16. to gain one’s rightful place – занять принадлежащее по праву место;
17. physical violence – физическое насилие.
**Task 1.** Pair the suitable left and right parts to complete the list of definitions

1. "emancipation" is viewed as \( \text{a) satisfaction; ease; rest; comfort;} \) pleasure
2. "legitimate" means \( \text{b) to hunt down; to injure persistently; to} \) oppress
3. "to evidence" is the same as \( \text{c) imprisonment} \)
4. "brutality" is synonymous with \( \text{d) legal, lawful, constitutional} \)
5. "to persecute" can be regarded as \( \text{e) to prove, to show, to manifest, to make} \) clear
6. under "captivity" one should understand \( \text{f) liberation, release, manumission to} \)
7. the word "magnificent" can be interpreted as \( \text{g) splendid, superb, majestic, noble} \)
8. the noun "discontent" is opposite to \( \text{h) inhumanity, barbarity, cruelty} \)
9. "a devotee" is smb who is \( \text{i) a fanatic; an enthusiast} \)
10. the word "creed" involves the idea of \( \text{j) summary of belief, system of opinions, credo} \)
11. when we say "self-evident", we mean \( \text{k) plain, clear, open distinct, obvious} \)

**Task 2. a) Think of a suitable word to express the true meanings of the following sentences:**

1. President John F. Kennedy proposed a bill that would ensure (secure/entitle/enclose) equal rights to American Negroes.
2. Philip Randolf greeted (adopted/admitted with pleasure/approved) black as well as groups taking part in the march on Washington to show (make sure/make possible/make evident) that the Civil rights bill was proposed by people of different nationalities.
3. Those political groups who used to treat one another with caution (keep close to one another/stand apart from one another/support each other) could (succeeded/agreed/settled to) neglect their discrepancies, and they collaborated (interfered/cooperated/participated) with the Kennedy administration.
4. On the roster (random/register/list) of orators (spokesmen/chairmen/servicemen) at the rally (random/meeting/party) on August 28, 1963 there were so many people that each of them was given (shown/portioned/pointed) out fifteen minutes.
5. Being cheered (inspired-invited/intended) by the people gathered, King pronounced a speech which was a kind of an extract (selection/extent/section) of all his previous
speeches, which resulted in the *epoch-making* (world-making/peace-making/epochal) statement of civil rights in America.

**b) Say how the same ideas are expressed by the author.**

**Task 3. Combine the two parts of the sentences to convey the true ideas of the text:**

1. President John F. Kennedy recognized a) to demonstrate the multiracial support that only a strong civil rights bill of the civil rights.
2. The various elements of the civil rights b) which hoped the match would lead to movement participated in the march called for by Philip Randolf the passage of the bill.
3. The leaders of the August 1963 march c) and the result became the landmark on Washington worked closely with statement of the civil rights in the Kennedy administration America.
4. King drew upon some of his past talks, d) that all men would be guaranteed equal that all men would be guaranteed equal rights (of life, liberty and pursuit of happiness)
5. When the American Constitution was e) there will be neither rest, nor being written, it was presupposed tranquillity in America
6. As long as the Negro is the victim of the f) the supporters of the Civil rights unspeakable horrors of police brutality, movement will never be satisfied
7. The Negro leader was sure that people g) their destiny and their freedom is tied should be judged not by the colour of up their skin but
8. American Negroes shouldn't distrust all h) all people are created equal their white co-citizens, for
9. King had a belief that one day the nation i) will come true, if America is to be a would realize that a great nation
10. The old American spiritual gives hope j) by the content of their character that the freedom which American Negroes have been dreaming of
11. Until the Negro is granted his k) could secure equal protection of the citizenship rights laws for African Americans

**Task 4. Answer the questions:**

1. What kind of legislation was proposed on June 11, 1963 by President Kennedy to the American Congress?
2. Who blocked the civil rights bill and who and in what way struggled for the passage of that bill?

3. How many people gathered in Washington on August 28, 1963, near the Lincoln memorial and it is curious to learn if there were the white among them?

4. What was the political background of the political groups and leaders who participated in the march in Washington and what was their aim?

5. What was the main idea of Martin L. King's speech? Please say, whether the speech was prepared beforehand.

6. King said, "...we've come here today to dramatize a shameful condition". What did he mean by this?

7. What for did, – in King's words, – the participants of the march come to the Lincoln Memorial?

8. What did M. King warn his people about and what did he call them for?

9. All men are created equal. How does Martin L. King understand and explain it?

10. What is the dominating word(s) of the Negro leader's speech, and, especially, of its concluding part? Do you agree with the author that justice and equality will win one day "all of God's children will be able to sing what can be called "the Hymn of Liberty"? Has the position of the black Americans changed greatly since 1963?

**Task 5.** Prove the following statements. Use: It is (really) so / That's (just ) so; It can't be otherwise; / That's the thing!/ This (that) is the point!

1. Until Negroes are given equal rights, there will be no peace in America.

2. The Negro in America has been the victim of unspeakable horrors of police brutality.

3. America has failed to guarantee to her black citizens unalienable rights of life and liberty.

4. There will be neither rest nor tranquillity in America until the Negro is granted his citizenship rights.

5. American Negroes are not alone in their struggle for human rights in their country.

**Task 6.** Working in pairs, discuss whether the following statements are true or false. Defend your ideas using the contents. The following speech patterns will help you:

a) to get your opponents politely convinced in the truthfulness of your words:

Sorry, but if I recall correctly.../ I beg your pardon, but if I remember right.../ I can't say I'm absolutely right, but as far as I see it.../ of course, I can't fully rely on my memory, but as far as I remember/ am concerned/ realize it.../ What you say may be true, but as far as my own / personal experience goes...;
b) to admit your opponent's point of view:
(Yes, now I see) I must admit it/ what you say; (Yes, now I think) you're (absolutely) right/ justified for the following reasons; (Yes, now I see) you have every justification for your decision/ opinion; (Yes), you could manage/ succeeded in changing my previous opinion;

c) support your opponent's opinion when you share it:
(Yes,) true enough/ I can't help thinking the same/ I agree entirely/ (well,) that's the thing/ Dead right/ Too true/ I'm with you (t)here/ (Yes), I go along with you (that) ...;

d) to express your (extreme) controversial approach to the problem:
(No, as for me,) I entirely disagree with ... / (No, as for me,) I can't accept/ (No,) I'm far from being unanimous with you (in your opinion/ approach) / (No,) I will never agree to it (that)/ (No,) nothing will make me change my thoughts / point of view/ opinion/ idea of...

1. Black Americans have always enjoyed equal rights with the white-skinned citizens.
2. Southern representatives in Congress supported the President, and they all voted for the bill suggested by the latter on June 11, 1963.
3. Dr. Martin Luther King Jr. had originally prepared a short and a bit formal review of the sufferings of the African Americans.
4. Today it is obvious that America has failed to [fully] realize the magnificent words of the constitution that more than one hundred years ago promised equal citizenship rights.
5. King was convinced that all people were born to be either slaves or masters.
6. The Negro leader called on his people to wait till the Government adopts laws on ensuring the blacks equal rights.
7. One day the American nation will turn into the country of genuine freedom and democracy.
8. The Negro leader was sure, that in the process of gaining their "rightful place", his people would be justified even if they use physical force.
9. The participants of the 1963 meeting gathered near the Lincoln memorial to prevent the nation from overlooking the urgency of the moment.
10. King was sure that the "symphony of brotherhood" would sound one day all over the country if everybody would do his best to speed up this day.

Task 7. Using the neutral style, paraphrase the following sentences:
1. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism.
2. ...now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

3. This sweltering summer of the Negro’s legitimate discontent will not pass until there is an invigorating autumn of freedom and equality.

4. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.

5. I am not unmindful that some of you come here out of excessive trials and tribulation. Some of you have come fresh from narrow jail cells.

6. Continue to work with the faith that unearned suffering is redemptive.

7. I have a dream that one day ... sons of former slaves and sons of former slave-owners will be able to sit down together at the table of brotherhood.

8. And when we allow freedom to ring, when we let it ring ..., we will be able to speed up that day when all of God's children – black men and white men, Jews and Gentiles, Catholics and Protestants – will be able to join hands...

**Task 8. a)** dwell on the meaning of the following word combinations:
- nation's response to "the Brown";
- a society chained by discrimination;
- a landmark statement;
- manacles of segregation;
- the fierce urgency of the now;
- veterans of creative suffering;
- the Negro's basic mobility (from a smaller ghetto to a larger one)

**b)** Say how you understand the ideas the following sentences convey:

1. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice.

2. ... one hundred years later the Negro is still languished in the corners of American society and finds himself in exile in his own land.

3. It would be fatal for the nation to overlook the urgency of the moment.

4. In the process of gaining our rightful place we must not be guilty of the wrongful deeds.

5. This offence we share mounted to storm the battlements of injustice must be carried forth by a biracial army.

6. ... our children are stripped of their selfhood and robbed of their dignity by signs stating "for whites only".
7. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

**Task 9.** a) *make a summary of the introduction to Martin L. King's speech. Use the following conversational patterns:*

On the whole... / Speaking generally... / to put in briefly.../ If we take only the general idea(s)/ the key thought/ further on... / to proceed with.../ to go on with...; to summarize... / to conclude... / to make it complete...

b) *render briefly the speech itself, making your commentaries on the problem raised:*

(light of hope; an end to the captivity; segregation; discrimination, oppression; the riches of freedom; the security of justice; the victims of police brutality; the table of brotherhood; an oasis of freedom and justice; to be created equal; to stand up for freedom)

**Task 10.** *Roleplay the following situations:*

**Situation 1.**

- You're representatives of the alternative political movements who, on the eve of the rally in 1963, have gathered to analyze the situation and to collaborate general political strategy on establishing genuine democracy in America.

  a) *Work in groups and choose a delegate to express your platform in the summit discussion;*

  b) *point out the general steps of your mutual programme of "Racial equality of the nation".*

(to belong to a political group; to dwell on one's political platform; to suggest a kind of legislation that...; to bury political differences; a joint project of...; a civil right movement; various elements; for the sake of...; to work closely with...; state legislature(s); to collaborate/ work out/ state one's political platform/ legislation; (every) segment of society; the landmark statement of; to fix/ appoint the date/ place/ agenda of the meeting/ rally/ demonstration; the key problem/ task; the roster of speakers - include/ allot/ reflect; the representatives of the Administration; the safety of the participants; slogans and posters)

**Situation 2.**

- You're representatives of the international mass media who have been given the task to enlighten the political events preceding the march on Washington on August 28, 1963 and the rally itself.
interview as many representatives of different political movements as possible. Use the following:

- I hope our readers will be delighted to hear/ will not lose the opportunity to learn...
- I suppose the public will be entirely interested in/ will reveal great concern for/ will be anxious to know
- I guess our readers will be amazed/ crazy/ astonished / on the top of the world when they hear/ learn
- I believe the people will be a bit/ greatly/ absolutely/ extremely/ entirely displeased/ frustrated
- I think nobody will take it for sure/ granted

- что Вы думаете по поводу необходимости проведения подобной акции;
- благодаря чему такой массовый и, я бы сказал, многонациональный митинг стал возможен;
- не опасались ли Вы, что лидеры воинственно/ реакционно настроенных группировок могли сорвать митинг;
- что организаторы марша приветствовали участие белых и черных американцев в походе на Вашингтон “за работой и свободой”;
- что первоначально представителям южных штатов в Конгрессе удалось приостановить принятие законопроекта о гражданских правах;
- что список ораторов включал представителей всех слоёв общества;
- в июне 1963 года президент Кеннеди предложил на рассмотрение Конгресса законопроект, предоставляющий американским неграм равные права с белыми.

~ state the general mood of those gathered near the Lincoln Memorial.

Situation 3

- You are American students of law.

a) discuss with your supervisor the points of your future projects on the "American Democracy and Civil Rights"

( to guarantee equal rights (to); to secure the protection of the law; nation's response to...; one's unalienable rights (of life/ liberty...); one's citizenship rights; civil rights; to protect the law/ rights; to make justice a reality; (not) to overlook the urgency of the moment; a strong civil rights bill; to provide (a kind of) legislation (that)...; to pass/ propose/ protect/ block a bill/ law/ legislation; to welcome/ back/ support the participation/ issue; the strategy of political struggle; to be encouraged by...; justice and equality)
b) you've got a chance to find out the opinion of those "veterans of creative suffering" who took part in the famous manifestation 35 years ago. In answers to your questions they are supposed to use the following:

- if they are eager to participate in the discussion:
  - with great pleasure, (certainly)...
  - (sure), I'd be delighted/ pleased, happy...
  - (naturally), I see no objection (whatsoever)...
  - (very well), as long as/ if/ provided I'm concerned
  - (by all means), I'd be happy to/ I'm quite prepared to
  - I'm quite/ perfectly willing to, (O.K.)

- if they are not determined for this or that reason to express their viewpoint:
  - I'd rather not, actually
  - I'm afraid not, (sorry)/ I'd rather not
  - I'm not sure I can/ wish/ have the right, (excuse me)
  - I don't think I'm in charge of it
  - Well, to be frank, I'm not too keen on.../ I don't really want to...
  - Well, I think I'd rather (not).../prefer (not) to...

You are welcome to start your questions with:

- Would you please tell/ explain me what/ when/ why...
- Will you kindly tell me/us how/ why/ with what purpose...
- I/ we/ my friends would be pleased/ glad to hear/ learn if...
- It would be interesting to learn if/ whether (you)...
- I would be much obliged to you if you could draw light on...

Task 11. Writing

Dwell upon Martin L. King's speech, enumerating the problems he raised. Stress on those which impressed you most.

ADDITIONAL READING

Text “Limits on Legislative Power”

Congress's enumerated powers — those "herein granted" — are not boundless. The very act of listing the powers was intended to limit government, for by implication those powers that are not listed are prohibited. The Tenth Amendment reserves to the states or to the people all those powers neither explicitly delegated nor prohibited by the Constitution.
Eight specific limitations on Congress's powers are noted in Article I, Section 9. The most important bans are against *bills of attainder*, which pronounce a particular individual guilty of a crime without trial or conviction and impose a sentence, and *ex post facto laws*, which make an action a crime after it has been committed or otherwise alter the legal consequences of some past action. Bills of attainder and ex post facto laws are traditional tools of authoritarian regimes. Congress's enumerated powers are also limited in matters such as the slave trade, taxation, appropriations, and titles of nobility.

The original Constitution contained no bill of rights or list of guarantees for citizens or states. Pressed by opponents during the ratification debate, supporters of the Constitution promised early enactment of amendments to remedy this omission. The resulting ten amendments, drawn up by the first Congress and ratified December 15, 1791, are a basic charter of liberties that limits the reach of government. The First Amendment prohibits Congress from establishing a national religion, preventing the free exercise of religion, or abridging the freedoms of speech, press, peaceable assembly, and petition. Other amendments secure the rights of personal property and fair trial and prohibit arbitrary arrest, questioning, or punishment.

Rights not enumerated in the Bill of Rights are not necessarily denied. In fact, subsequent amendments, legislative enactments, and judicial rulings have enlarged citizens' rights to include the rights of citizenship, of privacy, of voting, and of "equal protection of the laws".

Text

**“Separate Branches, Shared Powers”**

The Constitution not only delineates Congress's powers but distinguishes them from those of the other two branches. For all practical purposes, senators and representatives, while in office, are prohibited from serving in other federal posts; those who serve in such posts are in turn forbidden from serving in Congress. This prevents any form of cabinet government in which key executive officials also sit in legislative chambers.

In fact, governmental powers are interwoven, even if the branches are separate. The Constitution vests Congress with "all legislative powers," but these powers cannot be exercised without involvement by the president and the courts. The same interdependency applies to executive and judicial powers. The Constitution created, not a system of separate institutions performing separate functions, but separate institutions that *share* functions so that "these departments be so far connected and blended as to give each a constitutional control over the others".

Even in lawmaking, Congress does not act alone. The president can convene one or both houses of Congress in special session. Although unable to introduce legislation directly, the president "shall from time to time give to the Congress information on the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient". The president also has the power to veto congressional
enactments. Within ten days (excluding Sundays) after a bill or resolution has passed both houses of Congress, the president must sign or return it. To overrule a presidential veto, a two-thirds vote is required in each house.

Implementing laws is the duty of the president, who is enjoined by the Constitution to take care that they are faithfully executed. The president is the head of the executive branch and has the power to appoint "officers of the United States", with the Senate's advice and consent. While Congress sets up the executive departments and agencies, outlining their missions by statute, chief executives and their appointees set the character and pace of executive activity. Moreover, Congress has power to impeach or remove civil officers for treason, bribery, or "other high crimes and misdemeanors".

In diplomacy and national defense, traditional bastions of royal prerogative, the Constitution apportions powers between the executive and legislative branches. Following tradition, presidents are given wide discretion in such matters: they appoint ambassadors and other envoys, they negotiate treaties, and they command the country's armed forces.

Yet here, too, functions are intermeshed. Like other high-ranking presidential appointees, ambassadors and envoys must be approved by the Senate. Treaties do not become the law of the land until they are ratified by the Senate. Although the president may dispatch troops, only Congress has the power of formally declaring war.

Text

“Democracy in America”

The defects and weaknesses of a democratic government may readily be discovered; they can be proved by obvious facts, whereas their healthy influence becomes evident in ways which are not obvious and are, so to speak, hidden. A glance suffices to detect its faults, but its good qualities can be discerned only by long observation. The laws of the American democracy are frequently defective or incomplete; they sometimes attack vested rights, or sanction others which are dangerous to the community; and even if they were good, their frequency would still be a great evil. How comes it, then, that the American republics prosper and continue?

In the consideration of laws a distinction must be carefully observed between the end at which they aim and the means by which they pursue that end; between their absolute and their relative excellence. If it be the intention of the legislator to favor the interests of the minority at the expense of the majority, and if the measures he takes are so combined as to accomplish the object he has in view with the least possible expense of time and exertion, the law may be well drawn up although its purpose is bad; and the more efficacious it is, the more dangerous it will be.

Democratic laws generally tend to promote the welfare of the greatest possible number; for they emanate from the majority of the citizens, who are subject to error, but who cannot have an interest opposed to their own advantage. The laws of an aristocracy
tend, on the contrary, to concentrate wealth and power in the hands of the minority; because an aristocracy, by its very nature, constitutes a minority. It may therefore be asserted, as a general proposition, that the purpose of a democracy in its legislation is more useful to humanity than that of an aristocracy. This, however, is the sum total of its advantages.

No political form has hitherto been discovered that is equally favorable to the prosperity and the development of all the classes into which society is divided. These classes continue to form, as it were, so many distinct communities in the same nation; and experience has shown that it is no less dangerous to place the fate of these classes exclusively in the hands of any one of them than it is to make one people the arbiter of the destiny of another. When the rich alone govern, the interest of the poor is always endangered; and when the poor make the laws, that of the rich incurs very serious risks. The advantage of democracy does not consist, therefore, as has sometimes been asserted, in favoring the prosperity of all, but simply in contributing to the well-being of the greatest number.

Text

“George Washington”

George Washington had been the obvious choice to be the first president of the United States, and indeed, many people had supported ratification of the Constitution on the assumption that Washington would be the head of the new government. By all measures, Washington proved himself a capable, even a great, president, helping to shape the new government and leading the country skillfully through several crises, both foreign and domestic.

Washington, like many of his contemporaries, did not understand or believe in political parties, and saw them as fractious agencies subversive of domestic tranquillity. When political parties began forming during his administration, and in direct response to some of his policies, he failed to comprehend that parties would be the chief device through which the American people would debate and resolve major public issues. It was his fear of what parties would do to the nation that led Washington to draft his Farewell Address.

The two parties that developed in the early 1790s were the Federalists, who supported the economic and foreign policies of the Washington administration, and the Jeffersonian Republicans, who in large measure opposed them. In foreign affairs, both sides wanted the United States to remain neutral in the growing controversies between Great Britain and France, but the Federalists favored the English and the Jeffersonians the French.

Washington set out his vision of what would make the United States a truly great nation. He called for men to put aside party and unite for the common good. The United States must concentrate only on American interests, and while the country ought to be
friendly and open its commerce to all nations, it should avoid becoming involved in foreign wars. The United States must "act for *ourselves* and not for *others*".

Many Americans, especially in subsequent generations, accepted Washington's advice as gospel, and in any debates between neutrality and involvement in foreign issues would invoke the message as dispositive of all questions. Not until 1949, in fact, would the United States again sign a treaty of alliance with a foreign nation.
Answer key
UNIT I     Reading material
Text A     Word Study

Ex. 2.
<table>
<thead>
<tr>
<th>Verb</th>
<th>noun (agent)</th>
<th>noun (concept)</th>
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<tbody>
<tr>
<td>to train</td>
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<td>specialization</td>
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<tr>
<td>to convey</td>
<td>conveyancer</td>
<td>conveyancing</td>
</tr>
<tr>
<td>to apply</td>
<td>applicant</td>
<td>application</td>
</tr>
<tr>
<td>to accuse</td>
<td>accuser</td>
<td>accusation</td>
</tr>
<tr>
<td>to interpret</td>
<td>interpreter</td>
<td>interpretation</td>
</tr>
<tr>
<td>to prosecute</td>
<td>prosecutor</td>
<td>prosecution</td>
</tr>
</tbody>
</table>

Ex. 3. senior barrister; vocational course; law degree; extreme formalities; accused person; professional advocate; necessary exam; civil action; day-to-day documents; variety of matters; personal interview; general practitioner; career structure; legal advice.

Ex. 4. to appoint a senior barrister; to proceed to a vocational course; to obtain a law degree; to pass necessary exams; to plan a civil action; to prepare day-to-day documents; to deal with variety of matters; to have a personal interview; to be a general practitioner; to separate career structures; to seek legal advice.

Ex. 5. legal problem (system, advice, document); general practitioner; criminal case; civil actions; matrimonial matters; petty crimes; vocational course; senior barrister; successful practice; important case.

Ex. 6. 1. barrister; 2. solicitor; 3. legal; 4. court; 5. case; 6. law; 7. lawyer; 8. advocate; 9. conveyancer; 10. client; 11. judge.

Ex. 7. 1 i; 2 c; 3 h; 4 d; 5 g; 6 e; 7 k; 8 m; 9 n; 10 f; 11 b; 12 a; 13 l; 14 i.

Ex. 8. 1. unique; two; separate. 2. solicitors; barrister. 3. civil; lowest. 4. Law Society. 5. to regard; advocate. 6. interpretation.
7. chosen; senior. 8. The Queen’s Counsel; important. 9. increasing. 10. solicitor’s; legal executives.

**Ex. 9.** 1f; 2c; 3e; 4g; 5a; 6d; 7b; 8h; 9i; 10j; 11k; 12l; 13m; 14n.

**Discussion**

**Ex. 1.** 1a; 2b; 3c; 4a; 5a; 6b; 7b.

**Ex. 2.** 1; 4; 7; 9.

**Homereading Section**

**Task 1**

1i; 2j; 3o; 4d; 5f; 6h; 7g; 8e; 9a; 10c; 11m; 12n; 13k; 14l; 15b

**Task 2**

a) 1f; 2c; 3a; 4h; 5i; 6b; 7j; 8e; 9g; 10d

b) 1c; 2e; 3k; 4j; 5d; 6g; 7f; 8a; 9b; 10i; 11h

**Task 4**

1) law, lawyer, legal; 2) started, practice(s); 3) private, earnings, limitation; 4) associates, assigned, training; 5) professional, justified; 6) accountant, candid, failure; 7) pros, cons, unemployed; 8) provide, quantity, fee; 9) solicit, advice; 10) weathered, attain

**Task 5**

1: a) private legal practice; b) much benefit; c) simultaneously; 2: a) an apprentice with a company; b) scutwork; 3: a) is wrong on the law; 4: Another year of apprenticeship (b) had no appeal for the author (a); 5: a) a self-employed lawyer; b) dealing; 6: a) associates; b) to be promoted; 7: a) fire its colleagues; b) a mass basis; 8: a) training program(me); 9: a) accept; b) are forced; c) justify

**Task 6**

1c; 2c; 3d; 4a,b; 5e; 6d

**Task 7**

1f; 2o; 3a; 4b; 5i; 6f; 7m; 8g; 9e; 10n; 11l; 12h; 13c; 14k; 15d
UNIT II        Reading material

Text A.

Word Study

Ex 2. promoter - promotion; legislator - legislation;
operator - operation; distributor - distribution;
administrator - administration; regulator - regulation;
violator - violation; separator - separation.

Ex 3. 1h; 2f; 3c; 4a; 5i; 6b; 7d; 8c; 9g.

Ex 4. 1/7d; 2/4a; 3/3e; 4/2f; 5/1h; 6/6b; 7/9g; 8/8c; 9/5i.

Ex 5. 1b; 2c; 3a; 4f; 5g; 6d; 7e; 8j; 9h; 10i.

Ex 6. 1. to behave; 2. morality; 3. administration; 4. objective (n);
5. precept; 6. to legislate; 7. claim (n); 8. constitution;
9. status; 10. procedure (n); 11. combat; 12. encroachment.

Ex 7. 1/5; 2/15; 3/13; 4/6; 5/1; 6/14; 7/12; 8/7; 9/2; 10/16;
11/8; 12/3; 13/17; 14/4; 15/11; 16/9; 17/10.

Ex 8. 1. various; 2. ought to behave; 3. two; 4. a vague; 5. civilization;
6. developed; 7. constitutional; 8. regulator; 9. law; 10. a set of rules.

Text B.

Ex 2. 1. law; 2. common law; 3. status law; 4. legal; 5. precedent; 6. court.

Text C.

Ex 2. 2, 5, 7, 6, 1, 3, 4.

Text E: code, law, case, verdict, jury, courts, codified.

Homereading Section

Task 1: 1l; 2d; 3e; 4b; 5c; 6k; 7h; 8g; 9n; 10j; 11f; 12a; 13m; 14i; 15o

Task 2: 1) draws a parallel between/estimates) English law and a river; 2) composed;
3) settled the disputes; 4) affected by; 5) has to do with; 6) acted upon; 7) significant

Task 4: 1l; 2 e; 3 c; 4 a; 5b; 6 d k; 7f; 8i; 9k; 10j; 11g; 12h

Task 5: true: 1, 2, 3, 4, 6, 9
UNIT III. Reading material

Text A.

Word Study

Ex. 2.

enforcer – enforcement
protector – protection
elector – election
functionary – function
composer – composition (compositor)
administrator – administration

Ex. 3. 1/e; 2/j; 3/c; 4/i; 5/f; 6/h; 7/a; 8/g; 9/b; 10/d.

Ex. 4. 1/3; 2/6; 3/1; 4/4; 5/8; 6/10; 7/2; 8/5; 9/7; 10/9.

Ex. 5. structure, constitution, soul, agreement, law, branch, function, authority.

Ex. 6.

1) electorat; 2) sovereign; 3) voters: electoral; 4) resident; 5) approved, recommendation(s); 6) elections.

Ex. 7. 1/f; 2/k; 3/a; 4/g; 5/b; 6/h; 7/l; 8/c; 9/i; 10/d; 11/j; 12/e.

Ex. 8. 1/4; 2/8; 3/10; 4/5; 5/1; 6/9; 7/6; 8/2; 9/7; 10/3.

Discussion

Ex. 1. 1/c; 2/a; 3/c; 4/b; 5/d; 6/a; 7/d.

Ex. 2. 3, 4, 5, 8, 9, 10.

Homereading Section

Task 1: 1e; 2l; 3a; 4f; 5b; 6c; 7k; 8i; 9g; 10h 11j; 12d; 13n 14m

Task 2: 1h; 2g,i; 3d; 4a; 5e 6f; 7c,b

Task 3: 1) vital; 2) united; 3) inheritor; 4) presuppose; 5) disappointed, perspective; 6) less official; 7) realizes

Task 5: 1d; 2g; 3i; 4a; 5j; 6k; 7c; 8b; 9e; 10h 11f; 12l

Task 10 a): true: 2, 5, 8, 11
UNIT IV  
Reading material

Text A.

Word Study

Ex. 2. announcer - announcement  
founder - foundation  
divider - division  
former - formation  
servitor - service  
follower - following 
maker - making

Ex. 3. a/4; b/6; c/3; d/1; e/7; f/2; g/5.

Ex. 4. 1 → d1; 2 → f2; 3 → c3; 4 → a4; 5 → g5; 6 → b6; 7 → e7.

Ex. 5. unreasonable searches federal state  
loud announcement natural responsibilities  
new condition fundamental rights  
free people clear lines  
direct elections great pride  
local authority

Ex. 6. 1) document; 2) independent; 3) liberty; 4) declaration; 5) amendment;  
6) federal; 7) slave; 8) suffrage; 9) president; 10) elections

Ex. 7. 1/e; 2/i; 3/g; 4/b; 5/a; 6/l; 7/c; 8/d; 9/m; 10/f; 11/j; 12/h; 13/k; 14/o; 15/n; 16/p.

Ex. 8. birth, laid, Philadelphia, stated, striking, president, amended, belongs, served, amendments, expanded.

Ex. 9. 1/3; 2/2; 3/5; 4/1; 5/4; 6/7; 8/8.

Discussion.

Ex. 1. 1/b; 2/c; 3/a; 4/b; 5/c; 6/c; 7/b; 8/c.

Ex. 2. 1, 2, 8.

Text B.

Ex. 2. Congress, candidate, Senate, representative, to vote, security, delt, tax.

Text C.

Ex. 2. 3, 6, 2, 5, 1, 8, 4, 7.
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