

МІНІСТЕРСТВО ОСВІТИ І НАУКИ,
МОЛОДІ ТА СПОРТУ УКРАЇНИ
ХМЕЛЬНИЦЬКИЙ УНІВЕРСИТЕТ
УПРАВЛІННЯ ТА ПРАВА
Факультет управління та економіки
Кафедра мовознавства

**Англійська мова для
правників
English for Lawyers**

Підручник
з навчальної дисципліни
"Англійська мова
(за професійним спрямуванням)"
для підготовки фахівців
освітньо-кваліфікаційного рівня
Бакалавр з напрямку підготовки
6.030401 Право

Хмельницький
2011

Рецензенти:

К.В. Олександренко, к.ф.н., доцент, завідувач кафедри іноземної філології Хмельницького національного університету

В.Г. Рогожа, к.ф.н., доцент, завідувач кафедри мовознавства Хмельницького університету управління та права.

Схвалено вченою радою Хмельницького університету управління та права (протокол № 2 від 22 вересня 2009 р.)

Г 14

Кафедра мовознавства

Автори підручника:

Н.І. Арзянцева, старший викладач -

Л.В. Гайдамащук, старший викладач –

О.Є. Гуменчук, старший викладач –

В.О. Кічігін, старший викладач -

С.М. Молотай, старший викладач –

О.О. Нагорна, кандидат філологічних наук, доцент -

А.А. Петрушко, старший викладач –

Англійська мова для правників: підручник

English for Lawyers. – Для студентів юридичних спеціальностей

– Хмельницький: Хмельницький університет управління та права, 2011. – 290 с.

У підручнику підібрано навчальні та оригінальні тексти, що можуть бути використані для читання, перекладу, переказу та подальшого обговорення на практичних заняттях з англійської мови. Тематика текстів має переважно юридичне спрямування. Підручник для студентів юридичного вузу.

© Кафедра мовознавства, Н.І. Арзянцева, Л.В. Гайдамащук, О.Є. Гуменчук, В.О. Кічігін, С.М. Молотай, О.О. Нагорна, А.А. Петрушко, 2011

© Хмельницький університет управління та права, 2011

Передмова

Підручник “English for Lawyers” складено відповідно до вимог програми навчання англійської мови студентів юридичних інститутів та університетів.

Матеріал підручника поділено на окремі розділи, кожен з яких містить навчальний текст, фахову лексику та питання розвивального характеру, граматичні вправи.

Крім основних текстів, розрахованих на розвиток фахових мовленнєвих здібностей студентів, до підручника увійшли професійно спрямовані додаткові тексти, підібрані відповідно до тематики програми. Тексти та різноманітні лексично-граматичні завдання до них можна використовувати для поглиблення фахових знань з іноземної мови та для самостійної роботи студентів.

Основною метою підручника є розвиток навичок усного мовлення на основі засвоєної юридичної термінології та забезпечення підготовки студентів до самостійного читання, розуміння й перекладу оригінальної літератури юридичного спрямування.

Зміст

Unit 1. Languages and Communication.....	5
Unit 2. The System of Education in Ukraine and Abroad.....	27
Unit 3. Legal Professions in Ukraine.....	39
Unit 4. The Fundamental Law of Ukraine.....	62
Unit 5. The State System of Ukraine	83
Unit 6. The State System of the UK	97
Unit 7. Legal Professions in Great Britain.....	114
Unit 8. Political System of the USA.....	135
Unit 9. How a Bill becomes a Law.....	152
Unit 10. The Court System of Ukraine.....	166
Unit 11. Court System of the USA. Court System of England and Wales.....	171
Unit 12. English Law.....	184
Unit 13. Roman Law.....	195
Unit 14. Law. Types of Law in Ukraine, Great Britain, USA.....	208
Unit 15. International Entities. The UNO, the ICJ, European Parliament. Court of Human Rights.....	224
Unit 16. International Law.....	246
Unit 17. Crime and Punishment.....	265
Unit 18. Criminal Law.....	274

Unit 1

Languages and Communication

Task 1. Read and memorize the active vocabulary to the text *Languages and Communication*.

total number	загальна кількість
widespread	дуже поширений
to be considered alive	вважатися живим
to be in use	бути в ужитку
“dead” languages	«мертві» мови
means of communication	засоби сполучення
natural language	природна мова
artificial language	штучна мова
mother tongue	рідна мова
remarkable success story	дивовижна, успішна історія
at least	принаймні
truly global language	дійсно глобальна мова
astonishing	дивний, вражаючий
cables	каблограма (телеграма, надіслана по підводному кабелю)
to store	вміщувати, зберігати
business deals	ділові угоди
to be conducted	вестись, проводитись
glamour	чарівний, вишуканий
broadcasting companies	радіомовні, трансляційні компанії
to transmit	передавати
to exceed	перевищувати

Task 2. Read and translate the text, write down all the unknown words.

Languages and Communication

The total number of languages in the world is from 2.500 to 5.000. The most widespread among them are Chinese, English, Spanish, Russian and some others. These languages are considered alive, because they are in use. There are also the so-called "dead" languages which are no more means of communication. These are, for example, Latin, old Greek,

old Slavonic, etc. All these languages are called natural, but there are also artificial or universal languages, such as Esperanto. We have also programming languages, used in computers. They are called specialized languages.

The most popular language spoken practically all over the world is English. It is spoken as the mother tongue in Great Britain, the United States of America, Canada, Australia, New Zealand. A lot of people speak English in China, Japan, India, African and other countries. English is one of 6 official and working languages of the United Nations Organization. It is studied as a foreign language in secondary schools and higher educational institutions of Ukraine.

The rise of English is a remarkable success story. When Julius Caesar landed in Britain nearly 2 000 years ago, English did not exist. Today English is used by at least one billion people, and almost half of them speak it as their mother tongue. At the end of the 20-th century English is more widely spoken, read and written than any other language has ever been. It has become the language of the planet, the first truly global language. The statistics of English are astonishing. Three-quarters of the world's mail, telexes and cables are in English. So are more than half the world's technical and scientific periodicals. English is considered to be the language of technology. About 80% of the information stored in the world's computers is in English.

Nearly half of all business deals in Europe are conducted in English. It is the language of sports, glamour festivals, competitions, the official language of the Olympics. Five of largest broadcasting companies in the world CBS, NBS, ABC, BBC, CBS transmit in English to audiences that exceed one hundred million people. English has no equals!

Task 3. Answer the following questions.

1. What is the total number of languages in the world?
2. What are the most widespread among them?
3. Why are Chinese, English, Spanish, Russian considered alive?
4. What “dead” languages do you know?
5. What languages are called specialized?
6. In what countries is English spoken as the mother tongue?
7. In what countries is English spoken as working language, as foreign language?
8. When did Julius Caesar land in Britain?
9. Why do many people use English as an international means of

communication?

10. What are the statistics of English?

11. Is English the main language at international meetings and conferences, the Olympic games and glamour festivals?

12. What broadcasting companies which transmit in English can you call?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Language, mother tongue, means of communication, to study, to be in use, business deals, to be conducted in, to transmit

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

There is no getting away ...it

To build ... one's vocabulary

To be in constant need... brushing them ...

To read literature ... speciality

To be good ... spoken English

To be ... use

... least.

Up, on, at, in, of, at, from

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. I understand perfectly well that learning English at the University, especially legal English, is a good chance (opportunity) for me to improve my language skills, first of all those of spoken English which are in constant need of brushing up.

2. At the English lessons we work with newspaper articles, watch films, analyze stories, listen to audio cassette tapings, read documentaries on British and American life and history, do vocabulary and grammar tests. Not long ago we began to master legal English which enables us to read foreign literature on speciality (on law).

3. Learn the language by ear. Listen to records. Listen to tapes. Turn on radio and listen.

4. Do speak up. He who keeps thoughts to himself, may well be blessed but you will do better if you don't go by this principle when speaking a foreign language.

5. Don't worry too much about mistakes. You will make them anyway - there is no getting away from it. It is far worse when something goes unsaid.

6. Remember that learning a language is a never-ending process.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. English is the national language in such countries as (Великобританія, Сполучені Штати, Канада, Австралія, Нова Зеландія).

2. It is (рідна мова) of nearly three hundred million people.

3. Many people use English as (міжнародний засіб спілкування), because English has become (дійсно глобальною мовою).

4. (Наукові конференції, торгівля, спортивні змагання) of various kinds have given the English language the status (однієї з найбільш важливих мов світу).

5. The rise of English is (дивовижна, успішна історія).

6. About 80 % of the information (яка зберігається в світових комп'ютерах) is in English.

7. Five of the largest (радіомовні компанії, які передають/трансляють англійською мовою аудиторії, що перевищує) one hundred million people.

Task 8. Give synonyms to the words in bold type.

1. What English-speaking **countries** do you know?

2. What is his **native/ first language**?

3. To know a foreign language is **of great importance** nowadays.

4. He knows English **very well**.

5. English has become a **world** language because of its usage in many countries of the world.

6. The new words have made English what it is today, an effective **medium** of international communication.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

1. dead language a) the method of human communication, either spoken or written, consisting of the use of words in a structured and conventional way

- | | |
|------------------------|--|
| 2. foreign | b) the language which a person has grown up speaking from early childhood |
| 3. language | c) the imparting or exchanging of information by speaking, writing, or using some other medium |
| 4. mother tongue | d) an invented language, esp. one intended as an international medium of communication or for use with computers |
| 5. communication | e) of, from, in, or characteristic of a country or language other than one's own |
| 6. artificial language | f) a language no longer in everyday spoken use, such as Latin |

Task 10. Topics for discussion.

1. Give a piece of advice on how to learn English.
2. Advertise the language you are studying now. Why do you study it?
3. Speak on the importance of English language in your future profession. Your prediction of the future of English.
4. Will the international importance of English increase or decrease in the 21 century?
5. What foreign language should be introduced into general studies at higher educational establishments of Ukraine? Please motivate.
6. How many foreign languages should be included into the Law School curriculum?

Supplementary tasks

Task 1. Translate the text in written form.

The History of the English Language

Two thousand years ago the British Isles were inhabited by speakers of Celtic languages. These languages still survive in parts of Wales, Scotland, Ireland, and Brittany in France. The Celts were conquered by the Romans, and from 43 B.C. to about AD. 410 the areas which are now England and Wales were part of the Roman Empire, and Latin was the language of the government. Between the fourth and the seventh centuries A.D., the Anglo-Saxons arrived from what is now northern Germany, Holland and Denmark, and occupied most of England, and parts of southern Scotland. In some parts of Wales, Scotland and Ireland, people still speak Celtic languages. The Anglo-Saxons spoke a Germanic language which forms the basis of modern English. This language was modified by

the arrival of Viking invaders in the north and east of the country, who came from Norway and Denmark between the eighth and eleventh centuries. These Scandinavian settlers spoke Old Norse, which is the parent language of modern Danish. The mixing of the two languages greatly enriched the vocabulary of English. By the middle of the tenth century England had become a unified country under one king.

In 1066 England was conquered by the French speaking Normans, and French became the language of government. For the next three hundred years three languages co-existed. The aristocracy spoke English, while Latin was used in the church. Today English vocabulary is approximately half Romance (from French and Latin). There are however considerable borrowings from other languages.

Some derived words

Old English shirt, life, death, heaven, earth, love, hate.

Old Norse skirt, birth, window, ugly, wrong, they, their, them.

French boil, roast, veal, beef, pork, village, painter, tailor.

Latin index, item, major, memorandum.

Task 2. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text. Retell it.

Features of the English Language

English has changed so much in the last 1500 years that it would now be hardly recognizable to the Anglo-Saxons who brought the language across the North Sea. Although they would be able to recognize many individual words, they would not recognize the way those words are put together to make sentences.

Simplicity of form. Old English, like modern German, French, Russian and Greek, had many inflections to show singular and plural, tense, person, etc., but over the centuries words have been simplified. Verbs now have very few inflections, and adjectives do not change according to the noun.

Flexibility. As a result of the loss of inflections, English has become, over the past five centuries, a very flexible language. Without inflections, the same word can operate as many different parts of speech. Many nouns and verbs have the same form, for example *swim*, *drink*, *walk*, *kiss*, *look* and *smile*. We can talk about *water* to drink and *to water the flowers*; *time* to go and *to time a race*; *a paper* to read and *to paper a bedroom*. Adjectives can be used as verbs. We *warm* our hands in front of a fire; if

clothes are *dirtied*, they need to be *cleaned* and *dried*. Prepositions too are flexible. A sixty-year old man is *nearing* retirement; we can talk about a *round of golf, cards, or drinks*.

Another strength is the flexibility of function of individual words. Look at these uses of the word 'round':

There was a round table (adjective)

He bought a round of drinks (noun)

He turned round (adverb) He ran round the field (preposition) The car tried to round the bend too quickly, (verb)

Openness of Vocabulary. This involves the free admissions of words from other languages and the easy creation of compounds and derivatives. Most world languages *have contributed* words to English.

The new words have made English what it is today, an effective medium of international communication.

Some lone words

Arabic	admiral, algebra, mattress
Spanish	mosquito, cigar, canyon
Italian	piano, violin, spaghetti
Dutch	yacht, boss, deck
Hindi	pajamas, shampoo, bungalow _w
Turkish	yogurt, kiosk
Japanese	tycoon, karate
Malay	bamboo, compound
Hungarian	coach, paprika
Classic Greek	theatre, astronomy, logic
Gaelic	whisky
Russian	vodka, sputnik
Finnish	sauna
Chinese	tea, silk
Portuguese	marmalade

Czech	robot
Farsi (Iranian)	lilac
Basque	bizarre
Carib	canoe

Australian Aborigine

Modern French

Modern German

Some 'created' words

xerox, to xerox, xeroxed

a hoover, to hoover, hoovered

mackintosh, sandwich, submarine,

helicopter, pop, rock'n roll, x-ray,

astronaut, hot dog.

kangaroo, boomerang

rendezvous, cafe

kindergarten

Task 3. Read and translate the text. Discuss the text with your partner using the proposed words.

English Today

Approximately 500 million people speak English as their first language. About the same number use it as a second language. It is the language of aviation, international sport and pop music. 75% of the world's mail is in English, 60% of the world's radio stations broadcast in English and more than half of the world's periodicals are printed in English. It is an official language in 44 countries. In many others it is the language of business, commerce and technology. There are many varieties of English, but Scottish, Texan, Australian, Indian and Jamaican speakers of English, in spite of the differences in pronunciation, structure and vocabulary, would recognize that they are all speaking the same basic language.

English *has become* a world language because of its establishment as a mother tongue outside England, in all the continents of the world. This exporting of English *began* in the seventeenth century, with the first settlements in North America. Above all, it is the great growth of population in the United States, assisted by massive immigration in the nineteenth and twentieth centuries, that has given the English language its present standing in the world.

Celtic

to survive

to conquer

A.D. = Anno Domini

B.C.= before Christ

approximately

borrowing

to recognize

roast

кельтський

продовжувати існування

завойовувати

лат. нашої ери

до нашої ери

приблизно

запозичення

упізнавати

смажений

veal	телятина
inflection	грам. флексія
flexibility	гнучкість
retirement	пенсійний вік
bend	поворот
to involve	передбачати
admission	доступ
compound	складне слово
derivative	похідне слово
medium	засіб
loan word	запозичення
pyjamas	піжама
tycoon	промисловий магнат
bamboo	бамбук
Gaelic	гельський
lilac	бузок
rendezvous	побачення
bizarre	дивний
hoover	пилос

Task 4. Choose from column B the synonyms of the words and phrases in column A.

A	B
Involve	exist
Bizarre	win
Rendezvous	access
Survive	foresee
Conquer	vacuum cleaner
Hoover	date
Medium	means
Admission	very odd

Task 13. Read and dramatize the following dialogues.

A: What do you think about Esperanto?

B: I don't believe it will ever become a world language.

A: Why? Lots of people are learning it.

B: Not compared with those who are learning «real» languages. It's too artificial.

A: You've got a point there. But it's much easier to learn than other languages.

B: That's certainly an advantage, of course, but there's no incentive to learn it as long as so few people speak it. You can't use it at international conference, for example.

A: I think it should be taught at schools.

B: Do you really? To my mind there are quite enough subjects on the school curriculum already.

A: I don't think you work hard enough at your English.

B: Well, I do, I work very hard, but please try to understand it's very difficult for me.

A: Oh, is it? How long does it take you to do your homework?

B: a long time, two or three hours, and sometimes even four.

Task 5. Make up your own dialogues using the following word combinations.

Mother tongue, peculiarity, interpret, translate, accent, to have a good command of, to try to do one's best, to be of great importance.

Task 6. Read and retell the text.

Why I Study English

English is an international means of communication. It is studied as a foreign language at secondary and higher educational establishments.

It is not a secret that English is one of the most used languages on the planet. Nowadays nearly half of all business affairs in the world are conducted in English.

As a newly founded state Ukraine establishes new relations with the countries throughout the world. Thus, the main task is to prepare skilled specialists who will promote the creation of friendly relations with foreign countries.

Great part of this creative process belongs to lawyers. It is quite understandable as lawyers officially conclude and register all agreements, contracts, treaties; defend the rights of the Ukrainian citizens abroad; observe the principle of the legality not to be broken during the process of the international cooperation. In my opinion every really skilled lawyer working either at the international arena or within the national policy should know English because it is spoken practically all over the world.

The knowledge of English gives a lot of advantages. Without any help I can use different scientific materials published in international magazines and specialized journals in English. While studying English I got acquainted with customs and traditions of English-speaking countries, I have a good opportunity to enrich not only my vocabulary but also my general educational level.

Task 7. Translate into English the following sentences paying attention to the nouns.

1. У нашій майбутній професії дуже важливим є знання англійської мови. 2. Як ви сподіваєтеся скласти іспит з англійської мови цього року? 3. Я почав вивчати англійську мову ще в школі. 4. Ви добре володієте англійською мовою? 5. Я хотів би мати міцні знання з розмовної англійської мови. 6. Запам'ятайте мою пораду: що більше ви будете спілкуватися іноземною мовою, то швидше ви навчитеся розмовляти нею.

Task 8. Discuss the following situations with your partner.

I. Mastering English has been my hobby since the childhood. Every year, being on holidays I used to read English books (adapted, later in the original). Thanks to my parents I had a rich collection of video cassettes and audio cassettes at my disposal; they helped me a good deal to improve my pronunciation, to enrich my vocabulary and to be good at English grammar. To tell the truth, I am not extremely pleased with my level of English. I understand perfectly well that learning English at the University, especially legal English, is a good chance (opportunity) for me to improve my language skills, first of all those of spoken English which are in constant need of brushing up.

II. At the English lessons we work with newspaper articles, watch films, analyze stories, solve puzzles, listen to audio cassette tapings, read documentaries on British and American life and history, do vocabulary and grammar tests. Not long ago we began to master legal English which enables us to read foreign literature on speciality (on law).

Mrs. Tymchenko is our teacher of English. To tell you the truth, I was going to the first lesson with mixed feelings of interest, uneasiness and apprehension. But when I entered the classroom I forgot about all my fears. The atmosphere was so relaxing, and the things she told us were so interesting and engaging that I didn't notice when it was time to call it a day. I dare say that she is a born teacher. She always seeks ways to help

students and always succeeds in it. Our teacher is considered to be tactful, civil, patient and competent. Her practical pieces of advice on how to learn a foreign language are encouraging and marvelous. If you wish you may follow them too.

Task 9. Translate the text into Ukrainian and write a summary in English.

The International Character of English

English is preeminently the most international of languages. Though the name of the language may at once remind us of England, or we may associate it with the United States, one of the world's superpowers, English carries less implications of political or cultural specificity than any other living tongue. At one and the same time, English serves the daily purposes of republics such as the United States or South Africa, sharply different in size, population, climate, and national philosophy; and it serves the ancient realm such as the United Kingdom.

Commonwealth partners, themselves are as different from each other as they are from Britain herself. English is spoken as a native language by more than 300 million people. In about 25 countries English has been legally designated as an official language. It has been estimated that English is a second language for well over 300 million people: the number of second- speakers may soon exceed the number of native-speakers, if it has not done so already.

The extent to which English is studied at the school level is shown in the analyses of 112 countries, where English is not a native language. The study estimates that over 46 million primary school students and over 71 million secondary school students were in English classes in 1970s. Outside the primary and secondary schools, there are large numbers of students in institutions of higher and further education who are learning English for a variety of purposes: as the medium of the literature and culture of English-speaking countries; for access to scholarly and technological publications; to qualify as English teachers, translators or interpreters; to improve their chances of employment or promotion.

To put it in bluntly, English is a top requirement of those seeking jobs, and is often the language in which much of the business of good jobs is conducted. It is needed for the access to at least half of the world's scientific literature. It is thus intimately associated with technological and economic development and it is the principal language of international aid. The great manufacturing countries such as -Germany and Japan use English

as principal advertising and sales medium; it is the language of automation and computer technology. It is also the major language of diplomacy, and is the most frequently used both in the debates of the United Nations and in the general conduct of UN business.

Task 10. Act dialogues on the following topics with your partner. Make use of the following phrases.

As far as I know; as far as I am concerned, just on the contrary; I dare say that ...; that's quite wrong, that's not quite true; speaking of; I am inclined to think

1. Will the international importance of English increase or decrease in the 21 century?
2. What foreign language should be introduced into general studies at higher educational establishments of Ukraine? Please motivate.
3. How many foreign languages should be included into the Law School curriculum?

Task 11. Read, memorize the words, make up your own sentences.

tongue	язик, мова
inhabitant	мешканець, житель
perish	гинути, умирати
share	ділити, розподіляти
spread	поширюватися
source	джерело
conquer	завойовувати, підкоряти
whatever	який би не, будь-який
dialect	діалект
settle	поселитися
attain	досягати, добиватися
promote	просувати, сприяти, заохочувати
degree	ступінь, рівень
far-reaching	широкий, далекосяжний
flourish	процвітати
remove	переміщати, відсувати
reduce	послабляти, зменшувати
utterly	зовсім, надзвичайно, цілком, абсолютно
rapidly	швидко, стрімко
preserve	зберігати, охороняти
search	шукати, досліджувати

unchecked
adopt
revival

безперешкодний, неперевірений
усиновляти, засвоювати, запозичувати
відновлення

Task 12. Read and translate the text into Ukrainian.

The Origins of the English Language

Among the many living forms of human speech, and those countless tongues which have arisen and perished in the past, the English language, which has now spread over so large a portion of the world, is as humble and obscure in its origin as any other. It is, of course, in no sense native to England, but was brought there by the German tribes who conquered the island in the 5-th and the 6-th centuries; and its nearest relations are to be found among the humble dialects of a few barren islands on the German coast. When our Angle-Saxon ancestors came to ravage Britain, and finally to settle there, they found the island inhabited by a people weaker, indeed, but infinitely more civilized than themselves. For several centuries the Celts in England had enjoyed the benefits of Roman government, and shared in the civilization of the Roman Empire; they lived in walled cities, worshipped in Christian churches, and spoke to a certain extent, at least, the Latin language; and it is possible, if this Teutonic invasion had never happened, that the inhabitants of England would be now speaking a language descended from Latin, like French or Spanish or Italian. It is true that English has become almost a half-sister to these “Romance languages”, as they are called, and a large part of its vocabulary is derived from Latin sources; but this is not in any way due to the Roman conquest of Britain, but to later causes. In whatever parts of Britain the Teutonic tribes settled, the Roman civilization and the Roman language perished; and we find at first a purely Germanic race, a group of related tribes, speaking dialects of what was substantially the same language – the language which is the parent of our present English speech.

The first district of England to attain any high degree of civilization, according to the standards of that time, was the North, where Christianity and culture were introduced from Ireland, where literature and scholarship flourished, and where the local or Northumbrian dialect seemed likely to become the standard speech of England.

It was, indeed, from the Angles settled here and their Anglican dialect, that our language acquired the name of English, which it has ever since retained. This Northumbrian civilization, however, was almost utterly destroyed in the 8th and 9th centuries by a new invasion of pagan tribes

from across the Herman Ocean. The Danes, who now came like the Angles and Saxons, first to hurry England and then to settle there, were near relatives of the inhabitants they conquered, and came from a district not far from the original home of the earlier invaders. Their language was so like Angle-Saxon that it could be understood without great difficulty; so when the two races were settled side by side, and when before long they became amalgamated, it was natural that mixed dialects should arise, mainly English in character, but with many Danish words, and with many differing grammatical forms confused and blurred. As there was no literature nor any literary class to preserve the old language, the rise of these mixed dialects would be unchecked, and we can safely attribute to this settlement of the Danes a great influence on the change in the English language. It is in the districts where the Danes were settled that the English language became first simplified, so that in the process of development ahead of that of the South of England. But this effect was only local, and did not at first affect the language as a whole. When the Northumbrian culture was destroyed, the kingdom of Wessex became the centre of English civilization; and under the scholarly influence of King Alfred, and the revival of learning he promoted, West-Saxon became the literary and classical form of English, and the almost all the specimens of early English that have been preserved are written in this dialect. Classical Anglo-Saxon, therefore, with its genders and its rich inflectional forms, was not affected by the Danish invasion from no further disaster, English would probably have developed much as the other Low German forms have developed, and we should be now speaking a language not unlike modern Dutch.

But for the third time a foreign race invaded England, and the language of Wessex, like that of Northumbria, was in its turn almost destroyed. The effect, however, of the Norman Conquest, although quite as far-reaching, was more indirect than that of the Danish. The Normans did not, like the Danes, break up or confuse Anglo-Saxon by direct conflict; but their domination, by interrupting the tradition of the language, by destroying its literature and culture, by reducing it to the speech of uneducated peasants, simply removed the conservative influence of education, and allowed the forces which had been long at work to act unchecked; and English, being no longer spoken by the cultivated classes or taught in the schools, developed as a popular spoken language with great rapidity.

Each man wrote, as far as he wrote at all, in the dialect he spoke, phonetic changes that had appeared in speech were now recorded in

writing; these changes, by leveling terminations, produced confusion, and that confusion led to instinctive search for new means of expression; word order became more fixed; the use of prepositions and auxiliary verbs to express the meanings of lost inflections increased, and the greater unity of England under the Norman rule helped in the diffusion of the advanced and simplified forms of the North. We even find, what is a very rare thing in the history of grammar, that some foreign pronouns were actually adopted from another language – namely the Danish words *they, them, their*, which had replaced the Anglo-Saxon forms in the north, and were gradually adopted into the common speech. From the north, too, spread the use of the genitive and plural in S for nearly all nouns, and not only for those of one declension.

Although the development of English was gradual, and there is at no period a definite break in its continuity, it may be, said to present three main periods of development – the Old, the Middle, and the Modern, which may be distinguished by their grammatical characteristics.

These have been defined by Dr. Sweet as first, the period of full inflections, which may be said to last down to A.D. 1200, the period of Middle English, or leveled inflections, from 1200 to 1500; and that of Modern English, or lost inflections, from 1500 to the present time.

Task 13. Answer the questions.

1. How was Old English speech brought to England?
2. Who inhabited the island when the Anglo-Saxon tribes invaded England?
3. What were the nearest relations of Old English speech?
4. How do you account for the comparatively high standard of Celtic civilization at the time of the Anglo-Saxon invasion?
5. What do you think gives the author the right to describe English as a half-sister of the Romance languages?
6. What district of England was the first to attain a comparatively high degree of civilization?
7. Why did the language acquire the name of *English*?
8. In what respect did the Danish invasion differ from that of the Angles and Saxons?
9. What brought about the rise of mixed dialects?
10. What was the linguistic effect of the Danish invasion?
11. What was the role of the kingdom of Wessex in the development of the English language?

12. How did the Norman Conquest affect the language?
13. What new means of expression were used to make up for the loss of inflections?
14. What are the three main periods in the development of the English language?

Task 14. Find in the text English equivalents.

Язичницькі племена; досвідчені прошарки суспільства; в свою чергу; місцевий діалект; з-за океану; пліч-о-пліч; скоро; без особливої праці; розвинута система закінчень; на півночі; під час норманського господарювання.

Task 15. Translate the sentences into Ukrainian.

1. The English language is, of course, **in no sense native to England**.
2. And its nearest relations **are to be found** among the **humble dialects** of a few barren islands on the German coast.
3. The Celts **shared in** the civilization of the Roman Empire.
4. A large part of English vocabulary **is derived** from Latin sources.
5. **The first district of England to attain** any high degree of civilization was the North.
6. In the North **literature and scholarship flourished**.
7. The Northumbrian dialect **seemed likely to become** the standard speech of England.
8. Before long the two races became **amalgamated**.
9. The Normans **did not break up or confuse** Anglo-Saxon by direct conflict.

Task 16. Give synonyms to the words in bold type.

1. When the Anglo-Saxon **forefathers** of the English nation came to England **to make their home** there they found a more **advanced** people than themselves **living on** the island.
2. A large part of English vocabulary **is of Latin origin**.
3. The first district of England **where civilization rose to a comparatively high level** was the North.
4. Literature and scholarship **developed rapidly** in the North.
5. The Danish invasion of England almost **completely** destroyed the Northumbrian civilization.

6. The language of the Danes could be understood by the Angles and the Saxons **rather easily**.

7. **Soon** the two races became amalgamated.

8. There was no literary class in England in the 8th and the 9th centuries **which could keep alive** the old language.

9. King Alfred **encouraged** learning.

10. The English language **borrowed** the pronouns *they, them, their* from Danish.

Task 17. Give antonyms to the following words.

To decay, to destroy, checked, old-fashioned

Task 18. Fill in the blanks with necessary prepositions.

1. According... Dr. Sweet the period of Modern English is defined as that of lost inflections. 2. The Danes invaded ...Britain... .. the German Ocean. 3. The Norman Conquest greatly affected... the development ...English. 4. Its influence...the English language was as far-reaching as that of the Danish. The Danish invasion brought about a considerable change... the English language.6. King Alfred wrote... the West-Saxon dialect. 7. ... the period ...some seven centuries Britain suffered three foreign invasions. 8. ... the Norman rule English developed as a popular spoken language. 9. ...King Alfred scholarship and learning flourished. 10. Numerous words were adopted...English...the French language. 11. ...the 5th and the 6th centuries the Angles and Saxons came...Britain,...first to ravage the country and then to settle there. 12. ... first influence of Danish... the English language was only local. 13. ... the course... time Frisian which had descended ...Low German, was reduced... a dialect. 14. Water boils ...100 degrees Centigrade. 15. ...first the search... the criminal was unsuccessful; but ...degrees the necessary evidence was collected and he was trucked down. 16. An expedition set out ...search... new coal deposits.

Task 19. Tell about the sources of origins of English language.

Grammar exercises

I. Give the plural of the following nouns.

Freshman, law, lecturer, news, lady, wife, roof, proof, half, foot, hero, language, money, child, grown-up, deer, thief, class, crisis, phenomenon, month, radio, thesis, advice.

II. Circle the possessiveness and underline the short forms.

Look! This is Mary Broom. She's famous pop star. Mary's group's name's "The Bank". This is the Bank new album. It's called "The Fortune". Look at Mary. She's got long green hair. Ben's hair is red but David's bold.

III. Translate into English.

Український уряд, сонячні промені, світовий клімат, досхочу, незначна відстань, студентські канікули, сімейні традиції, урядові рішення, місячна поверхня, голоси актрис, зібрання минулого тижня.

IV. Fill in the blanks with the necessary words in brackets.

1. Foreign ... are necessary for the ... of all (language, languages, representative, representatives, profession, professions)
2. We had to read and to translate a new ... to give some ... for a certain grammar ... and to answer several ... in English. (text, texts, example, examples, rule, rules, question, questions).
3. I like to study English very much, so it is very pleasant for me to answer all teacher's ... (question, questions).
4. We have to explain the ...of all the ... in the passive (formation, formations, tense, tenses, voice, voices)
5. Our University choir sang several English (song, songs)

V. Complete the following sentences using nouns in the singular or in the plural.

When did you have your English ... ?	dictionary
I am fond of all Jack London's	task
I had to translate a ... from	class
"Martin Eden" by Jack London.	girl
The first ... was to read and translate	examination
a new ... with the help of a	evening party
We repeated all the grammar ...	text
before the	rule
I was asked by the ... to tell some ...	family
about my ... in English.	passage
I heard that you had had an interesting	word
English	poem
A ... recited the ... "To the Men of	book
England" by Shelly.	teacher

VI. Translate these sentences into English.

1. У наш час мільйони людей у всьому світі розмовляють англійською мовою.
2. Іноді буває легше зрозуміти деяких іноземців, ніж тих, для кого англійська є рідною мовою.
3. Найбільшою проблемою для мене у вивченні англійської мови є вимова слів.
4. Мені дуже подобається слухати англійські пісні та дивитися англійські фільми, що є кращим засобом засвоєння нових слів.
5. Мій батько – бізнесмен, він весь час користується англійською мовою.
6. Пожити в Англії – це найкращий спосіб вивчити англійську мову та ознайомитися з традиціями англійського побуту.
7. Мій брат хоче, щоб я досить добре розмовляв англійською мовою, для того, щоб потім я зміг працювати у його юридичній фірмі.

VII. Translate these sentences into English.

1. Звичайно ми розмовляємо англійською на практичних заняттях з англійської мови.
2. Вона вступила до університету минулого року.
3. Я впевнений, ми вийдемо з кризи в наступному році.
4. Вивчати латинь важко, але студенти юридичних вузів роблять це з великим задоволенням.
5. Якщо я буду хорошим спеціалістом, я зароблятиму досить грошей, щоб подорожувати.
6. Правильний вибір професії – дуже важлива річ для кожної людини.
7. В наш час хороші спеціалісти користуються великим попитом, а зі знанням іноземної мови – вдвічі.

VIII. Choose one of the verbs for each gap. Underline them.

Example: We usually ... dinner at 7 o'clock.

We usually have dinner at 7 o'clock.

- | | |
|--|-------|
| 1. She's very clever. She ... four languages. | boil |
| 2. I ... films. I often ... to the cinema. | cost |
| 3. Water ... at 100 degrees Celsius. | close |
| 4. The City Museum ... at 5 o'clock every evening. | cost |
| 5. Food is expensive. It ... a lot of money. | go |

- | | |
|---|-------|
| 6. Tina is a teacher. She ... | |
| mathematics to young children | have |
| 7. Your job is very interesting. You ... a lot of people. | like |
| 8. Peter ... his hair twice a week. | meet |
| | wash |
| | speak |
| | teach |

IX. Arrange the following group of words into sentences.

1. at/the/rarely/weather/is/this/time/cold/year/the/of.
2. to/my/little/sister/do/not/cold/give/water.
3. mother/often/to/theatre/not/the/go/my/does.
4. it/November/often/in/rains.
5. school/the/generally/do/at/their/children/homework.
6. old/can/what/say/you/understand/that/hardly/man.
7. arrived/Jean/last/Spain/in/week
8. Annie/Robert/phone/minute/in/will/a
9. to/last/David/parents/wrote/night/his
10. mother/not/his/today/well/is/very
11. the/will/Browns/a/have/year/holiday/this
12. Boris/a/gave/Nadya/ring/wedding
13. yesterday/restaurant/we/to/Indian/decided/go/an/to
14. summer/she/in/visited/France/friend/her/last
15. lot/ of/bus/get/work/to/a/by/people

X. Put the verbs in brackets into the Past Simple.

1. _____ you _____ out last night or _____ you too tired? (do/go/be)
2. They _____ able to come because they _____ so busy. (not/be/be)
3. _____ the weather good when you _____ on holiday? (be/be)
4. I _____ angry because they _____ late. (be/be)
5. What _____ you _____ at the weekend? (do/do)
6. _____ you _____ out last night? (do/go)
7. We _____ them to our party but they _____ not to come.
(invite/decide)

XI. Choose the word (a,b,c) that best completes the sentence.

1. I ... to the cinema last week.
a) go b) went c) will go
2. The boy usually ... good marks when he was a first-year student.
a) get b) got c) will get

3. Mary and her sister ... chess every evening but today they are going to the theatre.

a) play b) played c) will play

4. She ... very early two days ago.

a) wake up b) woke up c) will wake up

5. He ... a new TV film tomorrow.

a) see b) saw c) will see

6. Some years ago the trains ... at this station.

a) stop b) stopped c) will stop

XII. Choose the word (a,b) that best completes the sentence.

1. When did they ... to learn English?

a) begin b) began

2. Did the students ... to the University yesterday?

a) go b) went

3. Who ... here last year?

a) live b) lived

4. When did the girl ... cold?

a) catch b) caught

5. Why did you ... a teacher?

a) become b) became

6. The teacher repeated the question, ... he?

a) did b) didn't

7. The boy caught the cold,... he?

a) did b) didn't

8. The students didn't answer at once,... they?

a) did b) didn't

9. In summer we picked berries and mushrooms, ... we?

a) did b) didn't

10. Nick ... at home at that time.

a) was b) were

11. You ... angry with me.

a) was b) were

12. The students ...at the stadium yesterday.

a) was b) were

13. When ... you born?

a) was b) were

14. What ... on at the cinema?

a) was b) were

15. Where ... you at 3 o'clock yesterday?

a) was b) were

Unit 2

The System of Education in Ukraine and Abroad

Task 1. Read and memorize the active vocabulary to the text *Our University*.

to graduate from the University	закінчити університет
teaching staff	викладацький склад
an acknowledged centre	визнаний центр
exchange program	програма обміну
to carry out research	проводити дослідження
book depository	книгозбірня
distinguished (outstanding)	видатні вчені
scholars	
training in Law	викладання (навчання) права
a postgraduate course	аспірантура
a postgraduate student	аспірант
Full Professor	професор
to maintain Candidate theses	захищати кандидатські дисертації
the instructional language	мова викладання
educational institution of	вищий навчальний заклад
higher learning	
rector	ректор
dean	декан
department (chair)	кафедра
a full-time student	студент денної форми навчання
a part-time student	студент заочної форми навчання
to attend lectures	відвідувати лекції
a body of state administration	орган державної адміністрації
state security bodies	органи державної безпеки
bodies of local	органи місцевого
self-government	самоврядування
law-enforcing bodies	правоохоронні органи
the Ministry of Justice	Міністерство Юстиції
the Bar	адвокатура

Task 2. Read and translate the text, write down all the unknown words.

Khmelnitsky University of Management and Law

The University is an acknowledged centre for training specialists in spheres of Law and Management. It was founded in 1992. At present the teaching staff and student body amount to 2000 persons, among them there are full-time, part-time students and post-graduates; they are trained at the departments of Management of Economy and Law.

The faculty of Law trains highly-qualified lawyers who work in the bodies of state administration, in the state security bodies, in the bodies of local self-government, in the bodies of judicature and prosecution and also in justice, in the law-enforcing bodies; they successfully work in the Bar and in the notary's offices, in the Ministry of Justice.

The teaching staff consists of Full Professors, Doctors of Law, Associate Professors, senior lecturers and staff lecturers. The staff is engaged in academic research and educational activities at the departments (chairs). Among them there are the following chairs: the department of Theory and History of the State and Law; the department of Constitutional, Administrative and Financial Law; the department of Criminal procedure and criminalistics, etc.

The students of the University attend lectures and tutorials in the Fundamental Laws of Ukraine, Theory of the State and Law, Psychology, Foreign languages, Latin, Management, Marketing and many other subjects.

The University has the highest, the fourth level of accreditation. The University carries out training according to the following educational levels: a) Bachelor degree level; b) the Specialist level; c) Master degree level.

Task 3. Answer the following questions.

1. When was the University founded?
2. How many faculties are there?
3. What institutions does the Law faculty train specialists for?
4. What do you know about the composition of the teaching staff?
5. What is the staff engaged in?
6. What are the majors of students?
7. What levels is the training divided into? Name them.
8. Why have you chosen this very University?

9. Share your first impressions.

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

To amount to; to be engaged in; full-time students; to consist of; to attend tutorials; to carry out; according to; to seek opportunities

Task 5. Complete the following expressions choosing a suitable preposition; find the best way of expressing them in Ukrainian.

1. The student body amount ... 2000 persons.
2. They are trained ... the departments ... Management and Law.
3. The teaching staff consist ... a skilled personnel.
4. The University carries ... training according ... the levels.
5. The knowledge ... the area ... teaching.

To (2), at, of (3), out, in

Task 6. Translate the following sentences and pay special attention to the underlined words.

1) The imposing building of the main premises of the University is located close to the city centre.

2) Many distinguished scholars lecture at the University.

3) The University maintains and extends links with many educational establishments abroad.

4) The university is considered to be one of the most prestigious higher educational establishments.

5) The curricula and structure of the University correspond to the best Universities.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1) A new statute of the University (було затверджено Вченою радою).

2) (Приміщення книгозбірні) has been repaired.

3) I am very (гордий) to be a student of the University which is (один з найкращих університетів).

4) The University (заснований) in 1992 (складається) two faculties.

5) The University has a wide and (розвинутий) system of (підготовки юристів).

6) (Повний курс навчання на стаціонарі) lasts five years.

7) The University has its (власні наукові традиції).

Task 8. Give synonyms to the words in bold type.

Prominent, fulfil, scientist, chair, establish, increase, raise.

- 1) Teachers and students **carry out** an academic research at the **departments**.
- 2) Distinguished **scholars** lecture at the University.
- 3) The University **was founded** in 1992.
- 4) The teachers constantly **elevate** and **expand** their knowledge in the area of teaching methodologies.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|---------------------------|--|
| 1. to graduate from | a) go regularly to (educational establishment) |
| 2. book depository | b) the administration of the law or authority in maintaining this |
| 3. scholar | c) a collection of books and periodicals held in a library |
| 4. to attend | d) successfully complete an academic degree, course of training |
| 5. Law enforcing bodies | e) government of a city, village by its own people |
| 6. self-government bodies | f) agencies or officials are responsible for catching people who break the law |
| 7. justice | g) specialist in a particular branch of study |

Task 10. Topics for discussion.

1. The University's customs and traditions.
2. Conditions for study and recreation.
3. The students' first impressions

Supplementary tasks

Task 1. Translate the words and word combinations into English. Make up your own sentences with them.

Практик, прокуратура, монографія, підручник, уродженець,

процедура, тези, дисертація, криміналіст, державна установа, наукові праці, правничі термінологія, вчений-демократ, колектив факультету, Академія наук, видатні правники (теоретики)

Task 2. Read the text and translate it.

Some University Customs

British universities usually keep to the customs of the past. At Oxford University, for example, all the students wear long black gowns² and students' caps — mortar-boards³. Without his or her gown no student is allowed to call on a tutor, to have dinner in the college dining-hall or to attend a lecture — where the gowns are rolled up and used as cushions.

It is interesting to know that in the past especially in the 14th century there were a great number of quarrels between townsmen and students, so-called "Town and Gown" battles.

The University was anxious to be independent of the Town, and the Town was anxious for authority over the new student population. The biggest quarrel broke out in 1354 which turned into a three day fight during which many students were killed.

A story is told from generation to generation at Oxford University, it is a story of an old custom which is kept up to now. Every Christmas day a roast boar⁴ head is carried with great ceremony to the table at which the tutors sit. The story of this custom goes back to the early years of the 16th century and celebrates the fight between a student of the college and a wild boar near the college. The student killed the boar by thrusting down its throat a copy of Aristotle⁵ which he was reading at that time, saying as-he did so, "That's Greek!"

At some Cambridge Colleges there is a curious custom in relation to dining in hall. It is known as "sconcing"⁶. If a student should come late to dinner or not be correctly dressed, or if he should break one of the little unwritten laws of behaviour, then the senior student present may order him to be "sconced". The Butler⁷ brings in a large silver cup, known as "Sconce Cup", filled with beer which he places in front of the offender who must drink it in one attempt without taking the cup from his lips (it holds two and a half pints⁸). If he succeeds, then the senior student pays for it, if not, the cup is passed round the table at the expense of the student who has been "sconced". No one seems to know the origin of the custom, but one can notice there is a sporting side to this rather odd punishment.

- | | |
|-------------------------|--|
| 1. <i>credit</i> | – залік |
| 2. <i>gowns</i> | – мантиї |
| 3. <i>mortar-boards</i> | – академічні шапочки з плоским квадратним верхом (в англійських студентів та професорів) |
| 4. <i>boar</i> | – кабан |
| 5. <i>Aristotle</i> | – Аристотель (видатний грецький філософ, 384-322 рр. до н. е.) |
| 6. <i>sconcing</i> | – штрафування (за порушення правил поведінки) |
| 7. <i>Butler</i> | – старший черговий |
| 8. <i>pint</i> | – пінта (міра ємкості близько 0,5 літра) |

Task 3. Express your attitude to the sconcing tradition. If you know more about University traditions in Ukraine, GB, USA, tell your group-mates.

Task 4. Read and translate the text System of Higher Education of Ukraine. Write down the unknown words and make comments on the new information.

System of Higher Education of Ukraine

The structure of the higher education of Ukraine was built up according to the structure of education in the developed countries of the world as determined by UNESCO, UN and other international organizations.

The higher education constitutes integral part of the system of education of Ukraine as provided for by the Law of Ukraine "On Education". It ensures the fundamental scientific, professional and practical training by the following educational and qualification degrees: "Junior specialist", "Bachelor", "Specialist", "Master".

The higher education is received in high educational institutions of the respective levels of accreditation on the basis of: basic general secondary education, complete general secondary education and educational-qualification degrees "Junior specialist" and "Bachelor", as well as "Specialist, Master" as postgraduate education.

Training of specialists in higher educational institutions may be carried out with the interruption of work (daytime education), without interruption of work (evening, correspondence education), by the

combination of these two forms, and for certain professions - without attending classes.

Admission of citizens to higher educational institutions is made on the competitive basis according to skills and regardless of the form of ownership of an educational institution and sources of payment for education.

There are four levels of accreditation established pursuant to the status of higher educational institutions:

first level - technical school, vocational school and other higher educational institutions equated to them;

second level - college and other higher educational institutions equated to it;

third and fourth levels (depending on the results of accreditation) - institute, conservatory, academy, and university. Higher educational institutions train specialists pursuant to the following educational and qualification levels:

junior specialist - is provided by technical and vocational schools, other higher educational institutions of the first level of accreditation;

bachelor - is provided by colleges and other higher educational institutions of the second level of accreditation;

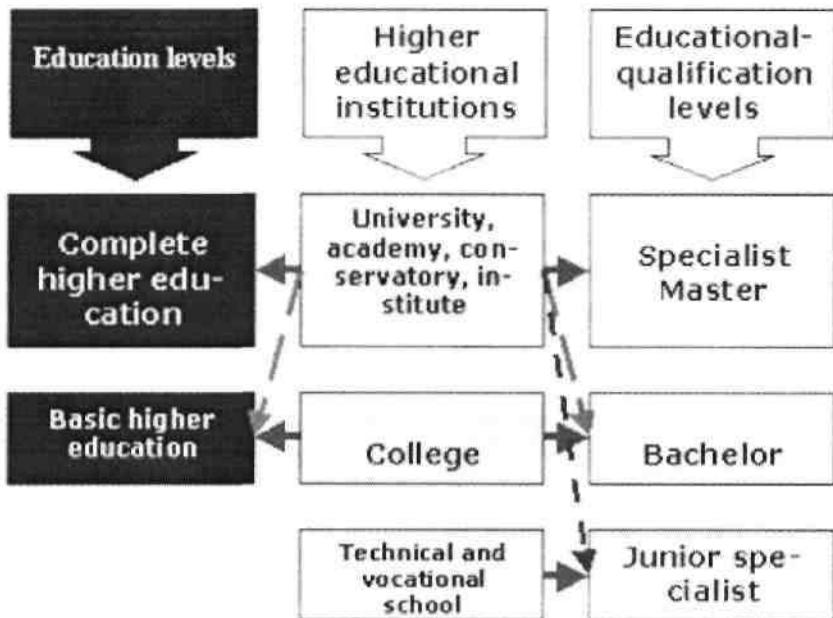
specialist, master - are provided by higher educational institutions of the third and fourth levels of accreditation.

The level system of higher education lies in the receipt of different educational and qualification levels at the respective stages (phases) of higher education.

Taking into account the structure of higher education, its first phase contemplates the receipt of higher education of the educational-qualification level "Junior specialist"; the second phase - "Bachelor" (basic higher education); the third phase - "Specialist", "Master" (complete higher education).

The level system of higher education may be realized both through the continuous program of training and differentially - according to the structure of the level system.

Structure of the level system of higher education of Ukraine



Higher educational institutions of the particular level of accreditation may train specialists pursuant to educational-qualification levels provided by educational institutions of the lower level of accreditation.

Areas of training

Requirements to the contents, scope and level of the educational and professional training in Ukraine are determined by the State Standards of Education. The state standard of education means the aggregate norms that specify requirements to the educational and educational-qualification level.

The state standard of education is developed for each area of training (profession) for various educational-qualification levels.

Management of education

The management of education is performed by government regulatory authorities and local authorities.

The government regulatory authorities in the area of higher education include:

The Ministry of Education and Science of Ukraine;

Central authorities of the executive power of Ukraine, to which educational institutions are subordinated;

The Supreme Certification Commission of Ukraine;
The State Accreditation Commission.

The Ministry of Education and Science of Ukraine is the central body of the government executive power performing the management in the area of education.

The Ministry of Education and Science of Ukraine:

participates in the determination of the state policy in the area of education, science and professional training of specialists;

develops the program of the development of education, state standards;

ensures the connection with educational institutions, government authorities of other countries with respect to issues falling within its competence;

makes accreditation of higher and vocational educational institutions, issues licenses and certificates to them;

organizes certification of pedagogical and scientific-pedagogical personnel in order to provide them with qualification degrees, pedagogical and scientific ranks.

The Supreme Certification Commission of Ukraine organizes and conducts the certification of scientific and scientific-pedagogical personnel, manages the work related to giving scientific ranks, giving academic degree of a senior staff scientist.

In accordance with the results of the accreditation of higher educational institutions, the Ministry of Education and Science of Ukraine together with ministries and departments, to which educational institutions are subordinated:

- determine the correspondence of educational services to the state standards of a certain in educational-qualification level in particular areas, gives the right to issue a document of education pursuant to the state standard;
- determine the level of accreditation of an educational institution;
- inform the community regarding the quality of educational and scientific activities carried out by higher educational institutions.

Bodies of the public self-regulation in the area of education include:

- The All-Ukrainian Congress of Educational Specialists;
- General meeting of the staff of an educational institution;
- District, city, oblast conference of pedagogical personnel;
- Congress of Educational Specialists of the Autonomous Republic of Crimea.

Local authorities in the area of education submit their proposals regarding the formation of the state policy in the area of education.

Task 14. Give your pro and contra of recent innovations in the System of Higher Education in Ukraine.

Task 15. Role-playing: *You are receiving your fellow-students from the University of Oxford. Some of you be ready to tell them about the history of your Alma Mater; the rest are to be ready to answer guests' questions.*

Make use of the following phrases:

Let me tell you about...

I would like to know...

Will you kindly inform us about...

Could you say a few words about...

I would add that...

I'm well aware about...

I'd like to sum up

Grammar exercises

I. Fill in the blanks with the appropriate articles.

- 1) Ann is...nice little girl.
- 2) Mr. Black lives in...flat.
- 3) Thank you for...trouble you took.
- 4) I like meat and my wife likes...fish.
- 5) I am...first-year student of...Law Institute.
- 6) ...friend in need is...friend indeed.
- 7). Ann is in...garden.
- 8) How did you like...film?
- 9) This is...house that Jack built.
- 10) Kopernik proved that...Earth goes round...Sun.

II. Copy out correct sentences. Mind the articles.

- 1) At that moment there was the knock at the door. At that moment there was knock at the door. At that moment there was a knock at the door.
- 2) Excuse me, I am in the hurry now.
Excuse me, I am in a hurry now.
Excuse me I am in hurry now.
- 3) I am as busy as the bee.
I am as busy as bee.
I am as busy as a bee.

III. Fill in the blanks with articles where is necessary.

- 1) All...best.
- 2) You are...very man I am looking for.
- 3) ...island of Great Britain is washed by...North Sea in...east and be...Atlantic Ocean in...west.
- 4) ...Browns were not invited for our party.
- 5) ...Thames is one of...main rivers of...Great Britain.

IV. Translate into English paying attention to the articles.

- 1) Будь ласка, перекажіть вашій дружині, що я дякую за подарунок.
- 2) Побачимось у суботу. Всього найкращого.
- 3) Як справи? - Добре.
- 4) Коли англієць зустрічає на вулиці товариша, він лише доторкається до капелюха.

V. Fill in with personal pronouns.

- 1) ...am a first-year student of the Law Institute.
- 2) My family is not very large,...consists of 3 persons.
- 3) My mother is a doctor...works at the hospital.
- 4) My friends study at the University...are in their third year.
- 5). Have...any relatives?

VI. Give short negative answers using words: nothing, nowhere, nobody, neither.

- 1) Where do your grandparents work?
- 2) What are you doing now?
- 3) Which of these two occupations will you train?
- 4) Who told you to do this work?

VII. Fill in the blanks with the words: any, some, much, little, many, few, a little, a few.

- 1) I have...relatives.
- 2) My sister can speak French...
- 3) My mother has...cousins.
- 4) He has...friends.
- 5) Have you...news? Yes, I have...
- 6) There is...light in my room.

VIII. Copy the following sentences. Underline personal pronouns in the objective case.

- 1) You see them in the club very often.
- 2) The man says he knows you and your family.
- 3) Please, give me a note-book.
- 4) Our English is poor.
- 5) Mr. Brown teaches us English.

IX. Put personal pronouns in brackets in the objective case.

- 1) My friends send (I) many letters.
- 2) His brother knows (he) well.
- 3) I often see (they) in the park.
- 4) Sometimes we meet (she) at the Browns.
- 5) Our mother greets (we) every morning.
- 6) Your son studies together with (she), doesn't he?

X. Insert possessive pronouns.

1) We have...English classes twice a week. 2) She likes...new dress very much. 3) Paul keeps...books in the bookcase. 4) I usually go to see...friends in the evening. 5) They often take...children to the park. 6) Do you help...parents? 7) The film is very interesting but I don't remember...title.

XI. Use the absolute form of possessive pronouns instead of the conjoint in the following word-combinations according to the model.

Model: her advice-advice of hers; your cousin, her sister, our children, my daughter, their relatives, her son, his niece, our baby.

XII. Translate into English.

1) Той молодий чоловік-мій брат. 2) То були найшасливіші дні в моєму житті. Ця дитина – її син. 3) Я збираюся відвідати своїх рідних. Це порарунки для них. 4) Ті дівчатка – мої двоюрідні сестри.

Unit 3

Legal Professions in Ukraine

Task 1. Read and memorize the active vocabulary to the text
Legal Professions in Ukraine.

Law	закон, право
law office	юридична установа
lawyer	юрист, адвокат, правник
to train specialists	готувати спеціалістів
professional training	професійна підготовка
court	суд, склад суду
procurator	прокурор
Public prosecutor (A.E.)	прокурор
procurator's office	прокуратура
the Bar	адвокатура
notary	нотаріус
notary office	нотаріальна контора
Ministry of the Interior	Міністерство внутрішніх справ
Judge	суддя
to investigate /thoroughly/ investigator	розслідувати / ретельно/ слідчий
to deal with human destiny	мати справу з людськими долями
to serve	служити
servant	слуга
in contrast to	на відміну від
relations	відносини
interrelation	взаємовідносини
comradely cooperation	товариське співробітництво
survive	пережити
survival	пережиток
mind	розум, думка
to display oneself	проявляти (себе)
to wage a /decisive/ struggle	вести (рішучу) боротьбу
to punish	карати
punishment	покарання
inevitability of punishment	не уникнення/ невідворотність покарання
to educate	виховувати, надавати освіту

to reeducate	перевиховувати
root	корінь
to root out	викорінювати
crime	злочин
to commit a crime	скоїти злочин
to prevent a crime	запобігати злочину
decline in crime	зниження (спад) злочинності
criminal /n/	злочинець
criminal /a/	злочинний
criminal phenomenon /pl.-na/ –	злочинне явище /a/
to guarantee	гарантувати, забезпечувати
responsible	відповідальний
to cope with	упоратися з
level	рівень
general education level	загальноосвітній рівень
cultural level	культурний рівень
to arm oneself with	озброюватись (чимось)
legislation in force	чинне законодавство
moral qualities	моральні якості
true	вірний
truth	правда
truthful	правдивий
honour	честь
honest	чесний
just	справедливий
justice	1. справедливість, 2. правосуддя, 3. юстиція, 4. суддя (АМ)
guard	варта, охорона
to stand on guard	стояти на варті
law and order	правопорядок
public order	громадський порядок
to master the theory	оволодіти теорією

Task 2. Read and translate the text, write down all the unknown words.

The Legal Profession

Law Institutes and faculties train specialists for Ukrainian Law offices- for courts, Procurator's Officers, Notary office, the Bar, the organs of the Ministry of the Interior, etc.

We know that the profession of a lawyer is not an easy one. Whatever we may become - judges, procurators, investigators, notaries – we shall have to deal with human destinies. The activities of the lawyer in our country are aimed at bringing the conduct of the people, their interrelations, their attitude towards the state and the public organizations into accord with the law and morality.

Our lawyers are waging a decisive struggle against criminal phenomena. This struggle consists not only in punishing but also in reeducating offenders. Tremendous work is carried on by the lawyers in rooting out the causes and in eliminating the conditions creating these phenomena. Lawyers also do a lot to prevent crimes.

There is a steady decline in crime in our country. But if a crime has been committed it is necessary to find the criminal, to investigate the case carefully and rapidly in order to guarantee the principle of the inevitability of punishment.

There is no need to say how responsible all that work is. To carry it out successfully one needs a high general education level and good professional training. Each of us realizes that to become a lawyer one must arm oneself with great and concrete knowledge. It means to study thoroughly, to master the theory of Law and to know the legislation in force. Each of us must constantly raise the cultural level. We must know classical and modern literature and art, regularly attend public lectures, theatrical performances, concerts, etc. Mastering foreign languages greatly contributes to the general education and cultural advance.

A lawyer is of course to be a person of high moral qualities. He must strictly keep to the rules of the community, his conduct is to be irreproachable and he must be an example for other people. He is to be truthful honest and just.

Every year thousands of graduates from law institutes and law faculties join the great army of those who stand on guard of the interests of our state, of the rights of our citizens and of public order.

Our people have a deep feeling of respect for their lawyers. I am proud that I shall become one of them.

Notes to the text

Whatever we may become	- ким би ми не стали
To bring into accord	- привести у відповідність
To keep to	- дотримуватись чогось

Task 3. Answer the following questions.

1. Are you a student of a medical University?
2. What offices does your University train workers for?
3. Where will your graduates work?
4. What will you have to deal with?
5. Will your job be interesting?
6. Do our lawyers wage any struggle against criminal phenomena?
7. What does the struggle against crime consist of?
8. Is there a decline in crime in our country?
9. What must the investigator do if a crime has been committed?
10. What does the lawyer need to cope with in his responsible work?
11. What works must the students study thoroughly?
12. What legislation should the student know very well?
13. What moral qualities must a lawyer have?
14. Are you proud that you'll become a lawyer? Why?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Activity, attitude, interrelations, aim, to wage, to create, to reeducate, to investigate, inevitability.

Task 5. Complete the following expressions choosing a suitable proposition from the list below; find the best way of expressing them in Ukrainian.

1. to bring...accord
2. ...contrast...
3. to be called...
4. to be...forefront
5. to root ...
6. to carry ...
7. decline ... crime
8. inevitability ... punishment
9. to arm oneself knowledge
10. to contribute
11. to be proud ...

In, into, of, to, out, on, upon, with

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. Law Institutes train specialist for law office. 2. It will be not an easy job to deal with human destinies. 3. The lawyer is a servant of the people. 4. The lawyers are waging a decisive struggle against crime. 5. Our main task will be to prevent crime. 6. There was a decline in crime in our region last year. 7. They investigated the case very carefully. 8. He found the criminal who had committed the crime. 9. His work will be very responsible. 10. She coped with her task. 11. They have armed themselves with good knowledge. 12. She knows the legislation in force very well.

Task 7. Make the following sentences complete by translating the phrases in brackets.

Dialogue

Taras Petrenko, a third-year student of a (юридичного) Institute, was on his way home for his winter vacation. During a stop at a station a woman and a boy entered his compartment. The boy, Ivan by name, was a secondary school (випускник) and the woman, his mother, was a doctor. When they learned that Taras was a law student they began asking him questions about the profession of a (юриста).

Woman: What (освітніх закладах) are lawyers trained at?

Taras: They (готуються) at law institutes and at law faculties of some universities.

Ivan: Are (слідчі) also trained there ?

Taras: You see, Ivan, an investigator is first of all a lawyer. A lot of our graduates become investigators.

Woman: Where else do your graduates work ?

Taras: They work at different (юридичні установи): at courts, at Prosecutor offices, at the (адвокатурі), at notary offices etc.

Ivan: But the work of an investigator is the most interesting, isn't it ?

Taras: It is very interesting indeed, but you must not forget that it is also very difficult.

Woman: The work of a (суддя), of a prosecutor, of an advocate is not easy either, is it?

Taras: It isn't . A lawyer has always to deal with human destinies and its no easy job, you know.

Woman: There is a lot of crime at this period. Perhaps the (покарання злочинців) is isn't strict enough ?

Taras: The punishment is strict enough. But the (боротьба із злочинності) consists not only in punishing. The main task is to prevent crime, to root out the causes and to (знищення умов) creating crime.

Woman: We all have (глибоку повагу до) our lawyers.

Taras: I am very glad I'll become one of those who stand (стояти на варті прав) of our people, on guard of (правопорядок).

Task 8. Give synonyms to the words in bold type.

The Investigator /Investigator bodies

In accordance with Ukrainian Legislation, all **criminal cases** pass through the state of **preliminary investigation** before they are brought into the court. The **activities** of the investigation **bodies** are strictly regulated by the Law. The criminal procedure **code** states which **organ** of investigation may investigate this or that case, what procedure should be **applied** what rights and duties this organ **possesses** and what methods of collecting and investigating **evidence** it may use. The activity of the organ of investigation is of a preliminary **nature**. Their task is to prepare the case for **court hearing** and to facilitate the court collection and investigation of evidence. While discharging his duties, the investigator has the rights **to detain** a person **suspected** of a crime, to question citizens and officials as witnesses to the crime, to make requisite **search** and inspections, order expert investigation and **resort to** other actions **provided for** by the criminal procedure Law.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|------------------|---|
| 1. to punish | a) carry out a systematic or formal inquiry to discover and examine the facts of (an incident, allegation, etc.) so as to establish the truth |
| 2. investigate | b) inflict a penalty or sanction on (someone) as retribution for an offence, especially a transgression of a legal or moral code |
| 3. to root out | c) to keep from happening, esp. by taking precautionary action |
| 4. to prevent | d) to find a person and force him/her from the place they are in, usually in order to punish them |
| 5. law and order | e) standards of behaviour; principles of right and wrong |

6. moral qualities f) a situation characterized by respect for and obedience to the rules of a society

Task 10. Topics for discussion.

1. The lawyer is a servant of the people.
2. Lawyers are in the forefront of the struggle for law and order.
3. We are proud of our calling.
4. How to become a highly qualified specialist.

Supplementary tasks

Task 1. Give Ukrainian equivalents of the following words and word combinations.

Law office; to train specialist ; the bar; court; notary office; to deal with human destinies; the Ministry of the Interior; activity; notary; to aim; to con the people; the attitude; to bring into accord with; interrelations; morality; to serve; professional training; in contrast to; to be called upon; servant; to abolish; a fitting position; comradely cooperation; to be in the forefront; phenomenon; to root out; unfortunately; to wage a decisive struggle; the survivals of capitalism; to display; criminal phenomena; to punish; to educate; to eliminate; to reeducate; to carry on; cause; to create; condition; to prevent crime; a steady decline in crime; to commit a crime; to investigate carefully and rapidly; inevitability of punishment; responsible work; to arm oneself with knowledge; general education; to carry out the work; concrete knowledge; to study thoroughly; to master the theory; legislation in force; cultural level; to contribute to; community; to keep to the rules; irreproachable conduct; honest; just; truthful; to join the army; to stand on guard of public order; to have a feeling of respect; to be proud (of).

Task 2. Make the following sentences interrogative and answer the questions.

1. Law Institutes train specialist for law office. 2. It will be not an easy job to deal with human destinies. 3. The lawyer is a servant of the people. 4. The lawyers are waging a decisive struggle against crime. 5. Our main task will be to prevent crime. 6. There was a decline in crime in our region last year. 7. They investigated the case very carefully. 8. He found the criminal who had committed the crime. 9. His work will be very responsible. 10. She coped with her task. 11. They have armed themselves

with good knowledge. 12. She knows the legislation in force very well. 13. Serov is a person of high moral qualities. 14. They will stand on guard of legality and law and order.

Task 3. Complete the following disjunctive questions and answer them.

Model:

a/ You are a student of law...?

You are a student of law, aren't you?

b/ He hasn't committed a crime...?

He hasn't committed a crime, has he?

1. He has a good professional training... . 2. She is a highly qualified investigator... . 3. You will work at the Procurator's office... . 4. Pavlo wants to work in the militia... . 5. It's not an easy job... . 6. You will have to deal with human destinies... . 7. Olga worked at a notary office last year... . 8. Your main task is to reeducate the offenders... . 9. The criminal was strictly punished... . 10. We are rooting out the causes of crime... . 11. There is a decline in crime... . 12. The crime has been prevented... . 13. He didn't investigate the case carefully... . 14. The principle of the inevitability of punishment will be guaranteed... . 15. He is a person of a high cultural level... . 16. You know the legislation in force... . 17. He isn't a person of high moral qualities... . 18. We shall stand on guard of legality and law and order... .

Task 4. Construct questions asking about the words in bold type.

1. **Our lawyers** main task is to **prevent** crime. 2. **We** must root out the **causes** and the conditions of **crime**. 3. **The principle of the inevitability** of **punishment** must be guaranteed. 4. **We** must arm ourselves with **good knowledge**. 5. **We** shall stand on guard of the **interests of our state**.

Task 5. Give English equivalents of the following Ukrainian words and word combination.

Професійна підготовка; готувати спеціалістів; адвокатура; людські долі; нотаріус; суддя; юридична установа; Міністерство внутрішніх справ; прокуратура; мати справу з людьми; легка робота; слуга народу; взаємовідносини людей; служити людям; товариське співробітництво; злочинні явища; вести боротьбу; проявлятися; рішуча

боротьба; карати злочинця; запобігати злочину; перевиховувати правопорушників; викорінювати причини злочинів; зменшення злочинності; ліквідувати умови; здійснити злочин; ретельно розслідувати справу; швидко знайти злочинця; не уникнення покарання; справитися з роботою; відповідальна робота; загальноосвітній рівень; озброїтись знаннями; оволодіти теорією; діюче законодавство; культурний рівень; моральні якості; приклад для інших; чесна, правдива та справедлива людина; стояти на варті; інтереси держави; громадський порядок; права громадян; правопорядок.

Task 6. Speak on your future profession using the following key words and word combinations.

Law institute; to train specialists; the Ministry of the Interior; investigator; easy job; human destiny; servant; to serve; in contrast to; the relations of people; to display oneself; a decisive struggle; to punish; to reeducate; to prevent; to root out; to eliminate; a decline in crime; responsible work; to cope with; level; to know; to study thoroughly; to be proud of; to stand on guard of.

Task 7. Translate into English.

1. Юристів готують в юридичних інститутах та на юридичних факультетах деяких університетів. 2. Юристам доводиться мати справу з людськими долями, а це нелегка робота. 3. Боротьба з злочинними явищами складається перш за все з попередження злочинності у викоріненні причин та ліквідації умов, які породжують ці явища. 4. Щоб забезпечити принцип не уникнення покарання, необхідно швидко знайти злочинця та ретельно розслідувати справу. 5. Щоб впоратись з своєю відповідальною роботою юристу необхідний високий загальноосвітній рівень та хороша професійна підготовка. 6. Майбутні юристи повинні озброїтись хорошими знаннями в стінах інституту. 7. Студенти - юристи повинні ретельно оволодіти теорією права та знати діюче законодавство. 8. Юрист повинен бути людиною з високими моральними якостями, його культурний рівень повинен бути дуже високим. 9. Ми будемо стояти на варті законності та правопорядку. 10. Наш народ глибоко поважає людей, що стоять на варті законності та правопорядку. 11. Ми вступаємо до лав тих, хто охороняє інтереси нашої країни, права та інтереси її громадян.

Task 8. Substantiate the following statements.

1. The profession of a lawyer is interesting and not easy. 2. The lawyer is a servant of his people. 3. Lawyer are in the forefront of the struggle for rooting out the survivals of capitalism from peoples minds. 4. The principle of the inevitability of punishment must be guaranteed by the lawyer. 5. The lawyer is to possess particular human qualities. 6. The lawyers general and special education level is to be very high. 7. The lawyer must constantly raise his cultural level. 8. We are proud to become lawyers.

Task 9. Read and translate the text. Write down all the unknown words and word expressions.

The Investigator /Investigator bodies

In accordance with Ukrainian Legislation, all criminal cases pass through the state of preliminary investigation before they are brought into the court. The activities of the investigation bodies are strictly regulated by the Law. The criminal procedure code states which organ of investigation may investigate this or that case, what procedure should be applied what rights and duties this organ possesses and what methods of collecting and investigating evidence it may use. The activity of the organ of investigation is of a preliminary nature. Their task is to prepare the case for court hearing and to facilitate the court collection and investigation of evidence. While discharging his duties, the investigator has the rights to detain a person suspected of a crime, to question citizens and officials as witnesses to the crime, to make requisite search and inspections, order expert investigation and resort to other actions provided for by the criminal procedure Law.

The Procurator's Office of Ukraine, the Ministry of the Interior of Ukraine and Security Service of Ukraine have their own investigation departments. They differ from one another chiefly in the scope of their competence. Their competence is defined in the Criminal Procedure Code. Briefly, it may be summed up as follows:

1) Investigators from the Procurators Office have the right to investigate any case, but in actual fact they carry out inquiries into the gravest crimes (murder, banditry, etc) and also into cases of malfeasance and juvenile delinquency;

2) Investigators from the Ministry of the Interior have the right to institute proceedings against persons who have committed any crime, but in cases that come within the competence of the investigators of the procurator's office;

3) Investigators from the Security Service are charged with investigating cases of espionage and other especially dangerous crimes against the state.

Thus, the preliminary investigation is oriented at detecting crime, at disclosing and exposing person guilty of them, at ascertaining all the prevention measures.

The investigators job is to prepare the materials of the case in hand for its adjudication in court. For this reason law says that the preliminary investigation has as its purpose the speedy and complete disclosure of crime, the exposure of the guilty so that every person who commits a crime shall be charged or punished. In other words, the preliminary investigation is called upon to facilitate the objective and comprehensive administration of justice.

Task 10. Answer the following questions.

1. What stage do the criminal cases pass through before they are heard in court?
2. What bodies have investigation departments?
3. What are the actions of the investigation bodies regulated by?
4. What cases do the investigators from the Procurators Office investigate?
5. What grave crimes do you know?
6. What actions do the investigators from the Ministry of the Interior do in cases of grave crime?
7. What cases do the investigators of the militia bodies usually hold inquiries into?
8. What crimes do you consider not very dangerous?
9. By whom are especially dangerous crimes against the state investigated?
10. What is the main task of an investigator?
11. What actions may the investigator undertake while holding an inquiry of a case?
12. What is the preliminary investigation called upon?
13. Does the investigator himself transfer the case and the indictment to the court? Who does it?
14. What does the investigator do if he suspects a person of a crime?
15. Would you like to become an investigator?

Task 11. Read the dialogue and act them.

Dialogue

Yuri Petrenko got an appointment to the Procurator's Office of his native town. He rang up Victor, his former school – mate who was a student at the Medical Institute and told him about his appointment. In the evening the two friends met and had a talk about Yuri's future work. Here is some of the conversation that took place this evening.

Victor : So you will work at Procurator's Office of our district. What will you do there?

Yuri: I'll work as an investigator.

V: I've always been sure that investigators belong to the militia.

Y: You see, Victor, both the Procurator's Office and the militia have their own investigation departments.

V: Is there any difference in their work?

Y: The main task of all the investigators is to detect crimes and to expose persons guilty of them. But the investigator from the Procurators Office usually carries out inquiries into the gravest crime.

V: What crime do you call "the gravest"?

Y: There are such crimes as murder, embezzlement on a large scale, banditry, rape, etc.

V: And if, let's say a murder has been committed, the militia hasn't the right to investigate it, has it?

Y: It has. The investigators from the militia have the right to investigate any criminal case. But in cases of grave crimes they usually only perform urgent actions and then transfer the case to the investigators of the Procurators Office.

V: I see. And do the investigators from the Procurators Office also investigate such grave crimes as let's say espionage?

Y: They don't. Especially dangerous crimes against the state are investigated by the investigators of the Security Service of Ukraine.

V: And what crimes does the militia investigate?

Y: The investigators from the militia usually hold inquiries into less dangerous crimes, such as theft, burglary, bribery, swindle, etc.

V: The work of an investigator is very responsible, isn't it?

Y: It is. He is to conduct the investigation in such a way that every person guilty of a crime shall suffer a just punishment and no innocent person shall be charged.

V: What does the investigator do after completing the investigation of a case?

Y: He submits it to the procurator. If the procurator agrees with the indictment, he approves it and transfers the case to the court. The preliminary investigation is called upon to facilitate the objective and comprehensive administration of justice.

Task 12. Read and learn the words.

Investigation	-слідство, розслідування
Investigation bodies	- слідчі органи
to conduct /carry out, exercise/ an investigation	- вести слідство
preliminary investigation	- попереднє слідство
to investigate /a case/ investigator	- розслідувати (справу) - слідчий
inquiry	- розслідування; дізнання
to hold /carry out/ an inquiry	- проводити розслідування; дізнання
to question	- допитувати; опитувати; задавати питання
to interrogate	- допитувати
interrogation	- допит
in accordance with legislation	- у відповідності з законодавством
crime	- злочин
to commit a crime	- скоїти злочин
to detect a crime	- розкрити злочин
to be guilty /of a crime/ especially /most/ dangerous crime	- бути винним /в злочині/ - особливо небезпечний злочин
grave crime	- тяжкий злочин
criminal	- 1. злочинець, 2.злочинний, кримінальний
criminal procedure code	- кримінально-процесуальний кодекс
evidence	- доказ
murder	- вбивство
embezzlement	- привласнення майна, розтрата
rape	- згвалтування - бандитизм

banditry	- посадовий злочин
malfeasance	- злочинність неповнолітніх
juvenile delinquency	- крадіжка
theft; (юрид.) larceny	- скоїти крадіжку
to commit a theft /larceny/	- крадіжка зі зломом
burglary	- крадій
thief	- красти
to steal /stole-stolen/	- хабар
bribe	- дати кому-небудь хабар
to bribe smb.	- брати хабарі
to take bribes	- хабарник
bribe taker	- хабарництво
bribery	- органи міліції
militia bodies	- прокурор
procurator	- прокуратура
procurators office	- Міністерство внутрішніх справ
Ministry of the Interior	- уповноважити
to empower	- виконувати свої обов'язки
to discharge one's duties	- затримувати, взяти під охорону
to detain	- підозрювати у злочині
to suspect of a crime	- обшук, розшук
search	- здійснювати обшук
to make /conduct/ a search	- експертиза
expert examination /investigation/	
to institute proceedings against	- порушувати справу проти
espionage	- шпигунство
disclose /expose/	- розкривати, викривати
disclosure /exposure/	- розкриття, викриття
to ascertain the circumstance	- з'ясовувати обставини
crime preventing measures	- заходи запобігання злочинів
adjudication in court	- винесення судового рішення
innocent	- невинний
charge	- звинувачення
to charge	- звинувачувати
to punish	- карати
punishment	- покарання
to suffer a just punishment	- понести справедливе покарання
to be called upon	- бути покликаним
to facilitate the administration of	- сприяти здійсненню правосуддю

justice

Task 13. Give English equivalents of the following words and word combinations.

Попереднє слідство; у відповідності до законодавства; скоїти злочин; проводити розслідування злочину; слідчий відділ прокуратури; слухати справу у судді; кримінальна справа; тяжкий злочин; розкрити злочин; невинна людина; робити обшук; особливо небезпечний злочин; засоби попередження злочину; затримання злочинця; сприяти правосуддю; справедливе покарання; шпигунство; Міністерство внутрішніх справ; допросити свідка; крадіжка; докази; дати кому-небудь хабар; покарати злочинця; порушити проти когось кримінальну справу; крадіжка зі зломом; проводити експертизу; органи міліції; хабар; вбивство; понести покарання; викрити злочинця; бути винним у злочині; хабарник; підозрювати у злочині; передавати справу; починати терміново дії; шахрайство; кримінально-процесуальний кодекс; затвердити обвинувачення.

Task 14. Give Ukrainian equivalents of the following words and word combinations.

To conduct an investigation; in accordance with; to commit a crime; rape; to discharge ones duties; to ascertain the circumstances; to facilitate the administration of justice; investigation bodies; to detect a crime; banditry; to detain a criminal; crime preventing; dangerous crime; to carry out an inquiry into a crime; especially to make a search; an innocent man; preliminary militia bodies; to charge a person with a crime; to investigate a criminal case; to conduct an expert examination; to institute criminal proceedings against snub; criminal procedure code; to punish a criminal, evidence; Ministry of the Interior; espionage; a just punishment; murder; state security; to expose a criminal; to suffer a punishment; to empower somebody; to be called upon; to be guilty of a crime; to perform urgent actions; to transfer a case; to disclose a criminal; to undertake actions; to suspect somebody of a crime; to submit a case to ..; indictment; malfeasance; to interrogate a witness; to commit a larceny; to hold an

inquiry into a burglary; to detain a thief; to institute proceedings against a swindler; to suffer speculators flat.

Task 15. Finish the following disjunctive questions.

- 1) All criminal cases pass through the state of preliminary investigation before they are heard in court,...?
- 2) Both the Procurators Office and Ministry of the Interior have their own investigation departments,...?
- 3) His task is to detect the crime and to expose persons guilty of it,...?
- 4) This grave crime will be investigated by the Procurators Office,...?
- 5) Rape is one of the gravest crimes,...?
- 6) The crime has been detected,...?
- 7) The case is to be transferred to the Procurators Office,...?
- 8) He isn't suspected of murder,...?
- 9) He will suffer a just punishment,...?
- 10) He ordered an expert examination,...?
- 11) The preliminary investigation has not yet been completed,...?
- 12) She is innocent,...?
- 13) She was questioned as witness to the crime,...?
- 14) This action is not provided for by the criminal procedure law,...?
- 15) Your main task is to prepare the case for court hearing,...?
- 16) The investigator has instituted criminal proceedings against him,...?
- 17) There wasn't enough evidence to prove him guilty of the crime,...?
- 18) We are called upon to facilitate the objective and comprehensive administration of justice,...?
- 19) The procurator will agree with the indictment,...?

Task 16. Put questions to the words in bold type.

1. Criminal cases pass through preliminary investigation before they are heard in court.

2. The investigators from the Procurator office carry out inquiries into the gravest crimes.

3. The investigators from the Ministry of the Interior may institute proceedings against persons who have committed any crime. In cases of grave crimes they only perform urgent actions.

4. The investigators' job is to detect crimes and to disclose and expose persons guilty of them.

5. Every person who commits a crime must suffer a just punishment.

6. The man you are speaking about is suspected of crime
7. She will be questioned as a witness of the crime.
8. The action is provided for by the criminal procedure law.
9. The main task of the investigators is to prepare a criminal case for court hearings.
10. All investigators are called upon to facilitate the objective and comprehensive administration of justice.
11. If the procurator agrees with the investigators indictment he approves it and transfers the case to the court.

Task 17. Fill in the blanks with suitable words or word combinations the vocabulary of the topic.

1. In ... Ukrainian legislation all ...cases pass through the state of ... investigation before they are ... in court. 2. The investigators task is to ... a crime, to ... persons guilty of crime and to ... the case for ... hearings. 3. The investigators found the man guilty of the crime and ... criminal proceedings against him. 4. His guilt has been proved and he will ... a just punishment. 5. Banditry is a ...crime. 6. There was not enough ... and the investigator ordered an ... examination. 7. In case of grave crime the investigator of the Ministry of the Interior usually perfumes ...actions and ... the case to the investigator of 8.He was a ...as a witness to the crime. 9. If you are sure of his guilt you must institute against him. 10. It there enough evidence to prove his ... of the crime? 11. The investigator is called upon to ... the objective and comprehensive ... of justice. 12. The procurator did not approve the ... and the case was not transferred to the court.

Task 18. Speak of the work of an investigator using the following key words and combinations.

To pass through the stage of ... , investigator departments; inquiries into the gravest crimes; less dangerous crimes; ungentle actions; to transfer the case; to detect crimes; to expose; just punishment; to have the right; to provide for; to prepare the material; to facilitate.

Task 19. Learn the text.

Task 20. Learn the dialogue and stage in with friend of yours in class.

Task 21. Describe the investigation of a case.

The Procurator

Under the Constitution of our state supreme supervisory power to ensure the strict observance of the law by all ministries, institutions, organizations, as well as officials and citizens generally is vested in the Procurator – General of Ukraine, who is appointed by the Supreme Council of the Ukraine.

Procurator's offices set up in the regions, districts by the corresponding procurators, appointed by the Procurator General of Ukraine.

The procurator's activity takes the following forms:

1. supervision of the strict observance of the laws by all ministries, departments and local government bodies, officials and citizens generally;
2. supervision of the observance of legality by the organs conducting inquiries and preliminary investigation
3. supervision of the legality of the grounds for judicial judgements, decisions
4. supervision of the observance of the legality of keeping convicted persons in places of confinement

Let us touch upon some rights and duties of the procurator. Preliminary investigations or inquiries are conducted in most, criminal cases before they are examined in court. Supervision over the strict implementation of the law by investigators is exercised by the procurator. He must see to it that no citizen is subjected to unlawful and ungrounded criminal prosecution, or to any other unlawful restriction of his rights. By law no person can be arrested except by court order or with the sanction of a procurator.

The procurator discharges important functions in the trial of criminal and civil cases, but he is not empowered to issue any instructions to the court regarding the adjudication of a case justice in Ukraine is administered by the court alone.

Like other participants in the trial (defence council, injured party and others) a procurator may question eyewitnesses and other persons interrogated in court, participate in the investigation of evidence in court, submit fresh evidence in court, challenge the members of the court and other participants of the trial. As soon as the court investigation is over, he pronounces an indictment.

If he disagrees with the court's judgement, he may lodge his protest in a higher court, which passes a final decision on his protest.

The procurator has broad power of supervision over the observance of legality in places of confinement: he verifies the legality of keeping persons in places of confinement, he checks up if convicted persons are released at the right time, he ensures that the statutory regime rules and the rules of labor for convicted persons are observed, he supervises the state of educational work, etc.

Task 22. Translate the following sentences into English.

1. До того, як кримінальна справа слухається в судді, вона проходить стадію попереднього слідства. 2. В прокуратурі та міліції є слідчі відділи. 3. Слідчі прокуратури зазвичай проводять розслідування тяжких злочинів, таких як вбивство, бандитизм, зґвалтування, т.д. 4. Слідчі Міністерства внутрішніх справ розслідують менш небезпечні злочини, такі як крадіжки, шахрайство, т.д. 5. Проти осіб, які скоїли кримінальний злочин, порушується кримінальна справа. 6. Якщо скоєно тяжкий злочин, слідчі МВС зазвичай здійснюють невідкладні дії і потім передають справу слідчим прокуратури. 7. Особливо небезпечні злочини проти держави розслідуються слідчими СБУ. 8. Слідчий зобов'язаний не тільки розкрити злочин і викрити осіб, винних у його скоєні, а й підготувати справу для судового розгляду. 9. Кожен, хто скоїв злочин, повинен понести справедливе покарання. 10. Жоден невинний не повинен бути обвинувачений чи покараний. 11. Слідчий повинен в'яснити всі обставини справи. 12. Ми повинні приймати заходи запобігання злочинів. 13. При виконанні зобов'язань слідчий має право затримати осіб, що підозрюються у злочині. Він може допитувати громадян та посадових осіб як свідків злочину, робити обшук та призначати експертизу. 14. Слідчий може здійснювати будь-які дії, передбачені кримінально-процесуальним кодексом. 15. Попереднє слідство повинно сприяти об'єктивному та всебічному здійсненню правосуддя.

Task 23. Read and learn the words.

To convict	- признати винним; виносити вирок
a convicted person	- засуджений
convict	- засуджений, ув'язнений
to deprive of liberty	- позбавляти свободи
to confine	- позбавляти свободи
confined	- ув'язнений
confinement	- позбавлення волі
place of confinement	- місце ув'язнення

to keep in confinement	- утримання у місцях позбавлення волі
criminal /n/	- злочинець
criminal /a/	- злочинний; кримінальний
criminal /civil/ case	- кримінальна /цивільна/ справа
to restrict	- обмежувати
restricted	- обмежений
unrestricted	- необмежений
restriction	- обмеження
sanction	- санкція
to indict	- обвинувачувати (згідно обвинувального акту)
indictment	- обвинувачення; обвинувальний висновок
to pronounce an indictment	- вимовляти обвинувальну промову
to accuse	- обвинувачувати; пред'являти обвинувачення
the accused	- обвинувачуваний
accusation	- обвинувачення; обвинувальний акт
to charge	- пред'явити обвинувачення
charge	- обвинувачення
to try	- 1. засуджувати, 2. розбирати, розслідувати
trial	- судовий розгляд
to bring to trial	- передати до суду
to defend	- 1. захищати, 2. захищати в судді
defend	- захист
defense counsel	- захисник
to injure	- заподіяти шкоду; порушувати права
injured party	- потерпіла сторона
witness	- свідок
evidence	- 1. доказ; 2. свідчення;
to challenge	- давати відсіч
challenge	- відсіч
protest	- протест
to lodge a protest	- заявляти протест
arrest	- 1. арешт; 2. затримання; 3. заборона
to arrest	- арештувати, затримувати
release	- звільнення /з під варти/
to release	- звільняти
to educate	- виховувати, надавати освіту

to reeducate	- перевиховувати
education	- виховання; освіта
educational work	- виховна робота
reeducation	- перевиховання
to discharge	- 1. виконувати, здійснювати; 2. звільнити з під варті
statutory regime rules	- встановлений /законом/ режим
search	- 1. обшук; 2. пошук
to search	- 1. обшукувати; 2. шукати
rider	- особлива думка; визначення
the bench	- склад суду
ground	- основа
to ground	- обгрунтовувати
ground /groundless/	- необгрунтовувати
to verify	- перевіряти

Task 24. Give English equivalents of the following words and word combinations.

Санкція прокурора; прокурорський нагляд; виховна робота; позбавляти кого-небудь свободи; склад суду; схвалити обвинувальний акт; опитати свідків; виконувати функції; бути уповноваженим зробити що небудь; передати кого-небудь до суду; рішення суду; вимовляти обвинувальну промову; відвести склад суду; утримання кого-небудь в місцях ув'язнення; закінчення терміну ув'язнення; обмеження прав; необмежені права; робити обшук; права і обов'язки; здійснювати нагляд; розглядати справу в суді; виконання закону; попереднє слідство; проводити розслідування справи; забезпечити суворе дотримання закону; призначити прокурора; генеральний прокурор; прокуратура; переслідувати кого-небудь; в судовому порядку; державний обвинувач; верховна рада; уповноважувати кого-небудь; законне рішення; незаконна дія; отримати призначення; попереднє слідство; суддя; судовий розгляд; злочинець; проводити дізнання; звинувачувати кого-небудь у злочині; захисник; пред'являти докази; арештовувати злочинця; перевиховувати правопорушника; необгрунтоване судове переслідування; кримінальна справа; потерпіла сторона; окрема ухвала; мати широкі повноваження; опитати кого-небудь; потребувати у кого-небудь пояснення; встановлений режим.

Task 25. Render into English.

Основна задача прокурора – нагляд за чітким виконанням законів всіма міністерствами, відомствами, організаціями, посадовими особами та громадянами.

Прокурор здійснює нагляд за виконанням законів в діяльності органів, що ведуть дізнання і слідство, за законністю та обґрунтованістю вироків, рішень, визначень і постанов судових органів, за дотриманням законності в місцях позбавлення волі.

До розгляду кримінальної справи в суді по ньому проводиться дізнання та попереднє слідство. Нагляд за точним виконанням законів з боку слідчих здійснює прокурор. Він керує розслідуванням і стежить за тим, щоб ніхто не піддавався необґрунтованому і незаконному судовому переслідуванню чи будь-яким іншим незаконним обмеженням прав. Ніхто немає права без санкції прокурора чи постанови суду проводити арешти або обшуки. Після повного розслідування справа передається прокурору, що затверджує обвинувальний висновок і направляє справу в суд.

В суді при слуханні кримінальних справ прокурор виступає як обвинувач від імені держави. Як і інші учасники процесу, він бере участь у судовому розслідуванні і потім виголошує обвинувальну промову. Якщо прокурор не згідний з рішенням суду, він може його опротестувати. Протест направляється у вище стоячий суд.

Нагляд за дотриманням законності в місцях позбавлення волі – одна з основних функцій прокурора. Прокурор перевіряє законність утримання осіб в місцях позбавлення волі, здійснює контроль за дотриманням адміністрацією місць позбавлення волі встановлених законом правил утримання ув'язнених, над станом виховної роботи, над своєчасним звільненням ув'язнених і т.д.

Для того, щоб прокурор міг виконувати свої обов'язки, йому надано багато прав. Він може в будь-який час відвідати місця позбавлення волі, знайомитись з документами, проводити особисте опитування ув'язнених, жадати особистих пояснень представників адміністрації і т.д.

Task 26. Answer the following questions.

1. Who is at the head of a Procurators Office?
2. Where are procurators office set up?
3. By whom are procurators appointed?
4. What is the main task of the procurator?
5. What are his rights and duties in a preliminary investigation?

6. What are the procurator's functions in the trial?
7. May the procurator issue any instructions as to the adjudication of a case in court? Why?
8. What does the procurator do if he disagrees with the court's judgement?
9. What are the procurator's duties in places of confinement? What rights has to discharge his functions there?

Task 27. Speak on the work of the procurator using the following key words and expressions.

The procurator's task; strict observance; organs conducting investigation; judicial judgement; convicted persons; to restrict the right; to subject to criminal prosecution; the sanction of the procurator; to approve the indictment; to transfer to the court; to discharge functions in the trial; the participants in the trial; to question witnesses; the investigation of evidence; to challenge; to pronounce the indictment; to lodge a protest; the power of supervision; places of confinement; to keep in places of confinement; to release convicted persons; statutory regime rules; education work; to inspect; in person; personal explanation.

Task 28. Retell the text.

Task 29. Using text get ready to speak on the following topics.

1. The procurator's supervision of the observance of legality by the organs conducting inquiries and preliminary investigations.
2. The procurator's supervision of the legality of and grounds for judicial judgements, decisions and riders.
3. The procurator's supervision of the observance of the legality of keeping convicted persons in places of confinement.

Task 30. Speak on the work of the procurator.

Unit 4

The Fundamental Law of Ukraine

Task 1. Read and memorize the active vocabulary to the text *The Fundamental Law of Ukraine.*

fundamental law/constitution	основний закон/конституція
under the constitution	відповідно до конституції
to govern	керувати, правити
independent	незалежний
independence	незалежність
on behalf of	від імені
to adopt	приймати
to consist of	складатися
to establish	засновувати, встановлювати,
to assure /to guarantee	гарантувати, забезпечувати
right	право
freedom	свобода
duty /obligation	обов'язок
citizen	громадянин
citizenship	громадянство
to assert	затверджувати, заявляти,
sovereign	суверенний
democratic	демократичний
social	соціальний
legal	правовий
unitarian	унітарний
the only source of power	єдине джерело влади
to exercise	виконувати
bodies of state power	органи державної влади
bodies of local self-government	органи місцевого
	самоврядування
mineral raw materials	мінеральні сировинні
	матеріали
natural resources	природні ресурси
property right	право власності
state language	державна мова
state symbol	державний символ
emblem	емблема, герб
anthem	гімн

trident	тризуб
to be equal before the law	бути рівним перед законом
privilege	привілей
restriction	обмеження
to be based on/upon	базуватися на
race	раса
colour of skin	колір шкіри
political beliefs	політичні переконання
gender	стать
ethnic origin	етнічне походження
social origin	соціальне походження
property/ownership	власність
position	положення, посада
place of residence	місце проживання
church	церква
to be separated from	бути відокремленим від
inviolable	недоторканий
inviolability	недоторканість
personal inviolability	особиста недоторканість
dwelling	житло, будинок
non-interference	невтручання
security	безпека
housing	забезпечення житлом
health protection	охорона здоров'я
medical care	медичний догляд
medical insurance	медичне страхування
legal assistance	правова/юридична допомога
safe and healthy environment	безпечне та здорове навколишнє середовище
to defend	захищати
defence	захист
territorial integrity	територіальна цілісність
to respect	поважати
respect for	повага до
to perform military services	виконувати військову службу
in compliance with	відповідно до
to damage	завдавати шкоди, псувати
cultural heritage	культурний спадок
to pay taxes and duties	платити податки та мита

in order to	відповідно до
in amount	у кількості
to determine	визначати
power	влада, повноваження, держава
government	уряд, форма правління
to be divided into	поділятися на
the legislative	законодавча гілка влади
the executive	виконавча гілка влади
the judicial	судова гілка влади
to be headed by /to be led by	бути очоленим
the Supreme Court	Верховний Суд

Task2. Read and translate the text, write down all the unknown words. Remember that your reading time is not more than 3 minutes.

The Fundamental Law of Ukraine

Governed by the Act of Ukraine's Independence of August 24, 1991, the Verkhovna Rada of Ukraine on behalf of the Ukrainian people adopted the Constitution - The Fundamental Law on June 28, 1996.

The Constitution of Ukraine consists of preamble, 15 chapters, 161 articles.

The Constitution establishes the country's political system, assures rights, freedoms and duties of citizens, and is the basis for its laws.

Chapter I of the Constitution asserts that Ukraine is a sovereign and independent, democratic, social, legal state. It is a unitarian state with single citizenship.

Ukraine is a republic. The people are the only source of power which is exercised directly and through the bodies of state power and local self government. The land, mineral raw materials, air space, water and other natural resources which are on the territory of Ukraine are objects of the property right of Ukrainian people.

The state language in Ukraine is Ukrainian.

The state symbols of Ukraine are the State Flag, the State Emblem and the State Anthem of Ukraine. The State Flag is a blue and yellow banner made up from two equal horizontal stripes. The main element of the Great State Emblem of Ukraine is the sign of the State of Prince Volodymyr the Great, the Trident. The State Anthem of Ukraine is the national anthem with the music of M. Verbytsky, the words of Chubynsky.

The capital of Ukraine is Kyiv.

Chapter II of the Constitution assures human and civil rights, freedoms and obligations. Citizens have equal Constitutional rights and freedoms and are equal before the law. There are no privileges or restrictions based upon race, colour of skin, political and other beliefs, gender, ethnic and social origin, property, ownership, position, place of residence, language, religion or other circumstances.

The Church and religious organizations are separated from the state and schools are separated from the Church.

The Constitution guarantees the rights to life, personal inviolability and the inviolability of dwelling, non-interference in private and family life, free choice of residence, work, rest, education, social security, housing, health protection, medical care and medical insurance, legal assistance, a safe and healthy environment. The right to property is inviolable.

Defence of the Motherland, of the independence and territorial integrity of Ukraine, and respect for the state's symbols are the duty of citizens. Citizens of Ukraine perform military services in compliance with the law. No person may damage the environment, cultural heritage. Every person shall pay taxes and duties in order and amount determined by the law.

Under the Constitution the powers of the government are divided into three branches-the legislative which consists of the Verkhovna Rada, the executive, headed by the Cabinet of Ministers, and the judicial, which is led by the Supreme Court.

Task 3. Answer the following questions.

1. When was the independence of Ukraine proclaimed?
2. What body adopted the Fundamental Law of Ukraine?
3. How many chapters and articles does the Constitution consist of?
4. Why is the Constitution the Fundamental law of the state called?
5. What does the Chapter I of the Constitution assert?
6. How is the power exercised in the country?
7. Who does land, mineral raw materials, air space, water & other natural resources belong in Ukraine?
8. What are the state symbols of Ukraine?
9. What does the Chapter II of the Constitution assure?
10. What does the Constitution guarantee to people?
11. What are the duties of the citizens of Ukraine?
12. How are the powers of the government divided?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Law, power, to assert, right, equal

Task 5. Fill in the blanks with the appropriate preposition from the list below.

1.... the Constitution the state symbols of Ukraine are the State Flag, the State Emblem & the State Anthem of Ukraine.

2. Our Constitution gives us rights and obligations and makes us equal ... the law.

3. Respect ... the state symbols is considered one of the main duties of citizens.

4. We have to pay taxes and duties in the order and amount determined ... the law.

5.... June 28, 1996 the Verkhovna Rada of Ukraine adopted the Fundamental Law of Ukraine.

6. Ukraine is a Unitarian state ... single citizenship.

7. The Constitution of Pylyp Orlyk is made ... of a preamble and 16 articles.

For, with, on, under, up, by, before.

Task 6. Translate the following sentences.

1. On August 24, 1991, the Ukrainian Parliament solemnly proclaimed Ukraine's independence and the formation of the independent state of Ukraine, proceeding from the right to self-determination, provided for by the UN Charter and other international documents, acting in pursuance of the Sovereignty declaration.

2. The Constitution outlines the structure of the national government and specifies its powers and duties.

3. Elections to the bodies of state power and bodies of local self-government are free, and are held on the basis of universal, equal and direct suffrage by secret ballot.

4. In order to be elected as a deputy, a person must be a citizen of Ukraine, must be at least 21 years of age and have the right to vote, and must be resided in the territory of Ukraine for no less than the previous five years.

5. Chapter II states that every person has the right to the free development of his/her personality as long as there are no violations of the

rights and freedoms of other individuals, and has obligations before society where free and full development of the personality is assured.

6. Citizens of Ukraine may participate in the administration of state affairs, in all-Ukrainian and local referendums, to elect freely and to be elected to bodies of state power and local self-government.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. The Verkhovna Rada of Ukraine (від імені українського народу) adopted the Constitution - The Fundamental Law on June 28, 1996.

2. The people (це єдине джерело влади) which is exercised directly and through the bodies of state power and local self government.

3. Every person shall pay taxes and duties (в порядку та розмірі, визначеному законом).

4. The Church and religious organizations (відокремлена від держави).

5. Citizens of Ukraine perform military services (відповідно до закону).

6. All citizens have equal Constitutional rights and freedoms (та рівні перед законом).

Task 8. Complete the following

The Constitution guarantees the rights to (життя, освіту, роботу, відпочинок, житло, медичну допомогу, соціальне забезпечення, особисту недоторканість, невтручання в приватне життя, вільний вибір помешкання, здорове та безпечне навколишнє середовище).

Task 9. Change each sentence by choosing an appropriate synonym from the list below for the underlined words.

Flag, free, hymn, property, fundamental law, obligation, help, mineral resources, to guarantee

1. The Constitution of Ukraine consists of 15 chapters, 161 articles.

2. The land, air space, water & other natural resources which are on the territory of Ukraine are objects of the property right of Ukrainian people.

3. Ukraine is a sovereign & independent, democratic, social, legal state.

4. There are no privileges or restrictions based upon race, colour of skin, political & other beliefs, gender, ethnic & social origin, ownership, position, place of residence, language, religion or other circumstances.

5. Everybody has the right to legal assistance.

6. A blue & yellow banner is made up from two equal horizontal stripes.

7. Defence of the Motherland, of the independence & territorial integrity of Ukraine, & respect for the state's symbols are the duty of citizens.

8. Chapter II of the Constitution assures human & civil rights, freedoms & obligations.

9. The State Anthem of Ukraine is the national anthem with the music of M. Verbytsky, the words of P. Chubynsky.

Task 10. Match the words on the left with their definitions on the right. Use them in your sentences of your own..

- | | |
|----------------|---|
| 1. guarantee | a) musical composition to be sung in church or in official level |
| 2. freedom | b) self-governing |
| 3. power | c) give promise with legal obligation |
| 4. independent | d) right, control, authority; |
| 5. anthem | e) condition of having personal rights and social and political liberty |

Supplementary tasks

Task 1. Read the dialogues and act them. Make up your own dialogues on the following topics with your partner:

1. Structure of the fundamental law of Ukraine.
2. State Symbols of Ukraine.
3. Privileges and restrictions under the Constitution.
4. The rights of Ukrainian people.
5. Duties of the citizens of Ukraine.

Dialogue 1.

- Hi! Where are you?
- Hi! I'm in the library. I'm working on my report on English.
- What is the topic?
- "The First Constitution of Ukraine".

- Have you found anything interesting?
- Oh, yes. You can't even imagine that the Constitution of Ukraine is the oldest constitution in the world.
- Really? When was it written?
- In 1710.
- It seems to me that the author is Pylyp Orlyk.
- That's right.
- But why is it called Bendery Constitution?
- Because it was written in Bendery and that's why it got such name.
- Are there so many chapters and articles as in present Constitution?
- The document is made up of a preamble and 16 articles.
- I can't even imagine what can be written there?
- It separated the powers in government between the legislative, executive, and judiciary branches. The Constitution also limited the executive authority of the hetman, and established a democratically elected Cossack parliament.
- Was this Constitution unique for its historic period?
- Yes, it was. I highly recommend you to read this document. I'm sure you will be proud of the fact that it was one of the first state constitutions in Europe.

Dialogue 2.

- Where have you been?
- I helped Max prepare his home assignment. We discussed what rights the citizens of Ukraine had according to the Constitution and how they were fulfilled in our society.
- It's so boring!
- Nothing of the kind. The discussion was so hot!
- I hope you didn't quarrel about any statements.
- Oh, no. I think that everybody is equal before the law and has the right to education. But Max stresses that this right is only declared
- In my opinion he is completely right. Does every person have the same possibility to get education of high quality? All these courses, clubs aren't free. There are even private schools and universities. And it's no secret that not all parents can afford to pay for studying there or visiting different clubs.
- I agree with you. But if you work hard and do your best you can enter the university and study free. And even get a scholarship. Well, your family lives in the country and mine in the city. Your parents are farmers and mine

are lawyers. But we both are trained at this university. Both live in the dormitory and both pay for education.

- Well, but almost half of the students study free.

- I don't think they are luckier than we are. Maybe they worked harder at school and we didn't.

- Are you sure? There are so many students who have privileges. And you are speaking about equality!

- To be equal before the law doesn't mean to be equal in real life.

- I think there's no use to continue. We have different views of point.

Task 2. Topics for discussion.

a) Say what kind of document the Constitution of Ukraine is; what principles of our country's policy, rights and duties of the country's citizens it proclaims. You may use the following: *a written document; to consolidate the country's position; to proclaim the principles of our home policy; to determine the country's policy; basic rights of every person; to enjoy rights; to fulfil duties toward society; to obey the country's laws.*

b) Speak about the role of the Constitution in the life of the country and its importance for society.

c) The 28th of June, Constitution day, is marked as our country's national holiday. Say how it is celebrated in Ukraine.

6. Give examples from your own life and from the life of your family to show how the rights guaranteed in the Constitution are enjoyed by you.

7. Give facts from the life of your family, the families of your friends, the people you know to prove that a lot has/hasn't been done in Ukraine to improve the living and working conditions of its citizens, to guarantee the basic human rights, women's equality with men, social justice.

Task3. Express your agreement or disagreement. Use: "In my opinion. I think. I guess. I agree. I can't agree. How can one say that?"

- The Constitution establishes the country's political system, assures rights, freedoms & duties of citizens, but it can't be the basis for its laws.

- According to one of the theories, the three points of the Trident symbolized Might, Wisdom and Love.

- All human beings are born free and equal in dignity and rights.

- Constitutional guarantees are necessary only when people think they have good reasons for violating them.

- Liberty given is never so precious as liberty sought for and fought for. *Frederick Douglass*

- The more corrupt the state, the more laws. *Cornelius Tacitus*
- Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech. *Benjamin Franklin*

Task 4. Compare national symbols of Ukraine with those of the United Kingdom of Great Britain and Northern Ireland.

Symbols of U. K.

Flag: Known as the Union Jack, the Flag has the red cross of St. George of England, the white cross of St. Andrew of Scotland, and the red cross of St. Patrick of Ireland, all on the blue background.

Anthem: “God saves the Queen/King”.

Emblem: The official coat of arms of Great Britain is the shield divided into four quarters. In the first and fourth quarters are the lions of England, the lion of Scotland is in the second and harp of Ireland is in the third. The shield is surrounded by a Garter and the motto on it “Evil be to him who Evil thinks”. The motto across bottom is “God and my Right: is the motto of the sovereign.

Task 5. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text.

The Constitution of the United States of America

The Constitution of the United States is the world’s oldest written constitution in force. It is served as the model for a number of other constitutions around the world. The Constitution of the United States sets forth the nation’s fundamental laws. It establishes the form of the national government and defines the rights and liberties of the American people. It also lists the aims of the government and the methods of achieving them. The Constitution was written to organize a strong national government for the American states. After the states won independence in the Revolutionary War (1775-1783), they faced the problems of peacetime government. The states had to enforce law and order, collect taxes, pay a large public debt, and regulate trade among themselves. They also had to deal with Indian tribes and negotiate with other governments.

The United States Constitution was signed on September 17, 1787 by the Constitutional Convention. The Constitution of the United States consists of a preamble, seven articles and the 27 amendments. It sets up a federal system by dividing powers between the national and state

governments. It also establishes a balanced national government by dividing authority among three independent branches – the executive, the legislative and the judicial. The executive branch enforces the law, the legislative branch makes the law and the judicial branch explains the law. The executive branch of the national government is usually represented by the President, the legislative branch by Congress and the judicial branch by the Supreme Court. The three main branches of government are separate and distinct from one another. The powers given to each are delicately balanced by the powers of other two. Each branch serves as a check on potential excesses of the others.

The Constitution stands above all other laws, executive acts, and regulations. It makes no distinction as to the wealth or status of person: all persons are equal before the law and are equally entitled to its protection. The same holds true for civil disputes involving property, legal agreements, and business arrangements. All states are equal, and none can receive special treatment. Each state must recognize and respect the laws of the others. The Constitution protects the rights of all persons limiting the powers of both the national and the state governments. The fundamental rights of Americans are written in the Bill of Rights. 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. Other rights guarded the citizens against unreasonable searches, arrests, and seizures of property, and established a system of justice guaranteeing orderly legal procedures.

Task 6. Read the text and fill the spaces with the appropriate words and word combinations which are given after the text. Be ready to speak on it.

The British Constitution

Great Britain is not a ..., or a union of states like the USA. There are no written laws, no A thousand years ago, before the Norman Conquest in 1066, the Anglo-Saxon kings consulted the Great Council (an ... of the leading men from each district) before taking important decisions. Between 1066 and 1215 the king ruled alone in 1215 the nobles forced King John to accept... (The Great Charter), which took away some of the king's In later centuries this was seen as the first occasion on which the king was forced In 1264 the first parliament of nobles met together. Since then the British Constitution has grown up slowly as the result of countless There have been no great changes in the constitution since the revolution of

1688. Then, Parliament invited William and Mary to become Britain's first A constitutional monarch is one who can rule only with support of Parliament. The Bill of Rights (1689) was the first legal step towards constitutional monarchy. This Bill prevented the monarch from ... or having an army without Parliament's approval. Since 1689 the power of Parliament has grown, while the power of the monarch has become weaker. The reform Acts of 1832, 1867 and 1884 gave the vote to large number of common citizens. Today every man and woman aged eighteen has the right to vote.

For the last fifty years the political scene has been controlled by the Conservative and Labour Parties. The party in power determines the home and foreign policy of the country.

constitutional monarchs, powers, making laws, federation, Acts of Parliament, written constitution, to take advice, assembly, Magna Charta

Task7. Read the text. For questions 1-10, choose the answer (A, B,C or D) which you think fits best according to the text.

Constitution - the Standard of Legitimacy

Constitution is the body or doctrines and practices that form the fundamental organizing principles of a political state.

In some states, such as the United States, the constitution is a specific written document; in others, such as the United Kingdom, it is a collection of documents, statutes, and traditional practices that are generally accepted as governing political matters.

States that have written constitutions may also have a body of traditional or customary practices that may or may not be considered to be of constitutional standing. Virtually every state claims to have a constitution, but not every government conducts itself in a consistently constitutional manner.

In its wider sense, the term '*constitution*' means the whole scheme whereby a country is governed: and this includes much else besides law.

In its narrower sense, '*constitution*' means the leading legal rules, usually collected into some document that comes to be almost venerated as '*The Constitution.*' It is necessary to consider the extra legal rules, customs, and conventions that grow up around the formal document.

Written Constitutions. In most Western countries the constitution, using the term in the narrower sense, is a scheme of government that has been deliberately adopted by the people; examples are the Constitution of the United States, drawn up in 1787 and ratified in 1789 and still in

essentials unchanged; the constitution of the Weimar Republic or that of the Federal Republic of Germany, brought into force in 1949; and the constitutions that France has had since the Revolution. The constitution in these countries is the basis of public law; it is usually enacted or adopted with special formalities; special processes are devised for its amendment and sometimes safeguards are inserted to ensure that certain provisions are unalterable.

English Constitution. In England there is no one document or fundamental body of law that can be described as a '*constitution*' in the sense that has been discussed above. The absence of any such document or of any distinction between public and private law has led to the suggestion (perhaps first made by Alexis de Tocqueville) that there is no constitution in England.

A thousand years ago, before the Norman Conquest in 1066, the Anglo-Saxon kings consulted *the Great Council* (an assembly on the leading men from each district) before taking major decisions. Between 1066 and 1215 the king ruled alone, but in 1215 the nobles forced King John to accept '*Magna Cart*' (*The Great Charter*) which took away some of the king's powers. In later centuries this was seen as the first occasion on which the king was forced to take advice.

In 1264 the first parliament of nobles met together. Since then British Constitution has evolved, in other words, it has grown up slowly, as a result of countless Acts of Parliament.

There have been no violent changes in the constitution since the '*bloodless revolution*' of 1688. Then, Parliament invited William and Mary to become Britain's first constitutional monarchs. A constitutional monarch is one who can rule only with the support of Parliament. *The Bill of Rights* (1689) was the first legal step towards constitutional monarchy.

This Bill prevented the monarch from making laws or raising an army without Parliament's approval. Since 1869 the power of Parliament has grown steadily, while the power of the monarch has weakened. The Reform Acts of 1832, 1867 and 1884 gave the vote to large numbers of male citizens. Certainly the English constitution has no existence apart from the ordinary law; it is indeed part of that very law. '*Magna Cart*', '*The Petition of Right Act*', '*The Habeas Corpus Act*', '*The Bill of Rights*', and '*The Act of Settlement*' are the leading enactments.

But they are in no sense a constitutional code; and, without a host of judicial decisions, scores of other statutes of much less importance, and a mass of custom and convention, these statutes would be unworkable.

The sources of English constitutional law are diffuse - statutes, judicial precedent, textbooks, lawbooks, the writings of historians and political theorists, the biographies and autobiographies of statesmen, the columns of every serious newspaper, *the volumes of Hansard*, the minutiae of every type of government record and publication. This is what is meant by saying the English constitution is '*unwritten*': it is not formally enacted; its rules have to be sought out in a dozen fields, not in any one code.

Note: *Hansard* – офіційний звіт про засідання англійського парламенту
minutiae – деталі

1. *There are no special ... for constitutional rules.*

- a security measures
- b safety measures
- c precautionary measures
- d equivalent measures

2. *The English constitution has no existence apart from the ... law.*

- a ordinary
- b customary
- c usual
- d routine

3. *There have been no violent changes in the constitution since the 'bloodless revolution' of*

- a 1688
- b 1698
- c 1730
- d 1745

4. *Since ... the power of Parliament has grown steadily, while the power of the monarch has weakened.*

- a 1867
- b 1869
- c 1878
- d 1890

5. *In ... the first parliament of nobles met together.*

- a 1264

- b* 1356
- c* 1289
- d* 1365

6. *The constitution of the Weimar Republic ... in 1949.*

- a* brought into court
- b* brought into effect
- c* brought into line
- d* brought into force

7. *Constitution is the body of... and practices that form the fundamental organizing principles of a political state.*

- a* tenets
- b* teachings
- c* doctrines
- d* dogmas

8. *This Bill prevented the monarch from making laws or raising an army without Parliament's*

- a* approval
- b* approbation
- c* commendation
- d* sanction

9. *The Reform Acts of 1832, 1867 and 1884 ... the vote to large numbers of male citizens.*

- a* took
- b* brought
- c* gave
- d* got out

Task 8. Read the text and discuss with your partner its main items as well as the differences of the contemporary Constitution of Ukraine and the Constitution of Pylyp Orlyk.

The Constitution of Pylyp Orlyk or Pacts and Constitutions of Rights and Freedoms of the Zaporizhian Host was a 1710 constitutional document written by Hetman Pylyp Orlyk. It established a democratic standard for the separation of powers in government between the legislative, executive, and judiciary branches. The Constitution also limited the executive authority of

the hetman, and established a democratically elected Cossack parliament called the General Council. Pylyp Orlyk's Constitution was unique for its historic period, and was one of the first state constitutions in Europe.

After the Battle of Poltava when Charles XII of Sweden and Hetman Ivan Mazepa armies were defeated by Peter I of Russia, Pylyp Orlyk remained on the side of Mazepa. Together, Orlyk and Mazepa retreated to the city of Bendery, at the time part of the Ottoman Empire. Zaporizhian Cossack Army also settled in this area.

When Ivan Mazepa died on 5 April 1710, Pylyp Orlyk was elected Hetman. On the same day, "Pacts and Constitutions of Rights and Freedoms of the Zaporizhian Host" was declared. Hence, Orlyk's Constitution is sometimes referred to by the city of its proclamation - Bendery.

The document is made up of a preamble and 16 articles.

The preamble briefly discusses cossack history, the rise and fall of the Zaporizhian Sich after under Bohdan Khmelnytsky it rebelled against the Polish-Lithuanian Commonwealth to serve the Imperial Russia. Using all available means, Moscow limited and nullified rights and freedoms of the Zaporizhian Host going as far as subjugating the free cossack nation, states the introduction. Ivan Mazepa's politics and alliance with Charles XII of Sweden are explained as logical and inevitable, mandated by the need to free the homeland. The independence of the new state from Russia was the primary goal of the Bendery Constitution.

Articles 1-3 dealt with general Ukrainian affairs. They proclaimed the Orthodox faith to be the faith of Ukraine, and independent of the patriarch of Moscow. The Sluch River was designated as the boundary between Ukraine and Poland. The articles also recognized the need for an anti-Russian alliance between Ukraine and the Crimean Khanate.

Articles 4-5 reflected the interests of the Zaporozhian Cossacks, who constituted the overwhelming majority of the Bendery emigration. The Hetman was obligated:

to expel, with the help of Charles XII, the Russians from Zaporozhian territories

to grant the town of Trakhtomyriv to the Zaporozhians to serve as a hospital, and

to keep non-Zaporozhians away from Zaporozhian territories

Articles 6-10 limited the powers of the hetman and established a unique Cossack parliament, similar to an extended council of officers, which met three times a year. The General Council was to consist not only

of the general staff and the regimental colonels, but also of "an outstanding and worthy individual from each regiment."

Articles 11-16 protected the rights of towns, limited the taxation of peasants and poor Cossacks, and restricted the innkeepers.

Task 9. Read the texts and make the written translation of the texts into Ukrainian.

I. The term *constitution* comes from Latin and originates from the word *constitutio* which means *structure, establishment*. "The Dictionary of the Words of Foreign Origin" defines *constitution* as the "supreme law which provides the basis for the political, economic and legal systems of the state. The Constitution outlines the form of the government, the procedure to establish central and local state bodies as well as their powers and the principles of functioning; it also defines the election system, the rights and obligations of the citizens, the organization and principles of administering justice etc.

The sources of contemporary European Constitutionalism could be traced to medieval England, where in 1215 king John Lackland, under the pressure of rebelled barons and citizens, had to approve of the Magna Charta, which for the first time in history legally limited the king's power.

The first world-wide known constitution was the Constitution of the United States of America adopted in 1787. The young democratic state, established by the colonists from Europe in North America, immediately legally secured the separation of powers, the sovereign will of the people, the provision of natural human rights. The Bill of Rights, adopted in 1791, and incorporated into the US Constitution, specifically concerns the human rights issues.

II. The task of any constitution is to establish specific rules for the most important social relations. Article I of the Constitution of Ukraine deals with this issue.

This article states that: "Ukraine is a sovereign and independent, democratic, social, law-governed state."

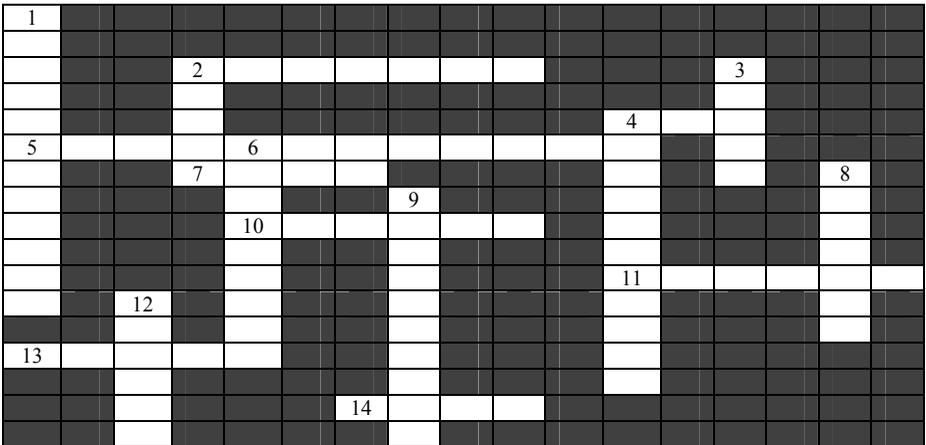
Sovereignty is one of the oldest categories of the constitutional law. In the medieval times the word *sovereign* was synonymic to *monarch*. In the XVI century J. Bodin, an outstanding thinker, suggested the idea of public sovereignty, according to which people are the only source of power in any state. "Sovereignty and independence of a state mean that its power is supreme, full, independent and indivisible in any relations within the

borders of this state, as well as its independence and equality in any relations with other states"

For the Ukrainian state, being *democratic* means to create favourable conditions to involve its citizens into state affairs administration.

While characterizing Ukraine as a *social state*, the Constitution provides for the large-scale and efficient policy to guarantee human rights and to establish educational, health-care and social security systems available for all strata of the population.

CROSSWORD



Across:

- 2. land occupied by a nation
- 4. rule made by authority for the proper regulation of a community or society or for correct conduct in life
- 5. freedom to make decisions and do things without being controlled by anyone else
- 7. having personal rights and social and political liberty
- 10. sign, mark, object, etc looked on as representing something
- 11. musical composition to be sung
- 13. place where legal cases are held
- 14. main part of a structure

Down:

- 1. the main law of the country

2. leader or ruler
3. control over others
4. assembly which makes laws
6. elected head of the state
8. symbol of the state of Prince Volodymyr the Great
9. promise, duty or condition that shows what action ought to be taken
12. the same in size, quantity, value etc

Grammar exercises

I. Fill in the blanks with the appropriate preposition from the list below: *for, with, on, under, up, by, before*

1. ... the Constitution the state symbols of Ukraine are the State Flag, the State Emblem & the State Anthem of Ukraine.
2. Our Constitution gives us rights and obligations and makes us equal ... the law.
3. Respect ... the state symbols is considered one of the main duties of citizens.
4. We have to pay taxes and duties in the order and amount determined ... the law.
5. ... June 28, 1996 the Verkhovna Rada of Ukraine adopted the Fundamental Law of Ukraine.
6. Ukraine is a Unitarian state ... single citizenship.
7. The Constitution of Pylyp Orlyk is made ... of a preamble and 16 articles.

II. Fill in: *for or since*

John Barnes has been in the police force 1) ... 1980. Before that he worked in a supermarket 2) ... two years, but he found it very boring. He has had lots of adventures 3) ... he became a policeman. He was a constable 4) ... three years, then he was promoted to sergeant. He has had to work a lot harder 5) ... then, but he loves his job.

III. Fill in: *at, in or on*

I go to college every day 1) ... 9 o'clock. My classes start 2) ... 9.15 am 3) ... Mondays and Tuesdays. 4) ... Wednesdays, Thursdays and Fridays they start 5) ... 9.30 6) ... the morning. Classes finish 7) ... 3.30 8) ... the afternoon. 9) ... Saturdays and Sundays I have days off. We have a month off 10) ... summer, two weeks' holiday 11) ... Christmas, and two weeks off 12) ... Easter.

- c) most important d) less important
4. We could do this ... with a computer than without it.
- a) easier b) more easier
- c) easily d) more easily
5. He spoke English badly – ... than I expected.
- a) worse b) more badly
- c) worst d) badlier
6. I can't understand what you're saying. Could you speak a bit...?
- a) slower b) slow
- c) more slowly d) the most slowly

Unit 5

The State System of Ukraine

Task 1. Read and memorize the active vocabulary to the text
The State System of Ukraine.

sovereign	суверенний, незалежний
sovereignty	суверенітет
to proclaim	проголошувати
to hold, held, held	проводити (збори)
to take part	приймати участь
in favour of	за, на користь
on behalf of	від імені
to elect	обирати
to be elected	обиратися
to vote	голосувати
voter	виборець
to secure	забезпечувати
to conduct	вести, керувати
negotiation	переговори
to conclude treaty	укладати договір
to appoint	призначати
with the consent of	за згодою
bodies of local state administration	ограни місцевої держадміністрації
to discharge	звільняти
Commander-in-Chief	головнокомандуючий
to preside over	головувати
the Council of National Security	Рада національної безпеки
to sign	підписувати
people's deputy	народний депутат
on the basis of	на основі
universal	універсальний
direct suffrage	пряме виборче право
by secret ballot	таємне голосування
successive elections	наступні вибори
session	сесія
to commence	починати
presiding officer	головуючий
law draft work	робота над законопроектом

State Budget	державний бюджет
execution	виконання
to be responsible to	бути відповідальним перед
to be accountable to	бути підзвітним перед
to carry out	виконувати
domestic policy	внутрішня політика
foreign policy	зовнішня політика
to fulfill	виконувати, втілювати
fulfillment	виконання
to administer	управляти, вести, забезпечувати
general jurisdiction	загальна юрисдикція
juridical	юридичний, законний, судовий

Task 2. Read and translate the text, write down all the unknown words. Remember that your reading time is not more than 3 minutes.

The State System of Ukraine

Ukraine is the sovereign independent state. The first step towards its sovereignty was made on July 16 1990, when the Supreme Council of Ukraine proclaimed its independence. About 91% of the people who took part in the All-Ukrainian referendum, held on December 1 1991, voted in favour of Ukraine's independence.

The territorial structure of Ukraine is composed of the Autonomous Republic of Crimea and 24 oblasts. Kyiv, the capital of Ukraine, and Sevastopol possess a special status determined by law.

Under the Constitution of Ukraine the state power is divided into three branches - the legislative, the executive and the judicial.

The President of Ukraine is the head of the state and speaks on behalf of it. He is also a Commander-in-Chief of the Armed Forces of Ukraine and presides over the Council of National Security. The President of Ukraine is elected directly by the voters for a term of 5 years with no more than two full terms.

The President of Ukraine

- secures state independence, national security, human rights and freedoms;

- represents the state in foreign relations, conducts negotiations and concludes international treaties of Ukraine;

- signs laws adopted by the Verkhovna Rada;

- appoints and discharges the Procurator General of Ukraine with the consent of Verkhovna Rada.

The one-housed parliament - the Verkhovna Rada is the only body of the legislative power in Ukraine. There are 450 people's deputies who are elected for a term of 5 years on the basis of universal, equal and direct suffrage by secret ballot. Successive elections of the Verkhovna Rada shall be conducted on the last Sunday of last month of the fifth year of the term of the parliament.

The Verkhovna Rada works on a session basis. Regular sessions are commenced each year on the first Tuesday of February and on the first Tuesday of September. The presiding officer is the Chairman of the Verkhovna Rada.

The Verkhovna Rada's main function is making laws. Law draft work is performed in Committees.

The Verkhovna Rada appoints:

- the Prime-Minister according to the proposition of the President with the consent of the majority or the coalition of deputies' groups of the Verkhovna Rada;

- members of the Cabinet according to the proposition of the Prime-Minister;

- Minister of Defence, Minister of Foreign Affairs according to the proposition of the President.

The Verkhovna Rada adopts the State Budget for the period from January 1 to December 31 and controls the execution of it.

The highest body of the executive power is the Cabinet of Ministers of Ukraine. It is responsible to the President and to the Verkhovna Rada and is accountable to the Verkhovna Rada.

The Cabinet of Ministers of Ukraine:

- carries out the domestic and foreign policy of the State, the fulfillment of the Constitution as well as the acts of the President;

- develops and fulfills national programs on the economic, scientific and technological, social and cultural development of Ukraine;

The executive power in oblasts and rayons is exercised by local state administrations. The President of Ukraine appoints the heads of state administrations and discharges them from these positions.

Justice in Ukraine is exercised entirely by courts. It is administered by the Constitutional Court and by the courts of general jurisdiction. The Supreme Court of Ukraine is the highest juridical body of general jurisdiction.

Task 3. Answer the following questions.

1. When did Ukraine get its independence?
2. What is the territorial structure of Ukraine?
3. What cities have a special status?
4. What are the main branches of state power?
5. What are the functions of the President?
6. How many terms can the President of Ukraine hold his office?
7. What body is the highest body of the legislative power?
8. For what term are the people's deputies elected?
9. What are the main functions of the Verkhovna Rada?
10. What body adopts the State Budget and controls the execution of it?
11. What body is the highest body of the executive power?
12. What are the main functions of the Cabinet of Ministers of Ukraine?
13. What bodies exercise the executive power in oblasts and rayons?
14. What courts exercise justice in Ukraine?
15. What court is the highest judicial body of general jurisdiction?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

to determine, to preside over, secret ballot, council, negotiation

Task 5. Express your agreement or disagreement. Use: "In my opinion. I think. I guess. I agree. I can't agree. How can one say that?"

1. The Supreme Court of Ukraine is the highest judicial body of general jurisdiction.
2. Ukraine has got its independence in 1980.
3. The All-Ukrainian referendum was held on December 1 1991.
4. Kyiv, the capital of Ukraine, is the only city in Ukraine which possesses a special status determined by law.
5. The President of Ukraine must sign all laws adopted by the Verkhovna Rada.
6. Ukrainian parliament has two chambers.
7. The Verkhovna Rada adopts the State Budget and controls its execution.
8. The Cabinet of Ministers of Ukraine is responsible to the Verkhovna Rada and is accountable to the President.
9. The Prime-Minister appoints the heads of state administrations.
10. President of Ukraine is elected for a four-year term.

Task 6. Fill in the blanks with the appropriate preposition.

- a. to carry ... the policy
- b. to take part ... the demonstration
- c. in favour ...
- d. to discharge ... the post
- e. ... the Constitution
- f. according ... Criminal Procedure Code
- g. to preside ... the meeting
- h. ... behalf of
- i. to be responsible ... the President
- j. to be accountable ... the parliament
- k. ... the consent of Verkhovna Rada

Task 7. Translate the following sentences.

- 1. June, the 28th is a state holiday – the Day of the Constitution of Ukraine.
- 2. The Verkhovna Rada works on a session basis.
- 3. Law drafting work is performed in the committees of the Verkhovna Rada.
- 4. The monetary unit of Ukraine is the Hryvnia.
- 5. The President of Ukraine enjoys the right of immunity during the period of his authority.
- 6. The Constitutional Court of Ukraine issues on constitutionality of laws and other legal acts, i.e. their correspondence to the Constitution.

Task 8. Make the following sentences complete by translating the phrases in brackets.

- 1. The Chairman of the Verkhovna Rada (веде засідання верховної Ради та організовує її роботу).
- 2. The Verkhovna Rada of Ukraine hears annual messages of the President (про внутрішнє та зовнішнє становище України).
- 3. Providing for stability of currency (є основною функцією Національного Банку України).
- 4. The President of Ukraine (призначає голів центральних органів виконавчої влади).
- 5. The Cabinet of Ministers of Ukraine (іде у відставку, коли обрано нового президента).
- 6. The Procurator General of Ukraine oversees (за дотриманням законів).

Task 9. Complete the following.

The President of Ukraine (забезпечує державну незалежність, національну безпеку і правонаступництво держави, представляє державу в міжнародних відносинах, веде переговори та укладає міжнародні договори України, призначає та звільняє з посади за згодою Верховної Ради України Генерального прокурора України, членів Кабінету Міністрів, голів центральних органів виконавчої влади, а також голів місцевих державних адміністрацій та звільняє їх з цих посад, головує в Раді Національної Безпеки України, підписує закони прийняті Верховною Радою).

Task 10. Change each sentence by choosing an appropriate synonym from the list below for the underlined words.

speaker, matters, meetings, exercising, house, organ, post, head, electors

1. The Supreme Court of Ukraine is the highest juridical body of general jurisdiction.
2. The President of Ukraine signs laws adopted by the Verkhovna Rada.
3. Ukrainian parliament has one chamber.
4. The Verkhovna Rada adopts the State Budget and controls its execution.
5. The President of Ukraine is elected directly by the voters for a term of five years with no more than two full terms.
6. The Verkhovna Rada elects the Chairman from its membership.
7. No one can discharge him from his office.
8. The Constitutional Court of Ukraine resolves issues on their correspondence to the Constitution.
9. Regular sessions of the Verkhovna Rada are commenced each year on the first Tuesday of February and on the first Tuesday of September.

Task 11. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|-------------|---|
| 1.court | a) a leader of a republic; often used as a title |
| 2.budget | b) reaching an agreement or settling a dispute by formal discussion |
| 3.president | c) the money that is available to a government and |
| a | plan how it will be spent over a given period of |

- time
4. parliament d) a place where legal trial takes place and are judged
5. negotiation e) the group of people who are elected to make the laws of the country

Supplementary tasks

Task 1. Look up in the dictionary the synonyms to the following words.

to take part, sovereign, voter, negotiation, chairman, power, to discharge, to preside over, suffrage, law draft, to perform

Task 2. Read and combine the two halves of each sentence.

1. Ukraine is a) has special status as an autonomous republic.
2. The president is b) of Ukraine in 1990.
3. Ukraine's parliament c) based on the rule of law.
4. The Crimea d) the Commonwealth of independent states.
5. Ukrainian became the official language e) a commander-in-chief of the military.
6. In 1922 Ukraine began creating a legal system f) a democratic state
7. Ukraine also joined g) for a four-year term
8. The people of Ukraine elect President h) is the nation's lawmaking body.

Task 3. Act dialogues on the following topics with your partner:

1. The territorial structure of Ukraine.
2. President of Ukraine is the guarantor of Ukrainians' rights and freedoms.
3. The only legislative body in Ukraine.
4. The executive power of the country.

5. Administration of justice.

Task 4. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text.

The Court System of Ukraine

Under the Constitution the judiciary in Ukraine is administered by the Constitutional Court and by the courts of general jurisdiction.

The Constitutional Court has the right to declare unconstitutional any law passed by Supreme Council of Ukraine or any order issued by the President. It consists of 18 judges who are elected by the President of Ukraine, the Verkhovna Rada and the congress of judges.

Courts of general jurisdiction have three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.

The Supreme Court of Ukraine is the highest body of general jurisdiction. It only examines cases of particular complexity of special public significance, and does so either upon its own decision, or upon the initiative of the Procurator – General of Ukraine.

Appellate courts are divided into regional, territorial and military courts of appeals. The courts of appeals review decisions of the district courts within their areas.

At the bottom of the judicial pyramid are the district (town) courts and military tribunals where litigation begins. Most litigation occurs in these courts (97 % of all criminal cases and 99 % of all civil cases are examined in the principal link of Ukrainian judicial system – the courts of districts and towns).

There are also special trial courts that have jurisdiction over certain types of cases. The special trial courts are organized in a system that looks like the system of courts of general jurisdiction with a Supreme Court at the top. The structure is the following: there are district administrative and economic courts, appellate administrative and economic courts, and high appellate administrative and economic courts.

The first appointment to the office of the judge is done by the President of Ukraine. All the other judges except the judges of the constitutional court are elected by the Verkhovna Rada. Judges shall hold office until they die, retire, or resign.

Task 5. Read the text and fill the spaces with the appropriate words and word combinations which are given after the text.

Systems of Government

For the last century or so, the world has been divided into countries, each ruled by a government. Governments vary from harsh dictatorships to liberal ..., but they are all intended to ... in the particular way the country and its people and to ... their affairs.

Every ... has its own system but the government is usually split into ... sections: the legislature, ... and the judiciary. ... usually amends laws and makes new ones; the executive puts them into effect, and the judiciary makes sure they are applied

the legislature, fairly ,country, control, three, democracies, run, the executive

Task 6. Read the texts and make the written translation of the texts into Ukrainian.

Systems of Government

Autocracies

In an autocracy, a single person or a small group holds all the power. In Iran, Islamic religious leaders hold power; in others, it belongs to the army. A dictator is someone whose word is law, like Hitler in Nazi Germany.

Modern Democracies

Today, democracy usually means an elected government made up of politicians voted into power every few years by all adults. Most democracies have a written set of laws called a constitution setting out how the government should be run. Britain does not have one. Some democracies, like France, are republics. It means (hat the head of a slate is not a king but an elected president. In the USA, the president is very much in charge.

In other republics, however, the president is just a figurehead and the country is run by a chancellor or prime minister. Britain, Spain and many other democratic countries are still monarchies - that is they have a king or a queen. But the monarch's powers are limited and the country is run by a government led by a prime minister. The government is made up from the party with majority of elected members.

Politics

People who stand for election are called politicians. Left-wing politicians aim to change things, perhaps to make government more democratic or to bring in socialist ideas. Right-wing politicians aim to conserve or keep the system without changes, which is why they are called conservatives. Usually politicians with similar views join a group called a party. In most democratic countries, the party with the majority of votes forms a government.

Political Systems

Most countries are capitalist, which means most things, including industries and businesses, are owned by small groups or individuals. In communist countries like China, the most of all property is owned by the community, or rather, by the government. Socialists believe a government should ensure equal rights to citizens as well, a fair share of money, and good health, education and housing. Fascists believe in army discipline and their country superiority to others.

Elections

In democracies, governments are chosen by election. In a general election, all adults in the country can vote for candidates (politicians) who want to be elected. People usually vote by putting a mark next to a name on a list called a ballot sheet. Just who is elected depends on the system.

Extreme Governments

Many countries have oppressive governments — governments that allow few people to force their will on the rest of the country. They do it in number of ways. Some use soldiers and tanks. Some use the power of money. Some use secret police and spies to stamp out opposition. Some use television and newspapers to fool people into thinking the 'right' way.

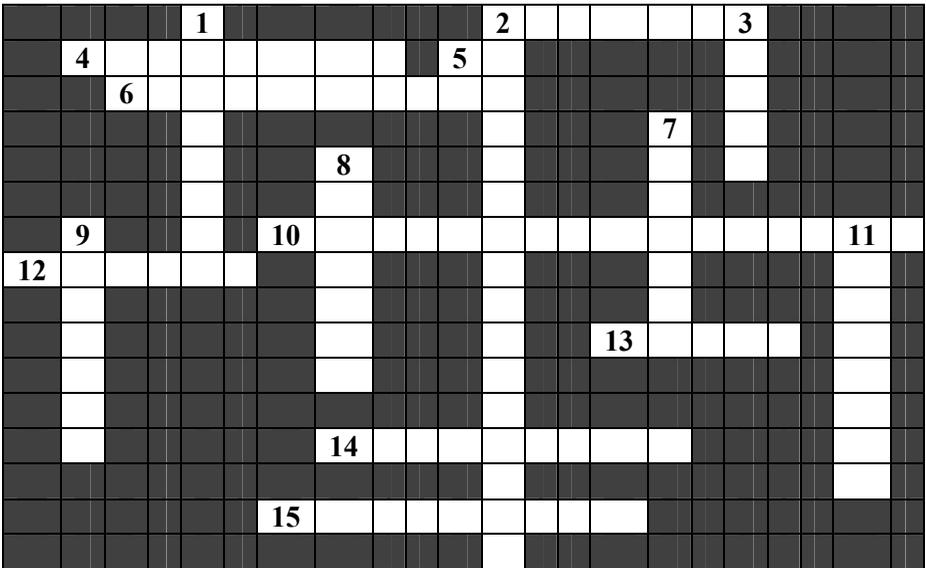
Task 7. Show your attitude towards the following sayings and proverbs. Use: “As far as I’m concerned, I believe It seems to me As I see it, That’s a very good point. I definitely agree with this saying. I’m not sure I quite agree with it. That may be true, but ... I’m afraid I can’t agree.”

- A president’s hardest task is not to do what is right, but to know what is right. *Lyndon Baines Johnson.*

- A statesman is a politician who places himself at the service of the nation. A politician is a statesman who places the nation at his service. *Georges Pompidou.*

- Democracy means government by the uneducated, while aristocracy means government by the badly educated. *G.K.Chesterton.*
- Law makers should not be law breakers. *Proverb.*
- Morality in government begins with officials using words as honestly as possible to describe the truth. *David Gergen.*
- Power corrupts. *Proverb.*
- That government is best that governs the least, because its people discipline themselves. *Thomas Jefferson.*

CROSSWORD



Across:

- 2. group of persons appointed, elected or chosen to give advice, make rules, carry out plans, manage affairs
- 4. safety, freedom from danger or anxiety
- 5. expression of opinion or will by persons for or against a person or thing, esp by ballot or by putting up of hands
- 6. the referring of a political question to a direct vote of the electorate
- 10. being a chairman
- 12 estimate of probable future income and expenditure
- 13. organized political community with a government
- 14. allow a person to leave
- 15. fully self-governing and independent in foreign affairs

Down:

- 1. suffrage
- 2. commander of all the military forces of the state
- 3. connected with the law
- 7. choose for a post
- 8. of, in, from, another country
- 9. the quality of being right and fair
- 11. choosing or selection by vote

ANSWER KEY

Unit 1

Task6. 1.under 2.before 3.for 4.by 5.on 6.with 7.up

Task11. 1.c 2.e 3.d 4.b 5.a

Task201. 1.d 2.b 3.a 4.b 5.a 6.d 7.c 8.a 9.c

CROSSWORD SOLUTION

Across: 2. country 4. law 5. independence 7. free 10. symbol 11. anthem 13. court 14. body	Down: 1. constitution 2. chief 3. power 4. legislature 6.president 8. trident 9. obligation 12. equal
---	--

Unit 2

Task 7. a) out b) in c) of d) from e) under f) to g)over h)on i)to j) to k) with

Task 12. 1.d 2.c 3.a 4.e 5.b

Task 14. 1.f 2.e 3.h 4.a 5.b 6.c 7.d 8.g

CROSSWORD SOLUTION

Across: 2. council 4. security 5. vote 6. referendum 10. presiding officer	Down: 1. suffrage 2. commander-in-chief 3. legal 7. appoint 8. foreign
--	--

12. budget 13. state 14. discharge 15. sovereign	9. justice 11. election
---	----------------------------

Grammar exercises

I. Put the verbs in brackets into Present Simple or Present Continuous.

- Jill is interested in politics, but she ... (not to belong) to a political party.
- Don't put these papers away. I ... (to use) them.
- He always ... (to make up) different stories. He is a dreamer.
- The English Chanel ... (to separate) Great Britain from the continent of Europe.
- He ... (to govern) that company now? – I'm not sure.
- They ... (to guarantee) your security?
- A newly elected Prime Minister ... (to perform) his duties as good as he can.
- Look! A policeman ... (to chase) a thief.

II. Put the verbs in brackets into Present Simple, Present Continuous or Future tense.

- Gary: What 1) *are you planning* (you/plan) to do after the exams? 2) ... (you /stay) in London?
- Angela: No, I 3) ... (leave) on Saturday. I've bought my tickets already. I 4) ... (visit) my brother in Wales. What 5) ... (you/do)?
- Gary: I think I 6) ... (start) looking for a job. I 7) ... (need) some extra money because my mum 8) ... (come) here in August. She 9) ... (stay) with me for a month. I 10) ... (plan) to show her London.
- Angela: When exactly 11) ... (she/arrive)?
- Gary: Her flight 12) ... (arrive) at Heathrow airport at 4:30 p.m. on August 3rd. I 13) ... (meet) her there.
- Angela: You've missed her a lot, haven't you?
- Gary: Yes. I 14) ... (look forward) to seeing her.

III. Put the verbs in brackets into Past Simple or Past Continuous.

1. I (to wait) in the queue to pay for my groceries when I (to see) the man in front of me pull out a gun.
2. They (to drive) to the airport when the car (to break down).
3. Can you give this to Sheila? She (to leave) it in my office earlier.
4. The police (to arrest) the thieves last night.
5. Bobby (to walk) along the beach when a gust of wind (to blow) his hat off.

IV. Put the verbs into Past Continuous, Past Simple, *was/were going to* or *used to* form.

Policeman: What 1) *were you doing* (you/do) at 9 o'clock last night?

Witness: I 2) ... (watch) TV while my wife 3) ... (make) dinner. We ... (have) dinner at a restaurant but we 5) ... (not/have) enough money. We 6) ... (go) out a lot but we can't afford to now.

Policeman: What 7) ... (happen) then?

Witness: 8) I ... (think) I 9) ... (hear) a gunshot from outside. I 10) ... (go) outside but I 11) ... (not/see) anything unusual. Then I ... (realize) what the noise was. Our neighbours 13) ... (have) a party and they 14) ... (set off) fireworks in their garden. It 15) ... (not/be) a gunshot after all, officer.

Unit 6

The State System of the UK

Task 1. Read and memorize the active vocabulary to the text *The State System of Great Britain.*

constitutional monarchy	конституційна монархія
to reign	царювати
to rule	управляти, правити
to make political decisions	приймати політичні рішення
chamber	палата
constituency	виборчий округ
to be presided over (by)	головувати
to appoint	призначати
Lords Temporal	світські члени палати лордів
Lords Spiritual	єпископи - члени палати лордів
archbishop	архієпископ
bishop	єпископ
hereditary peer	спадкоємний пер
to inherit	успадковувати
title	титул
Lords of Appeal (Law Lords)	судді верховного суду Англії
To hold office	займати посаду
appeal case	апеляційна справа
deliberations, <i>pl</i>	обговорення
Lord Chancellor	лорд - канцлер
distinguished	видатний
to renounce	відмовлятися
impartial	неупереджений, справедливий
chairman	головуючий
to reelect	переобирати
duration	термін
to dissolve	розпускати
to bring into being	вводити в дію
prorogation	перерва в роботі парламенту
available	за королівським наказом
appropriate	доступний, готівковий
	розподіляти, асигнувати

to carry a seat	займати посаду
Home Secretary	Міністр внутрішніх справ
Foreign Secretary	Міністр зовнішніх справ
Defence Secretary	Міністр оборони
Chancellor of the Exchequer	канцлер казначейства (міністр фінансів Великобританії)
Secretary for Scotland	секретар Шотландії
Privy Council	таємна рада
in theory	в теорії
in practice	на практиці

Task 2. Read and translate the text, write down all the unknown words.

The State System of Great Britain

The United Kingdom is a constitutional monarchy, which means that the sovereign reigns but does not rule.

Strictly speaking, Parliament consists of three elements: the Sovereign (that is the King or the ruling Queen), the House of Lords and the House of Commons.

The Queen (or King) is officially head of state, head of the executive, head of the judiciary, head of the legislature, Commander-in-Chief of the armed forces, “Supreme Governor” of the Church of England. The monarch is expected to be politically neutral, and should not make political decisions.

The Parliament legislature consists of 2 chambers: the House of Lords and the House of Commons.

Members of the House of Commons are elected by the adult suffrage of British people in general elections, which are held at least every 5 years. The country is divided into 650 constituencies each of which elects one MP. The Commons has 650 MPs, of whom only 6.3 % are women. The party, which wins the most seats, forms the Government and its leader becomes Prime Minister.

The House is presided over by the Speaker who is appointed by the Government after consultation with the leader of the Opposition. All the members of the House of Commons are paid salary.

The House of Lords consists of the Lords Temporal and the Lords Spiritual.

The Lords Spiritual are the Archbishops of York and Canterbury, together with 24 senior bishops of England.

The Lords Temporal consist of:

- hereditary peers, who have inherited their titles;
- life peers who are appointed by the Queen on the advice of the Government for various services to the nation;
- the Lords of Appeal (Law Lords) who become life peers on their judicial appointments. The latter serve the House of Lords as the ultimate court of appeal. This appeal court consists of nine law lords who hold senior judicial office. They are presided by the Lord Chancellor and they form a quorum of 3 or 5 when they hear appeal cases.

The House of Lords has no real power but acts rather as an advisory council for the House of Commons.

The person who presides over the Lords deliberations is the Lord Chancellor. He is one of the principal officers of State, and is nowadays a distinguished lawyer. His office is very different from that of Speaker. The Speaker does not speak in the House, but is so named because he speaks on behalf of the Commons to the Sovereign. He renounces party politics on his election, and acts as impartial chairman. He does not change with the Government, but is reelected each Parliament. He controls the member's parliamentary behaviour, and this function contrasts with the power of the Lord Chancellor. The Lord Chancellor is active in party politics, being one of the chief spokesmen for the Government. He has no authority to speak on behalf of the whole House and has no power of discipline.

A new session of Parliament opens every year. The duration of Parliament is five years. In practice it ends sooner. Parliament's life is ended by the Sovereign who dissolves it. It is a constitutional convention that the Queen dissolves Parliament only at the request of the Prime Minister. The Queen issues a Proclamation to bring into being a new Parliament. The life of a Parliament is divided into Sessions, which ends by Prorogation, and each House may put off its meetings by resolution.

The main functions of Parliament are:

- 1) to make laws regulating the life of the community;
- 2) to make available finance for the needs of the community and to appropriate the funds necessary for the service of the State;
- 3) to criticise and control the Government.

The executive consists of government – that is the Prime Minister and Cabinet. The Prime Minister chooses a team of ministers, of whom 20 or so are in the Cabinet. Ministers may be members of either the House of

Lords or the House of Commons. Certain offices usually carry a seat in the Cabinet: the Prime Minister, the Home and Foreign Secretaries, the Defence Secretary, the Chancellor of the Exchequer, the Secretary for Scotland, the Lord Chancellor and others. The meetings of the Cabinet are usually held at 10, Downing Street, which is the residence of the Prime Minister.

The Cabinet is responsible for initiating and directing the national policy, government departments, local authorities and public corporations.

The Sovereign's group of close advisers in high matters of state is known as the Privy Council. In theory it advises the Sovereign to make a certain course, but in practice it is a court and consists of the Law Lords.

Task 3. Answer the following questions.

1. Who rules the UK?
2. Which of the Parliament chambers has the greatest power?
3. Which of the words are used when the British Government is mentioned in the press: the Cabinet, the Downing Street 10, White Hall?
4. Who debates bills?
5. Who runs the Government in Britain?
6. Who appoints Cabinet Ministers and other ministers?
7. Who approves the appointment of the Prime Minister?
8. Who becomes a Member of Parliament?
9. Who gives honours such as peerages, knighthood and medals?
10. Could you name the Head of the Commonwealth?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

to inherit, lord, appeal, to renounce, issue, to preside, office

Task 5. Complete the following expressions choosing a suitable proposition from the list below; find the best way of expressing them in Ukrainian.

1. to serve ...
2. the court ... appeals
3. debates ... the House of Lords
4. to be opened ... the Queen
5. to derive ...
6. to carry ... formal occasions
7. according ...

8. to sit ... the benches

Of, by, out, on, to, from, in, as

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. It is common knowledge that Great Britain, having the oldest Parliament in the world, has one of the most stable and effective political regimes of our time.
2. The Prime Minister chairs the meetings, selects its members, and also recommends their appointment as ministers by the Monarch.
3. An Act of Parliament creates a new law or changes an existing one.
4. Private Members' Bills are Public Bills introduced by MPs or Lords who are not ministers.
5. Public Bills are the most common type of Bill and change the law that applies to the general public.

Task 7. Make the following text complete by translating the phrases in brackets.

Royal Assent

Once both Houses of Parliament have passed a (законопроект), then it has to go to the (королева) for the (королівська санкція). If she had been living 500 years ago, the Queen would have (підписати) all Bills herself. She would also have gone in person to the (Палата лордів) to announce in Norman French whether she agreed to a Bill or wished (відхилити) it. No (монархи) since the 16th century have signed Bills themselves.

There are now two ways in which the Queen can assent to a Bill. Usually she signs what are known as Letters Patent, which allow the two Houses (спікер палати лордів) and (лорд-канцлер) to announce that the Queen has given her (санкції). The other method of giving the Royal Assent occurs about once a year.

The Queen signs a document known as a Commission, which commands certain (лорди), known as Royal Commissioners, to go to the House of Lords and let (члени) of both Houses know the Royal Assent has been given. The ceremony for Royal Assent by Commission is rather like the State Opening Ceremony. Once a Bill has received the Royal Assent it becomes an (закон парламенту). A Bill usually takes several months to complete all its stages in (парламент).

Task 8. Give synonyms to the words in bold type.

Making New Laws: Bills and Acts

As the main function of the Parliament is **to make laws** every year Parliament passes about a hundred laws directly, by making Acts of Parliament.

There are two **main types** of Bills - Public Bills which deal with **matters** of public importance and Private Bills which deal with local matters and individuals.

No new law can be passed unless it **has completed** a number of stages in the House of Commons and the House of Lords.

In each house a bill **is considered** in three stages, called readings. The First Reading is purely formal, **to introduce** the bill. It is then printed and read a second time. The Second Reading is a discussion of the general principles of the bill, with a vote at the end of the discussion. If the bill passes its Second Reading it is considered word by word 'in a committee'. The bill is **altered** by the committee **is then brought before** the whole House again for its Third Reading. In this debate matters of principle and detail may be discussed and voted on. At the end of the Third Reading a final vote is taken.

If the majority of the members vote in favour, the bill has then passed all its stages. Unless it is a money bill, it must then **go through** all these stages again in the House of Lords. If the Lords rejects the bill that the Commons has passed, the Commons can pass the bill again in the next session. If the Commons then passes the bill a second time, **the bill** is not sent back to the Lords, but is submitted for the Royal Assent. In other words, the final power of the Lords is to impose about a year's delay on legislation. But if there are some amendments made to a bill by the House of Lords they must be considered by the Commons. If the House of Commons **does not agree**, the bill is altered and sent back to the Lords. In the event of persistent disagreement between the two houses, Commons **prevails**. When a bill has passed through both Houses, it is presented to the Queen for approval.

After **receiving** the Royal **assent** the Bill becomes an Act of Parliament. In order **to be enforced** it **must be published** in Statute form, becoming apart of Statute Law.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|----------------|---|
| 1. queen | a) place where one lives |
| 2. preside | b) receive property, a title, etc as heir |
| 3. inherit | c) be chairman , be the head of |
| 4. residence | d) put on one side for special purpose |
| 5. appropriate | e) ruler in her own right |

Task 10. Topics for discussion.

1. The main functions of the House of Lords.
2. The main functions of the House of Commons.
3. The Royal Assent.
4. How a Bill becomes a Law.
5. Comparative analysis of the Ukrainian system of government with the British one.

Supplementary tasks

Task 1. Translate the words into English.

приймати політичні рішення, міністр зовнішніх справ, виборчий округ, розпускати парламент, робити перерву в роботі парламенту, палата, розпочинати роботу парламенту, тривалість роботи парламенту, критикувати роботу уряду, займати вищу судову посаду, успадковувати титул, змінюватися, контролювати поведінку членів парламенту, найближчі радники, урядові міністерства, міністр фінансів Великобританії, в теорії, на практиці, конституційна угода, видатний юрист, резиденція, виконавча гілка влади, повноваження лорда-канцлера, тасмна рада, лідер опозиції, призначати, офіційне оголошення.

Task 2. Complete the text using the proposed words.

debates, housing, elect, constituencies, Speaker, midnight, news, Government, mail, abroad, Sitings, letters, morning, MP, constituents, House of Commons

The country is divided into 651 voting areas or ... which each ... one MP to serve in the MPs have to present all of their ..., regardless of

whether they vote for them. In addition MPs have a duty to their political party, to themselves and their own beliefs and to the nation as a whole.

Once or twice a week people in a constituency have the chance to meet their ... when they can talk about their problems, large or small.

People may come to their MP with ... or money problems or perhaps someone has a relative in hospital and finds it difficult to get there on public transport. An MP spends time at and during holidays, meeting people in local factories, clubs, schools, etc.

The working hours of the House of Commons are very unusual. Most MP start their day in the ... and may not get home until ... or later. It is important for MPs to keep up with the ... so the first thing they do in the morning is to look at the newspapers to know what has been happening overnight both in this country and ... MPs often do this over breakfast.

The first thing an MP does after arriving at the House of Commons is to collect his ... MPs receive huge amounts of mail every day; so reading and answering ... takes a large amount of time. At 2.30 p.m. each day, the ... walks in procession to the Chamber of the House of Commons to begin the day's ...

The first hour of the afternoon from 2.30 no 3.30 p.m. is Question Time, at which most MPs like to be present because they have a chance to ask the ... about what it is doing – and why. They specially like to be present on Tuesdays and Thursdays for Questions to the Prime-Minister.

From teatime until about 1.00 p.m. there are ... in the Chamber in which MPs may try to speak, especially if the subjects are of interest to their constituents. Sometimes a MP finally gets to bed when it is nearly time to begin the next day's work.

Task 3. Make up the dialogues on the basis of the following texts.

I. The Privy Council: The Privy Council developed from a small group of royal advisers at court into the chief source of executive authority. But its position was weakened in the eighteenth and nineteenth centuries as more of its functions were transferred to a developing parliamentary Cabinet.

Today its main role is to advise the monarch on a range of matters, like the resolution of constitutional issues and the approval of Orders in Council, such as the granting of Royal Charters to public bodies. The most important task of the Privy Council today is performed by its Judicial Committee. This serves as the final court of appeal from those dependencies and Commonwealth countries which have retained this

avenue of appeal. It may also be used as an arbiter for a wide range of courts and committees in Britain and overseas, and its rulings can be influential.

The office of Privy Councilor is an honorary one, conferred, for example, on former Prime Ministers.

II. The Ministry: The Ministry is the government of the moment. The head of the Ministry is the Prime Minister. The functions of the Prime Minister are: leading the majority party; running the Government; appointing Cabinet Ministers and other ministers; representing the nation in political matters.

Upon accepting office the Prime Minister must form a government, that is, select a cabinet and ministry from among the Members of Parliament of his own party. The Cabinet constitutes the centre of the government and is composed of about 20 of the most important ministers. All major decisions of the Government are made by the Cabinet, and therefore it is the Cabinet which forms Government policy. Decisions made by the Cabinet must be unanimous. It makes its decisions collectively and is collectively responsible to Parliament,

After the Prime Minister has formed his cabinet, he selects the rest of his ministry. Most of these ministers are the political heads of Government Departments and are members of one of the Houses.

III. Government Departments: Government departments are responsible for implementing Government policy. Each department is headed by two people: a political head who is usually the minister, and an administrative head from the Civil Service, called a permanent secretary. They are responsible for a permanent staff which is part of the Civil Service. There are many such departments, for example the Home Office, the Department of Education, the Ministry of Defence, etc. The most important department is the Treasury, and the Prime Minister is usually its political head. It is the Department which controls the economy of the nation.

As well as government departments there are government agencies formed to operate public services, e.g., the Post Office, British Rail, etc. Most of these agencies are subject to the control of one of the government departments.

Task 4. Discuss the text with the partner. Agree with him if he is right or correct him if he is wrong. Use the following phrases.

Sure.

That's the thing.

Exactly so.

Nothing wrong with that.

Perfectly correct.

It's not so, I'm afraid.

It's a pity, I can't agree.

That's wrong.

No, it's vice versa.

I'm of different opinion.

The House of Lords is called the upper house of Parliament, though it has less power than the House of Commons.

The main function of the Lords is to review legislation passed by the House of Commons. Although the Lords can amend bills, it rarely changes their basic principles. The Lords also serves as the United Kingdom's highest court of appeals.

The House of Lords has about 1,170 members but only 25% of the members attend most debates in the House of Lords.

This house is not elected assembly. Most of its members inherit their seats.

Each session of the Parliament is usually opened in the House of Lords by the Queen who is attended by heralds, officers of the Court and members of the Diplomatic Corps. The Commons are 'summoned' to the Chamber by Black Rod (the Gentleman Usher of the Black Rod, whose title derives from the black staff with golf fittings which he carries on formal occasions).

Over the past two centuries of more modern times, there has been pressure for the House of Lords to be abolished or reformed.

The members of the House of Commons take their seats on the green leather benches according to their party and position. From this we get the term 'frontbenches', 'backbenches' and 'crossbenches'. The Government and the Opposition sit facing one another.

The leaders of the Government and the Opposition are known as the frontbenches because they sit on the nearest the center of the chamber.

Task 5. Read the texts and answer the questions.

The Sovereign

"Her Most Excellent Majesty Elizabeth the Second by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith."

The Queen is the official Head of State and, for many people, a symbol of the unity of the nation. For a thousand years England (and later the whole of the United Kingdom) has been united under one sovereign, a continuity broken only after the Civil War, by the republic of 1649 to 1660. The hereditary principle still operates and the Crown is passed on to the sovereign's eldest son (or daughter if there are no sons).

The Queen has a central role in state affairs, not only through her ceremonial functions, such as opening Parliament, but also because she meets the Prime Minister every week and receives copies of all Cabinet papers. However, she is expected to be impartial or "above politics", and any advice she may offer the Prime Minister is kept secret.

Functions of the Sovereign:

- opening and closing Parliament;
- approving the appointment of the Prime Minister;
- giving her Royal Assent to bills;
- giving honours such as peerages, knighthoods and medals;
- Head of the Commonwealth;
- Head of the Church of England;
- Commander-in-Chief of the armed forces.

The Royal Family

Many members of the Royal Family undertake official duties in Britain and abroad. Their various responsibilities reflect tradition, their own personal interests and Britain's former imperial status. For example, among her many titles the Princess Royal (Princess Anne) is Chancellor of the University of London, Colonel-in-Chief of eleven Army regiments, including the 8th Canadian Hussars and the Royal New Zealand Nursing Corps, and President of the Save the Children Fund, for whom she has travelled widely.

The Royal Family's money comes from two sources: government funds and their own personal wealth, which is considerable. On the one hand the Queen is certainly one of the richest women in the world, while on the other her power is limited by the fact that so many of her expenses are paid for by government money. Parliament has had effective control of the monarch's finances since the seventeenth century.

1. What powers does the Queen have in government?
2. Who is next in line to the British crown after Prince Charles?
3. How can Parliament control the Royal Family?

4. What connections can you find between the Royal Family and the world outside Britain?

5. Which member of the Royal Family has the highest number of public engagements?

Task 6. Explain the meaning of the following words; make up your own sentences with them.

- a figurehead;
- obsessed with;
- a growing republican sentiment;
- a roving ambassador;
- an opinion poll.

Task 7. Match idioms with their definitions; make up your own sentences with them.

1. above the gangway members	a. впливові люди
2. big wigs / bigwigs	b. “старий парламентський пацюк”
3. reach the woolsack	c. уряд Британії
4. parliamentary language	d. стати лорд-канцлером
5. Downing Street	e. Палата лордів чи Палата общин в залежності від того, де здійснюється зібрання
6. take the Queen’s shilling	f. “парламентська мова”, ввічлива мова
7. Queen’s English	g. члени парламенту, тісно пов’язані з офіційною політикою їх партій
8. old parliamentary hand	h. грубі, вульгарні вислови
9. another place	i. стати солдатом
10. unparliamentary language	j. правильна, літературна англійська мова

Grammar exercises

I. Underline the most suitable verb form in each sentence.

- a) *Did you see/Have you seen* my bag anywhere? I can't find it.
- b) Larry *is writing/has been writing/has written* his novel for the last two years.
- c) From the minute he got up this morning Gary *asked/has asked/has been asking* silly questions!
- d) *Have you given/Did you give* Helen my message when you *have seen/saw* her?
- e) Sorry, could you say that again? I *didn't listen/haven't listened/haven't been listening* to you.
- f) The police think that they *found/have found* your wallet, so call this number.
- g) *Did you two meet/Have you two met* before? Eric, this is Amanda!
- h) *Did you meet/Have you met* anyone interesting at the reception?

II. Underline the most suitable time expression.

- a) I haven't seen Gerry *for/since* a long time. How is he?
- b) I can't remember *how long/when* I've had this watch.
- c) I've written to Deborah *last week/recently*.
- d) What have you been doing *today/yesterday*?
- e) Have you eaten Italian food *before/already*?
- f) I've been living here *in/since* the end of last year.
- g) I've been trying to get in touch with David *for ages/for the last time*.

III. Put each verb in brackets into either the Present Perfect Simple or the Present Perfect Continuous.

- a) Someone (eat) ***has eaten*** all the cakes. I'll have to buy some more.
- b) What (you buy) your sister for her birthday?
- c) My throat is really sore. I (sing) all evening.
- d) Brenda (learn) Russian, but she finds it difficult.
- e) How many people (you invite) to your party?
- f) Those two cats (sit) on that branch for the last hour.
- g) It (rain) all day! Why can't it stop?
- h) Diana (wear) twelve different dresses in the past week!
- i) I (do) everything you asked. What should I do now?
- j) Graham and Pauline (try) to find a house for ages, but they can't find one they can afford.

IV. Make the correct forms of the verbs.

Jack (be) _____ my friend for over 20 years. We (know) _____ each other since we were children. Recently, he and his family (move) _____ to a house on the same street as me, and now our children play together almost every day. For the last ten years, Jack and I (play)_____ for the same hockey team every Saturday. Jack is a better player than I am, but in the last few months he (have) _____ some trouble with his left knee, and he (find) _____ hard to play a full game. He (see)_____ the doctor several times about his knee, but the doctor doesn't know what is causing his pain. Jack (decide) _____ to take a break from hockey for a while, so that his knee can recover. It's going to be lonely on the team without him!

V. Choose the correct past participle forms of the verbs

- We're late – the game has already _____ (begin).
- Shelley can't go skiing any more. She has _____ (break) her leg.
- In the last few years, it has _____ (become) more and more difficult to get into college.
- Duncan's here, and he's _____ (bring) some sandwiches!
- She's getting married in a week, and she hasn't _____ (buy) her dress yet.
- It's so hot that I've _____ (drink) five cans of Coke already this afternoon.

VI. Make up the sentences with the words.

- I / live / here / five years.
- Fred / be / pilot / 1992.
- We / know / each other / childhood.
- I / want / play / professional hockey / I was four.
- Ten years / they / work / in the same office.

VII. Make the correct forms of the verbs. Use Past Perfect.

- First, we ate at the cafeteria. Then, we went to class.
After we _____ at the cafeteria, we _____ to class.
- First, Juan made himself a sandwich. Then, he poured some tea.
After Juan _____ himself a sandwich, he _____ some tea.
- First, Gunawan plugged in the headphones. Then, he played a CD.
Before he _____ a CD, Gunawan _____ in the headphones.
- First, Soriah fed the cat. Then, she called her mother.

Sorrah _____ her mother after she _____ the cat.

5. First, Marie did her homework. Then, she watched TV.

Marie _____ her homework before she _____ TV.

VIII. Underline the correct word or phrase in each sentence.

- a) There's someone at the door. It *can/must* be the postman.
- b) Don't worry, you *don't have to/mustn't* pay now.
- c) I think you *had better/would better* take a pullover with you.
- d) Jones *could/must* be president if Smith has to resign.
- e) Sorry, I can't stay any longer. I *have to/might* go.
- f) It was 5 o'clock an hour ago. Your watch *can't/mustn't* be right.
- g) It's a school rule, all the pupils *have to/must* wear a uniform.
- h) I suppose that our team *must/should* win, but I'm not sure.
- i) Let's tell Diana. She *could/might* not know.
- j) In my opinion, the government *might/should* do something about this.

IX. Complete each sentence so that it contains *might, might not, must, mustn't, can* or *can't*. More than one answer may be possible.

- a) Don't stand up in the boat! You *might* fall in the river!
- b) Sue says she's stuck in traffic and she ... be late.
- c) You really ... start spending more time on your work.
- d) Tell Peter he ... stay the night here if he wants to.
- e) That's a really stupid idea! You ... be serious, surely!
- f) You ... realise it, but this is very important to me.
- g) Don't be silly. You ... expect me to believe you!
- h) We're not sure but we ... go to Prague for Christmas this year.
- i) I learn to fly! You ... be joking!
- j) Bill cooked the lunch, so you ... expect anything special!

X. Rewrite each sentence so that it contains *can, could, must, have to* or *should* (including negative forms)

- a) I'm sure that Helen feels really lonely.
..Helen *must feel really lonely*
- b) You're not allowed to park here.
- c) It would be a good idea if Harry took a holiday.
- d) I'm sure that Brenda isn't over thirty.
- e) Do I need a different driving licence for a motorbike?
- f) What would you advise me to do?

- g) Mary knows how to stand on her head.
- h) You needn't come with me if you don't want to.
- i) It's possible for anyone to break into this house!
- j) The dentist will see you soon. I don't think he'll be long.

XI. Choose the most suitable response to each comment or question.

- a) A: What did I do wrong?
B: 1) You shouldn't have connected these two wires.
2) You didn't have to connect these two wires.
- b) A: Why is the dog barking?
B: 1) It should have heard something.
2) It must have heard something.
- c) A: Why are you home so early?
B: 1) I needn't have worked this afternoon.
2) I didn't have to work this afternoon.
- d) A: Why did you worry about me? I didn't take any risks.
B: 1) You must have been injured.
2) You could have been injured.
- e) A: You forgot my birthday again!
B: 1) Sorry, I should have looked in my diary.
2) Sorry, I had to look in my diary.
- f) A: We had a terrible crossing on the boat in a storm.
B: 1) That didn't have to be very pleasant!
2) That can't have been very pleasant!
- g) A: Where were you yesterday? You didn't turn up!
B: 1) I had to go to London.
2) I must have gone to London.
- h) A: What do you think about the election?
B: 1) The Freedom Party had to win.
2) The Freedom Party should have won.
- i) A: There's a lot of food left over from the party, isn't there?
B: 1) Yes, you couldn't have made so many sandwiches.
2) Yes, you needn't have made so many sandwiches.
- j) A: What do you think has happened to Tony?
B: 1) I don't know, he should have got lost.
2) I don't know, he might have got lost.

XII. Underline the most suitable phrase in each sentence

a) We should have turned left. *We've missed the turning/We followed the instructions.*

b) We didn't have to wear uniform at school. *But I never did/That's why I liked it.*

c) The butler must have stolen the jewels. *He was ordered to/There is no other explanation.*

d) You could have phoned from the station. *I'm sure you did/Why didn't you?*

e) You needn't have bought any dog food. *There isn't any/There is plenty.*

f) Ann might not have understood the message. *I suppose it's possible/She wasn't supposed to.*

g) You can't have spent all the money already! *You weren't able to/I'm sure you haven't.*

h) I shouldn't have used this kind of paint. *It's the right kind/It's the wrong kind.*

XIII. Rewrite each sentence so that it contains *can't, might, must, should or needn't*

a) I'm sure that David took your books by mistake.

b) It was a mistake to park outside the police station.

c) It was unnecessary for you to clean the floor.

d) I'm sure that Liz hasn't met Harry before.

e) Ann possibly hasn't left yet.

f) I'm sure they haven't eaten all the food. It's not possible!

g) Jack is supposed to have arrived half an hour ago.

h) Perhaps Pam and Tim decided not to come.

i) I think it was the cat that took the fish from the table!

j) It was a waste of time worrying, after all!

Unit 7

Legal Professions in Great Britain

Task 1. Read and memorize the active vocabulary to the text “*Barristers and Solicitors*”

advocacy	захист
art of advocacy	мистецтво захисту
to attain	досягати
Bar Council	Рада адвокатів
band	стрічка
banking	банківська справа
barrister	баристер, адвокат вищого рангу, який має право виступати в суді
business	підприємство, фірма
chamber	контора адвокатів
career	кар'єра
commercial	комерційний, торговий
contract	договір; заключати договір
conveyance	передача правового титулу
conveyancing	складання нотаріальних актів по угодам з нерухомістю
copyright	авторське право
corporate	корпоративний
divorce	розлучення
distinction	відмінність
employment	працевлаштування; зайнятість
enormously	надзвичайно
entertainment	розвага
estate	майно, власність
expert	експерт
family law	сімейне право
gown	мантія
inferior court	суд нижчої інстанції
Inns of Court	школи підготовки баристерів; Судові Інни
insurance	страхування
inter-personal	міжособистісний
interpretation	інтерпретація

judge	суддя
judiciary	судові органи
Law Society	Правове Суспільство/Спілка права
literacy	письменність
local authority	муніципалітет, місцева влада
matrimonial	шлюбний, матримоніальний
media	засоби масової інформації
multinational	багатонаціональний
partnership	товариство, компанія
patent	патент
petty	незначний, дрібний
presentation	презентація, представлення
'pupil(l)age'	учнівство
Queen's Counsel (QC)	королівський адвокат
a real degree of objectivity and independence of mind	дійсна ступінь об'єктивності та незалежності судження
real estate	нерухоме майно
registration	реєстрація
remote	відособлений
representation	представництво
self-employed	що працює не за наймом
skills	навики
share	поділяти, користуватись... (однією книгою, кімнатою, тощо)
shipping	перевезення (морським транспортном)
solicitor	солісітор, адвокат без права виступу в суді (нижча категорія адвокатів в Англиї)
specialist services	послуги спеціаліста
to specialize	спеціалізуватися
stiff collar	жорсткий комір
superior court	суд вищої інстанції
the Bar	адвокатура, колегія адвокатів
to administer	управляти, відправляти (правосуддя)
to carry on legal arguments outside court	проводити правові дискусії за межами суду
to develop relationship	розвивати відносини

to give specialist legal advice	надавати консультацію юриста – спеціаліста
to have the exclusive right of audience as an advocate	мати виключне право виступати у якості адвоката
to provide clients with skilled legal advice	забезпечувати клієнтів кваліфікованою консультацією юриста
to recover debts	стягувати борги у судовому порядку
trainee	стажист
verbal	усний
wig	перука
will	заповіт

Task 2. Read and translate the text. Write a list of words, unknown to you. Use your dictionary to check their meaning.

Barristers and Solicitors

Although the United Kingdom shares one government, it has several legal systems. Both Northern Ireland and Scotland have separate laws, judiciaries and legal professions to those in England and Wales.

The legal profession in England and Wales is made up of barristers and solicitors. Traditionally these professions had very distinct roles.

A solicitor's role is to give specialist legal advice and help. Solicitors are the main advisers on all matters of law to the public. There are around 140,000 practising solicitors in most towns across the UK and their work varies enormously.

A solicitor's job is to provide clients with skilled legal advice and representation, including pleading in court. Many problems are dealt with exclusively by a solicitor. For instance, the solicitor deals with petty crimes and some matrimonial matters in Magistrates' Courts, the lowest courts. Family law and child care law are important nowadays, and solicitors often represent clients in court in divorce cases. In a civil action he can speak in the County Court, when the case is one of divorce or recovering some debts.

A solicitor also deals with matters outside Court. He does the legal work involved in buying a house, for instance. He writes legal letters for the client and carries on legal arguments outside court. He makes wills and administers the estates of people, who have died. A solicitor often advises businesses on such matters as employment law, contracts and company formations.

Most solicitors work in private practice, which is a business partnership of solicitors who offer services to clients. You will find a solicitor's firm in nearly every town in England and Wales. Many solicitors and firms specialize in areas of law in which they are expert, and specialisms can include corporate and commercial law, insurance, the registration of patents and copyrights, shipping, banking, entertainment and media law and many others.

Not all solicitors work in private practice. It is possible for solicitors to work as in-house legal advisers to a commercial or industrial organization, to a government department or a local authority. There is a trend to allow multinational partnerships in England and Wales between solicitors and foreign lawyers.

Because the law is complex, the training of solicitors takes a long time and can be difficult. To qualify as a solicitor, a young man or woman joins a solicitor as a "clerk" and works for him whilst studying part time for the "Law Society".

The Law Society makes the rules for the legal education and training required. The trainee must receive a thorough and broad education. Solicitors with good communication skills-written, verbal or inter-personal are in demand. A high standard of literacy is required. When you have passed all the necessary exams, you can "practice", which means you can start business on your own.

Barristers are different from solicitors. Barristers are experts in the interpretation of the Law. Barristers are legal consultants offering specialist services, in particular as advocates or advisors in matters involving litigation. They are called in to advise on really difficult points. Barristers are also experts on advocacy (the art of presenting cases in Court). Barrister has the exclusive right of audience as an advocate before all the superior courts, and he can also take cases in the inferior courts if he wishes to do so. When acting professionally barristers are known as "counsel".

Barristers are rather remote figures. In general, a barrister has no direct contact with the client, only through the instructing solicitor. The solicitor will choose the barrister best suited to the needs of the client.

Most barristers are professional advocates earning their living by the presentation of civil and criminal cases in court. A barrister must be capable of prosecuting in a criminal case one day, and defending an accused person the next; or of preparing the pleading and taking the case for a plaintiff in a civil action one day, and doing the same thing for a

defendant the next. In this way the barrister attains a real degree of objectivity and of independence of mind.

Barristers are not allowed to form partnership. Barristers do not have public offices in any street. Practicing barristers are all self-employed, although they normally band together into "chambers". Due to the nature of barristers' work, the chambers are only to be found near to the major courts.

A barrister must be a member of one of the Inns of Court, which traditionally educated and regulated barristers. To qualify as a barrister you have to take the examinations of the Bar Council. Barristers' training concentrates on the art of advocacy, court procedure and the rules of evidence. Barristers have full rights of audience to appear in all courts, from highest to lowest. Only barristers can become judges in an English Court above a Magistrates' Court.

Barristers and solicitors are required to dress formally when appearing in a court case. In court, barristers are often visibly distinguished from solicitors by their apparel. For example, in Ireland, England and Wales, barristers usually wear a horsehair wig, stiff collar, bands and a gown. Solicitors appearing in the county court must wear a gown but no wig. The vast majority of County Court hearings are now conducted without robes, although they continue to be worn in High Court proceedings.

Task 3. Answer the following questions.

1. Do England and Wales compose a single legal jurisdiction?
2. What is the legal profession in England and Wales made up of?
3. Did these professions traditionally have very distinct roles?
4. What matters does a solicitor deal with?
5. Do all solicitors work in private practice?
6. Does the training of solicitors take a short time?
7. What is required to become a solicitor?
8. What rules does the Law Society make?
9. What kind of education must the trainee receive?
10. Are barristers different from solicitors?
11. What services do barristers offer?
12. What kind of right has a barrister?
13. Has a barrister a direct contact with a client?
14. How do barristers earn their living?

15. How does a barrister attain a real degree of objectivity and of independence of mind?
16. Are barristers allowed to form partnership?
17. What do you have to do to qualify as a barrister?
18. What does barristers' training concentrate on?
19. What institution educates and regulates barristers?
20. Are barristers and solicitors required to dress formally when appearing in a court case?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Barrister, client, law, matter, partnership, solicitor.

Task 5. Complete the following expression choosing a suitable preposition; find the best way of expressing them in Ukrainian.

- | | |
|-----------------------------------|--|
| interpretation _____ the law | needs _____ the client |
| matters _____ law | presentation _____ civil / criminal cases |
| to deal _____ matters | to make the rules _____ the legal training |
| experts _____ advocacy | a direct contact _____ a client |
| two branches _____ the profession | a member _____ the <u>Inns of Court</u> |
| art _____ presenting cases | to qualify _____ a barrister |
| exclusive right _____ audience | to work _____ private practice |

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. Barristers (in England and Wales) are specialists in advocacy, representing individuals or organizations in court, under instruction from a solicitor or another designated professional.

2. Solicitors' work covers a broad range, including advising commercial and private clients on business matters and property and undertaking litigation.

3. An increasing number of employed barristers work in private and public organizations.

4. The degree of specialization of solicitors' firms varies enormously.

5. Most barristers' work is confined to litigation, although some do largely advisory work, for example on taxation or company matters.

6. A solicitor has overall conduct of a case and develops a working relationship with the client, which can be rewarding.

7. Until 2004, barristers were prohibited from seeking or accepting "instructions" (that is, being hired) directly by the clients whom they represent. The involvement of a solicitor was compulsory.

8. While solicitors are regulated by the Law Society, barristers are governed by the General Council of the Bar and the individual Inns of Court.

9. The Bar Vocational Course is exclusively focused on the skills and knowledge required of an advocate: litigation, evidence, drafting, advocacy, etc.

10. The Law Society of England and Wales is the professional association that regulates and represents the solicitors' profession in England and Wales.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. Some (соліситори) qualify for (виключне право виступати) in the higher courts, with some City firms encouraging this.

2. The vast majority of barristers' (адвокатських контор) are to be found in major towns and cities whereas there's a firm of (соліситорів) on practically every high street.

3. (Барістери) are expected to conform to high standards of dress, ethics and (професійної) conduct.

4. For many barristers, the eventual aim is to become a (королівським адвокатом) (QC), which involves leading in very serious (справах), or entering the (судові органи) as an assistant recorder prior to becoming a (суддею).

5. Solicitors have rights of audience in the (нижчих судах) and although many do no (захист) some do a substantial amount.

6. A (соліситор) has overall conduct of a (справи) and develops a working (відносини) with the (клієнтом), which can be rewarding.

7. A (барістер) may have little opportunity (розвивати відносини) with the client.

8. Solicitors are employed by their firms and receive a regular (зарплату) – if they become (партнерами), they will essentially 'own' part of the firm and be awarded a percentage of its (прибутків).

9. Barristers, on the other hand, are (працюють не за наймом) and are (відповідальні) for their own finances – they must do their (рахунки) themselves or hire an accountant for that purpose.

10. (Судові Інни) are independent societies that are titularly responsible for the training, admission (calling) and discipline of barristers.

Task 8. Give synonyms to the words in bold type.

Practise, undertake, practitioners, provide, bodies, pupillage, self-employed, attractions, conform, ownership

1. Barristers, on the other hand, are **working for themselves** and are responsible for their own finances – they must do their accounts themselves or hire an accountant for that purpose.

2. However, a barrister cannot **be engaged in** any work that requires him to hold funds on behalf of their client.

3. Alternatively, barristers may choose to **work** at the Employed Bar and apply for positions with in-house legal services departments in commercial companies or public sector organisations.

4. Currently, new barristers must spend at least twelve months in **apprenticeship**, usually split into two six-month periods (called sixes) with the same or different chambers.

5. Some civil **lawyers** spend more of their time dealing with cases out of court.

6. The Inns **arrange** educational and social support for barristers and student barristers, including libraries, dining halls and common rooms.

7. Barristers are expected **to correspond** to high standards of dress, ethics and professional conduct.

8. A barrister is in principle required to act for any client offering a proper fee, regardless of the **advantages** or disadvantages of a case.

9. Conveyancing is the act of transferring the **legal possession** of a property from one person to another.

10. Direct access to barristers by members of certain recognized professional **agencies** has been allowed since 1989.

Task 9. Match the definitions of the following words.

1. Justice of the Peace	a) a local court exercising limited jurisdiction in civil matters.
2. an advocate.	b) a court in England and Wales where minor crimes are judged .

3. a solicitor	c) a court of law in the UK that has more power than ordinary courts, and in which previous court decisions can be changed.
4. the Magistrates' Court	d) a lawyer admitted to plead at the bar in the superior courts.
5. a barrister	e) is someone who speaks on behalf of another person, especially in a legal context.
6. the County Court	f) a local magistrate empowered chiefly to administer summary justice in minor cases, to commit for trial, and to administer oaths and perform marriages.
7. the High Court	g) an attorney who advises clients on legal matters, represents clients in certain lower courts, and prepares cases for barristers to present in the higher courts .

Task 10. Topics for discussion.

1. There's one law for the rich and another for the poor.
2. The law is not the same at morning and at night.
3. You cannot make people honest by Act of Parliament
4. Every law has a loophole.
5. The more laws, the more offenders.
6. Lawmakers should not be lawbreakers.
7. A good lawyer must be a great liar.
8. Laws catch flies but let hornets go free.

Supplementary tasks

Task 1. Read the micro texts and match them to the headings.

Business Advisers

Legal Aid Practices

The European Community.....

International Legal Practice

1. Many firms specialize in issues brought by the legally aided client, the client who cannot normally afford a solicitor's fees. Solicitors here will concentrate on such matters as divorce law, welfare benefits, crime, claims, when someone has been injured, giving help to clients who are unable to pay their rent, and assisting those who are victims of medical negligence.

2. More than just providing legal advice, solicitors are trusted advisors upon whom clients can rely. A long history of involvement with a particular client enables a solicitor to advise on issues, which only have a remote connection with the law, particularly concerning tax and other financial matters. For instance, a solicitor might be able to arrange a mortgage (a special type of loan) to buy a house, or advise on tax issues relating to a will. Solicitors are at the heart of the local business community and have good relations with banks, accountants and other professionals. If unable to help a client with a problem, a solicitor will be able to find someone who can.

3. Some firms of solicitors have branch offices in major financial and commercial centers throughout the world, which advise local clients about English law. Others have formed associations with firms of lawyers in other countries and the two firms will work together to help clients. English commercial law has developed over centuries, to the extent that it is often the governing law in international contracts, even when the case has no connection with England and Wales. Solicitors also benefit from historical ties between this country and other English speaking countries.

4. The single market is of great significance to solicitors and many firms have established offices in Brussels and other European centers. It is possible for an English solicitor to work for the European Commission in Brussels. It is therefore becoming increasingly useful for a solicitor to have language skills.

Task 2. Translate the micro texts in written form.

General Practice.

Solicitors in general practice serve the local community, solving the legal problems of the public. They are not, however, tied to any particular court: a solicitor can act throughout England and Wales. The formalities involved in real property transfer and succession form a significant share of work of solicitors in general practice. Solicitors also pursue claims arising from personal injuries, or may be called upon to advise or plead in court on their client's behalf in criminal cases. Family law is a significant area of work: solicitors often appear as advocates in matrimonial cases. Solicitors advise businesses on such issues as employment, contracts, company formation and competition policy.

Specialists

While a single firm might offer a full range of services, increasingly, individual solicitors and firms are specializing in areas of law in which they are experts. This is particularly true of firms dealing with business clients, more often found in the major cities: their specialisms include banking law, entertainment law, corporate and commercial law, construction, trusts, environmental law, insurance, intellectual property, tax, competition, shipping and arbitration.

Employed Solicitors

About 10% of solicitors are employed either by local or central government, or by companies in commerce and industry, who have their own in-house legal departments. A further 1,2000 solicitors are employed full-time by the Crown Prosecution Service, a government agency which prosecutes in criminal cases on behalf of the police. Employed solicitors have equal professional status with those in private practice: they are subject to the same rules and are recognized as fully independent lawyers. They are simply regarded as having agreed to work for one client only, their employer.

The Role of the Law Society

The Law Society has a number of other roles. It represents solicitors in dealings with the Government and other bodies in such areas as promoting law reform and discussing new legislation; it guides solicitors by informing them of developments in law or in practice management, and publishes books, journals and manuals to help them; it promotes the solicitors' profession and helps consumers of legal services find suitable solicitors. The Law Society supervises the training of solicitors at all stages. In order to fulfill all of its functions the Law Society employs about 650 staff.

Task 3. Read the text and give annotation of it in Ukrainian.

Solicitors in Private Practice

Almost 90% of solicitor work in private practice, either as sole practitioners or in a partnership. Sole practitioners are solicitors who own and manage their own firms. To become a sole practitioner a solicitor must have been qualified for 3 years. A partnership is where the management of

the firm is controlled by a number of solicitor-partners, who divide the profits between them. Some employ a large number of staff, including other qualified solicitors. They sometimes employ foreign lawyers. Until recently it was not possible for solicitors to form a partnership with anyone who was not a solicitor. However, in 1992 new rules were introduced which allow solicitors to form partnerships with lawyers qualified in foreign jurisdictions. Some firms have offices abroad, particularly in other parts of Europe, the United States, the Middle East and the Far East, where they advise clients on English and international law. Most firms have four or fewer partners, but there is a growing trend towards larger firms as law becomes increasingly complex and specialised. Firms with 20 partners or more are becoming common and the largest firms have more than 100 partners.

Solicitors have the back-up of extensive administrative facilities and take advantage of developments in information technology and telecommunications to run quick and efficient practices. Many firms now operate 24 hour practices to meet the immediate needs of clients anywhere in the world.

It is worth noting, however, that there is no monopoly on the giving of legal advice in the United Kingdom. The only limitations to this are areas restricted to solicitors and barristers by statute, which is the formalities concerning real property transfer and succession and the representation of clients before the courts. Anyone, whether a qualified lawyer or not, is able to give legal advice. All members of the public are able to undertake their own legal work, including representing themselves in court.

Task 4. Read and translate the text.

Judges

By contrast with many other European countries, the judiciary in England and Wales is not a separate career-Judges are appointed from both branches of the legal profession. They serve in the House of Lords (the final appellate court), the Court of Appeal, The High Court and Crown Court or as Circuit or District Judges.

The Circuit Judges sit either in Crown Courts to try criminal cases or in County Courts to try civil cases. There are also part-time Judges appointed from both branches of the practising legal profession, who serve in the Crown Court, County Court or on various tribunals, for instance, those dealing with unfair dismissal from employment.

There are a few hundred judges, trained as barristers, who preside in more serious cases. There is no separate training for judges.

In fact, most cases are dealt not by Judges but by lay people, who are appointed to various tribunals, because of their special knowledge, experience and good standing. For instance, the majority of minor criminal cases are judged by Justices of the Peace in Magistrates' Courts. They are not legally qualified or paid, but are respected members of the community, who sit as magistrates part-time. The vast majority of judges are unpaid. They give up time voluntarily. They are called "Magistrates", or "Justices of the Peace" (JPs). There are called 28,000 JPs in England; each of them works in the court on about 30-50 days a year.

Magistrates are selected by special committees in every town and district. Nobody, not even the Magistrates themselves, knows who is on the special committee in their area. The committee tries to draw Magistrates from as wide a variety of professions and social classes as possible.

The Lord Chancellor, who is a member of the Government and also Speaker of the House of Lords, appoints all members of the judiciary. The Lord Chancellor holds a function similar to that of a Minister of Justice, although some matters concerning the administration of justice are the responsibility of the Home Secretary.

Once appointed, Judges are completely independent of both the legislature and the executive, and so are free to administer justice without fear of political interference.

Task 5. Find out the meaning of the following words and words-combinations, grouping them in column A ("an official") and column B ("a body").

Justice of the Peace, the House of Lords, the High Court, a solicitor, Magistrates, the Crown Court, Circuit Judges, District Judges, the County Court, the Magistrates' Court, Minister of Justice, a barrister, the final appellate court, the Home Secretary, the Lord Chancellor, the Court of Appeal, a coroner, a government, an advocate.

Task 6. Complete the sentence by translating the phrases from the right column.

Barristers are generally involved in...

- розуміння та інтерпретування закону.
- дослідження питань права.
- написання думок та консультування солісіторів та інших професіоналів.
- підготовку справ до судового розгляду.

- підготовку правових аргументів.
- представлення аргументів в суді.
- проведення допиту та перекресного допита свідків.
- консультування з питань права та свідчень.
- складання юридичних документів.
- обговорення врегулювання справ.

Task 7. Translate into English.

1. Юридична професія в Англії та Уельсі поділяються на дві гілки, кожна виконує визначені обов'язки.
2. Баристери мають вищу юридичну освіту.
3. Баристери значно відрізняються від солісіторів.
4. Солісітор може бути занятим не тільки у судовому процесі.
5. Баристери - це фахівці в галузі тлумачення законів.
6. Солісітор також має справи поза межами суду.
7. Баристер - досить відособлена фігура.
8. Деякі солісітори кваліфікуються за право виступати в вищих судах.
9. Для того, щоб стати баристером, необхідно здати екзамени в Раді адвокатів.
10. Солісітори традиційно були здатні з'являтися як адвокати тільки в нижчих судах (тобто магістратських судах та судах графства) і трибуналах.

Task 8. Read the text and circle the correct answer for items 1 to 4.

The History of Solicitors

The solicitor' profession has a long history, going back to the 12-th century, when the language of the courts was Norman French and litigants therefore needed a representative to act as a translator. This representative might also appear in court on the client behalf. They were known as attorneys, and were the forerunners of today's solicitor. Over the centuries a division grew up between the attorneys and court pleaders, or barristers.

The profession was largely unregulated until the beginning of the 19-th century when the Law Society was founded. It was granted a Royal Charter in 1845, which empowered it to enforce national standards of conduct and education. About the same time the term "attorney" was dropped in favour of the title "solicitor". The duties of the Law Society have been extended by various Acts of Parliament since then.

The Council of the Law Society is its governing body and has the power to regulate the profession. The 75 members of the Council are elected from the profession by constituency or appointment by specialism.

1. The writer says that...

- a) the language of the courts was English.
- b) official language of the courts was French.
- c) people speak Norman French in the courts.

2. The clients' representatives were...

- a) forerunners of a translator.
- b) forerunners of today's solicitor.
- c) forerunners of today's investigator.

3. A Royal Charter was granted to empower the Law Society...

- a) to separate national standards of conduct and education.
- b) to ignore national standards of conduct and education.
- c) to enforce national standards of conduct and education.

4. The duties of the Law Society have been ...

- a) broadened by various Acts of Parliament
- b) restricted by various Acts of Parliament
- c) cancelled by various Acts of Parliament

Task 9. Read the text and make comments on it.

Regulation

All solicitors must be on the Roll. A register of all persons qualified as solicitors. The Law Society governs admission to the Roll, which is entry to the profession, ensuring that all new solicitors are fit and proper persons and have undergone the necessary training. All solicitors wishing to practice as such must obtain a practicing certificate annually from the Law Society. The Law Society publishes a "Guide to the Professional Conduct of Solicitors" (which includes codes governing cross-border work). If solicitors fail to abide by the rules of conduct they can suffer a range of penalties from a rebuke to being struck off the Roll, which means they can no longer work as lawyers.

There is a special agency of the Law Society, the Solicitors Complaints Bureau, which investigates complaints of professional misconduct. If the Bureau finds that there is a serious case to answer, the solicitor may be brought before a special court, the Solicitors' Disciplinary Tribunal. Solicitors must have professional Indemnity Insurance and must

also contribute to the Compensation Fund, which ensures that if a solicitor is dishonest the public will not suffer financially.

Solicitors have unlimited liability except in relation to advocacy. Both the Indemnity Insurance and Compensation Funds are administered by the Law Society.

Task 10. Read the text and discuss it in the form of the dialogue, using clichés, set expressions and phrases given below.

Training

The training of solicitors is stringent. Most solicitors are law graduates, although some are qualified in other disciplines (which the Law Society considers equivalent in academic rigor). Those, who have graduated in other subjects, are obliged to take the Common Professional Examination (CPE), a one year course, which instructs them in the principles of law. At this point, a trainee lawyer can choose whether to become a solicitor or a barrister. In the latter case, the further period of training before qualification will be somewhat shorter.

Both law graduates and CPE students must complete a further course equivalent to a year's full-time study, the Law Society's Legal Practice Course. This further year of training balances substantive law, practice and procedure, with at least 25% of time spent acquiring skills like drafting, interviewing, negotiation, advocacy and legal research. Students are also instructed in the keeping of accounts and professional ethics, particularly important because solicitors generally handle large amounts of clients' money. At the end of the course, students are examined in the four compulsory substantive law subjects (Conveyancing; Wills, Probate and Administration; Business Law and Practice; Litigation and Advocacy), together with the private client or business client options they have chosen.

As far as I understand...

I fully agree with you.

I disagree with you.

That's just what

I was going to say.

You are mistaken.

I am not sure but I believe...

здається...

Наскільки я розумію...

Я повністю погоджуюсь з вами

Я незгоден з вами.

Це як раз те, про що я хотів сказати.

Ви помиляєтесь.

Я не впевнений, але мені

здається...

Task 11. Read and enjoy.

We, the Jury

*

A judge asked our group of potential jurors whether anyone should be excused, and one man raised his hand.

“I can’t hear out of my left ear,” the man told the judge.

“Can you hear out of your right ear?” the judge asked. The man nodded his head.

“You’ll be allowed to serve on the jury,” the judge declared. “ We only listen to one side of the case at a time”.

*

My honest, hard-working father stood before the judge to explain why he wished to be excused from the jury duty.

“Your Honor, my small grocery store is the sole means of support for my wife and eight children. To serve as a juror would mean closing the store, and I can’t afford that.”

“Mr. Jones, what if everyone were like you?” asked the judge.

“Your Honor,” my father replied, “if everyone were like me, you wouldn’t be needing a jury.”

*

Jury foreman addressing judge: ”Before announcing our verdict, we’d like to recommend that Harrison Ford play the defendant.”

Grammar exercise

I. Divide the verbs below into two groups: regular and irregular.

Write four forms of each verb

To arise, to try, to deal with, to train, to preside, to give up, to work, to draw, to hold, to administer, to be, to sit, to plead, to share, to consider, to serve, to choose, to hear, to read, to write, to bring, to break, to answer, to call, to hire.

II. Form verbs of the following words. Give three forms of the verb.

offering	offer	offered	offered
practicing	_____	_____	_____
involving	_____	_____	_____
acting	_____	_____	_____
earning	_____	_____	_____

prosecuting	_____	_____	_____
defending	_____	_____	_____
preparing	_____	_____	_____
pleading	_____	_____	_____
taking	_____	_____	_____
doing	_____	_____	_____
training	_____	_____	_____

III. Fill in the Past Participle of the following verb.

become	learn	teach
understand.....	rise	write
find	pay	think
forbid	seek	make
hold.....	know	shake

IV. Put the verbs in brackets into the Present Perfect Simple. Translate the sentences.

- In the last ten years the number of women holding practising certificates **(to increase)** by 100%.
- Many students **(to decide)** on a career in the law,
- In recent years graduates **(to find)** it difficult to secure and finance a pupilage.
- Over this same period there also **(to be)** an astonishing increase in the numbers of lawyers in practice.
- Solicitors **(to limit)** rights to practice before the courts ("rights of access"), but traditionally "instruct" a barrister to appear in court for them.
- The Court & Legal Services Act **(to abolish)** the exclusive rights of barrister access to the higher courts, i.e., the Crown Court (criminal), High Court (civil), Court of Appeal and House of Lords.

V. Match the items in column A to those in column B, then say which action happened first.

A	B
1. The solicitor appeared in the higher court...	a) the court session had already started.
2. She had read the article in a legal journal several times...	b) by the time his professional client – solicitor- came into the office.
3. After a detective film had ended...	c) after he had obtained certification

- | | |
|---|---|
| 4. When they came into the courtroom... | d) he began reading lots of books on law. |
| 5. The barrister had already finished examining the papers... | e) before she understood it. |
| 6. As soon as he had chosen to become a lawyer,... | f) we started discussing it. |

VI. Join the sentences using the word(s) in brackets and the Past Perfect Simple as in example.

1. The judge finished his speech. The witness appeared in the hall. **(just, when)**

The judge had just finished his speech, when the witness appeared in the hall.

2. The solicitor started typing a letter. His client left. **(as soon as)**

3. George came into the courtroom. He talked to a policeman. **(after)**

4. They didn't hire a lawyer. They examined his résumé. **(until)**

5. He opened the book on Corporate Law. The doorbell rang. **(just, when)**

6. A solicitor read a client's claim several times. He invited her to his office. **(before)**

7. The barrister left his chamber. The solicitor arrived. **(already, by the time)**

8. She found the job. The company employer called her. **(already, when)**

VII. Put the verbs in brackets into the Future Perfect Simple. Translate the sentences.

1. The barrister **(to negotiate)** the settlement before the trial starts.

2. The junior barrister **(to finish)** drafting legal documents by 9 o'clock in the morning.

3. The legal firm **(to fulfill)** its obligations by the end of the year.

4. By the end of the month an experienced lawyer **(to prepare)** the case for court.

5. By this time next year I **(to graduate)** from law school.

6. A solicitor **(to get)** through the greater part of the work before his client comes.

VIII. Study the examples. Which sentences include the Present Perfect Continuous Tense? Translate the sentences.

1. We **have been listening** to the witnesses for three hours.
2. A man **has been waiting** for the judge for two hours.
3. He **has spent** 12 months in pupillage.
4. I **have received** a provisional practising certificate issued by the Bar Council.
5. The student **has joined** one of the Inns of Court and **passed** the bar vocational course (BVC).
6. A young barrister **has been talking** to the expert since 8 o'clock in the morning.

IX. Choose the correct verb form.

1. I have been *studying* / *studied* law since 1990.
2. How long *have you been practicing* / *do you practice* as a lawyer?
3. Law companies *use* / *have been using* computers to store clients' cases for ten years.
4. *We've been doing* / *have done* business with them for over thirty years now.
5. A client *has made* / *has been making* a complaint about one of our lawyers.
6. A barrister has been *negotiating* / *has negotiated* the settlement since the morning.
7. The State Registration Act has been *introduced* / *introducing* into Ukrainian law.
8. The legal team of Arzinger & Partners *has been dealing* / *dealt* with debt collecting litigations for five years.

X. Insert the Past Perfect Continuous. Translate the sentences.

1. We _____ for an hour when she began talking (**to wait**).
2. When I came down to London to work in the company, my brother _____ there already for five years. (**to work**)
3. He _____ about half an hour, when he saw his client coming along the path. (**to walk**)
4. He _____ already the case with his assistant for three hours, when the telephone rang. (**to discuss**)
5. I saw that it was 2 o'clock. We _____ there an hour and a half. (**to sit**)
6. The gown and the wig he _____ was, lying across the chair. (**to wear**)

7. I _____ in the province when the telegram came. **(to travel)**
8. Mr. Brown noticed that she _____, her face was stained with tears. **(to cry)**
9. He heard she _____ something to the judge. **(to say)**
10. He turned off the electric light. It _____ all night. **(to burn)**

XI. Fill in the blanks with 'must', 'may' or 'can'.

1. All attorneys _____ pass the bar examination to be admitted to general practice.
2. In certain areas (but not crime or conveyancing), barristers _____ now accept instructions from a client directly.
3. Prospective barristers _____ first complete the academic stage of their legal education by obtaining a qualifying law degree.
4. Those who wish to become a practising barrister _____ first obtain a 'pupillage'.
5. Upon completion of pupillage, you _____ apply for tenancy and become a junior barrister in chambers.
6. Barristers in turn _____ now be directly instructed by certain organizations such as trade unions, accountants and similar groups.
7. A solicitor's firm _____ vary from a large organization with hundreds of partners, thousands of employees and offices all over the world, to a small firm above a shop in local high street.
8. Theoretically free to work as and when they please, barristers _____ be available to take work as it comes in.
9. A barrister _____ have little opportunity to develop any relationship with the client.
10. Although a number of barristers _____ make up any particular "set" of chambers, they are prohibited from incorporating or joining together as partners, and each acts as a sole practitioner.

Unit 8

Political System of the USA

Task 1. Read and memorize the active vocabulary to the text *The Political System of the USA.*

to enter	вступати
to comprise	охоплювати
branch of power	гілка влади
executive	виконавча
legislative	законодавча
judicial	судова
to carry out the laws	виконувати закони
Commander-in-Chief	Верховний Головнокомандувач
to run	відбуватись, виставляти свою кандидатуру на виборах, змагатись
to vest (in)	надавати, (-ся)
to ratify appointments	ратифікувати призначення
to initiate	ініціювати
with the exception of	за винятком
amendment	виправлення, поправка
majority party	партія більшості
in the line	в черзі
in case of	у випадку
to settle disputes	врегулювати суперечки
to depend on	залежати від
to hold hearings	проводити слухання
to participate	брати участь

Task 2. Read and translate the text, write down all the unknown words.

The Political System of the USA

The USA is a federative republic. In 1776 when the independence of the USA was declared, 13 "founding" states entered the federation; from 1959 the federation comprises 50 states.

Washington D. C. is the seat of the Federal Government of the United States. The Federal Government is made up of three branches - the Executive, the Legislative and the Judicial. The function of the Executive Branch is to carry out the laws of the nation. It consists of the President,

Vice - President and the President's Cabinet. The members of the Cabinet are chosen by the President. Most of them are called Secretaries: the Secretary of State, Agriculture, Labour, Transportation, etc.

The President is head of the state and of the executive department. He is also a Commander - in - Chief of the Army and Navy of the USA. The President and Vice President are elected for a term of 4 years. No person can be elected to the office of President more than twice. The President is elected indirectly in two stages: first electors are chosen in their respective states, and these elect the President and Vice - President, running together on the first Tuesday after the first Monday in November.

All legislative powers are vested in Congress, which consists of the Senate and the House of Representatives. Members of the House of Representatives (435 persons) are chosen every second year. Senators (100 persons) are elected for a term of six years, 2 senators from each state.

The Senate ratifies international appointments. The Senate may also initiate any bill with the exception of financial ones; these may be introduced only by the House of Representatives. The Senate may not adopt any bill introduced by the House of Representatives or make amendments to it.

In the House of Representatives the presiding officer is the Speaker, who is elected by the members and is always a member of the majority party in the House. The Speaker is now the first in the line to become President in case of the death of both President and Vice - President.

In the USA Congress the Speaker plays a very important role in party policies. He appoints members of Congressional Committees, for example, to work on the bills or to settle disputes between the House of Representatives and the Senate.

The decision on some of the most important issues may therefore depend on who is chosen by the Speaker to participate in the Committees.

The main work of the Congress is done in committees. The Congressional Houses have a system of committees - 16 in the Senate and 20 in the House of Representatives. Every bill is worked out there. Special Committees hold hearings on different issues, some of them open and others secret, depending on the subject matter.

Two main parties dominate the political scene of the USA - the Democratic Party and the Republican Party. Neither of them have a permanent membership, membership being determined by election vote.

Task 3. Answer the following questions.

1. What are the functions of the USA Senate?
2. Who is elected by the members and is always a member of the majority party?
3. Where is the main work of the Congress done?
4. What are the main political parties in the USA?
5. When was the independence of the USA declared?
6. How many “founding” states entered the federation?
7. What are the three branches the Federal Government is made up of?
8. Whom are the members of the President’s Cabinet chosen by?
9. What term are the President and Vice President elected for?
10. When does the election take place in the USA?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Branch of power, carry out, the executive department, to be vested in, to make amendments, financial bills, to settle disputes

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

1. To be elected ... a term ... 4 years;
2. Powers are vested ... Congress;
3. To consist ... the Senate and the House ... Representatives;
4. Two senators ... each state;
5. The Speaker is now first ... the line;
6. To work ... the bills;
7. Depending ... the subject matter.
8. Every bill is worked ... the committees;

On, for, of (3), at, in (3), from, out

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. The President of the USA has the responsibility of enforcing federal laws, appointing and removing high federal officials.

2. The Vice President of the US presides over the Senate. The Senate has certain exclusive powers. It alone can sit as a court of impeachment to try federal officials impeached by the House of Representatives.

3. The American people have a strong voice in their government. They can exercise their democratic rights by voting in national, state and local elections, and by working in political parties and campaigns.

4. The United States has two major political parties, the Democratic and the Republican. Members of these two parties hold almost all the offices in the national, state and local governments.

5. The federal law must not violate the US Constitution. All state laws must conform to or be in harmony with the federal Constitution as well as with the constitution of the state.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. The ultimate power under the Constitution is not given to the President (виконавча гілка), or to the Congress (законодавча гілка) or to the Supreme Court (судова гілка). (Вона належить людям).

2. The President must be able to convince Congressmen of his point of view. (В цьому полягає відмінність американської системи влади від парламентарської).

3. The Bill of Rights determines the fundamental rights of Americans; (свободу віросповідання, слова, преси, право мирного зібрання, щоб відстоювати свої інтереси).

4. The division of power between the states and the national government (називається федералізмом. Деякі повноваження належать включно федеральному уряду).

5. The system by which each branch of government can check-limit the power of the other two branches (називається системою стримування і противаг).

6. The President can check the lawmaking power of Congress (з допомогою вето).

7. Congress can check the President's veto by overriding a veto (двома третинами голосів в обох палатах).

8. The Supreme Court can check both the President and Congress (проголошенням їхніх дій неконституційними).

Task 8. Give synonyms to the words in bold type.

1. How many states **joined** the federation in 1776?

2. Who is chosen by the speaker **to take part in** the work of the committees?

3. The federation **includes** 50 states nowadays.

4. You don't need much effort to **solve** this **problem**, do you?
5. We are sure of the great responsibility of lawyers **fulfilling** their professional duties.
6. The federal Government **consists of** three branches. Do you know what they are?

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|---------------------------|---|
| 1. The Executive Branch | a) having the power to make laws |
| 2. The Legislative Branch | b) relating to the administration of justice |
| 3. The Judicial Branch | c) the branch of a government responsible for putting decisions or laws into effect |
| 4. amendment | d) an act of assigning a job or position to someone |
| 5. appointment | e) a section that is added to a law or rule in order to change it |
| 6. to depend on | f) to find the way out by the mutual agreement |
| 7. to settle | g) to be under the conditions of smb. or smth |

Task 10. Topics for discussion.

1. Some facts on the foundation of the USA.
2. The structure of the Federal Government.
3. Speak on the role of the Congress of the USA.
4. The main functions of the Senate and the House of Representatives.
5. The Speaker and his important role in party policies.
6. The peculiarities of the presidency in the USA.
7. The main political parties of the USA.
8. Give short characteristics of the three branches of power in the

USA

Supplementary tasks

Task 1. Read and translate the texts, answer the questions.

US Government

The government of the United States represents, serves, and protects the American people at home and in foreign countries. From the nation's

capital in Washington, D.C, the U.S. government's activities and influence reach every part of the world.

The three branches of the United States government - executive, legislative, and judicial - are usually represented by the President, Congress, and the Supreme Court. Generally speaking, the President enforces the laws that Congress passes and the Supreme Court interprets these laws if any question arises.

The United States government shares governmental powers with the states under the federal system established by the United States Constitution. The national governments of most other countries are unitary (centralized). They have final authority in all matters, and grant only limited powers to state and local government. Government in the United States operates on three levels: national, state, and local. The federal government in Washington cannot abolish the states or rearrange their boundaries. It can exercise only powers that are delegated or implied by the Constitution. The states execute powers reserved to them or not denied them by the Constitution. In some areas, the federal and state governments have concurrent powers. That is, they both have the right to exercise authority.

The American judicial system keeps the federal and state governments within their proper fields of power.

The United States government makes and enforces laws, collects taxes, provides services for the people, protects individuals and their property, and works for national and international security. But it is noted for the way it encourages the people to take part in government, seeks to protect the rights of the people from the government itself, and assures the self-government of the states.

The executive branch

The executive branch of the United States government consists of the Executive Office of the President, the executive departments, and the Independent Agencies.

The President of the United States is the nation's chief executive and head of state. The President lives in the White House in Washington, D.C, and has offices there.

As chief executive, the President has the responsibility of enforcing federal laws, appointing and removing high federal officials. The President commands the armed forces, conducts foreign affairs, and recommends laws to Congress. The President also appoints American representatives to international organizations and to diplomatic missions in other lands. As

chief of state, the President performs many ceremonial duties. Elected by the people to hold office for a four-year term, the President cannot be elected to more than two terms.

The legislative branch

The legislative branch of the United States government includes Congress, which consists of the Senate and the House of Representatives.

Congress makes, repeals, and amends federal laws. It also levies federal taxes and appropriates funds for the government.

The Senate has 100 members. Each state, regardless of size or population, has two senators, who serve six-year terms. The vice-President of the United States presides over the Senate. The Senate has certain exclusive powers. It alone can sit as a court of impeachment to try federal officials impeached by the House of Representatives. It alone has the power to approve the President's nominations for major federal offices. Any treaty made by the United States is a subject to the Senate's approval.

The House of Representatives consists of 435 members. A state's representation is based on population. The number of representatives changes as population changes. Only the House can bring charges of impeachment against high federal officials. It alone can initiate tax bills.

The judicial branch

The Supreme Court of the United States is the highest court in the land. It has a chief justice and eight associate justices. The President appoints all justices with the approval of the Senate. The justices hold office for life.

About 95 federal district courts are located in various cities. Above the district courts are 13 federal courts of appeals, often called Circuit courts. Above the courts of appeals is the Supreme Court. Decisions of a district court may be appealed to an appeals court, and from the appeals court to the Supreme Court. Federal courts decide cases that involve the Constitution and federal laws. Judges of these courts hold office for life. The President appoints them with the approval of the Senate.

The American people have a strong voice in their government. They can exercise their democratic rights by voting in national, state, and local elections, and by working in political parties and campaigns.

The two-party system. The United States has two major political parties, the Democratic and the Republican. Members of these two parties hold almost all the offices in the national, state, and local governments.

Minor political parties of the United States rarely elect candidates to government offices. They serve chiefly to rail attention to problems that the major parties may have neglected. Often, one or both of the major parties may then attempt to solve such a problem. Then the third party, which brought attention to the problem, may disappear.

National elections to elect a President and vice-President are held every four years on the first Tuesday after the first Monday in November. All members of the House of Representatives and about one-third of the members of the Senate are elected at the same time. Between the Presidential elections, all of the representatives and another one-third of the senators are elected. This election is held on the same day in November in even-numbered years.

Federal and state laws regulate elections and the qualifications of voters. Most states hold primary elections in which party members nominate candidates for state and local offices. Some states use primary elections to nominate candidates for Congress. National political conventions nominate candidates for President and vice-President.

The President is not elected directly by the people. At Presidential elections voters cast their votes for electors. The electors make up the Electoral College, which officially elects the President.

Each state has as many electors as the total of its senators and representatives in Congress. The District of Columbia has three electors. The candidate who receives the highest number of a state's popular votes usually receives all that state's electoral votes. A candidate for President must receive a majority of the electoral votes to become President; however, a candidate may be elected President without having received a majority of the popular vote.

1. How does the United States government differ from most other national governments?
2. What are the three branches of the United States government?
3. What are two exclusive powers of the House of Representatives?
4. Who enforces the laws that Congress passes?
5. What body interprets the laws if the necessity arises?
6. How many levels of government operation are there in the USA?
7. What powers does the federal government exercise?
8. What are the powers of states?
9. What bodies exercise concurrent powers?
10. What are the duties of the President?

11. Where are federal laws made, repealed and amended?
12. How many members are there in the Senate and the House of representatives?
13. How are the justices of the Supreme Court appointed?
14. What other courts besides the Supreme Court are there in the US judicial branch?
15. How would you characterize the US party system?
16. How often are national elections held?

Task 2. Read, translate the text and write down all the unknown words and expressions.

The Constitution as Supreme Law

The Constitution of the United States and the constitutions of the various states are the fundamental written law in those countries. The federal law must not violate the U.S. Constitution. All state laws must conform to or be in harmony with the federal Constitution as well as with the constitution of the state.

The U.S. Constitution is the basic document that gives authority to criminal justice agencies. It also sets the outer limits to their efforts, making sure that the system of crime control fits the form of government. All of the provisions of the Constitution apply to criminal control, though a number of amendments are system-specific. For instance, the Fourth Amendment prohibits illegal searches and seizures of evidence; the Fifth prevents self-incrimination during questioning; the Sixth guarantees the rights to jury trial; the Eighth provides for reasonable bail and prohibits cruel and unusual punishment; and the Fourteenth prevents from depriving anyone of liberty without due process of law.

Two very important principles of constitutional law are basic to the American judicial system. They are closely related to each other and known as the doctrine of separation of powers and the doctrine of judicial review.

The doctrine of separation of powers results from the fact that both state and federal constitutions provide for a scheme of government consisting of three branches — the legislative, the executive and the judicial. Separation of powers ascribes to each branch, a separate function and a check and balance of the functions of the other branches. The doctrine of separation of powers infers that each separate branch will not perform the function of the other and that each branch is summarized as follows: the Senate retains the power to approve key executive and judicial

appointments. The legislative branch exercises control through its powers to appropriate funds.

In addition, Congress can limit or expand the authority of the executive branch or the jurisdiction of the judicial branch in most cases. The executive has the powers to appoint judges (in some states; the judiciary is elected). The judiciary has the powers to review actions of the executive and to review laws passed by the legislative branch to determine if such laws are constitutional.

The doctrine of judicial review is the heart of the concept of separation of powers. This doctrine and the doctrine of supremacy of the Constitution were established at an early date of the American history.

Notes

- | | |
|---------------------------------|--------------------------|
| 1. <i>to violate the law</i> | – порушувати закон |
| 2. <i>to conform to smth.</i> | – відповідати чомусь |
| 3. <i>to be in harmony with</i> | – бути співзвучним з |
| 4. <i>criminal justice</i> | – кримінальне правосуддя |
| 5. <i>to give authority to</i> | – надавати повноваження |
| 6. <i>to fit smth.</i> | – відповідати чомусь |
| 7. <i>jury trial</i> | – суд присяжних |

Task 3. Fill in the blanks using the information from the text.

1. The Constitution of the United States is the fundamental written... of the country.
2. The federal law must not...the US Constitution.
3. The US Constitution gives authority to ...
4. Two very important principles of constitutional law are basis to the American.....
5. A scheme of government consists of three branches —
6. The Senate retains the power to approve key... and...appointments.
7. The executive has powers to ...
8. The judiciary has the powers to review...of the executive and to review ... passed by the... ..to determine if such ... are ...

Task 4. Answer the following questions.

1. What is the fundamental written law of the United States?
2. What does the US Constitution give authority to?
3. What are the examples of specific amendments to the US Constitution?

4. What are two very important principles of constitutional law basic to the American judicial system?
5. How many branches does a scheme of government consist of?
6. What does the doctrine of separation of powers infer?
7. What kind of power does the Senate retain?
8. What does the legislative branch exercise?

Task 5. Translate words and word combinations into English. Make up your own sentences with them.

Суд присяжних, надавати повноваження, закон штату, судова система, обгрунтована застава, жорстоке покарання, федеральний закон, розподіл повноважень, кримінальне правосуддя, обшук та вилучення доказів, вищий закон, самообвинувачення, виконувати функції, порушувати закон, приймати закон, встановлювати межі, забезпечувати обгрунтовану заставу, переглядати дії, призначати суддів, здійснювати контроль, схвалювати призначення, складатися з трьох гілок влади.

Task 6. Translate words and word combinations into Ukrainian. Make up your own sentences with them.

Intense debate; to draft a compact; criminal justice agencies; crime control; system-specific amendments; self-incrimination; to question a person; to deprive smb. of liberty; separation of powers; judicial review; separate function; to summarize; appropriate funds; in addition; key executive and judicial appointments; to limit the authority; jurisdiction of the judicial branch; the heart of the concept.

Task 7. Make up questions to receive the following answers.

1. The federal law must not violate the US Constitution.
2. The Fifth Amendment presents self-incrimination during questioning.
3. The Sixth Amendment guarantees the right to jury trial.
4. The Eighth prohibits cruel and unusual punishment.
5. Two basic principles of American constitutional law are the doctrine of separation of powers and the doctrine of judicial review.

Task 8. Read, translate the text and do exercises.

The Basis of American Statehood.

The Constitution of the United States is the central instrument of American government and the supreme law of the land.

For 200 years, it has guided the evolution of governmental institutions and has provided the basis for political stability; individual freedom, economic growth and social progress.

The American Constitution is the world's oldest written constitution in force, one that has served as the model for a number of other constitutions around the world. The path to the Constitution was neither straight nor easy. A draft document emerged in 1787, but only after intense debate and six years of experience with an earlier federal union.

The 13 British colonies declared their independence from England in 1776. A year before, war had broken out between the colonies and Great Britain, a war for independence that lasted for six bitter years. While still at war, the colonies — now calling themselves the United States of America — drafted a compact which bound them together as a nation. The compact, designated the «Articles of Confederation and Perpetual Union», was adopted by the Congress of the states in 1777 and formally signed in July 1777. In February 1787 the Continental Congress, the legislative body of the republic, issued a call for the states to send delegates to Philadelphia to revise the Articles. The Constitutional or Federal Convention convened on May 25, 1787 in Independence Hall, where the Declaration of Independence had been adopted 11 years earlier on July 4, 1776. Although the delegates had been authorized only to amend the Articles of Confederation, they pushed the Articles aside and proceeded to construct a charter for a wholly new, more centralized form of government.

The new document, the Constitution, was completed on September 17, 1787, and was officially adopted on March 4, 1789. The 55 delegates who drafted the Constitution, included most of the outstanding leaders, or Founding Fathers, of the new nation. All agreed on the central objectives expressed in the preamble to the Constitution: “We the people of the United States in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America”.

Notes

1. *statehood* – державність
2. *government* – уряд, держава, влада, управління
3. *constitution in force* – чинна конституція
4. *draft* – проект

5. <i>to bind</i>	– зв'язати, об'єднати
6. <i>to issue a call</i>	– звернутися з закликом
7. <i>to amend</i>	– вносити поправки
8. <i>to push aside</i>	– відкинути
9. <i>blessings</i>	– благословення
10. <i>posterity</i>	– нащадки
11. <i>neither...nor</i>	– ні...ні

Task 9. Fill in the blanks, using suitable word or word combination mentioned above.

model; statehood; debate; delegates; independence; constitution; Founding Fathers; experience; a draft document; the legislative body; the outstanding leaders.

1. The basis of the American... and the supreme law of the land is the...
2. The American Constitution has served as the ... for a number of other constitutions around the world.
3. After intense ... and six years of ...with an earlier federal union ... emerged in 1787.
4. In 1776 the 17 British colonies declared their... from England.
5. In February 1787 the Continental Congress... of the republic issued a call for the states to send ...to Philadelphia.
6. The 55 delegates who drafted the Constitution, included most of the ...or... of the new nation.

Task 10. Translate words and word combinations into Ukrainian.

The basis of statehood; supreme law; central instrument of government; evolution of governmental institutions; more centralized form of government; individual freedom; Articles of Confederation and Perpetual Union; the Continental Congress; Constitutional or Federal Convention; the Declaration of Independence; Independence Hall; most of the outstanding leaders; neither straight nor easy path.

Task 11. Translate words and word combinations into English. Make up your own sentences with them.

Політична стабільність; соціальний прогрес; гіркі роки; законодавчий орган; направити делегата; створити більш централізовану форму управління; прийняти новий документ; внести поправки до статей Конфедерації; відкинути статті Конфедерації;

погодитися з головними цілями; преамбула конституції, війна за незалежність, загальний добробут, батьки-засновники, формувати союз.

Task 12. Read the following sentences and decide if they are true or false. Use the phrases:*It's not quite so; I'm afraid you are wrong; in my opinion; As far as I know; I'm of another opinion.*

1. The American Constitution provides the basis for political stability, individual freedom, economic growth and social progress.

2. The American Constitution is the world's oldest written constitution in force.

3. The American Constitution has served as the model for a number of other constitutions around the world.

4. The path to the Constitution was straight and easy.

5. The Constitutional or Federal Convention convened on May 25, 1787 in Independence Hall, where the declaration of Independence had been adopted.

6. The American Constitution was officially adopted on May 4, 1789.

7. The 55 delegates including Founding Fathers of the new nation drafted the Constitution.

Task 13. Read and translate the text in written form.

Lawmaking process in the USA

The US Congress, the lawmaking arm of the federal government, consists of two houses: the House of Representatives and the Senate. Any congressman in either house, or the president, may initiate new legislation.

The proposed legislation, or bill, is first introduced in the House of Representatives, then referred to one of the standing committees, which organizes hearings on it and may approve, amend or shelve the draft. If the committee passes the bill, it is considered by the House of Representatives as a whole. If passed there, it goes to the Senate for a similar sequence of committee hearings and general debate.

In cases of disagreement, the House of Representatives and the Senate confer together. Once passed by the Senate as a whole, the bill has to be examined by two more standing committees – the Committee on House Administration and the Senate Committee on Rules and Administration – and is then signed by the speaker of the House and by the president of the Senate.

Finally, it must be signed by the president, who has the right to veto it. If the president vetoes a bill, it can still become a law – but only if it is passed by a two-thirds majority in both houses of Congress.

Task 14. Answer the following questions.

1. In which House does new legislation usually start in the USA?
2. What is a bill?
3. How does a bill become a law in the USA?
4. Who has the right of veto in the USA?

Grammar Exercises

I. Use the proper form of the verb in the subordinate clause

1. He believed he will be able to solve the problem in no time.
2. She imagined that all the newspapers will publish this information by all means.
3. The passengers hoped that the train will arrive on time.
4. Mother supposed that her children will be playing in the yard.
5. My teacher was sure we will have finished our compositions by the end of the lesson.
6. Everyone was aware of the fact that the speaker can become President in case of the death of both President and Vice-President.
7. Our friends expected that professor Miller will be appointed to this post.
8. The members of the Congress understood that the Speaker will always play very important role in party politics.
9. They promised they will be waiting for me on my way back home from the university.
10. The population of the USA was convinced that the Government will operate on three levels: national, state and local.

II. Translate the sentences into English keeping to the rules of Sequence of Tenses.

1. Усі студенти нашої групи були впевнені, що Катя складе іспити краще за всіх.
2. Народ вірив, що уряд захистить його інтереси.
3. Члени Сенату США переконані, що вони не будуть мати права ініціювати законопроекти, що стосуються фінансових проблем.
4. Тільки 13 штатів США входили до складу федерації до того як незалежність США була проголошена.

5. Моя подруга сказала, що любить оперу і буде рада піти з нами до оперного театру.
6. Один із моїх знайомих сказав, що Джек Лондон був завжди його улюбленим письменником.
7. Ми спостерігали, як діти гралися на березі річки.
8. Наші друзі по листуванню обіцяли, що надішлють нам листа та фотографії до кінця літніх канікул.
9. Я не сподівався, що вона вже повернулась із закордонної поїздки.
10. Ми не думали, що вони чекають на нас біля входу в парк.

III. Choose the proper tense form of the verbs (a,b,c variants). Choose the proper variants from the given multiple choice.

1. After his five novels..., he became a recognized writer.
a) were being published; b) will be published; c) had been published
2. We were so glad to find out that a lot of our students to the international conference.
a) will be taken; b) would be taken; c) have been taken;
3. The policeman asked George where he so early in the morning.
a) is running; b) was running; c) runs;
4. The President has power to approve or veto any bill which ... previously by the Congress.
a) has been passed; b) have been passed; c) had been passed;
5. The house for a couple of years before our family bought it and moved in.
a) was locked up; b) had locked up; c) had been locked up;
6. Don't worry! Your computer by the end of this week.
a) will have been repaired; b) will be repaired; c) is being repaired;

IV. Change the sentences from direct speech into the reported one.

1. The teacher of Philosophy said: "You will fail at the examination if you don't work hard".
2. His father said: "I don't understand Spanish, I studied English at school."
3. An old woman asked: "Could you bring me a cup of tea please?"
4. The secretary asked: "Who is the author of the amendments?"

5. The workers said: “We shall try to finish the repair work in a month.”
6. The doctor told the children: “Will you stop talking and listen to me?”
7. My friend asked me: “Are you invited to the party?”
8. Some people from the crowd advised me: “Go and help the children!”
9. Don’t touch this object, it’s dangerous”, the officer cried to the boys.
10. “What are you driving at?” the client asked impatiently.

V. Make the sentences complete choosing the right form of the verbs. Comment on your choice.

1. I am sure - you are a true friend
 you were a true friend
 you will always be a true friend

2. I was afraid - you were frightened
 you are frightened
 you had been frightened
 you will be frightened
 you would be frightened

3. I guess - you are coming
 you were coming
 you will be coming
 you didn’t come

4. She thought - we are late
 we were late
 we have been late
 we had been late
 we should be late

5. Somebody told that - he is an artist
 he was an artist
 he would be an artist
 he would become an artist

6. My mother believes - I will be successful
 I am successful

I have always been successful
I would be successful

Unit 9

How a Bill Becomes a Law

Task 1. Read and memorize the active vocabulary to the text
How a Bill Becomes a Law.

act	акт
to adjourn	відкладати
to adopt laws	приймати закони
to amend	вносити поправки
amendment	поправки
to approve	схвалювати
closure rule	правило припинення дебатів
committee	комітет
to iron out	відсторонювати
to issue	видавати; питання
legislation	законодавство
lawmaking process	процес прийняття законів
to override	відхилити
to pass	проходити; приймати
pocket veto	“кишенькове вето” (не підписання Президентом США законопроекту до розпуску конгресу)
Reading	читання
to refuse	відмовляти
to regulate	регулювання; правило
rejection	відмова
resolution	резолуція
to retain	утримувати
roll call vote	поіменне голосування
rule of law	норма права
senator	сенатор
to sign	підписувати
signature	підпис
to stipulate	обговорювати (<i>умови</i>)
to substantiate	обґрунтовувати
to submit	вносити на розгляд
to table	відкладати
title	назва

Task 2. Read and translate the text. Write a list of words, unknown to you. Use your dictionary to check their meaning.

How a Bill Becomes a Law

The legislative branch – Congress- consists of the Senate and the House of Representatives. Congress makes all laws and each House of Congress has the power to introduce legislation.

The Senate and the House of Representatives meet in session each year to create new laws, change existing laws and enact budgets for the State. The members of the House and Senate offer legislation, or bills, for consideration. Once a member introduces a bill, the legislative process begins. The process has a number of specific steps. Bills must have three readings in each House in order to pass the Legislature.

The first thing that happens to bills on the “floor” is introduction and referral to committee. When a Senator or a Representative introduces a bill, he sends it to the clerk of his House, who gives it a number and a title. This is the first reading of the bill.

Most of the work of Congress is carried out in Committees. The committee may decide the bill unwise or unnecessary and table it, thus killing it at once. Or it may decide the bill is worthwhile and hold hearing to listen to facts and opinions presented by the experts. After members of the Committee have debated the bill and perhaps offered amendments, a vote is taken, and if the vote is favorable, the bill is sent back to the house. The clerk reads the bill sentence by sentence to the house and this is known as the second reading.

It is on the second reading that the chamber discusses the merits of the legislation. It is here, too where members can offer amendments to the bill. In the House of Representatives, the time for debate is limited by a closure rule, but there is no such restriction in the Senate.

The third reading is by title only and the bill is put to vote. The bill then goes to the other house of Congress, where it may be defeated or passed with or without amendments. If the bill is defeated, it dies. If it is passed with amendments, a joint Congressional committee must be appointed by both Houses to iron out the differences. After its final passage by both Houses, the bill is sent to the President. If he approves the bill, he signs it and the bill becomes a law. If the President disapproves, he vetoes the bill by refusing to sign it and sending it back to the house of origin with his reasons for the veto.

The objections are read and debated and a roll- call vote is taken. If the bill receives less than a two-thirds (2/3) vote, it is defeated. But if it

receives a two-thirds vote or greater, it is sent to the other house for a vote. If that house also passed it by two-thirds vote, the president's veto is overridden, and the bill becomes a law.

If the president desires neither to sign nor to veto the bill, he may retain it for ten days, after this time it automatically becomes a law without signature. However, if the Congress has adjourned within those ten days, the bill automatically killed, that process of indirect rejection being known as a pocket veto.

Task 3. Answer the following questions.

1. What does the legislative branch consist of?
2. What body has the power to introduce legislation?
3. Who offers legislation for consideration?
4. How many readings must bills have in each house in order to pass the Legislature?
5. What is the first reading of a bill?
6. In what case is the bill sent to the floor of the house?
7. What is the second reading?
8. What is the time for debate in the House of Representatives limited by?
9. What is the third reading?
10. When does the bill go to the other house of Congress?
11. In what case must a joint congressional committee be appointed?
12. What is the bill sent to the President for?
13. What does "to override the President veto" mean?
14. In what case does the bill automatically become a law?
15. What is "a pocket veto"?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Bill(s), legislation, committee(s), amendments, (a) vote.

Task 5. Complete the following expression choosing a suitable preposition; find the best way of expressing them in Ukrainian.

- the house _____ origin
- to be appointed _____ both Houses
- to become a law _____ signature
- the first reading _____ the bill
- to be passed _____ amendments
- a number _____ specific steps.

- to iron _____ the differences
- to be known _____ a pocket veto
- to be sent _____ the President.
- the process _____ indirect rejection

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. The Senate usually allows unlimited debate on proposed legislation, whereas the House limits representatives to speaking for five minutes or less during a debate.

2. The Senate chamber is smaller and quieter than the House Chamber.

3. The Constitution requires a two-thirds vote of the Senate to approve treaties.

4. The chamber must approve, change or reject all committee amendments before conducting a final passage vote.

5. The legislative cycle is two years long. Within that two year cycle there are two kinds of legislative sessions: regular sessions and extraordinary or special sessions.

6. The Speaker of the Houses of Representatives and the majority leader decide what bill will reach the floor and when.

7. Scheduling of legislation is the job of the Majority leader.

8. Bills can be brought to the floor whenever a majority of the Senate chooses..

9. A quorum call is a vote to make sure that there are enough members present (218) to have a final vote. Is there is not a quorum, the House will adjourn or will send the Sergeant at Arms out to round up a missing members.

10. In the Senate 51 members must be present, however, Senate can conduct daily business without a quorum unless it is challenged by a point of order.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. The (процедури) for the singing and official (публікація) of the laws are clearly regulated in Article 94 of the (Конституція).

2. Within fifteen days of receiving the (закон), the President shall either (підписувати) this law or return it with substantiated (пропозиції) to Parliament for reconsideration.

3. If the law is not returned for reconsideration by the President within the stated period, it shall be treated as (схвалений) by the President and shall be signed and published.

4. If in the course of reconsideration, the law is (прийнятий) unchanged by Parliament by a (більшість) of at least two-thirds of its members, the President shall be (зобов'язаний) to sign and promulgate the law within ten days.

5. Members from each (палати) form a conference committee and meet to work out the differences.

6. Leaders of the House of Representatives have more (влади) than leaders in the Senate.

7. The main task of each house of Congress is the same – (видавати закони).

8. Washington has 49 legislative districts, each of which (обирає) a Senator and two Representatives.

9. The (право) to adopt laws in Ukraine belongs to the Verkhovna Rada.

10. The First Reading is the first time that a (законопроект) goes before the House itself.

Task 8. Read the sentences and match the highlighted words to their synonyms below.

Consent, a proposal, split, a bill, pass, debates, a nation, findings, consumes, set

1. Ukraine is seeking to become **a country** ruled by law.
2. Senators may debate **a proposition** for weeks or even months.
3. House **discussions** rarely last more than one day.
4. As in the House of Representative, any member of the Senate may introduce **a legislative proposal**.
5. Legislative business **takes** the largest share of the Senate's time.
6. The Senate brings bills to the floor by unanimous approval.
7. The Speaker of the House may **place** time limits on committees.
8. Subcommittees report their **results** to the full committee.
9. If the House and Senate **enact** the same bill then it is sent to the President.
10. Bills may be referred to more than one committee and it may be **divided** so that parts are sent to different committees.

Task 9. Match the definitions of the following words.

- | | |
|---------------------------------|--|
| 1. Senate | a) a form or a draft of a proposed statute presented to a legislature, but not yet enacted or passed and made a law. |
| 2. the House of Representative, | b) a member of the U.S. House of Representatives or of the lower house of a state legislature. |
| 3. Speaker | c) a member of a Senate. |
| 4. Senator | d) the presiding officer of a legislative assembly. |
| 5. Representative | e) the national legislative body of the United States, consisting of the Senate and the House of Representatives. |
| 6. Bill | f.) the upper house of the U.S. Congress, to which two members are elected from each state by popular vote for a six-year term. |
| 7. Congress | g) the lower house of the U.S. Congress and of most state legislatures. |

Task 10. Topics for discussion.

1. Parliamentary bicameralism.
2. Unicameral legislatures.
3. The President's legislative powers.
4. How bills go through English Parliament
5. How laws are made in Ukraine.
6. Majority and minority parties

Supplementary Reading

Task 1. Read the text and translate it into Ukrainian.

Making New Laws: Bills and Acts

In Great Britain laws are made in Parliament at Westminster. In the UK there are five types of legislation considered by Parliament. These are:

- Government Bills

- Private Members' Bill
- Private Bills
- Hybrid Bills
- Statutory Instruments

Government Bills embody government policy and a Minister introduces them. The bulk of Parliament's time is taken up with these types of bills. As the current government has such a large parliamentary majority, it is almost certain that all Government Bills will be passed into law (though some may be amended along the way).

Individual MP's from any political party (or a peer) can introduce a **Private Members Bill**. These rarely have any chance of becoming law as too much of Parliament's time is taken up with Government bills. As a result of this, Parliament gets little chance to discuss Private Members Bills, let alone vote on them.

Private Bills are promoted by organisations that want specific powers. This type of bill is introduced following a petition to Parliament by the organisation that wants that bill to become law. These usually suffer the same fate as Private Members Bills – timed out as a result of Parliament concentrating on government bills.

Hybrid Bills are very rare. The government or backbenchers introduce them. They are a mixture of private and public bills and come about if someone or some people are going to be treated differently to others.

Statutory Instruments are rules made under powers contained in an Act of Parliament. Because they come from primary legislation, they are sometimes known as secondary legislation.

The idea for a new law can come from a variety of sources:

- 1) An election manifesto promise;
- 2) A government department after an election has been won;
- 3) The influence of pressure groups;
- 4) The influence of experts within their field;
- 5) In response to an EU directive.

No new law can be passed unless it has completed a number of stages in the House of commons and the House of Lords. The monarch also has to give a Bill the royal assent, which is now just a formality.

The **first stage** is the process of formulation. This is actually deciding what is going to be contained in that bill. Both ministers and civil servants acting on behalf of the government do this process. In fact, in many instances, the details of a bill are left to experts within a civil service

department who are there to work for the government. Parliamentary Counsels (government lawyers) are responsible for actually drafting the bill. Only after a bill has been drafted and agreed on by ministers, does it go to the House of Commons for its first reading.

After so much preparatory work, the bill that goes before the House of Commons cannot be considered a mere 'rough draft'. It is a lot more than this. Even at this seemingly early stage of its 'life', the bill is what the government wants to become law. If a government has a large parliamentary majority in the House, a bill, even on its first reading, frequently passes with relative ease (assuming that it is not a controversial one) and with few, if any, amendments to it.

The First Reading is the first time that a bill goes before the House itself. The First Reading is, in fact, when a bill is introduced after which the bill is then put into print. Though the title "First Reading" conjures up the image of a big parliamentary event, it is really the opposite in that nothing actually happens other than the fact a bill goes before Parliament. As the bill is not in a printed format at this time, MP's can do little about assessing content etc. From this purely formal introduction, the bill then gets a Second Reading.

By the time of the ***Second Reading***, MP's have access to the detail of the bill and it is in the Second Reading that MP's have the chance for a wide-ranging discussion on a bill's merits or otherwise. Usually, though not exclusively, a parliamentary day is given over to a Second Reading, which usually corresponds to about six hours of discussion. More controversial bills have been known to be given three days of parliamentary time – about eighteen hours.

Traditionally, a government minister opens a Second Reading while his/her opposite number on the Opposition Benches replies. From here, backbench MP's join in the debate. When it comes to closing the Second Reading, the minister concerned does this. The debate in the House is controlled by either the Speaker or the Deputy Speaker. Controversial bills may proceed to a vote at a Second Reading. It is almost certain that a government with a decent Parliamentary majority will win this as the bill represents what that government wants and the party whips would ensure that a smooth vote takes place. From the Second Reading, the bill moves onto to the Committee Stage.

The Committee Stage is probably the most thorough examination of the bill. This examination is done by a Standing Committee that is made up of 18 to 25 MP's. The number per political party is determined by each

party's strength in the House of Commons. With a large parliamentary majority, the Labour government has a sound representation on such committees. The Minister responsible for the bill is on the committee along with junior ministers. The opposition minister is also on the committee along with his/her junior ministers. There are two Whips on the committee – one from the government and one that represents the opposition. The other places on the committee are made up of MP's from both sides of the House. They are considered to have an expertise in the matter being discussed and can bring such expertise to the detailed discussion that occurs at the Committee Stage.

The number of times a Standing Committee meets is determined by the importance of the bill. A major government bill may require a number of meetings (between 10 and 12 is usual) over a six-week period. However, controversial bills have taken up more time than this. A Standing Committee is chaired by a senior backbencher from either side of the House. His/her task is to remain impartial throughout the committee stage. Bills that are likely to take time due to their controversial nature may have two chairs appointed – one from the government and one from the Opposition.

On rare occasions, the Standing Committee stage might be expanded. This is done when this examination of a bill is taken 'on the floor'. This is when a **Committee of the Whole House** is convened to give all MP's the opportunity to express their views on a bill. This happens rarely as it is a time-consuming process. Major finance bill and proposed constitutional changes have led to Committees of the Whole House being instigated in the past.

The whole committee stage is meant to be a thorough examination of a bill and it is the longest part of the process. Once it has ended, the process moves on to *the Report Stage*. This stage is also known as 'The Consideration'. This is a detailed examination of the bill by all MP's, including amendments if they have been suggested at the Committee stage. New amendments can be introduced at this stage. This is usually done by the government in response to amendments suggested at the Committee stage. By doing this, the government can claim to have listened to the proposed amendments to a bill. It can also claim to still be in charge of the bill as it has proposed the amendments! The Report Stage can last from 30 minutes to several days. From here, the bill returns for its Third Reading.

The Third Reading is the final part of the debate regarding the bill within the House of Commons. MP's discuss the overall content of the

amended bill. From here the bill automatically moves onto the House of Lords.

Under its current structure, *the Lords* operate in broadly the same way as the House of Commons. The First Reading in the Lords is, as in the Commons, a formal introduction. A major debate on the bill occurs at the Second Reading. The Lords continue to follow the pattern of the Commons with a Committee Stage, followed by the Report Stage and then a concluding Third Reading.

However, though there are many similarities in the way both Houses proceed with regards to the way bills are passed, there are also a number of important differences.

The Lords Committee Stage is usually held on the floor of the Lords itself. In this way, any peer may put forward amendments and comment about the bill. Amendments can be made in the Lords at the Third Reading. This is usually done to clarify any amendments the government has agreed to make to its bill.

If the bill is voted for in the Lords, it is immediately sent for Royal Assent. However, if any amendments have been made in the Lords, the bill is returned to the Commons which debates each amendment the Lords have made. The Commons can:

- accept the amendment
- amend the Lords amendment
- completely replace a Lords amendment with one of its own
- reject a Lords amendment.

If any of the last three are done in the Commons, the bill returns to the Lords with an explanation as to why the government has taken the course of action it has. This is a 'statement of reasons'. The Lords can accept this and pass the bill. However, it can also reject the 'statement of reasons'. When this happens, the amendments concerned (and therefore the bill itself) go to and from the Commons and Lords until an acceptable compromise is reached. If both Houses fail to agree on their differences, the bill dies. This is an extremely rare event and has only happened on very infrequent occasions since 1945.

There are two major restrictions on the Lords ability to kill of a bill.

1) The Lords may not delay a bill for more than one parliamentary session. A bill lost in the Lords in one session but then passed by the Commons in the next parliamentary session, would automatically receive the Royal Assent regardless of whether the Lords opposed it in that session.

2) The Lords does not deal with any "Money Bills". These pass through the Lords without discussion.

After the First Reading, Second Reading, Committee Stage and Third Reading in the Commons and the input by the Lords, a bill (if it has passed through all the stages) is ready for *the Royal Assent*.

Without the Royal Assent, a Bill cannot become law. In this process, the monarch formally signifies assent to the bill so that it becomes an act and part of the law of the land. The Queen uses Norman French as part of tradition – "La Reyne le veult" ("The Queen wishes it"). The last time the monarch refused to give Royal Assent was in 1707 with Queen Anne. It is all but impossible to imagine a situation whereby the Queen would refuse to give Royal Assent to a bill that has gone through such a thorough examination. Such a refusal would spark off a major constitutional crisis. When the Queen signifies her Assent, a Bill becomes an Act of Parliament.

Task 2. Read the text and translate it into Ukrainian.

The Lawmaking in Ukraine

Ukraine legal system by its nature belongs to the Romano – Germanic legal family (the continental law system). This means that it is based on a pandect system, where the main legislation sources are codified laws. There are a number of codified laws in the main spheres of national legislation. Among such codes the main ones are the following: the Civil Code, the Economic Code, the Criminal Code, the Land Code, the Family Code, the Customs Code, Civil Procedural Code, Criminal Procedural Code, the Labor Code, the Air Transportation Code, etc.

Ukrainian legal system also has a well structured hierarchy of normative acts. Only the Verkhovna Rada is entitled to issue normative acts in the form of laws. They are the highest normative acts in Ukraine. Normative legal acts in Ukraine have different legal validity depending on the law – making subject and the state body which issues it.

The right to adopt laws in Ukraine belongs to the Verkhovna Rada. They have the highest legal force in the state. The Article 92 of the Constitution points out the areas where the relations are governed exclusively by the laws of Ukraine.

According to the Constitution of Ukraine as amended, the President of Ukraine, National Deputies of Ukraine and the Cabinet of Ministers of Ukraine have the rights of the legislative initiative.

The law adopted by the Verkhovna Rada goes to the President for signing. The President signs or returns it with his/her propositions for

repeated consideration. The Verkhovna Rada may overrule the President's veto by the $\frac{3}{4}$ voters of the National Deputies list.

The law comes into force ten days after its official publication, if not otherwise stipulated in the law itself.

The next layer of Ukrainian legislation is secondary legislation. Different normative acts in the form of decrees, resolution, orders etc. issued by the President, the Cabinet of Ministers, the National Bank, ministries and other state agencies are adopted on the basis and in realization of the general provisions of laws.

The President of Ukraine issues decrees (*ukazy*) and directives (*rozporiadzennia*).

The Cabinet of Ministers of Ukraine, within the limits of its competence, issues resolutions (*postanovy*) and directives (*rozporiadzennia*). All the documents produced by the highest state bodies are mandatory for execution by every person on the territory of Ukraine.

In pursuance of the laws of Ukraine, the ministries, state agencies and committees issue resolutions, directives, regulations, instructions and orders that concern their specific sphere of competence.

Ukraine carries out foreign policy activity. It is a member to different international organizations and agreements. International treaties come into force on the consent of the Verkhovna Rada of Ukraine to be binding. Since that moment they become an important part of national legislation. The conclusion of international treaties that contravene the Constitution of Ukraine is possible only after introducing relevant amendments to the Constitution.

All these normative legal acts and international treaties of Ukraine are registered at the Ministry of Justice of Ukraine.

Local state administrations and bodies of local self-government issue resolutions, orders, decisions, etc. to ensure the observance of laws and freedoms of citizens, and the implementation of development programs and regional budgets.

The number of laws increases constantly, which creates the problem of contradictions between them. The imperfectness of Ukrainian legislation lies in its instability, overregulation and complexity of norms.

Grammar exercises

I. Use the verb *to say* or *to tell*.

1. "You ought to be grateful", he _____ her.
2. He _____: "I must talk to your friend."

3. I _____ I would write to him tomorrow.
4. Harris _____ he thought it was a very fine weather.
5. The man _____ he would go and consult his master.
6. Mr. Fox _____ me that you were there!
7. She _____ she would _____ us all about it the next time we met.
8. Billy _____ to me , “ I am going to the library tomorrow’

II. Rewrite the sentences in Reported Speech.

1. “It’s the best trip I’ve been on”, Sally said.
2. I thought: “He is a very clever man, he can help me.”
3. The student said: “ I hope to pass the examination.”
4. Kate said: “I have never been to New York”.
5. “My friend is studying law at the university”, she said.
6. “I’ll never forget it” John said to me.
7. “I’ve found my camera” Scott said.
8. “I didn’t enjoy the film very much”, Bob said.
9. “It’s boiling hot outside”, Jean said.
10. “It’s getting colder and colder”, Ann told us.
11. Jack told his father: “I have lost my notebook.”
12. My friend told me: “We have plenty of time to do our work.”
13. She said: “I shall be very glad to see you.”
14. Nelly said: “Yesterday I went to see Paul, but he was not at home.”
15. “He has gone to Paris”, she said.
16. I said to Peter: “Don’t forget your book.”
17. Mary’s mother said to her: “Don’t go out without your coat”
18. I said to Jack: “Please, give me your dictionary.”
19. The teacher said to the lazy student: “Wake up!”
20. The secretary said: “Please, pass me the paper.”

III. Change the following sentences into Reported Speech.

1. “Do you read English?” he asked me.
2. “Where will they go tomorrow?” she asked me.
3. “Did you see him last evening?” I asked them.
4. The boy asked: “Which way has my brother gone?”
5. Sheila asked Jim: “How often do you go there?”
6. “Can I join the club?” Claire asked Jeff.
7. “Who has taken my pen”, David asked.
8. “What did the lawyer say?” she asked Deanne.

9. Tom asked Bob: "Where does your uncle live?"
10. Margaret asked Richard: "Where are you going for your holidays?"
11. I asked her: "Who gave you that watch?"
12. A man asked his friend: "When did you buy your car?"
13. She asked him: "What are you doing?"
14. The hotel manager asked the visitors: "Did you sleep well?"
15. I asked the old gentleman: "Are you feeling tired?"
16. Jane asked her sister: "Are you hungry or thirsty?"
17. I asked my brother: "Did you throw away the newspaper or keep it?"
18. He asked his guest: "Do you like coffee?"
19. Henry asked Tim: "Who did you visit in the hospital?"
20. The little boy asked his farther: "Why does a policeman wear a uniform?"

IV. Translate into English.

1. Вона часто говорила, що хотіла би побачити Чорне море. 2. Професор сказав, що у лабораторії було зроблено багато дослідів. 3. Він мені говорив, що цікавиться цивільним правом. 4. Вона говорила, що книга їй подобається. 5. Він говорив, що візьме участь у роботі конференції. 6. Ми сказали, що повернемося за годину. 7. Ми їм сказали, що не будемо їх чекати. 8. Вона зізналася в тому, що зробила помилку. 9. Ми спитали, де він придбав словник. 10. Вона мене спитала, чи бачила я колись її брата. 11. Вона сказала, що не може поїхати на екскурсію до Києва.

Unit 10

The Court System of Ukraine

Task 1. Read and memorize the active vocabulary to the text *The Court System of Ukraine.*

Judiciary	судочинство
general jurisdiction	загальна юрисдикція
order	наказ
to issue	видавати
tier	1) ярус; 2) ряд
appellate court	апеляційний суд
litigation	судовий позов
trial	суд, судовий процес
to retire	іти у відставку
to resign	відмовлятися від посади
cases of particular complexity	справи особливої складності
public significance	суспільне значення
principal link	головна ланка
economic courts	господарські суди

Task 2. Read and translate the text, write down all the unknown words.

The Court System of Ukraine

Under the Constitution the judiciary in Ukraine is administered by the Constitutional Court and by the courts of general jurisdiction.

The Constitutional Court has the right to declare unconstitutional any law passed by Supreme Council of Ukraine or any order issued by the President. It consists of 18 judges who are elected by the President of Ukraine, the Verkhovna Rada and the congress of judges.

Courts of general jurisdiction have three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.

The Supreme Court of Ukraine is the highest body of general jurisdiction. It only examines cases of particular complexity of special public significance, and does so either upon its own decision, or upon the initiative of the Procurator – General of Ukraine.

Appellate courts are divided into regional, territorial and military courts of appeals. The courts of appeals review decisions of the district courts within their areas.

At the bottom of the judicial pyramid are the district (town) courts and military tribunals where litigation begins. Most litigation occurs in these courts (97 % of all criminal cases and 99 % of all civil cases are examined in the principal link of Ukrainian judicial system – the courts of districts and towns).

There are also special trial courts that have jurisdiction over certain types of cases. The special trial courts are organized in a system that looks like the system of courts of general jurisdiction with a Supreme Court at the top. The structure is the following: there are district administrative and economic courts, appellate administrative and economic courts, and high appellate administrative and economic courts.

The first appointment to the office of the judge is done by the President of Ukraine. All the other judges except the judges of the constitutional court are elected by the Verkhovna Rada. Judges shall hold office until they die, retire, or resign.

Task 3. Answer the following questions.

1. What courts is the judiciary in Ukraine administered by?
2. Whose privilege is to declare unconstitutional any law passed by Supreme Council of Ukraine?
3. Can the Constitutional Court or the Supreme Court declare unconstitutional any order issued by the President?
4. How many judges does the Constitutional Court consist of?
5. What way are the judges elected?
6. Can you describe the pyramid of courts of general jurisdiction?
7. What are the main functions of the Supreme Court of Ukraine?
8. What body examines cases of particular complexity of special public significance?
9. What may be done upon the initiative of the Procurator-General of Ukraine?
10. Whose decisions do the courts of appeal review within their areas?
11. Where does usually litigation begin?
12. Why are the district (town) courts at the bottom of the judicial pyramid?
13. What kind of courts are considered the special trial courts?
14. Who is the first appointment to the office of the judge done by?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Under the Constitution, the Constitutional court, courts of general jurisdiction, Supreme Council, the congress of judges, public significance, upon the initiative, the Procurator General of Ukraine, courts of appeal, military tribunals.

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

1. The judiciary in Ukraine is administered ... the Constitutional Court.
2. The Constitutional Court consists ... 18 judges.
3. The Supreme Court examines cases of particular complexity ... its own decision.
4. Appellate courts are divided ... regional, territorial and military courts of appeals.
5. The courts of appeals review decisions of the district courts ... their areas.
6. The district (town) courts and military tribunals are ... the bottom ... the judicial pyramid.
7. Special trial courts have jurisdiction ... certain types of cases.
8. The first appointment ... the office ... the judge is done ... the President of Ukraine.

Over, by (2), of (3), on, into, within, at, to

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. За Конституцією України від 28 червня 1996 року однією з трьох гілок влади є судова влада.
2. Судочинство в Україні здійснюється Конституційним Судом та судами загальної юрисдикції.
3. Конституційний Суд дає офіційне тлумачення Конституції та законів України.
4. В Україні існує декілька типів судів: загальної юрисдикції, конституційний, апеляційний та верховний.
5. Система судів загальної юрисдикції (regular courts) складається з районних судів, міських, обласних та Верховного Суду України.
6. Більшість справ вперше слухаються районними міськими судами.

Task 7. Make the following sentences complete by translating the phrases given in brackets.

1. (The only source of law) в Україні є український народ.
2. Державна влада в Україні (is divided) на три гілки: законодавчу, виконавчу та судову.
3. Конституція України регламентує (the activity of different branches of power), а також визначає межі їх повноважень.
4. (Chapter II) of the Constitution of Ukraine (protects the rights of a person and a citizen in Ukraine) від державного втручання.
5. Конституційний Суд має право переглядати нормативно-правові акти гілок влади (executive and legislative) і скасовувати ті з них (which contradict the articles of the Constitution of Ukraine).
6. В Україні існує три основних джерела права. (They are constitutional law, enactments of legislature and administrative regulations).
7. Право є складним явищем соціального життя; (while there exist many ways of defining it), немає жодного поняття, яке б могло б (include every aspect of law.)
8. Конституція України (provides for the protection) особистих прав і свобод.

Task 8. Give synonyms to the words in bold type.

1. At the bottom of the judicial pyramid are the district (town) courts and military **tribunals** where litigation begins.
2. It consists of 18 judges who **are elected** by the President of Ukraine, the Verkhovna Rada and the congress of judges.
3. Courts of general jurisdiction **have** three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.
4. The Supreme Court of Ukraine examines cases of **particular** complexity.
5. Under the Constitution the judiciary in Ukraine **is administered** by the Constitutional Court and by the courts of general jurisdiction.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|-----------------------|---|
| 1. Law | a) is one of the major sources of law; |
| 2. Constitutional Law | b) is the set of values, institutions and concepts that permit civilization to exist and people to live orderly |

- 3. trial
 - 4. Supreme Court
 - 5. Court of Appellate jurisdiction
 - 6. Court of original jurisdiction
- lives;
 - c) the highest judicial court;
 - d) any court proceeding in which an individual seeks a decision;
 - e) the court in which a legal proceeding is first started;
 - f) the court which reviews cases removed by appeal from a lower court;

Task 10. Topics for discussion.

- 1. The role of Constitutional Court in the judicial system of Ukraine.
- 2. Supreme Court of Ukraine and its functions.
- 3. The powers of the appellate courts.
- 4. The structure of courts of Ukraine.

Unit 11

Court System of the USA. Court System of England and Wales

**Task 1. Read and memorize the active vocabulary to the text
*Court Systems of the USA, England and Wales.***

court	суд, склад суду, засідання суду, приміщення суду
custody	утримання під вартою
evidence	докази, свідчення
suspect	підозрюваний
guilty	винний
indictment	обвинувальний акт
to indict somebody	представити обвинувачення
jury	присяжні, суд присяжних
to serve/ sit on a jury	бути членом суду присяжних
juror/ jury member	присяжний
law	закон, право, юриспруденція
defendant	підсудний, відповідач
a criminal court	римінальний суд
a criminal case	кримінальна справа
criminal	злочинець
crime	злочинність, злочин
charge	звинувачення
the courts	судові органи
juvenile	неповнолітній
trial	судовий процес, судовий розгляд
at a trial	на суді
to try	судити
to accuse (of)	обвинувачувати
the accused	обвинувачуваний, обвинувачувані
Supreme Court	Верховний суд
court of appeal/appeals court	касаційний суд
circuit court (U.S.)	окружний виїзний суд
district court (U.S.)	федеральний районний суд
a grave crime	тяжкий злочин
petty crime	дрібний злочин
fine	штраф
legal action/ suit	позов, тяжба
offence	правопорушення, злочин
offender	правопорушник, злочинець

Task 2. Read and translate the text, write down all the unknown words.

Judicial System of the USA and Great Britain

The Supreme Court is the highest judicial organ and the Supreme Court Building is in Washington. The Supreme Court consists of the Chief Justice of the US and eight Associate Justices. They are all appointed by the President and approved by the Senate. The Supreme Court has the right to declare unconstitutional any law passed by Congress or any order issued by the President. This right of veto is widely used to block the passage of any progressive bills. The USA is divided into eleven judicial circuits and each one is served with a Federal Court of Appeals. As a rule the Court of Appeals sits with three judges on the bench. There are about 90 district courts in different parts of the US. The district courts are the lowest ones in the Federal court system. Most of the criminal and civil cases are tried by these courts. The district court is the only Federal court where trials are held, juries are used, and witnesses are called. There are about two hundred district judges in the USA. Cases tried in the district court may be appealed in one of the eleven Courts of appeal and in the Supreme Court. The decision of the Supreme Court is final. In the USA the judiciary is divided into the federal and state judiciary. Jurisdiction of particular courts or judges is determined by either national or state constitutions and laws. The state courts are organized in a system that looks like the system of Federal Courts with a Supreme Court at the top. In most of the states the lowest courts are the magistrates, or police courts.

The most common type of law court in England and Wales is the magistrates' court. There are 700 magistrates' court there.

More serious criminal cases then go to the Crown Court, which has 90 branches in different towns and cities. Civil cases (for example, divorce or bankruptcy cases) are dealt with in County courts.

Appeals are heard by higher courts. For example, appeals from magistrates' court are heard in the Crown Court, unless they are appeals on points of law. The highest court of appeal in England and Wales is the House of Lords. Certain cases may be referred to the European Court of Justice in Luxembourg or to the European Court of Human Rights set up in Strasbourg.

The legal system also includes juvenile courts (which deal with offenders under seventeen) and coroners' courts (which investigate violent, sudden or unnatural deaths).

Task 3. Answer the following questions.

1. What is the highest tribunal in the USA?
2. What is the courts' function?
3. What are various other Federal courts?
4. What were the Courts of Appeal organized for?
5. The District Courts have original jurisdiction in nearly all cases, haven't they?
6. How are judges appointed in the USA?
7. Do you know any special courts in the USA?
8. What are the lowest courts in most of states?
9. What cases do magistrates or police courts try?
10. Has the magistrate the authority to receive a man accused of murder?
11. What are two main reasons for having a variety of courts?
12. What is the division between civil and criminal law?
13. Where does a criminal case usually begin?
14. Where do serious crimes begin?
15. What is the job of the jury?
16. How many jurors are there in a Crown Court?
17. How are jurors elected?
18. Is it necessary for a juror to know anything about the law?
19. What is the judges' responsibility?
20. Why is the contrast between law and fact very important?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalent.

To suspect, a suspect, criminal case, to accuse of, the accused, petty crime, witnesses, a coroner.

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

1. Eight Associate Justices are all appointed ... the President and approved ... the Senate.
2. The right of veto is widely used ... block the passage ... any progressive bills.
3. The USA is divided ... eleven judicial circuits and each one is served ... a Federal Court of Appeals.
4. ... a rule the Court of Appeals sits ... three judges ... the bench.
5. There are ... two hundred district judges ... the USA.

About, by (2), to, of, into, with (2), in, as, on

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. In almost all cases a person seeking justice brings his suit in a state court of the particular state he lives.

2. District courts have been set up in each of the fifty states and the District of Columbia. Each of these courts, as a rule, has jurisdiction over a state or part of a state.

3. The Supreme Court of the USA hears only such cases as it deems necessary to the public interest.

4. The term of court is the period fixed by law for the holding of court sessions. Terms of court may be regular or special.

5. Jurisdiction has been defined as the authority of a court to hear and determine a case.

6. A court of original jurisdiction is one in which a legal proceeding is first started.

7. A court of appellate jurisdiction is one which reviews cases removed by appeal from a lower court.

8. If a litigant feels that justice has not been reached, he may appeal to the court of appeal.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. The decision of the Supreme Court (є остаточним, вирішальним).

2. The state courts are organized in a system that looks like the system (федеральних судів з Верховним Судом) at the top.

3. Judges in federal courts (призначаються довічно).

4. A court is a place where (здійснюється правосуддя).

5. Criminal courts (визначають покарання за злочини).

6. (Цивільні суди) deal with the disputes between separate partners, firms, corporations.

7. A court has the authority (слухати та виносити рішення у справі).

8. A court of law is one which administers justice according to the principles (та норм загального права).

9. A wrong is committed when (право порушується).

10. Civil cases (такі як банкрутство або розлучення) are dealt with in County courts of England and Wales.

11. (Суди у справах неповнолітніх) deal with persons under seventeen.

12. Magistrates' Courts may try the less serious indictable offences (спрощено, без участі присяжних).

Task 8. Give synonyms to the words in bold type.

1. The President has **the right** to approve or veto bills passed by Congress.

2. A member of a Senate is usually **called** a Senator.

3. The Law Commission for England and Wales **consists of** a chairman and four other qualified experts appointed by Lord Chancellor.

4. In almost all cases a person seeking justice brings his **suit** in a state court in the state he lives.

5. Civil Courts **decide** disputes between persons in their private capacity.

6. **A person who is engaged in a lawsuit as a party** may be either a plaintiff or a defendant in civil case.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|----------------|--|
| 1. suspect | a) a formal charge or accusation of a serious crime |
| 2. indictment | b) a person thought to be guilty of a crime |
| 3. jury | c) crimes more serious in nature |
| 4. grave crime | d) a legal decree dissolving a marriage |
| 5. divorce | e) a body of people who give a verdict in a legal case |

Task 10. Topics for discussion.

1. Express your own opinion as to the development of Judicial System in Ukraine, the USA.

2. Peculiarities of British Court System.

3. Compare the three Court Systems and find out similarities and differences.

4. Give your personal attitude towards certain improvements in the Court System of Ukraine in future.

Supplementary tasks

Task 1. Read and translate the text. Write down the unknown words and word expressions. Put 10-15 questions to the text.

The System of Courts in the US

The judicial branch has the responsibility of judging the constitutionality of acts of law.

According to article III of the Constitution "the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish".

There are about 100 Federal courts throughout the country, final authority resting in the United States Supreme Court.

The U.S. Supreme Court is the highest tribunal in the United States. It includes a Chief Justice and eight associate Justices. They are all appointed by the President and approved by the Senate.

Under the Constitution the Supreme Court has original jurisdiction (i.e., it is the court in which proceedings may be brought in the first instance) in cases affecting ambassadors, other public ministers and consuls and cases in which a state is a party. In all other cases coming within the judicial power of the United States, the Supreme Court's jurisdiction is only appellate, and is subject to exceptions and regulations by the Congress.

The Supreme Court cannot alter the Constitution. The Court's function is to interpret the Constitution, not to alter or modify it.

The Supreme Court meets on the second Monday in October for a session which generally extends through to July.

The Supreme Court is made up of lawyers who had long and successful experience before they were appointed to the Court. Not all were justices or lawyers in private practice. A Supreme Court Justice may have been a senator, an Attorney General, a teacher in a law school, or even the administrator of an agency that acts like a court. The typical justice was probably appointed at about the age of fifty, and will live from twenty to forty years on the court. He is therefore likely to be somewhat elderly, and also to have lived in close contact with the political world of the previous generation.

Besides the U.S. Supreme Court there are various other Federal courts, including the district courts and (circuit) courts of appeals.

The Federal courts and the regulating agencies that act somewhat like courts, apply the law to particular cases; but they do some more than that. For the words of the written law cannot be all the law. New cases

arise, and the law must deal with them. Sometimes Congress passes new laws to deal with new cases.

The Courts of Appeal were organized to relieve the Supreme Court of pressure resulting from the accumulation of appellate cases. In general these courts have final jurisdiction over the great mass of litigation not involving constitutional questions. For example, parties from different states have their case heard in a high Federal Court without going to the Supreme Court.

A United States Court of Appeals generally comprises three judges. (The Chief Justice and associate justices of the Supreme Court are authorized to assign additional circuit court judges to such courts as may need them.)

A Court of Appeals accepts the facts sent up to it by the lower courts, and therefore does not need a jury. Its work is to decide on disputed questions of law. As a rule a Court of Appeals sits with three judges together on the bench. This court's principal duty is to protect the Supreme Court from routine cases of no political importance. Its decisions may be so clear and well grounded that the Supreme Court will refuse to go into the question further, in which case the Court of Appeals has stated the supreme law of the land, at least for the exact circumstances of that case.

The inferior courts in the federal system have somewhat less political importance, since their principal duty is to settle routine cases where no constitutional question is at stake. At the ground level are the District Courts with about two hundred district judges scattered over the United States. These courts handle both civil and criminal cases that come under the jurisdiction of the Federal laws. By the Constitution they are required to give a jury trial in all except civil cases involving less than twenty dollars.

The District Courts have original jurisdiction in nearly all cases. That is, they collect the facts. The district court is the only Federal court where trials are held, juries are used, and witnesses are called. Criminal cases are tried by a judge sitting with a jury whose duty is to hear the evidence, the speeches of prosecuting and defending counsel, the remarks of the judge and reach a unanimous decision as to whether the accused is guilty or not of the crime he is charged with (of the crime charged to him). (Under the common law, a trial by jury must consist of twelve persons and their decision must be unanimous. The national government and many states authorize trial by less than twelve in certain cases and a decision by less than a unanimous vote. Generally the jury is to judge of the facts, though

some states permit the jury to determine the law and the punishment as well as the facts.)

Each state has at least one district court; a few have as many as four. District courts are also found in Washington, D.C., and the territories of Puerto Rico, Guam, the Virgin Islands, and Panama Canal Zone. Each court has from one to twenty four judges, depending on the volume of business, but each judge holds court separately. Certain cases are heard by a three-judge panel. All judges are appointed for life terms by the President with the Senate's consent except those serving in territorial courts that have eight years' term.

The bulk of judicial work in Federal courts is conducted by the district courts. About 100,000 cases a year are tried, mostly civil cases involving such matters as admiralty law, bankruptcy proceedings, civil rights, and postal laws.

The parties may appeal the decision either on the ground that the court made an error in concluding the trial, or on the ground that the law is unconstitutional. The appeals go up to the middle layer or Federal courts, the (Circuit) Courts of Appeals.

Outside the three-layer federal court system there are a number of special courts, such as the Court of Claims, the Tax Court, and the Court of Customs and Patent Appeals. The special courts have been established to handle cases that are difficult for a judge to understand unless he devoted his whole time to this one type of problem. The special courts are on a borderline between strictly "judicial" courts and the administrative agencies with practically judicial powers, through which the government regulates certain kinds of business.

In most of the states the lowest courts are the magistrates or police courts, where the judge or magistrate (the justice of the peace) can send a drunk to jail for thirty days, or fine a motorist for speeding, without the aid of jury. Some of the states have special traffic courts, probate courts or other special courts among their courts of small claims. The magistrate (the judge of the lowest court) may also have authority to receive a man accused of murder and decide whether to hold him for trial in a higher court.

Task 2. Read, translate the words into Ukrainian, make up sentences with them.

judiciary	litigation	probate
judicial	jury/juror	attorney
justice	inferior	biased

chief justice	alter	offence / offender
jurisdiction	prosecuting	responsibility
appellate	prosecutor	ambassador
circuit	magistrate	circumstances

Task 3. Explain the meaning of the word combinations.

1. to judge the constitutionality of an act;
2. to alter the Constitution;
3. new cases arise;
4. a great mass of litigation;
5. to accept the facts sent up by the lower courts;
6. to decide on disputed questions of law;
7. to protect the Supreme Court from routine cases;
8. to settle routine cases;
9. where no constitutional question is at stake;
10. to handle both civil and criminal cases;
11. the bulk of individual work;
12. to hold somebody for trial in a higher court.

Task 4. Read, translate and discuss the text with your partner.

English Courts

In all legal systems there are institutions for creating, modifying, abolishing and applying the law. Usually these take the form of a hierarchy of courts and its capacity to make decisions is strictly defined in relation to other courts.

There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions - for example, family courts and juvenile courts. The other is so that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment (although the right of appeal usually depends upon the appellant being able to show certain reasons for his dissatisfaction). The decisions of a higher court are binding upon lower courts. At the top of the hierarchy is a supreme lawmaking body, but the process of taking an action from a lower court to the highest court may be very costly and time-consuming.

In general, the division between civil and criminal law is reflected in this system. The Crown Courts, for example, deal exclusively with criminal matters, the County Courts - with civil. However, the Queen's Bench

Division of the High Court considers appeals from lower criminal courts, as well as civil matters, and the Magistrates Courts, while mostly concerned with criminal cases, also deal with some civil matters. The highest court, the House of Lords, deals with all matters (including appeals from Scottish and Northern Irish courts).

A criminal case usually begins in a Magistrates Court. Having arrested someone suspected of committing a crime, the police decide if they have enough evidence to make a formal accusation, or charge. If they charge the suspect, they may release him on the condition that he appears on a certain date at a certain Magistrates Court. This is known as unconditional bail. However, the police may instead take the suspect to a magistrate so that he remains in custody until he next appears before a court. The magistrate may decide that it is not necessary to hold the suspect in custody and may agree to unconditional bail, or the magistrate may grant conditional bail - that is, release the suspect provided that he puts up some money as security or agrees to surrender his passport or some similar condition. As the lowest criminal court, a Magistrates Court is empowered to hear certain cases only. Some minor cases, such as parking violations, are dealt with only by the magistrates. Some serious crimes, like murder, cannot be heard by the magistrates and must go to the Crown Courts. And there are some offences where the defendant is given the choice of having his case heard in the Magistrates Court or the Crown Court. It takes much longer to have a case heard in the Crown Court, but some defendants prefer it because the facts of the case are decided by a jury, that is, ordinary members of the public.

In a Crown Court trial there are twelve jurors. These are ordinary members of the public between the ages of 18 and 70 who are selected at random. They are not paid but are given expenses while they are on jury service, which is usually for about two weeks. Service is compulsory, and it cannot normally be avoided without a good reason, such as illness. It is not necessary for a juror to know anything about the law - indeed certain people connected with the world of law, such as solicitors, are not allowed to serve as jurors. This is because the job of the jury is to listen to the case and to decide questions of fact. It is the judge's responsibility to guide them on questions of law.

This contrast between law and fact is very important. If a man is on trial for murder, for example, the judge will explain just what the crime of murder means in English law and the prosecution has to prove. He will explain how the trial will be conducted, summarize the evidence, and tell

the jurors what factors they should consider in making their decision. These are questions of law. However, whether the defendant did in fact commit murder or not is a question of fact to be decided by the jurors themselves. It is necessary for at least ten of the twelve to agree.

Task 5. Read and translate the text in written form.

Law and the Legal System

The nature of Law is so complex that a precise definition is difficult to provide. In general law is a set of values, instructions and concepts that permit civilization to exist and people to live orderly lives.

There are dozens of ways to categorize law. The following four-fold classification scheme is proposed: substantive, jurisdictional, governmental and structural. Substantive law deals with human conduct and includes the broad areas known as criminal law and civil law. Jurisdictional law deals with the power of political entities. Governmental law views law in terms of the branch of government – executive, legislative or juridical, that created it. Structural law classifies law by the person, group or institution to which it is addressed.

In the USA there are four major sources of law: Constitutional Law, Statutory Law, Administrative Law and Common Law.

Constitutional law is the supreme law of the land and regulates the different branches of government. Statutory Law is created on the federal, state and local level as administrative regulations and judicial decisions. Administrative regulations are promulgated by government agencies pursuant to power delegated by the legislatures. The common law, or “unwritten law”, is the body of law that originates (emanates) from courts through judicial decisions.

Grammar exercises

I. Change the following sentences into the Passive Voice.

1. My sister teaches English at our University.
2. A famous Hungarian architect built this castle in the sixteenth century.
3. They will not finish their repair work tomorrow.
4. The students are discussing the latest political news during the lunch.
5. We were watching the film “Love Story” yesterday at 9 p.m.

6. The young men had written down their notes long before the break time.

7. Somebody has stolen the old woman's purse.

8. They will have published the book till the end of the year.

II. Find two possible ways of changing every sentence into Passive Voice.

Model: They demonstrated some new films.

1. We were demonstrated some new films.

2. Some new films were demonstrated to us.

1). We will give a bunch of flowers to our teacher.

2). She showed them the way to the railway station.

3). The young actress promised to give us her signature.

4). They offered me a new job in an office.

5). I gave my close friend my favorite book of poetry.

III. Translate the sentences into English using the Passive Voice.

1). Вона доглядала за дітьми влітку.

2). Студенти слухали лекцію професора з великим інтересом.

3). Про цей фільм багато говорять.

4). У мене попросила поради моя подруга.

5). Британська Рада заплатить за нові підручники.

6). Коли дитина захворіла, ми негайно послали за лікарем.

7). Діти спали, світло було вимкнuto.

8). На неї очікували протягом години вчора.

9). Цю подію будуть ще довго обговорювати.

10). Туристів щойно зареєстровано в нашому міському готелі.

IV. Translate the sentences into Ukrainian. Mind which of them are used in Conditional, Suppositional or Imperative Mood.

1. It is desirable that you should sign the document personally.

2. He would write me a letter but he doesn't know my address.

3. Let's go to the library together.

4. It was extremely important that we should both visit this museum.

5. Don't make me so much upset.

6. If you had graduated from the college, you would work at school now.

7. If I should be elected I would be very helpful for you.

V. Make the following sentences refer to the past.

1. If she were attentive, she wouldn't make so many mistakes.
2. She would buy that costume, if she had money with her.
3. If I received any news, I should let you know.
4. Your sister would post your letter if you gave it to her.
5. I should speak English with Nick, if he knew English better.
6. If it were just a mistake, he would certainly forgive it.

VI. Find Ukrainian equivalents of the following proverbs and translate them.

1. If there were no clouds, we should not enjoy the sun.
2. If it were not for hope, the heart would break.
3. If my aunt had been a man, she would have been my uncle.
4. If wishes were horses, beggars might ride.

Unit 12.

English Law

Task 1. Read and memorize the active vocabulary to the text

The History of English Law.

countless systems of law	багаточислені системи права
to arise from	походити, витікати із, виникати з
Roman Law	Римське право
English Law	Англійське право
to be native to	бути притаманним
to spring forth	поширюватись
to take strong doses	прийняти велику частину
to leave the trace	залишили свій відбиток
to affect law	впливати на право
to influence the English Law	впливати на Англійське право
formidable	1. страшний. 2. грізний, великий. 3. значний
to owe	завдячувати
the Assizes	суд асизів, виїзні суди присяжних
a regular mode of trial	звичайний спосіб/порядок судового розгляду
a selected body of men	обрана група людей
to be obliged on oath	бути зобов'язаним під присягою (клятвою)
jury system	жюрі
to become more firmly established	ставати (міцним, стійким) стабільним
trial	слухання (розгляд) справи в суді присяжних
to become compulsory	ставати обов'язковим
the Court of Chancery	суд лорда канцлера
to be established under the Statute	бути встановленим статутом
the Statute of Westminster II	Вестмінстерський статут, закон, який надав нові права суду лорда канцлера
the King's Secretary	королівський секретар
to deal with civil matters	мати справу з цивільними питаннями

Equity	право справедливості
to grow worse	погіршуватись
Common Court of Appeal	загальний апеляційний суд
to tend to	мати тенденцію
fusion	злиття
for convenience	для зручності
to be achieved by smth.	досягати за допомогою чогось
the Judicature Acts	закони про судоустрій
Chancery division	канцлерський відділ (Високого Суду правосуддя Великобританії)
Queen's Bench division	відділення королівської лави (Високого Суду правосуддя Великобританії)
Probate, Divorce and Admiralty Division	відділення (суду) у справах про заповіти, розлучення та морських справ
to be put to rest	покласти кінець
the highest court in the land	найвищий суд в країні
in theory	теоретично
to sit in the House	брати участь в засіданні палати
to take part in appeal	брати участь в апеляції
to hold high judicial office	займати високу судову посаду
felony	фелонія, кримінальний злочин
misdemeanor	провина, судово-караний проступок; проступок, що карається судом
to be punishable with death	каратись смертною карою
public opinion	громадська думка
to cry out against cruelty	виступати проти насильства
capital punishment	смертна кара (найвища міра покарання)
to abolish	відмінювати, скасовувати

Task 2. Read and translate the text, write down all the unknown words.

The History of English Law

In the Western world to-day there are countless systems of law, but broadly speaking, they arise from either of two roots – the Roman Law or the English Law. The English Common Law is native to Britain, but has

sprung forth in the United States, in Australia, New Zealand and most of Canada, whereas Scotland, the Continent and South Africa have all taken strong doses of Roman Law.

It is very curious that the Romans should have left their trace on the English language and landscape, but failed to affect their law.

The next influence on English Law was the formidable William the Conqueror (XI century). The English king Henry II (XII century) influenced the English law greatly. To him England owes the Assizes and the jury system as a regular mode of trial. In its early form the jury was a selected body of men who were obliged on oath “to present” for trial all the people in their district who committed crimes. The jury system became more firmly established and trial by jury became compulsory.

The Court of Chancery was established under the Statute of Westminster II (XIII-th century). The Chancellor was at first the King’s secretary. The Court of Chancery dealt with civil matters in Equity.

Relations between Common Law and Chancery Courts grew worse. After the Napoleonic Wars a new Common Court of Appeal was established. Various acts tended to one thing, the fusion of the courts. This was finally achieved by the Judicature Acts of 1873 and 1875. There was to be one Supreme Court consisting of the Court of Appeal and the High Court. For convenience it was divided into three Divisions – Chancery, Queen’s Bench and Probate, Divorce and Admiralty. The age old struggle between Law and Equity was put to rest.

The highest court in the land to-day is the House of Lords. In theory, any peer sitting in the House may take part in an appeal. It is a custom that only those in the Lords holding high judicial office may do so.

Common Law crimes were divided into two classes: felony (the more serious) and misdemeanor (less grave). All felonies were punishable with death. As public opinion cried out against such cruelty capital punishment was abolished for hundreds of offences, and in 1965 it was abolished altogether.

Task 3. Answer the following questions.

1. What are the two main roots of law in the Western World?
2. When was the capital punishment abolished altogether?
3. Where did the English Common Law spring forth?
4. Which countries took strong doses of Roman Law?
5. Who influenced the English Law greatly in the XI-th century?
6. What court system does English owe to Henry II?
7. What was the jury in its early form?

8. When was the Court of Chancery established?
9. Did the Court of Chancery deal with criminal or civil matters?
10. When was the fusion of the courts achieved?
11. What is the Highest Court of England?
12. What classes were Common Law crimes divided into?
13. When was the Statute of Westminster II adopted?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Law, court, division, punishment, system, trial.

Task 5. Complete the following expressions choosing a suitable preposition; find the best way of expressing them in Ukrainian.

1. arise ... two roots
2. The English Common Law is native ... Britain
3. men who were obliged ... oath
4. Various acts tended ... the fusion of the courts.
5. All felonies were punishable ... death.
6. The Court of Chancery dealt ... civil matters in Equity.
7. The trial ... jury became compulsory.
8. Public opinion cried out ... cruelty.

Task 6. Translate the following text and pay special attention to the underlined words and phrases.

Comparison of Roman and English law

The main differences between the British legal system, called the accusatorial or adversarial system, and the system of some European countries (for example, France), called the inquisitorial system, are that in the accusatorial system the judge acts as an impartial umpire; prosecution and defense each put their case; and the jury decides. In the inquisitorial system the inquiry into the facts is conducted by the judge, who also examines the evidence and interrogates witnesses.

A disadvantage of the accusatorial system is that juries have to decide on the basis of the evidence put in court, which may be limited by rules of evidence. The same evidence would not be hidden under the inquisitorial system, where all evidence must be put forward. But the inquisitorial system does not allow for cross-examination of witnesses, and gives the examining magistrate potentially-oppressive powers. Pleas of guilty are also not allowed.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. The high Court is divided into (три відділення).
2. In England and in the USA the jury system (обов'язкова).
3. The Chancellor was at first (королівським секретарем).
4. The Court of Chancery dealt with (громадськими позовами по праву справедливості).
5. The highest court in England today is (палата лордів).
6. In theory any peer may take part in (розгляді апеляції).
7. Common Law crimes were divided into (два класи: більш серйозні та менш серйозні).
8. Some courts can decide the case (без присяжних)
9. Capital punishment (остаточно скасовано в Англії).
10. Scottish law has taken a lot (з Римського права).

Task 8. Give synonyms to the words in bold type.

1) The new rules **were founded** by the state. 2. The **body** of 12 persons decided the case. 3. The accused **was examined** in a court of law. 4. You can't say that a person **has done wrong** unless you have proved it. 5. The Act of Parliament **separated** the Court into three divisions. 6. He was tried in **the hall of justice**. 7. This crime was punishable with **death**. 8. **The rules** tell the people what they must do and what they must not do. 9. **The prisoner** appealed against the judge's decision. 10. The jurors **were trying** the case. 11. The Romans failed **to influence** English Law. 12. The Court of Chancery **concerned with** civil Matters in Equity. 13. The Courts of Assizes and Quarter Sessions **were cancelled**.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|------------------|--|
| 1. Common Law | a) a non-indictable offense, regarded in the U.S. (and formerly in the UK) as less serious than a felony |
| 2. Law of Equity | b) a crime, typically one involving violence, regarded as more serious than a misdemeanor, and usually punishable by imprisonment for more than one year or by death |
| 3. felony | c) a branch of law that developed alongside common law in order to remedy some of its defects in fairness and justice, formerly administered in |

- special courts
4. misdemeanor d) the part of English law that is derived from custom and judicial precedent rather than statutes. Often contrasted with statutory law
5. court e) involving accusation by a prosecutor and a verdict reached by an impartial judge or jury
6. trial f) a trial or legal procedure in which the judge has an examining or inquiring role
7. accusatorial g) a tribunal presided over by a judge, judges, or a magistrate in civil and criminal cases
8. inquisitorial h) a formal examination of evidence by a judge, typically before a jury, in order to decide guilt in a case of criminal or civil proceedings

Task 10. Topics for discussion.

1. The history of English Law.
2. The sources of English Law.
3. Common Law as “Judgemade Law”.
4. Equity

Supplementary tasks

Task 1. Read and translate the text. Find in the text the equivalents to the words and phrases given below. Discuss the text with the partner.

English Law

English Law is one of the major European legal systems, Roman law being the other. English law has spread to many other countries, including former English colonies such as the USA, Canada, Australia, and New Zealand.

English law has an evolving history dating from the local customs of the Anglo-Saxons, traces of which survived until 1925. After the Norman Conquest there grew up, side by side with the Saxon shire courts, the feudal courts of the barons and the ecclesiastical (church) courts. From the king's council developed the royal courts, presided over by professional judges, which gradually absorbed the jurisdictions (legal powers) of the baronial and ecclesiastical courts. By 1250 the royal judges had amalgamated the various local customs into the system of common law – that is, law common to the whole country. A second system known as equity

developed in the Court of Chancery, in which the Lord Chancellor considered petitions.

In the 17th and 18th centuries common law absorbed the Law Merchant, the international code of mercantile customs. During the 19th century virtually the whole of English law was reformed by legislation; for example, the number of capital offences was greatly reduced.

A unique feature of English law is the doctrine of judicial precedents, whereby the reported decisions of the courts form a binding source of law for future decisions. A judge is bound by decisions of courts of superior jurisdiction but not necessarily by those of inferior courts.

Поширюватись, місцеві традиції, церковні суди, слід (відбиток), судовий прецедент, злочин (що карається смертною карою), право справедливості, повноваження, позов (ходотайство, позовна заява), бути зв'язаним, суд нижчої інстанції, суд вищої юрисдикції.

Task 2. Read the text and translate all the unknown words and word combinations. Make up your own dialogues on the basis of the text.

English Legal System

Law is a body of rules and principles under which justice is administered or order enforced in a state or nation. In Western Europe there are two main systems: Roman law and English law. US law is a modified form of English law.

English law is the legal system of England and Wales, and is the basis of common law legal systems used in most Commonwealth countries and the United States (as opposed to civil law or pluralist systems in other countries, such as Scots law). It was exported to Commonwealth countries while the British Empire was established and maintained, and it forms the basis of the jurisprudence of most of those countries. English law prior to the American revolution is still part of the law of the United States through reception statutes, except in Louisiana, and provides the basis for many American legal traditions and policies, though it has no superseding jurisdiction.

English law in its strictest sense applies within the jurisdiction of England and Wales. Whilst Wales now has a devolved Assembly, any legislation which that Assembly enacts is enacted in particular circumscribed policy areas defined by the Government of Wales Act 2006, other legislation of the U.K. Parliament, or by orders in council given under the authority of the 2006 Act. Furthermore that legislation is, as with any

by-law made by any other body within England and Wales, interpreted by the undivided judiciary of England and Wales.

The essence of English common law is that it is made by judges sitting in courts, applying their common sense and knowledge of legal precedent (*stare decisis*) to the facts before them. A decision of the highest appeal court in England and Wales, the House of Lords, is binding on every other court in the hierarchy, and they will follow its directions. For example, there is no statute making murder illegal. It is a common law crime - so although there is no written Act of Parliament making murder illegal, it is illegal by virtue of the constitutional authority of the courts and their previous decisions. Common law can be amended or repealed by Parliament; murder, by way of example, carries a mandatory life sentence today, but had previously allowed the death penalty.

England and Wales are constituent countries of the United Kingdom, which is a member of the European Union. Hence, EU law is a part of English law. The European Union consists mainly of countries which use civil law and so the civil law system is also in England in this form. The European Court of Justice can direct English and Welsh courts on the meaning of areas of law in which the EU has passed legislation.

Task 3. Complete the text using the proposed words. Discuss the text with the partner.

dealt with, precedents, Continental law, civil disputes, cases, common law, codify, to apply, innocence, judge, common law systems, principle, customs, facts, interpreted, under the authority of

Common law systems

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

Before William of Normandy invaded England in 1066, law was administered by a series of local courts and no law was common to the whole kingdom. The Norman Kings sent traveling judges around the country and gradually a "... developed, ...three common law courts in London. Judges ... both criminal cases and ... between individuals. Although local and ancient ... played their part, uniform application of the

law throughout the country was promoted by the gradual development of the doctrine of precedent.

By this ..., judges attempted ... existing customs and laws to each new case, rather than looking to the government to write new laws. If the essential elements of a case were the same as those of previous recorded cases, then the judge was bound to reach the same decision regarding guilt or If no precedent could be found, then the ... made a decision based upon existing legal principles, and his decision would become a precedent for other courts to follow when a similar case arose. The doctrine of precedent is still a central feature of modern Courts are bound by the decisions of previous courts unless it can be shown that the ... differ from previous cases. Sometimes governments make new laws - statutes - to modify or clarify the common law. But even statutes often need to be ... by the courts in order to fit particular cases, and these interpretations become new precedents. In common law systems, the law is, thus, found not only in government statutes, but also in the historical records of cases.

Task 4. Read and translate the text. Answer the questions to the text given below.

The Common Law and the Law of Equity Peculiarities

An important feature of the common law tradition is equity. By the fourteenth century many people in England were dissatisfied with the inflexibility of the common law, and a practice developed of appealing directly to the king or to his chief legal administrator, the lord chancellor. As the lord chancellor's court became more willing to modify existing common law in order to solve disputes, a new system of law developed alongside the common law. This system recognized rights that were not enforced as common law but which were considered "equitable", or just, such as the right to force someone to fulfill a contract rather than simply pay damages for breaking it or the rights of a beneficiary of trust. The courts of common law and of equity existed alongside each other for centuries, if an equitable principle would bring a different result from a common law ruling on the same case, then the general rule was that equity should prevail,

One problem resulting from the existence of two systems of justice was that a person often had to begin actions in different courts in order to get a satisfactory solution. For example, in a breach (breaking) of contract claim, a person had to seek specific performance (an order forcing the other

party to do something) in court of equity, and damages (monetary compensation for his loss) in a common law court. In 1873, the two systems were unified, and nowadays a lawyer can pursue common law and equitable claims in the same court.

The spread of common law in the world is due both to the once widespread influence of Britain in the world and the growth of its former colony, the United States. Although judges in one common law country cannot directly support their decisions by cases from another, it is permissible for a judge to note such evidence in giving an explanation. Nevertheless, political divergence has produced legal divergence from England. Unified federal law is only a small part of American law. Most of it is produced by individual states and reflects various traditions. 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. Quebec is an island of French law in the Canadian sea of case law. 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.

1. What was the Lord Chancellor?
2. What is an important feature of the common law tradition?
3. Why did Lord Chancellor's court become more willing to modify existing common law?
4. What other law systems and traditions do you know?
5. What form of law has the state of Louisiana?
6. What is the problem resulting from the existence of two systems of justice?
7. What rights did new system of law recognize?
8. How long did the courts of common law and of equity exist alongside each other?
9. When should the equity prevail?
10. What had a person to do in order to get a satisfactory solution?
11. What is the difference between the court of equity and the common law court?
12. What is the result of the two systems unification?
13. What is the spread of common law due to?
14. What many people in England were dissatisfied with?

15. When were the two systems unified?

Task 5. a) Give the Ukrainian equivalents for the following:

b) Make up and act out the stories illustrating the given proverbs.

A fair exchange is no robbery

A fault confessed is half redressed.

Unit 13

Roman Law

Task 1. Read and memorize the active vocabulary to the text *Roman Law.*

B.C. (Before Christ)	до нашої ери
Twelve Tables	дванадцять таблиць
to be erected	бути встановленим
well-to-do	багатий, заможний, забезпечений
patricians and senators	патриції та сенатори
to give juridical advice	давати юридичні поради
consuls	консули
praetor	претор
edict	едикт, указ
to apply the laws	застосовувати закон
censors	цензори
to uphold of mores	підтримування звичаїв
legal questions	правові (юридичні) питання
to pose a question	формулювати (викладати) питання
praetorial edict	преторський указ
to impose	встановлювати, призначати
legal order	правопорядок, правовий порядок
code of law	кодекс, звід (зведення) законів
codification	кодифікація
to unify	об'єднувати, возз'єднувати
Imperial decrees	імператорський указ (наказ)
to crown	вінчати, увінчувати, закінчувати
renewal and revival	відновлення та відродження
public law	публічне право
the law of nations	міжнародне право
to be concerned with	стосуватися, відноситися
legal action	судовий позов, правова дія, судова справа
law of procedure	процесуальне право
to stick a formulae	притримуватись формули
great public trial	великий відкритий судовий процес
akin to	близький, споріднений
to systematize	систематизувати, упорядковувати
the edict of the praetor	указ претора
hereditary law	спадкове право

legal procedure	судочинство, судовий процес
family law	сімейне право
law of obligation	зобов'язальне право
prestige	престиж
provide legal security	надавати правовий захист

Task 2. Read and translate the text, write down all the unknown words.

Roman Law **History of Roman law**

The earliest history of Roman law is lost forever. Rome existed already as an Etruscan town in the eight century B.C. The first known source of Roman law is the Laws of the Twelve Tables from the mid-fifth century B.C., written in early Latin. After the period of the kings two consuls and the Senate governed Rome. Only few people knew something of the law before the Twelve Tables were erected to provide some legal security. Members of well-to-do families, most of them patricians and senators, gave juridical advice when asked for. The Senate itself proposed laws or voted on proposals of the consuls. More is known about the period of the Late Republic (200-30 B.C.). The praetor, one of the Roman magistrates, published each year his edict in which he announced how he would apply the laws. The censors had a legal task, too, the upholding of mores. Legal experts started to write books. Rome had grown already from a tiny city state into a vast reign.

During the Principate great jurists were active, who were sometimes employed by the emperor. Famous among them were Ulpian, Papinian, Paul and Julian. The mysterious Gaius wrote an introductory law book, the Institutes, almost the only completely surviving manual. The letters of governor Pliny show some of the legal questions he posed to the emperor. The praetorial edict became fixed. Emperor Theodosian tried to impose some legal order with his code of law. During the confusing times of the Late Imperium Justinian (early sixth century) tried to unify law by codification on all levels. Imperial decrees were collected and edited into a new Code, followed by later decrees, the Novellae. Justinian also charged a committee with making an anthology of the classical Roman lawyers. To crown his achievement, Justinian decreed a manual of law compulsory for all legal education. His Institutes are written using Gaius' Institutes. The Justinian codification was the starting point for the new study, renewal and revival of Roman law during the Middle Ages.

The structure, character and content of Roman law

Roman law is first and foremost private law, law of and between citizens. In relation to it public law and the law of nations are less important. Roman law is concerned with the relationships between people, their legal actions, and the right they have on goods. Legal persons were in particular the fathers of families, the proverbial *pater familias*. They held great power over their wives, children and slaves. An important element is the law of procedure. The archaic Roman law was characterized by a lot of ritualized legal formulae to which one had to stick as close as possible. In a later phase one is able to choose one or more legal actions, a matter which called for interpretation: which action? Parties ruled their conflicts themselves. A judge only appeared in a final phase of the case. For centuries there were no courts. In the great public trials, like the ones in which Cicero became famous, his role was more akin to that of an orator than to the role of a modern solicitor.

Roman law is remarkable for the detailed yet succinct way one treated cases. One looked principally at things by dealing with concrete or imaginary cases. This casuistic aspect is more important than any systematic view. One did not write a theory of damage, but about a car hitting someone on the Capitol. Of course one has tried to systematize Roman law. The great Roman lawyers treated all kind of cases when writing on several subjects or commenting the edict of the praetor. The real heart of Roman law was hereditary law. Apart from legal procedure, family law, the law of goods, and the law of obligations are the other main areas. The juridical content and level of Roman law is of such a quality that it has deeply influenced directly and indirectly lawyers of all times and places. It brought with it a great prestige because of Roman history.

Task 3. Answer the following questions.

1. What is the first known source of Roman law?
2. Who governed Rome after the period of the kings?
3. Did somebody know something of the law before the Twelve Tables were erected?
4. What were the Twelve Tables erected for?
5. Who gave juridical advice when asked for?
6. How often did the praetor publish his edict?
7. What did the praetor announce in his edict?
8. What legal task did the censors have?

9. What did the mysterious Gaius do?
10. When did Justinian try to unify law by codification on all levels?
11. What Roman law is concerned with?
12. What is less important in relation to Roman law?
13. When did great Roman lawyers treat all kinds of cases?
14. What did Justinian do to crown his achievement?
15. Who held great power over their wives, children and slaves?
16. What was the archaic Roman law characterized by?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

To uphold of mores, code of law, decree, legal actions, law of procedure, edict, great public trial, codification, legal procedure, law of obligation.

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

1. The Roman Law is the law ... ancient Rome from the time of the founding of the city in 753 BC until the fall of the Western Empire in the 5th century AD.

2. In the great public trials, like the ones in which Cicero became famous, his role was more akin ... that of an orator than to the role of a modern solicitor.

3. Roman law is concerned ... the relationships ... people, their legal actions, and the right they have on goods.

4. The term Roman law today often refers ... more than the laws of Roman society.

5. The legal institutions evolved by the Romans had influence ... the laws of other peoples in times long after the disappearance of the Roman Empire and in countries that were never subject ... Roman rule.

Between, with, to (3) , of, on,

Task 6. Translate the following text and pay special attention to the underlined words and phrases.

1. Legal systems in capitalist and pre-capitalist nations were created to reinforce and justify property relations.

2. Legal relations should not be thought of as in any way independent from political relations, which are based on ownership of property.

3. Socialist lawmakers criticized both common law and previous Roman civil law systems for masking their own capitalist ideology in apparently neutral, unbiased institutions.

4. In China, law courts are still primarily regarded as political instruments, used both to control theft and violence and to deal with political opponents.

5. Attempts have been made to codify Chinese law comprehensively, but so far there has been little progress.

6. Even before the rejection of their traditions, the foreign countries had started to allow an increase in civil law cases, and a long process of revising existing civil and criminal codes had begun.

7. As separatist movements grew in many parts of the world, there was also development in Constitutional law, with some questioning the legality of their obligations to the central government.

Task 7. Make the following text complete by translating the phrases in brackets.

Continental Systems

Continental systems are sometimes known as (кодіфікована правова система). They have resulted from attempts by governments to produce a set of codes to (керувати) every legal aspect of a citizen's life. Thus it was necessary for the (законодавець) to speculate, quite comprehensively about (людська поведінка) rather than simply looking at previous cases. In codifying their legal systems, many countries have looked to the examples of Revolutionary and Napoleonic France, whose legislators wanted to break with previous (прецедентне право), which had often produced corrupt and biased judgements, and to apply new egalitarian social theories to the law. Nineteenth century Europe also saw the decline of several multi-ethnic empires and the rise of nationalism. The lawmakers of new nations sometimes wanted to show that the (юридичні права) of their (громадян) originated in the state, not in (місцеві звичаї), and thus it was the state that was to make law, not the courts. In order to separate the roles of the (законодавчої та судової влади), it was necessary to make laws that were clear and comprehensive. The lawmakers were often influenced by the model of the (канонічного права) of the Roman Catholic Church, but the most important models were the codes produced in the

seventh century under the direction of the Roman Emperor Justinian. His aim had been to eliminate the confusion of centuries of inconsistent lawmaking by formulating a comprehensive system that would entirely replace existing law. Versions of (Римського права) had long influenced many parts of Europe, including the case law traditions of Scotland, but had little impact on English law.

It is important not to exaggerate the differences between these two traditions of law. For one thing, many (систем прецедентного права), such as California's, have areas of law that have been comprehensively codified. For another, many countries can be said to have belonged to the Roman tradition long before codifying their laws, and large uncodified - perhaps uncodifiable - areas of the law still remain. French (публічне право) has never been codified, and French courts have produced a great deal of case law in (тлумаченні) codes that become out of date because of social change. The clear distinction between legislature and judiciary has weakened in many countries, where courts are able to challenge the (конституційна законність) of a law made by (парламентом).

Task 8. Change the sentence by choosing appropriate synonyms to the words in bold type.

The Law of Rome

As a legal system, Roman law **has affected** the development of law in most of Western civilization as well as in parts of the East.

The term Roman law today often refers to more than the laws of Roman society. In a large part of Germany, until the adoption of a common code for the whole empire in 1900, the Roman law **was in force** as “subsidiary law”; that is, it **was applied** unless excluded by contrary local provisions. Its basis was indeed the Corpus Juris Civilis – the codifying legislation of the emperor Justinian I – this legislation had been interpreted, developed, and adapted to later conditions by generations of **jurists** from the 11th century onward and had received additions from non-Roman sources. Roman law was first truly realized with **an attempt** at codification.

Roman law concerned itself with **matters** of succession (who was to inherit what), obligations (including contracts, such as loans, **entered into** by individuals), property and possessions, and persons (which included family, slaves, and citizenship). In the early period, near-absolute power (*patria potestas*) was retained by the *paterfamilias*, the landowner and head of the household. It was he who **legally** owned all the property (including

slaves), even what property would normally be thought of as belonging to his wife or children. A daughter **remained** under her father's power until she might decide (or have it decided for her) to marry; **thereafter** she would be put under her husband's power. In time, many of the **harsher** aspects of this system were mitigated, but much remained until the very end.

Valid, to influence, to use, try, lawyers, to undertake to bind, questions, to stay, by law, unpleasantly rough, after that time

Task 9. Match the words on the left with their definitions on the right.

- | | |
|----------------|---|
| 1. promulgated | a) a native registered or naturalized member of a state, nation, or other political community. |
| 2. landowner | b) a former title of the pagan high priest at Rome, later used of popes and occasionally of other bishops, and now confined exclusively to the pope |
| 3. pontiff | c) a person who owns land, esp. a large amount of land |
| 4. patrician | d) a monarch who rules or reigns over an empire |
| 5. emperor | e) a member of the hereditary aristocracy of ancient Rome. In the early republic the patricians held almost all the higher offices. |
| 6. slave | f) a person versed in the science of law, esp. Roman or civil law;
a writer on legal subjects |
| 7. jurist | g) a person who is the legal property of another and is forced to obey them |
| 8. citizen | h) put into effect (a law, decree, etc.), esp by formal proclamation |

Task 10. Topics for discussion.

1. The history of Roman Law.
2. The sources of Roman Law.
3. The importance of Twelve Tables
4. The advantages and disadvantages if Roman Law contrasted to English Law.

Supplementary tasks

Task 1. Translate the following sentences.

1. Codified legal systems have resulted from attempts by governments to produce a set of codes to govern every legal aspect of a citizen's life.

2. The legislators wanted to break with previous case law, which had often produced corrupt and biased judgements.

3. They wanted to apply new egalitarian social theories to the law.

4. Nineteenth century Europe saw the decline of several multi-ethnic empires.

5. The lawmakers wanted to show that the legal rights of their citizens originated in the state, not in local customs.

6. It was necessary to make laws that were clear and comprehensive.

7. His aim had been to eliminate the confusion of inconsistent lawmaking by formulating a comprehensive system that would entirely replace existing law.

8. Versions of Roman law had long influenced many parts of Europe, but had little impact on English law.

9. Some states in the USA have areas of law that have been comprehensively codified.

10. Many countries can be said to have belonged to the Roman tradition.

11. Courts have produced a great deal of case law in interpreting codes that become out of date because of social change.

12. The clear distinction between legislature and judiciary has weakened in many countries.

13. The courts are able to challenge the constitutional legality of a law made by parliament.

14. Codifiers of German law aimed at conserving customs and traditions peculiar to German history.

Task 7. Ask questions about the text. Answer them using: *as far as I know; his aim was to; in order to; it is important (not) to; for one thing.. for another; despite this; while adopting some ideas..; they aimed at..; to conserve customs and traditions..*

Task 8. Translate the following word combinations. Use them in sentences of your own.

To exaggerate facts; to eliminate the confusion; to formulate a comprehensive system; to have little impact on English law; peculiar to Ukrainian history.

Task 9. Write out all the legal terms from the following text and explain their meaning (or translate them into Ukrainian). Make up the sentences of your own.

Task 10. Entitle the text. Read, translate and retell it. Make a written translation of the first paragraph.

Task 11. Make up the dialogues on the basis of the following text.

Roman law

The Roman law is the law of ancient Rome from the time of the founding of the city in 753 BC until the fall of the Western Empire in the 5th century AD. It remained in use in the Eastern, or Byzantine, Empire until 1453. As a legal system, Roman law has affected the development of law in most of Western civilization as well as in parts of the East. It forms the basis for the law codes of most countries of continental Europe and derivative systems elsewhere.

The term Roman law today often refers to more than the laws of Roman society. The legal institutions evolved by the Romans had influence on the laws of other peoples in times long after the disappearance of the Roman Empire and in countries that were never subject to Roman rule. To take the most striking example, in a large part of Germany, until the adoption of a common code for the whole empire in 1900, the Roman law was in force as “subsidiary law”; that is, it was applied unless excluded by contrary local provisions. This law, however, which was in force in parts of Europe long after the fall of the Roman Empire, was not the Roman law in its original form. Although its basis was indeed the Corpus Juris Civilis – the codifying legislation of the emperor Justinian I – this legislation had been interpreted, developed, and adapted to later conditions by generations of jurists from the 11th century onward and had received additions from non-Roman sources. Roman law was first truly realized with an attempt at codification. The Twelve Tables were promulgated about 451– 450 BC to collect and make known rulings and procedures that had hitherto been confined to the pontiffs members of the ruling patrician class. Erected in the Roman Forum on tablets of wood or bronze, the law – public and sacred, private and criminal – was now in effect public property and could be appealed to by any Roman citizen. The importance of the Twelve Tables was such that even obsolete rules went unrepealed until Justinian's recodification of all Roman laws in the 6th century AD.

Roman law concerned itself with matters of succession (who was to inherit what), obligations (including contracts, such as loans, entered into

by individuals), property and possessions, and persons (which included family, slaves, and citizenship). In the early period, near-absolute power (*patria potestas*) was retained by the *paterfamilias*, the landowner and head of the household. It was he who legally owned all the property (including slaves), even what property would normally be thought of as belonging to his wife or children. A daughter remained under her father's power until she might decide (or have it decided for her) to marry; thereafter she would be put under her husband's power. In time, many of the harsher aspects of this system were mitigated, but much remained until the very end.

Task 12. Discuss the text with the partner.

Task 13. Are you good at translating English proverbs into Ukrainian? Prove it. Make explanatory notes of each proverb in writing.

Law governs man, reason the law.

Abundance of law breaks no law.

Every land has its own law.

Custom rules the law.

So many countries so many customs.

The more laws the more offenders.

There is no law for the rich and another for the poor.

Grammar exercises

I. Translate the following sentences into Ukrainian paying attention to the Infinitive.

1. The law presumes the accused not to be guilty until his guilt has been proven.

2. To inform the defense of witnesses whose evidence may help the accused and whom the prosecution does not propose to call is a job of the prosecution.

3. To have made the same mistake twice was unforgivable.

4. He was the only one to be imposed a sentence of imprisonment.

5. The prosecutor is satisfied to have been working at this case with Mr. X during the trial.

6. The jury was directed to follow the instructions on the relevant law.

7. The defendant is satisfied to have been hearing witnesses during the trial.

8. The accused appeared to be living in the area.

9. They thought that law to have been abolished in that country.

10. The arbitration is to be held in London.
11. We knew her to become a professional lawyer.
12. The trial is expected to begin in two hours.
13. The bandit was seen to enter the house.
14. He was made to lie to the procurator while testifying on this case.
15. Nowadays, it is quite acceptable for women to go to pubs without company.
16. The police know he is guilty, but they don't have enough evidence to prosecute.
17. A thief who secretly goes into someone's house to steal things is the burglar.
18. With this equipment the police can trace a phone call in just a few seconds.
19. She told him to leave, and threatened to call the police if he didn't go.
20. It is the major function of the Constitution of the newly-independent Ukraine to put limitations on the power of government, both central and local, to interfere with individual liberties and economic freedoms of individuals, groups and institutions.
21. Law is complex phenomenon of the social life; while there exist many ways of defining it, there are no single concept which could possibly include every aspect of law.
22. The jury is legally qualified to decide whether the defendant is guilty or not guilty.
23. The prosecution was satisfied to have informed the defense about having important evidence.
24. The police were sure he committed this crime, but they didn't prove it.

II. Please choose the most suitable verb form in each sentence.

1. John expects ... studying law next semester.
a) beginning; b) to begin; c) to have begun
2. It would be a crime ... any more trees.
a) cutting down; b) to cut down; c) to have cut down.
3. Let me ... you advise concerning this case.
a) give; b) to give; c) giving; d) had given
4. We had better ... to convict the innocent person.
a) to stop; b) is stopping; c) stop; d) to stopping

5. The investigator looked for evidence everywhere but couldn't ...
it.

a) to find; b) find; c) finding; d) found

6. The lawyers are satisfied ...at the problem of eliminating loose
expressions in the law under discussion.

a) to work; b) to have been working; c) to have worked

7. The judge asked the witness ...louder.

a) testifying; b) to be testified c) to testify

8. Mr. Black is glad ...“not guilty”.

a) to be found; b) to find; c) has been found

9. The defendant prefers ...at once.

a)to be discharged; b) to discharge; c) discharging

III. Make up the sentences with the following parts.

1. a verdict / of the jury/ is enough /A simple majority/ to reach.
2. her/ to plead guilty/ advised / Her lawyer/.
3. She tried/ was innocent /to convince them /that she.
4. to be helping/ The jury/ the judge is ready.
5. custody/ last resort/ To use/ is /a sanction of /.
6. him / too young / is / to arrest/The person.
7. is /The person/ to be tried/ unfit.
8. to/ discovered /safe/ the/ how /He/ open.
9. the accused/ The witnesses/ to help were glad.
10. He/ to kill/ without /his / is said/ any doubt/ wife.
11. It is/ alcohol / to sell/ an offence/ under 18/ to people.
12. law questions/ The judge/ to decide/ is qualified.
13. The new/ to police corruption/ government/ to put a stop/
promised.
14. the crime/ have not been able / The police/ to solve.
15. encouraged/ The solicitor/ to appeal/ me/ to try/ again.
16. government regulation of/ is difficult / economics/ The nature of/
to define.

IV. Make up your own sentences with the underlined models using different Infinitive forms.

1. The defendant **appeared** to have been waiting a long time.
2. The lawyers **were glad** to have been invited to train law students.
3. He **hoped** to be earning his living in a year's time.
4. We **had better** go home late at night.

5. The police **let** him go after examining all the evidence.
6. The burglars **made** him give them his purse.
7. The bandits **threatened** to murder the whole family.
8. The police **can** trace a phone call in just a few seconds.
9. I **heard** her cry in the dark street.
10. They **promised** not to say lie at the trial.
11. The solicitor **is satisfied** to be helping in preparing the case of fraud.

V. Translate the following sentences into English using Infinitive and Infinitive Constructions.

1. Защищати суспільні інтереси, карати злочинця та утримувати його від подальших правопорушень – це обов’язок суду.
2. Робота судді полягає у тому, щоб вирішувати питання права (правосуддя).
3. Він любить читати юридичну літературу іноземною мовою в оригіналі.
4. Існують різні методи покарання правопорушників.
5. Для того, щоб зрозуміти питання юрисдикції Верховного суду, він вивчив велику кількість юридичної (правової) та історичної літератури.
6. Злочинець хотів, щоб його адвокат прийшов у неділю.
7. Він бажає щоб справа була розглянена негайно.
8. Я б хотів щоб його заарештували.
9. Я люблю коли люди говорять правду.
10. Я бачив як поліція заарештувала злодія, який проник у будинок.
11. Ми помітили, що суддя з’явився у судовій залі.
12. Чи ви чули як він дає свідчення?
13. Я бачив як пістолет поклали в машину.
14. Я чув як його ім’я згадували під час судового розгляду.
15. Я вважаю що підсудний не скоював цей злочин.
16. Я вважаю, що його посадять у в’язницю.
17. Я думаю, що вони чесні люди.
18. Я знаю, що вони праві.

Unit 14

Law. Types of Law in Ukraine, Great Britain, and the USA.

Task 1. Read and memorize the active vocabulary to the text

Law. Functions of Law. Classification of Laws.

standard	норма, стандарт
application	застосування
to impose a penalty	накладати (призначати) покарання
to enforce	1) проводити в життя (закон) 2) спонукати, примушувати 3) підсилювати
to maintain order	підтримувати порядок
to facilitate	полегшувати, сприяти, допомагати
to promote	сприяти
to subdivide	поділяти(ся); підрозділяти
substantive law	матеріальне право
procedural law	процесуальне право
to distinguish	розрізняти, відокремлювати
to set out	встановлювати, виставляти напоказ
judgement	судове рішення, вирок
distinction	відмінність
harmful	шкідливий, згубний
breach	порушення(закону)
subdivision	підрозділ
law of contract	договірне право
law of torts	деліктне право
maritime law	морське право
ecclesiastical law	церковне право
to treat with	мати справу
frame	структура
adoption	усиновлення
separation	юр. роздільне життя подружжя
paternity	батьківство; походження по батьку
custody	опіка
support	підтримка
wrong	правопорушення
negligence	недбалість, халатність
malicious prosecution	зловмисне судове переслідування

defamation	наклеп, обмова, дифамація
public nuisance	порушення громадського спокою
to apply (to)	застосовувати; стосуватися
employment	зайнятість, робота
remuneration	заробітна плата, винагорода
trade union	профспілки
disability insurance	страхування на випадок втрати непрацевдатності

Task 2. Read and translate the text, write down all the unknown words.

Law. Classifications of Law

The Law is a set of principles, rules and standards of conduct

- that have general application in the society
- that have been developed by an authority for that society, and
- for the violation of which the society imposes a penalty.

The basic functions of law are

- keeping the peace,
- enforcing standards of conduct and maintaining order,
- facilitating planning,
- and promoting social justice.

There are many ways to subdivide the law. One way is to distinguish between *substantive law and procedural law*.

Substantive law sets out the rights and duties governing people as they act in society. Duties tend to take the form of command "Do this" or "Don't do this". Substantive law also establishes rights and privileges, for example a freedom of speech or the so-called right of self-defence.

Procedural law establishes the rules under which the substantive rules of law are enforced. Rules as to what cases a court can decide, how a trial is conducted, and how a judgment by a court is to be-enforced are all part of the procedural law.

Another important distinction is between *criminal law*, concerned with wrongful acts harmful to the community, and *civil law*, concerned with individuals' rights, duties and obligations towards one another. *Criminal law* defines breaches of duty to society in large. Private duties owed by one person (including corporations) to another are established by *civil law*. The main subdivisions of civil law are: law of contract, family

law, law of torts, constitutional and administrative law, industrial, maritime and ecclesiastical law.

Constitutional law is a branch of the public law of a nation or a state which treats with the organization, powers, frame of government, the distribution of political and governmental authorities and functions, the fundamental principles which are to regulate the relations of government and citizen.

Family law is a body of law regulating family relationships, including marriage and divorce, the treatment of children, and economic issues. It is also concerned with such subjects as adoption, separation, paternity, custody, support and child care.

Law of Torts includes wrongs, such as negligence, defamation, malicious prosecution and nuisance.

Labour law is the varied body of law applied to such matters as: employment, remuneration, conditions of work, trade unions, and industrial relations. The term includes social security and disability insurance as well.

Maritime or Admiralty law is a body of legal rules that governs ships and shipping.

Administrative law is the legislative requirements, typically for businesses, issued by government agencies in published regulations.

Task 3. Read the text with the proper pronunciation of the words and intonation. Remember that your reading time is not more than 3 minutes.

Task 4. Answer the following questions.

1. How do you understand the term 'law'?
2. What functions does law perform?
3. What classifications of law do you know?
4. What does substantive law set out?
5. What for do the duties tend to take?
6. What kinds of rules does procedural law establish?
7. What distinction exists between criminal and civil law?
8. What breaches does criminal law define?
9. What duties are established by civil law?
10. What subdivisions of civil law are you familiar with?
11. What does constitutional law deal with?
12. What relations does family law regulate?
13. What wrongs does law of torts include?

14. What matters does the term labour law include?
15. What questions does admiralty law deal with?

Task 5. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Law, society, body, to include, to establish

Task 6. Fill in the blanks with the appropriate preposition from the list below.

In, into, for, to (x2), out.

1. The President of this company usually sets ... his ideas absolutely clearly in his speeches.
2. Every political community, and thus every national state, has a constitution, at least in the sense that it operates its important institutions according ... some fundamental body of rules.
3. Criminal law defines breaches of duty to society ... large.
4. Everything I have said doesn't apply ... you.
5. Family law is divided ... public and private cases.
6. In economic affairs, tort law provides remedies ... businesses that are harmed by the unfair and deceptive trade practices of a competitor.

Task 7. Translate the following sentences.

1. Admiralty law is a distinct body of law which governs maritime questions and offenses and deals with matters including marine commerce, marine navigation, shipping, sailors, and the transportation of passengers and goods by sea
2. Family law is an area of the law that deals with family-related issues and domestic relations including: the nature of marriage, civil unions, and domestic partnerships; issues arising throughout marriage, including spousal abuse, legitimacy, adoption, surrogacy, child abuse, and child abduction the termination of the relationship and ancillary matters including divorce, annulment, property settlements, alimony, and parental responsibility orders.
3. Criminal law, or penal law, is the body of rules that defines conduct which is prohibited by the state because it is held to threaten, harm or otherwise endanger the safety and welfare of the public, and that sets out the punishment to be imposed on those who breach these laws.

4. Civil law is a legal system inspired by Roman law, the primary feature of which is that laws are written into a collection, codified, and not (as in common law) determined by judges.

5. Canon law is the body of laws and regulations made by or adopted by ecclesiastical authority, for the government of the Christian organization and its members and the way that such church law is legislated, interpreted and at times adjudicated varies widely among three bodies of churches Catholic Church, Orthodox Church and the Anglican Communion of churches.

6. The law of torts serves four objectives

- it seeks to compensate victims for injuries suffered by the culpable action or inaction of others;
- it seeks to shift the cost of such injuries to the person or persons who are legally responsible for inflicting them;
- it seeks to discourage injurious, careless, and risky behavior in the future and at last
- it seeks to vindicate legal rights and interests that have been compromised, diminished, or emasculated.

Task 8. Make the following sentences complete by translating the phrases in brackets.

1. Law is (набір правил чи норм поведінки) which mandate, proscribe or permit specified (відносини між людьми та організаціями); as well as punishments for those who do not follow the established rules of conduct.

2. Labour law arose due to the (потреб робочих у кращих умовах праці), the right to organize, and the simultaneous demands of employers to (обмежити повноваження організацій робітників).

3. As law is a system of rules and guidelines, usually enforced through a set of institutions, (воно формує політику, економіку та суспільство численними способами) and serves as a social mediator of relations between people.

4. Constitutions may be (писані або неписані), they may be (складні чи прості), they may provide for vastly different patterns of governance.

5. The party in force has proposed a new law (щоб захистити людей) from being evicted unfairly.

6. Commercial law is a body of law (яке розглядає ділові та комерційні угоди).

Task 9. Complete the following.

1. There are four different classifications of law that are found around the world (матеріальне право проти процесуального права, публічне проти приватного, кримінальне проти цивільного та країни, де застосовується загальне право і країни, де застосовується цивільне право).

2. Some functions of law include: (збереження миру; перевірка повноважень уряду та сприяння особистій свободі; сприяння плануванню та реалізація поміркованих сподівань; сприяння економічному зростанню завдяки вільній конкуренції; сприяння соціальному правосуддю; та захист навколишнього середовища.)

3. One of the ways of summarizing the difference between substantive and procedural is as follows: (матеріальні норми права визначають права та обов'язки в той час як процесуальні норми забезпечують механізм посилення цих правил та обов'язків.)

4. Civil law is subdivided into (договірне право, сімейне право, конституційне право, адміністративне право, морське, церковне та інші права).

5. Ukrainian law is commonly divided in the following areas (публічне право, приватне право, міжнародне право, кримінальне право, цивільне право, конституційне, адміністративне та ін.).

6. The main differences between civil and criminal law in the USA concerns such questions as (сторона, яка подає позов; поняття покарання; ефект покарання; тягар доказів; захист для кримінальних обвинувачуваних; незнання закону не звільняє від відповідальності).

Task 10. Change each sentence by choosing an appropriate synonym from the list below for the underlined words. Make grammar changes if it is necessary.

To violate, society, conduct, norm, delict, maritime

Law is a set of principles and regulations established in a community by some authority and applicable to its people, whether in the form of legislation or of custom and policies recognized and enforced by judicial decision.

The role of law in society is to be the keeper of order and set rules that all individuals are expected to follow, so that there can not only be a consensus on what is right and wrong, but also so there can be a decision on when to punish someone and how to determine whether they have broken the law.

Laws regulate social behaviour, which leads to a society that runs efficiently.

Laws also supply ethical standards and expectations, while providing rules of conduct, measures to enforce those rules, and are means for settling disputes.

A tort is a wrong that involves a breach of a civil duty owed to someone else.

Admiralty law is distinguished from the Law of the Sea, which is a body of public international law dealing with navigational rights, mineral rights, jurisdiction over coastal waters and international law governing relationships between nations.

Task11. Match the words on the left with their definitions on the right. Use them in your sentences of your own.

- | | |
|----------------|--|
| 1) negligence | a) the condition of being unable to perform a task or function because of a typical or mental impairment |
| 2) adoption | |
| 3) defamation | b) an association of employees formed to improve their incomes and working conditions by collective bargaining with the employer or employer organizations |
| 4) custody | c) taking a child into one family as a relation, esp. as a son or a daughter, with legal guardianship |
| 5) disability | d) a civil wrong whereby a person or party is in breach of a legal duty of care to another which results in loss or injury to the claimant |
| 6) trade union | e) the injuring of a person's good name or reputation |
| | f) the act of keeping safe or guarding, esp. the right of guardianship of a minor |

Supplementary tasks

Task 1. Read and translate the text in written form into Ukrainian.

There are four different classifications of law that are found around the world.

1. **Substantive of laws vs. Procedures of laws** – Substantive of law is the substance that makes up a law. It is the meaning of a law that explains what you can and cannot do. For example the law states that

you cannot murder another human being unless it was in self defense, you were under duress, or if you were drugged by another person. Unlike substantive of law, procedures of laws are just the steps that must take place when filing a lawsuit against another party.

2. **Public vs. Private Law** – Public law simply means that the government is involved. Public law is any law that has to do with the constitution and the public. This type of law normally involves a criminal suit were the government is prosecuting a citizen for a crime they allegedly committed. Private laws are laws that do not involve the government, and are laws that allow one private entity to sue another private entity in a civil lawsuit.

3. **Criminal vs. Civil Law** – Criminal law was created to protect the public from the government or from themselves. Criminal laws were created so that the government could not prosecute individuals without due process and so that the public could protect themselves from each other. Civil law are cases where one or both parties are looking for compensation instead of jail time. Civil law covers anything that criminal law does not cover in the court system.

4. **Common vs. Civil law countries** – Common law countries prosecute with the concept of "Stare Decisis" meaning, let the decision stand. This means that these countries such as the United States of America make decisions based on precedent. These countries are case law countries and look at how past cases were decided and use that in the decision process when prosecuting. Unlike common law countries, civil law countries do not rely on precedent but instead prosecute lawsuits on a case to case basis without looking at how past cases had been decided.

Task 2. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text. Discuss with your partner the main items of the text.

Ukrainian law is commonly divided in the following areas:

- Public law
- Private law
- International law

These areas of the legal system are further subdivided into:

- Civil law (including Family law, Inheritance law, Contract law and Commercial law, Law of Obligations, Property law, Intellectual property law, Companies law, Land law, Tort law)

- Criminal law, Penal law
- Constitutional law (including laws on the structure of the state)
- Administrative law
- International law

Civil law regulates the everyday life of persons and other legal entities, such as corporations. The main code of Ukrainian civil law is the *Civil Code of Ukraine*. It comprises provisions governing ownership, intellectual property rights, contracts, torts, obligations, inheritance law, and the definition of legal entities. The Code introduces new types of business contracts into the legal practice, including factoring, franchising, rent service, and inherited contracts. Civil litigation is governed by *The Civil Procedural Code of Ukraine*.

Criminal law deals with the prosecution and punishment of criminal offenses. The *Criminal Code of Ukraine* contains the written criminal laws of Ukraine.

There is no capital punishment in Ukraine. The maximum criminal punishment is life imprisonment, which can be reduced by decree of President of Ukraine to 25 years of imprisonment after 20 years of sentence service. The Parliament of Ukraine has the power of amnesty for prisoners not serving life sentences citation needed. Criminal proceedings, investigation, and court examination in criminal trials are regulated by *The Criminal Procedural Code of Ukraine*.

Constitutional law considers the constitution and the structure of Ukraine. It regulates the powers of democratic institutions, the organization of elections and the divisions of powers between central and local government. Only the Constitutional Court of Ukraine is allowed to determine the constitutionality of laws created by the legislature.

Administrative law is the area of law that regulates the operation of the various levels of government and the way in which persons and legal entities can appeal decisions of the government. The main code of Ukrainian administrative law is *The Administrative Code of Ukraine*.

International law involves the application of international laws (mostly laid down in treaties) in Ukraine. International agreements, ratified by the Parliament of Ukraine, are a part of Ukrainian legislation. The Constitution of Ukraine allows the direct application of most international laws in Ukrainian courts. If an international agreement of Ukraine prescribes rules other than those set by the Law of Ukraine, the rules of that international agreement shall apply. Laws regulating jurisdiction with an

international aspect (e.g. because parties come from different countries) are not part of international law but form a specific branch of civil law.

On September 2005, the Law of Ukraine *On Private International Law* was enacted. The Law sets the procedure for the regulation of private legal relations which are subject to other legal systems in addition to that of Ukraine.

Commercial law: *The Commercial Code of Ukraine* describes the details of compliance with the Constitution of Ukraine clauses for commercial activity. The Code regulates the fundamentals of commercial activity, including business entities, property basis, responsibility for violations, peculiarities of legal regulation, and foreign commerce.

Task 3. Topics for discussion.

1. Give the definition of *law* and speak on the main functions of law.
2. The main ways to classify the law.
3. The difference between substantive law and procedural law.
4. The distinction between criminal and civil law.
5. Dwell on the main subdivisions of civil law.
6. Compare the classification of law in Ukraine and Great Britain.

Task 4. Read the text and speak on the main differences between Civil and Criminal Law in the USA. Check the meaning of the words in bold.

Differences between Civil and Criminal Law in the USA

Criminal law is much better known to laymen than civil law, as a result of journalists' reports of famous criminal trials. People often misapply principles from criminal law to situations in civil (e.g., tort) law, which results in their misunderstanding. That's why it is necessary to compare and contrast criminal and civil law.

In civil law, a private party (e.g., a corporation or individual person) **files the lawsuit** and becomes the **plaintiff**. In criminal law, the **litigation** is always filed by the government, who is called the **prosecution**.

Punishment

One of the most fundamental distinctions between civil and criminal law is in the notion of **punishment**.

In criminal law, a **guilty defendant** is **punished** by either (1) **incarceration** in a **jail** or **prison**, (2) **fine** paid to the government, or, in exceptional cases, (3) **execution** of the defendant: the **death penalty**. Crimes are divided into two broad classes: **felonies** have a maximum

possible **sentence** of more than one year incarceration; *misdemeanors* have a maximum possible sentence of less than one year incarceration.

In contrast, a defendant *in civil litigation* is *never* **incarcerated** and never **executed**. In general, a losing defendant in civil litigation only **reimburses** the plaintiff for **losses** caused by the defendant's behavior.

Effect of punishment

The notion that the threat of punishment will **deter criminal conduct** is based on the principle that human beings are rational. In practice, **criminals** are either impulsive (i.e., *not* rational) or believe that they will not be caught by the police. Therefore, the threat of punishment does *not* deter criminal conduct, as one is reminded every day by reading reports of journalists.

Legal theory considers the possibility of loss of freedom (i.e., incarceration) as much more serious than merely paying damages to an injured plaintiff. As a result of this high value placed on personal freedom, legal dogma is that criminal litigation is more serious than civil litigation; therefore criminal defendants have more rights and protections than civil defendants. The economic reality is that most people would prefer to spend, for example, one year in prison, than pay a million dollars from their personal assets.

Burden of proof

In criminal litigation, the **burden of proof** is *always* on the state. The state must **prove** that the defendant is guilty. The defendant is *assumed* to be **innocent**; the defendant needs **to prove** nothing. (There are exceptions. If the defendant wishes to claim that he/she is **insane**, and therefore not guilty, the defendant bears the burden of proving his/her **insanity**. Other exceptions include defendants who claim **self-defense** or **duress**.)

In civil litigation, the burden of proof is initially on the plaintiff. The plaintiff wins if the **preponderance of the evidence** favors the plaintiff.

Protections for criminal defendants

The U.S. Constitution: specifies a number of **protections**:

- No ex post facto law. If an act was lawful when it was performed, the performer can *not* **be convicted** of a crime as a result of a law enacted after the performance.

- **prohibition** against "**unreasonable searches and seizures**";
- prohibition of **double jeopardy**;
- prohibition against compelled **self-incrimination**;
- the right to a **speedy trial**;
- the right to the **assistance of counsel**.

Indigent defendants have the right to an **attorney** who is paid by the state, even during **custodial questioning** by police.

These protections are *not* available in civil law. The standard in tort cases is what a reasonable and **prudent man** would have done, the details of applying this standard to the facts of the case is decided by the jury, and *unknown* to the defendant until the end of the trial. In criminal law, police generally must first obtain a search warrant in a proceeding showing a "neutral and detached" magistrate that there is "probable cause", before searching or seizing items from a person's house.

In civil law, an attorney

- may request documents or a visit inside a building ;
- may demand information from the **opposing party** about any matter that is **relevant to the case**, provided that information is not privileged
- may properly demand information that would be *inadmissible* at trial, if such demand "appears reasonably calculated to lead to the discovery of **admissible evidence**"
- and may even take the deposition of nonparties in a civil case, and require them to bring documents with them.

The prohibition against double jeopardy applies *only* to criminal trials. The corresponding concept in civil litigation is *res judicata*: one can have only one trial for claims arising from one transaction or occurrence.

In a criminal case, the **suspect** or defendant has the right to **remain silent** during questioning by police and **prosecuting attorneys**. In a criminal case, the defendant may choose to refuse to be a **witness**, and the jury may infer *nothing* from the defendant's choice not to **testify**. However, in a civil case, the defendant must be available and cooperative for depositions and **testimony** as a witness in the trial. In fact, the defendant in a civil must voluntarily provide his/her opponent with a copy of documents "in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings." Further, the defendant in a civil case must voluntarily provide names of people who are "likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings." In other words, the defendant in a civil case must help his/her opponent collect evidence that will defeat the defendant. And, at trial, if a party invokes their fifth amendment privilege against self-incrimination, then the judge will instruct the jury that they may make an adverse inference against the party who refused to testify. There are often several years between the filing of a complaint in a civil

case and the trial. People who can not pay for an attorney (legal fees for trial preparation often run to more than US\$ 100,000) are practically *unable* to obtain access to the courts in civil cases. The one notable exception is in tort law, where attorneys for plaintiffs often take cases with the possibility of large awards (e.g., more than US\$ 500,000) on a contingency fee: the attorney is paid, for example, 1/3 of any award, but the attorney is paid nothing for his/her time if plaintiff loses. However, the plaintiff usually pays for expert witnesses, deposition transcripts, and other expenses. These expenses can be tens of thousands of dollars.

Ignorance of the law is no excuse

Ignorance of the law excuses no man. If a defendant were allowed to **escape** legal responsibility for his acts, merely by saying "I didn't know it was wrong/illegal", the system of using law to regulate human conduct would collapse.

Grammar exercises

I. Translate the following sentences into Ukrainian paying attention to Complex Object and Complex Subject.

1. The decision of the court obliges the authority to place a child in a community home.
2. This young inmate is known to have spent three months in custody.
3. The data turned out to be wrong.
4. The problem is considered to be complicated.
5. He is certain to be present here.
6. Young offenders were seen to train under the supervisor.
7. The court is unlikely to give a different sentence.
8. The young offender is said to have been brought to court.
9. Under a supervision order a child is required to comply with directions made by the court itself.
10. A local authority is known to be responsible for deciding where the child should be accommodated.
11. The court allowed him to remain at home.
12. The juvenile court wants this child to have a guardian.
13. A local authority prefers the child to remain at home under supervision or place him or her with foster parents or in a community home.
14. The panel does not want the child to remain so long.
15. The girl is considered to be in need of care and protection.

16. The child is likely to attend under a supervisor a day or an evening centre.
17. I've often heard him talk about the town he was born in.
18. The father didn't notice his son put on his coat and go out of the room.
19. I myself saw your friend walking along the platform.
20. I've just heard him say that it won't take them long to complete the work.

II. Translate the following sentences into Ukrainian paying attention to for phrases + Infinitive

1. This for jury to think on this case.
2. It's time for us to escape from prison not to be killed.
3. The matter was too difficult for the solicitor to clarify it within a day.
4. The judge announced the sentence for the paper correspondents to hear him.
5. The matter, examined in court was too difficult for the jury to reach their verdict unanimously.
6. The policeman let the person go for him not to break the curfew (комендантський час).
7. The judge waited for the policeman to close the door.
8. The Bill was too complicated and intricate for Parliament to approve it after the first reading.
9. The water was too cold for the children to bathe.
10. The first thing for me to do is to find out when the trial begins.
11. It is necessary for the witnesses to be present in court.
12. For me to see you is the happiest minute in my life.

III. Make up sentences using the given tables.

1. She heard	the judge the brother the jury us	say something to his friend. invite his friends to the theater. call the children into the house. speak to somebody.
2. I didn't notice	Mr. Black him them you the children her	come into the room. put something on the table. leave the office. get up and go out. get into the river.

3. Did you see	the inspector	examine the goods at the port?
Did you watch	him	come back?
	them	get on the bus?
	her	unpacking?
	your mother	cooking breakfast?
		open the door and come in?

IV. Complete these sentences using the Complex Object.

1. I saw him
2. We have never heard her
3. The old man watched the children
4. They did not notice us
5. Have you ever seen them ... ?
6. She saw her friend
7. I heard my mother
8. She wanted them...
9. We consider him...
10. They made us...
11. He asked her...
12. The witness saw Marry...
13. The wished me...

V. Translate these sentences into English.

1. Ви чули	як вони обговорювали цю справу? як дзвонив телефон? як вона увійшла в кімнату? як він запросив їх до нас? як ваша дружина покликала нас?
2. Я ніколи не бачив	як ви працюєте як вони ходять на лижах як він плаває як ви малюєте

VI. Complete these sentences using the Complex Subject.

1. The judge is said
2. The trial is expected...
3. The prisoner was thought ...
4. The burglars were seen...
5. The victim was considered...

6. The defendant was made...
7. They are not likely...
8. He is certain...
9. We are sure...
10. They were ordered...

VII. Translate the following sentences into English paying attention to Infinitive Constructions.

1. Кажуть, що він скоїв цей злочин.
2. Думують, що він вбив свого сусіда.
3. Очікується, що суд розпочнеться об одинадцятій.
4. Бачили, як він увійшов у будинок.
5. Його змусили одягти маску та пограбувати магазин.
6. Навряд, чи нам доведеться часто зустрічатись.
7. Напевно, він зараз спить.
8. Напевно, ми дізнаємось про це.
9. Ми бачили як вони домовлялись скоїти злочин.
10. Я чув як вона кликала на допомогу.
11. Вони бачили як він підіймався на скелю.
12. Вона хотіла, щоб вони прочитали цю книгу.
13. Він чикав, що вона повернеться.
14. Ми вважаємо, що він найкращий.

Unit 15

International Entities.

The UNO, the ICJ, European Parliament. Court of Human Rights

Task 1. Read and memorize the active vocabulary to the text *International Entities and International Law.*

to set up	створювати
succession	послідовність, спадкове право, порядок
to promote	сприяти
security	безпека
cooperation	співробітництво
headquarter	штаб-квартира
exception	виняток
to head	очолювати
deliberative body	дорадчий орган
to impose	нав'язувати
to be located	бути розташованим
to refer to	посилатися, відправляти
draft	законопроект
concern	турбота
obligation	зобов'язання
tort	делікт
delict	делікт
remedy	засіб судового захисту
customary law	звичаєве право
conventional law	договірне право
consensus	консенсус, згода
treaty	договір (угода)
Security Council	Рада Безпеки
seat	місце розташування
to comply with	задовольняти (щось), відповідати (чомусь)
breach	порушення
to submit to smth.	підкорятися (чомусь)
to accomplish	виконувати, закінчувати
permanent	постійний
assessment	оцінка
remedy	засіб захисту прав

Task 2. Read and translate the text, write down all the unknown words.

International Entities and International Law

United Nations is an international organization of countries set up in 1945 in succession to the League of Nations, to promote international peace security and cooperation, with its headquarters in New York. Its members, originally the countries that fought against the Axis in the Second World War, now number about 180 states. The UNO includes most sovereign states of the world, with the exception of Switzerland, North and South Korea.

Administration is by the Secretariat, headed by the Secretary - General. The chief deliberative body is the General Assembly, in which each member state has one vote; recommendations are passed but the UNO has no power to impose its will. The Security Council bears the primary responsibility for the maintenance of peace and security. One of the principal organs of the UNO is the 54-member Economic and Social Council, dealing with UNESCO (United Nations Educational, Scientific and Cultural Organization), the agency of the UN set up in 1945 to promote the exchange of information, ideas and culture. Its headquarters are in Paris.

International Court of Justice, principal judicial organ of the United Nations, established by chapter 14 of the UN Charter. It superseded the Permanent Court of International Justice, and its statute for the most part repeats that of the former tribunal. The court consists of 15 judges appointed for a 9 year term chosen by the General Assembly and the Security Council, voting independently, from a list of candidates nominated by government-appointed national groups of international-law experts. No two judges may be from the same country. Nine judges constitute a quorum, and questions are decided by a majority of the judges present. The permanent seat of the court is at The Hague, the Netherlands, but it may hold hearings elsewhere. All members of the United Nations are ipso facto members of the court; other states may adhere to the statute. If a member of the United Nations fails to comply with a judgment of the court, an appeal for assistance may be made to the Security Council. The court may render judgment in certain disputes between states, and with the authorization of the General Assembly, it may deliver advisory opinions to any organ of the United Nations and its agencies.

A dispute may be brought before the court by consent of the parties in the particular case or by virtue of an advance formal declaration of

acceptance of the court's jurisdiction. States making such declarations, however, sometimes impose restrictive conditions on their acceptance. The United States excludes all disputes concerning domestic matters from the court's jurisdiction, reserving the right to determine what it regards as domestic. The court's competence between states is limited to disputes concerning the interpretation of treaties, questions of international law, breaches of international obligation, and reparations due. Concern has been expressed at the small number of cases nations have submitted to it. Major opinions of the court have ruled that the General Assembly may not admit a state to the United Nations if the application is vetoed by one of the permanent members of the Security Council; that the United Nations is to be considered as an international legal person; that special United Nations assessments, such as those for the Congo and Middle East operations, are regular expenses of the United Nations and are binding on all members; and that South Africa must withdraw from Namibia (accomplished with Namibia's independence in 1990).

The International Law Commission was established in 1947. It has prepared drafts on numbers of topics of International Law.

By its nature International Law is a common concern of all states, a product of legal culture, thought and experience of different societies.

International Law consists of rules which govern the relations and dealings of nations with each other. It can refer to public international law, private international law, private international law or conflict of laws and the law of supranational organizations. International law includes the basic, classic concepts of law in national legal systems - status, property, obligation and tort (or delict). It also includes substantive law, procedure, process and remedies.

International Law is still young. Until the XIX-th century it was essentially a European and largely a West European phenomenon (development). It is partly customary and partly conventional.

Customary law reflects a consensus among nations. Conventional law is the part of International Law which is established by conventions or treaties.

Task 3. Answer the following questions.

1. When was the UNO set up?
2. What countries does it include?
3. What is the chief deliberative body?

4. The Security Council bears the primary responsibility for the maintenance of peace and security, doesn't it?
5. What are the principal organs of the UNO?
6. Where is the UNESCO located?
7. Speak on the tasks of the ICJ.
8. Dwell on the composition of the ICJ.
9. What parts does the International Law consist of?
10. What does it include?
11. When did it come into being?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

to promote, to impose, advisory, customary, convention.

Task 5. Complete the following expressions choosing a suitable proposition from the list below; find the best way of expressing them in Ukrainian.

1. with the exception ...
2. to be headed ...
3. maintenance ... peace and security
4. to deal ...
5. to impose smth. ... smth.
6. to withdraw ...

of, with, by, of, from, on

Task 6. Translate the following text and pay special attention to the underlined words or phrases.

European Union

The EU was set up after the WW II. Six countries (Belgium, Germany, France, Italy, Luxembourg and the Netherlands) joined from the very beginning.

The EU is based on the rule of Law and Democracy. Principal objectives of the EU are:

- 1) to establish European citizenship (Fundamental rights: Freedom of movement, Civil and political rights);
- 2) to ensure freedom, security and justice (Cooperation in the field of Justice and Home Affairs);
- 3) to promote economic and social progress (Single market, Euro, the common currency, job creation);

4) to assert Europe's role in the world (Common foreign policy and security).

The EU is run by five institutions, each playing a specific role:

- European parliament (elected by the peoples of the Member States);
- Council of the EU (composed of the government of the Member states);
- European Commission (driving force and executive body);
- Court of Justice (compliance with the Law);
- Court of Auditors (sound and lawful management of the EU budget).

Task 7. Make the following text complete by translating the phrases in brackets.

International organizations Related to the UN System

Besides the UN Specialized Agencies there are also several related agencies, which are (юридично) absolutely autonomous international organizations, but are working under the (єрiда) of the UN. The (головнi) institutions among them are International Atomic Energy Agency (IAEA) and World Trade Organization (WTO). They play an important role in specific spheres of their competence. IAEA serves as the world central intergovernmental (форум) for scientific and technical cooperation in the peaceful uses of nuclear energy. It (надавати) technical assistance to its 127 Member-States in the development of nuclear science programs. It formulates basic safety standards for radiation (захист).

WTO's fundamental principles lay in non-discrimination: free trade, (пiдтримка) competition, reduction of protectionism. 28 WTO agreements formulate the legal grand rules for international commerce and for (торгiвельний) policy. These agreements have three main objectives:

- a) to help trade flow as free as possible;
- b) (досягнути) further liberalization gradually through negotiations;
- c) to set up appropriate means of setting disputes.

Task 8. Give synonyms to the words in bold type.

The European Parliament (EP) is **elected** by the citizens of the European Union to represent their interests. Its **origins** go back to the 1950s and the founding **treaties**, and since 1979 its members have been directly elected by the people they represent.

Elections are held every five years, and every EU citizen is entitled to vote, and to stand as a candidate, wherever they live in the EU.

Parliament thus **expresses** the democratic **will** of the Union's citizens (more than 490 million people), and represents their interests in **discussions** with the other EU **institutions**. The present parliament has 785 members from all 27 EU countries. Nearly one third of them are women. In principle, the number of Members of the European Parliament shall not **exceed** 736 from the next parliamentary **term** on (i.e. 2009 – 2014). Since Bulgaria and Romania joined the Union in the course of the 2004-2009 parliamentary term, the **current** maximum number of 732 seats in the EP will be temporarily exceeded.

Members of the European Parliament (MEPs) do not sit in national blocks, but in seven Europe-wide political groups. Between them, they represent all **views** on European integration, from the strongly pro-federalist to the openly Eurosceptic.

Task 9. Match the words on the left with their definitions on the right. Use them in the sentences of your own.

- | | |
|------------------|--|
| 1. to promote | a) provide or give (a service, help, etc.) |
| 2. to nominate | b) document giving permission or authority |
| 3. quorum | c) propose or formally enter as a candidate for election or for an honour or award |
| 4. to render | d) support or actively encourage (a cause, venture, etc.); further the progress of |
| 5. authorization | e) a minimum number of members in an assembly, society, board of directors |

Task 10. Topics for discussion.

1. Choose one specialized agency of the UNO and prepare a report on it
2. Discuss the role of World Trade Organization in the form of the dialogue.
3. Touch upon the history of EU.
4. Discuss the tasks of EU.
5. Describe the main bodies and functions of the European Parliament

Supplementary tasks

Task 1. Read and translate the text.

International Organizations – the UN specialized Agencies

There are some specialized agencies of the UN. They are characterized by the following features. They are intergovernmental, independent, autonomous organizations, which exist at the cost of Member states.

The specialized agencies are divided into 5 main groups.

1). Financial group: International Monetary Fund (IMF); International Bank for Reconstruction and Development (IBRD); International Finance Corporation (IFC); International Development Association (IDA); Multilateral Investment Guarantee Agency (MIGA); International Fund for Agricultural Development (IFAD).

2). Economic group: Food and Agricultural Organization (FAO); the United Nations Industrial Development Organization (UNIDO).

3). Technical group: International Civil Aviation Organization (ICAO); International Telecommunication Union (ITU); World Meteorological Organization (WMO); Universal Postal Union (UPU).

4). Social Group: International Labour Organization (ILO); World Health Organization (WHO).

5). Humanitarian group: the United Nations Educational, Scientific and Cultural Organization (UNESCO); World Intellectual Property Organization (WIPO).

Task 2. Find in the text English equivalents to the following words.

Засновувати, приєднуватись, ціль, встановлювати, забезпечувати, розвивати, стверджувати

European Union

The EU was set up after the WW II. Six countries (Belgium, Germany, France, Italy, Luxembourg and the Netherlands) joined from the very beginning.

The EU is based on the rule of Law and Democracy. Principal objectives of the EU are:

5) to establish European citizenship (Fundamental rights: Freedom of movement, Civil and political rights);

6) to ensure freedom, security and justice (Cooperation in the field of Justice and Home Affairs);

7) to promote economic and social progress (Single market, Euro, the common currency, job creation);

8) to assert Europe's role in the world (Common foreign policy and security).

The EU is run by five institutions, each playing a specific role:

- European parliament (elected by the peoples of the Member States);
- Council of the EU (composed of the government of the Member states);
- European Commission (driving force and executive body);
- Court of Justice (compliance with the Law);
- Court of Auditors (sound and lawful management of the EU budget).

Task 3. Complete the text by the proposed words.

Consists, works, will, Strasbourg, the Council, suffrage, decisive, exercises

European Parliament

Elected every five years by direct universal ..., the European Parliament is the expression of the democratic ... of the Union's citizens.

The Parliament ... of 626 MEP's. The Parliament ... in France, Belgium and Luxembourg. Plenary sessions, which all MEP's attend, are held in

The Parliament has three main roles:

- 1) it ... democratic control over all the community institutions;
- 2) it shares legislative power with
- 3) it plays a ... role in the adoption of the budget.

Task 4. Read and translate the text. Make up your own dialogue on the basis of the text.

International Inter-Regional Organizations

The International Inter-Regional Organizations play an important role in the global framework of different international institutions.

The most universal and influential among them are: the European Union (EU); The Organization of the Security and Cooperation in Europe (OSCE); the Council of Europe (CE); The Organization for Economic Cooperation and Development (OECD); the Association of Southeast Asian Nations (ASEAN); the Organization of African Unity (OAU); the Organization of American States (OAS); the Organization of Petroleum Exporting Countries (OPEC).

The European Parliament (EP) is elected by the citizens of the European Union to represent their interests. Its origins go back to the 1950s and the founding treaties, and since 1979 its members have been directly elected by the people they represent.

Elections are held every five years, and every EU citizen is entitled to vote, and to stand as a candidate, wherever they live in the EU. Parliament thus expresses the democratic will of the Union's citizens (more than 490 million people), and represents their interests in discussions with the other EU institutions. The present parliament has 785 members from all 27 EU countries. Nearly one third of them are women. In principle, the number of Members of the European Parliament shall not exceed 736 from the next parliamentary term on (i.e. 2009 – 2014). Since Bulgaria and Romania joined the Union in the course of the 2004-2009 parliamentary term, the current maximum number of 732 seats in the EP will be temporarily exceeded.

Members of the European Parliament (MEPs) do not sit in national blocks, but in seven Europe-wide political groups. Between them, they represent all views on European integration, from the strongly pro-federalist to the openly Eurosceptic.

United Nations Organization

Task 5. Read and memorize the active vocabulary to the text

United Nations Organization.

at the invitation of	– на запрошення
delegate	– делегат
to admit	– допускати
to recognize	– визнавати
a founding member	– країна-засновник
post - war government	– післявоєнний уряд
to reserve	– зарезервувати
signature	– підпис
Charter	– хартія
in tribute to	– в данину
to convene	– скликати, збирати
world body	– світова організація
to accept by acclamation	– приймати схвально
to affix signature	– ставити підпис
to be devoted to	– бути присвяченим чомусь
sin	– гріх
to gain support	– отримувати підтримку
to emerge from	– виникати з
to preserve peace	– зберігати мир
to be obligated to	– бути зобов'язаним

to refrain from	– утримуватись
to take preventive actions	– застосовувати превентивні /попереджувальні дії
to take enforcement actions	– застосовувати примусові дії
to intervene	– втручатися
domestic jurisdiction	–внутрішня юрисдикція
maintenance of world peace	– збереження миру у світі
to maintain	– зберігати
to establish conditions	– створювати умови
treaty	– договір
sources of international law	– джерела міжнародного права
to seek (sought, sought)	– шукати
respect for	– повага до
to promote social progress	– сприяти соціальному прогресу
to promote better standards of life	– сприяти кращим стандартам життя
to provide the means	– забезпечувати засобами
to facilitate peaceful change	– сприяти змінам /просувати зміни
with the exception of	– за винятком
a renewable term	– поновлений термін
to report to	– звітувати перед
permanent member	– постійний член
the General Assembly	– Генеральна Асамблея
Security Council	– Рада Безпеки
Economic and Social Council	– Економічна та соціальна Рада
Trusteeship Council	– Рада Опіки
Secretary-General	– Генеральний Секретар

Task 6. Read and translate the text, write down all the unknown words.

United Nations Organization

At the invitation of the United States, delegates from 51 nations met in San Francisco between 25 April and 26 June, 1945. Argentina, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic were admitted to the Conference on 30 April. Poland, recognized as one of the Organization's founding members, was unrepresented because its post-war government had not been formed, but space was reserved for its signature on the Charter. Meeting in San Francisco Opera House, the delegates worked in four main commissions and 12 technical committees.

In tribute to the memory of President Roosevelt, who died just before the Conference convened, his proposal that the new world body be called the «United Nations» was accepted by acclamation. It was also decided that the first nation to affix its signature to the Charter would be China, the first country to be attacked in the Second World War.

The General Assembly decided that 24 October should henceforth be officially called «United Nations Day» and be devoted to making known to the peoples of the world the sins and achievements of the Organization and to gaining their support for its work.

The Charter that emerged from San Francisco provided a constitution for an organization to preserve peace and promote social progress and better standards of life in larger freedom. All nations signing the Charter are obligated to settle international disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of any other State. They must also refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action. Nothing, however, in the Charter authorizes the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State.

While the primary aim is the maintenance of world peace, the Charter sought also «to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom». Its six «principal organs», named in the Charter, provide the means to build agreement and facilitate peaceful change, but unless Governments are willing to work together the machinery cannot operate.

With the exception of the International Court of Justice which has its seat at the Hague in the Netherlands, all the principal organs are based in New York.

The six principal organs are:

- **the General Assembly**, in which all Member State are represented (more than 192);
- **the 15-member Security Council**, with five permanent members (China, France, Russia, the United Kingdom and the United States) and 10 other members elected by the General Assembly for two-year terms;
- **the 54-member Economic and Social Council**, which is elected by and reports to the General Assembly;
- **the five-member Trusteeship Council**, which reports to the Security Council;

• **the 15-member International Court of Justice**, with the judges elected for 9-year terms by the General Assembly and Security Council jointly;

• **an internationally staffed Secretariat** headed by a Secretary-General who is appointed by the General Assembly on the recommendations of the Security Council for a renewable term, usually five years.

Every Country sends 5 delegates but has only one vote at the meeting. The head of the delegation is usually the Minister of Foreign Affairs. The General Assembly meets once a year, in September.

Task 7. Read the text with the proper pronunciation of the words and intonation. Remember that your reading time is not more than 3 minutes.

Task 8. Answer the following questions.

1. Why did the delegations from 50 nations meet in San Francisco after the World War II? Name the date.

2. When was the Ukrainian Soviet Socialist Republic admitted to the Conference?

3. Why was Poland unrepresented?

4. What building was chosen for the meeting?

5. How was the work of the delegates organized?

6. Why was the new world body called the «United Nations»?

7. Why was China the first nation to affix its signature to the Charter?

8. When is United Nations Day celebrated?

9. What kind of document is the Charter of the UNO?

10. What are the main principles of the Charter?

11. What are all nations signing the Charter obligated to?

12. How must the nations behave if the United Nations is taking preventive or enforcement action against some state?

13. Under what conditions can the United Nations intervene in matters of any State?

14. What are six principal organs of the UNO?

15. What do the principal organs of the UNO provide?

16. Where are the principal organs based?

17. Where is the International Court of Justice located?

18. How many states are represented in the General Assembly?

19. How are the seats in the Security Council divided?
20. What body does the Economic and Social Council report to?
21. What body does the Trusteeship Council report to?
22. How are the judges of the International Court of Justice elected?
23. Who appoints a Secretary-General of the General Assembly?
24. When does the General Assembly meet?

Task 9. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

charter, provide, council, delegate, refrain

Task 10. Fill in the blanks with the appropriate preposition from the list below: *against, in, to, with, by, from*.

1. The proposal of President Roosevelt to call the new world body the «United Nations» was accepted ... acclamation.
2. All nations signing the Charter are obligated to refrain from the threat or use of force ... the territorial integrity or political independence of any other State.
3. The states must refrain ... giving assistance to any State against which the United Nations is taking preventive or enforcement action.
4. ... the exception of the International Court of Justice all the principal organs are based in New York.
5. The first nation to affix its signature ... the Charter of the UNO was China, the first country to be attacked in the Second World War.
6. Nothing in the Charter authorizes the United Nations to intervene ... matters which are essentially within the domestic jurisdiction of any State.

Task 11. Translate the following sentences.

1. The Charter of the United Nations was signed on 26 June 1945, in San Francisco, at the conclusion of the United Nations Conference on International Organization, and came into force on 24 October 1945.
2. The United Nations is an international organization founded in 1945 after the Second World War by 51 countries committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights.
3. Due to its unique international character, and the powers vested in its founding Charter, the Organization can take action on a wide range of issues.

4. The UNO can provide a forum for its 192 Member States to express their views, through the General Assembly, the Security Council, the Economic and Social Council and other bodies and committees.

5. The Organization works on a broad range of fundamental issues, from sustainable development, environment and refugees protection, disaster relief, counter terrorism, disarmament and non-proliferation, to promoting democracy, human rights, governance, economic and social development and international health, clearing landmines, expanding food production, and more, in order to achieve its goals and coordinate efforts for a safer world for this and future generations.

6. Although best known for peacekeeping, peace-building, conflict prevention and humanitarian assistance, there are many other ways the United Nations and its System (specialized agencies, funds and programmes) affect our lives and make the world a better place.

Task 12. Make the following sentences complete by translating the phrases in brackets.

1. The General Assembly is the main (дорадчий орган) of the UN and is composed of representatives of all Member States.

2. Voting in the Economic and Social Council is by simple majority; each member (має один голос).

3. The International Court of Justice, located at the Hague in the Netherlands, is the (основний судовий орган) of the United Nations.

4. The Security Council has primary responsibility, under the UN Charter, for the (дотримання миру та безпеки у світі).

5. The Secretariat (виконує) the day-to-day work of the Organization.

6. The Trusteeship Council (була заснована) in 1945 by the UN Charter to provide international supervision for 11 Trust Territories.

Task 13. Complete the following.

1. The United Nations Organization (це міжнародна організація, основні цілі якої сприяти співпраці в міжнародному праві, міжнародній безпеці, економічному розвитку, соціальному прогресі, дотримання прав людини та досягнення миру у світі).

2. The UN (яка замінила Лігу Націй, була заснована у 1945 році після другої світової війни, щоб зупинити війни між країнами і забезпечити платформу для діалогу).

3. The organization (фінансується з обов'язкових та добровільних внесків від своїх держав-членів, і користується шістьма офіційними мовами: арабська, китайська, англійська, французька, російська та іспанська).

4. Four of the five (основних органів ООН знаходяться, в основному, в Організації Об'єднаних Націй, штаб-квартира якої розташована на території міжнародного центру в Нью-Йорку).

5. The UN is supposed (встановити та захищати мир та співпрацю між націями та робити все необхідне, щоб до людей ставились гуманно не лише їхні власні уряди, а й інші уряди та організації).

6. The Economic and Social Council (ECOSOC), established by the UN Charter, (це основний орган, який координує економічну, соціальну та іншу пов'язану з цими напрямками роботу ООН та спеціалізованих агенцій та установ).

Task 14. Change each sentence by choosing an appropriate synonym from the list below for the underlined words.

representatives, treaties, to intervene, main law, to advance, to maintain

1. Minority rights are protected by the UN charter.
2. The UN attempted to mediate a solution to the conflict.
3. The conference was attended by delegates from 56 countries.
4. Efforts to preserve the peace have failed.
5. The countries drew up accords on economic and technical cooperation.
6. These measures are designed to promote economic growth.

Task 15. Read and translate the definitions of the words. Make up your own examples with them.

- | | |
|--------------------------|---|
| 1. council | a) to continue or retain; keep in existence |
| 2. security | b) a formal document from the sovereign or state incorporating a city, bank, college, etc., and specifying its purposes and right |
| 3. domestic jurisdiction | c) to put at the disposal of; furnish or supply |
| 4. to maintain | d) an assembly of people meeting for discussion, consultation, |
| 5. to provide | e) the right or power to administer justice and to apply laws involving home affairs |

6. charter

f) the state of being secure

Task 16. Read and translate the text in written form into Ukrainian.

The United Nations Organization (UNO) or simply United Nations (UN) is an international organization whose stated aims are facilitating cooperation in international law, international security, economic development, social progress, human rights, and the achieving of world peace. The UN was founded in 1945 after World War II to replace the League of Nations, to stop wars between countries, and to provide a platform for dialogue. It contains multiple subsidiary organizations to carry out its missions.

There are currently 192 member states, including nearly every sovereign state in the world. From its offices around the world, the UN and its specialized agencies decide on substantive and administrative issues in regular meetings held throughout the year. The organization has six principal organs: the General Assembly (the main deliberative assembly); the Security Council (for deciding certain resolutions for peace and security); the Economic and Social Council (for assisting in promoting international economic and social cooperation and development); the Secretariat (for providing studies, information, and facilities needed by the UN); the International Court of Justice (the primary judicial organ); and the United Nations Trusteeship Council (which is currently inactive). Other prominent UN System agencies include the World Health Organization (WHO), the World Food Programme (WFP) and United Nations Children's Fund (UNICEF). The UN's most visible public figure is the Secretary-General, currently Ban Ki-moon of South Korea, who attained the post in 2007. The organization is financed from assessed and voluntary contributions from its member states, and has six official languages: Arabic, Chinese, English, French, Russian and Spanish.

Task 17. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text. Discuss with your partner the main items of the text.

Ukraine's attainment of sovereignty and independence in 1991 ushered in both an utterly new page in its historical development and a range of issues which, if not resolved, would seriously undermine its chances for integration into the world community.

Questions appeared about upgrading the country's overall infrastructure to conform to international standards, especially in economics, medicine, education and the social sphere, about attaining an open, democratic society, the protection of natural resources, human resource management, and the development of new information and communications technologies.

To accelerate Ukraine's integration into the world community, it needed the assistance of international organizations. The United Nations was one of the first to provide such assistance, having opened its representative office in Kyiv in 1992. The UN's blue flag flutters above the house, located at Klovskiy Uzviz 1, today.

The UN following agencies are active in Ukraine: the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the International Atomic Energy Agency (IAEA), the International Organization for Migration (IOM), the United Nations High Commissioner For Refugees (UNHCR), the World Health Organization (WHO), the International Labour Organization (ILO), and the Joint United Nations Programme on HIV/AIDS (UNAIDS). Also active are UN related organizations, such as the International Monetary Fund (IMF), the World Bank, the United Nations Office on Drugs and Crime (UNODC) and the International Finance Corporation (IFC), which works under the bank. These organizations work in different areas and with their own strategies, but are united by an overriding strategic goal: to assist the people of Ukraine in their efforts to build a better future for the country.

The United Nations Development Assistance Framework, or UNDAF signed in August 2005 spells out the relationship between Ukraine and the United Nations in Ukraine for the next five years (2006-2010).

Task 18. Read the text and speak on the main organs of the UNO.

General Assembly

The General Assembly is the main deliberative assembly of the United Nations. Composed of all United Nations member states, the assembly meets in regular yearly sessions under a president elected from among the member states. Over a two-week period at the start of each session, all members have the opportunity to address the assembly.

When the General Assembly votes on important questions, a two-thirds majority of those present and voting is required. Examples of important questions include: recommendations on peace and security;

election of members to organs; admission, suspension, and expulsion of members; and, budgetary matters. All other questions are decided by majority vote. Each member country has one vote.

Security Council

The Security Council is charged with maintaining peace and security among countries. The Security Council has the power to make binding decisions which are known as United Nations Security Council resolutions.

The Security Council is made up of 15 member states, consisting of 5 permanent members – China, France, Russia, the United Kingdom and the United States – and 10 non-permanent members (currently (2010) Austria, Bosnia and Herzegovina, Brazil, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey, and Uganda). The five permanent members hold veto power over substantive but not procedural resolutions allowing a permanent member to block adoption but not to block the debate of a resolution unacceptable to it. The ten temporary seats are held for two-year terms with member states voted in by the General Assembly on a regional basis. The presidency of the Security Council is rotated alphabetically each month.

Secretariat

The United Nations Secretariat is headed by the Secretary-General, assisted by a staff of international civil servants worldwide. It provides studies, information, and facilities needed by United Nations bodies for their meetings. It also carries out tasks as directed by the UN Security Council, the UN General Assembly, the UN Economic and Social Council, and other UN bodies.

The Secretariat is headed by the Secretary-General, who acts as the de facto spokesman and leader of the UN. The Secretary-General is appointed by the General Assembly, after being recommended by the Security Council. There are no specific criteria for the post, but over the years it has become accepted that the post shall be held for one or two terms of five years, that the post shall be appointed on the basis of geographical rotation, and that the Secretary-General shall not originate from one of the five permanent Security Council member states.

The current Secretary-General is Ban Ki-moon.

International Court of Justice

The International Court of Justice (ICJ), located in The Hague, Netherlands, is the primary judicial organ of the United Nations. Its

purpose is to adjudicate disputes among states. The court has heard cases related to war crimes, illegal state interference and ethnic cleansing, among others, and continues to hear cases. It settles legal disputes between states and gives advisory opinions to the UN and its specialized agencies.

Trusteeship Council

The Trusteeship Council was established in 1945 by the UN Charter to provide international supervision for 11 Trust Territories placed under the administration of 7 Member States, and ensure that adequate steps were taken to prepare the Territories for self-government and independence. By 1994, all Trust Territories had attained self-government or independence. Its work completed, the Council has amended its rules of procedure to meet as and where occasion may require.

Economic and Social Council

The Economic and Social Council (ECOSOC), established by the UN Charter, is the principal organ to coordinate the economic, social and related work of the United Nations and the specialized agencies and institutions. Voting in the Council is by simple majority; each member has one vote.

Grammar exercises

I. Make up Present Participle (Participle I).

to get, to put, to take, to give, to stand, to do, to come, to drive, to know, to leave, to translate, to read, to play

II. Translate Present Participle into English.

читающий, співаючий, розмовляючий, малюючий, гуляючий, будуючий, мріючий, ведучий, стрибаючий, граючий, літаючий

III. Make up your own sentences

The boy	calling me	are my best friends
The woman	sitting at the window	works in out school
The girl	crossing the street	is my mother
The man	standing at the	is my father
The people	blackboard	is my old friend
	driving a car	

IV. Translate the sentences into Ukrainian, underline the participles, identify their functions.

1. They were sent to a party of specialists to solve some problems.
2. Television-sets are being used not only by geologists but also by biologists on the floor of the sea.
3. Foreign languages are studied by the students of all higher educational establishments.
4. Driving in a car we passed many villages.
5. Working in the garden is very good for the health of people.
6. The woman teacher English at our school studied in Kyiv.
7. The girl reciting the poem is our teacher's daughter.
8. Britain's hereditary monarchy is the oldest institution of government, tracing its origins to the Dark Ages.
9. After defeating the native princes of Wales, King Edward I of England named his son «Prince of Wales».
10. Welsh when used in Wales is only one of the official languages, English is another one.

V. Translate the sentences into English.

1. Новий міст був побудований поперек ріки.
2. Кофе зазвичай імпортують з Бразилії.
3. Ці плодови дерева були посаджені моїм дідузем.
4. В їх лабораторіях були зроблені експерименти протягом трьох тижнів.
5. Документи будуть відправлені по факсу.
6. Дівчина, яка стоїть біля дошки – моя подруга.
7. Повертаючись додому, я зустрів свого товариша.
8. Багато студентів, які вивчають англійську мову, є членами нашого англійського клубу.
9. Хлопці, які живуть у цьому будинку, створили футбольну команду.
10. Чоловік, який робить доповідь, наш викладач.

VI. Open the brackets using Participle I, II.

1. (Frighten) by the roaring thunder, the baby burst out crying.
2. My work (finish), I went out to see a movie.
3. (Sit) on the sofa, we began to have a long chat.
4. The (hide) treasure has not been found yet.

5. The British Isles (to consist) of two large islands, have their total area over 244000 square kilometres.

6. (To accept) the invitation, we made a tour round the Houses of Parliament.

7. The weather, (to change) very often, is constant topic of conversation in England.

8. (To be) a constitutional monarchy, Great Britain is governed by the Parliament.

9. The British Isles, (to separate) from the European continent, are washed by the Atlantic Ocean, the Irish Sea, the North Sea and the English Channel.

VII. Put the questions to the sentences.

1. The Prime Minister is the majority party leader, appointed to this post by the Queen.

2. Being situated on the British Isles, the United Kingdom is made up of four countries.

3. The mountains, the Atlantic Ocean and warm waters of the Gulf Stream influence the climate of the British Isles making it mild the whole year round.

4. Being mountainous, the North of Scotland is called the Highlands.

5. The South, having beautiful valleys and plains, is called the Lowlands.

6. The House of Commons is the real governing body of the United Kingdom.

7. There is no written constitution in Great Britain, only precedents and traditions.

VIII. Use the words in brackets as participles in the gaps. Make up your sentences.

1. _____ news (surprise)

2. a _____ boy (wait)

3. a _____ car (break)

4. the _____ pizza (forget)

5. the _____ father (work).

IX. Complete the sentences and make clear that the people don't / didn't do it themselves (The first sentence is given as an example.)

1. Yesterday, (I / cut / my hair) I had my hair cut.

2. Every Friday, (Joe / wash / his car) _____.
3. Tomorrow, (she / repair / her shower) _____.
4. Each Saturday, (we / deliver / a pizza) _____ to our home.
5. Last year, (Bob / clean / his house) _____ by a charwoman.
6. As Phil had a broken arm, (he / type / his texts) _____ by his secretary.
7. (I / pick up / the goods) _____ tomorrow in the afternoon.
8. (we / redecorate / our walls) _____ last summer.
9. Whenever Clara is staying at this hotel, (she / carry / her bags) _____ into her room.
10. (we / organise / our last party) _____ by professionals.

X. Combine the sentences using participle constructions (Present Participle or Past Participle). (The first sentence is given as an example).

1. The boy who carried a blue parcel crossed the street.
2. The battle was fought at this place. The battle was very significant.
3. She lay in her bed. She wept bitter tears. .
4. The books which were sent to us. They are for my aunt.
5. She stood at the corner. She talked to her friends
6. The children went from house to house. They played trick or treat.
7. He was very tall. He became a basketball player.
8. He was waiting in the hall. He overheard a conversation.
9. The picture was stolen from a museum. It was offered on Ebay.
10. The song was sung last night. It is still in my head.

XI. Replace the Relative Clause by a Participle Construction while keeping the rest of the sentence unchanged.

1. The boy *who was waiting* in the hall expected a phone call.
2. The girl *who was picked up by her brother* was very nice.
3. The house *that stands at the end of the road* will soon be sold.
4. The conference *which was planned by non-governmental organizations* was about globalization.
5. Irish people *who live in Great Britain* have the right to vote in British elections.
6. A friend *who helps you in need* is a good friend indeed.
7. A picture *that shows the image of a person* is a portrait.
8. The problems *that were discussed* will be essential for your exam.
9. Animals *that eat plants* are called herbivores.

Unit 16

International law

Task 1. Read and memorize the active vocabulary to the text

International law

international law	міжнародне право
to interact	взаємодіяти
public international law	публічне міжнародне право
private international law	приватне міжнародне право
supranational law	право міжнародних організацій
entity	економічний суб'єкт
the Holy See	папський престол
movement of national liberation	рух за національне визволення
armed insurrectional movement	озброєний повстанський рух
regional agreement	регіональний договір/згода
applicable	придатний, застосовний inapplicable непридатний, незастосовний
domain	область, галузь, сфера
status	статус, суспільне становище <i>юр.</i> встановлене законом суспільне відношення особи до інших осіб <i>або</i> до держави
tort (or delict)	порушення закону, правопорушення
substantive law	матеріальне право
procedure	процедура
process	процес
remedy	відшкодування збитків
International economic law	Міжнародне економічне право
International security law	Право міжнародної безпеки
International criminal law	Міжнародне кримінальне право
International environmental law	Міжнародне екологічне право
Diplomatic law	Дипломатичне право
International humanitarian law	Міжнародне гуманітарне право
International human rights law	Міжнародне право із захисту людських прав
source	джерело
customary law	звичаєве право
conventional law	договірне право

generally	звичайно, як правило, взагалі
consistently	послідовно
a sense of legal obligation	відчуття правового обов'язку
to derive (from)	походити
to agree upon	погоджуватись про що-н.
contracting party	сторона договору
to assign	призначати, закріпляти
peremptory	безапеляційний, безумовний
derogation	применшення(прав), пониження
subsequent	наступний, такий
peremptory norm	безумовна норма
inappropriate	недоречний, невідповідний
international claim	міжнародний позов/претензія
subject	предмет

Task 2. Read and translate the text, write down all the unknown words.

International law

International law is a body of laws, regulations, and accepted practices by which different nations throughout the world interact with each other as well as with their own citizens and citizens of other countries. The term "international law" can refer to three distinct legal disciplines: *public international law*, *private international law* (or conflict of laws), and *supranational law* (or the law of supranational organizations).

Public international law concerns the relationships between the entities or legal persons which are considered the subjects of international law, including sovereign nations, the legal status of the Holy See, international organizations (including especially intergovernmental organizations such as the United Nations), and in some cases, movements of national liberation (wars of national liberation) and armed insurrectional movements.

Private international law governs conflicts between private persons, rather than states. It concerns the questions of which jurisdiction should be permitted to hear a legal dispute between private parties, and which jurisdiction's law should be applied, therefore raising issues of international law.

Supranational law concerns at present regional agreements where the special distinguishing quality is that laws of nation states are held inapplicable when conflicting with a supranational legal system.

Domains of International law

International law includes the basic, classic concepts of law in national legal systems - status, property, obligation, and tort (or delict). It also includes substantive law, procedure, process and remedies. International Law is rooted in acceptance by the nation states which constitute the system. The following are major substantive fields of international law:

- International economic law
- International security law
- International criminal law
- International environmental law
- Diplomatic law
- International humanitarian law or law of war.
- International human rights law

Sources of International law

Customary law and *conventional law* are primary sources of international law. *Customary international law* results when states follow certain practices generally and consistently out of a sense of legal obligation. *Conventional international law* derives from international agreements and may take any form that the contracting parties agree upon. Customary law and law made by international agreement have equal authority as international law. Parties may assign higher priority to one of the sources by agreement. However, some rules of international law are recognized by international community as peremptory, permitting no derogation. Such rules can be changed or modified only by a subsequent peremptory norm of international law.

General principles common to systems of national law is a secondary source of international law. There are situations where neither conventional nor customary international law can be applicable. In this case a general principle may be invoked as a rule of international law because it is a general principle common to the major legal systems of the world and not inappropriate for international claims.

Subjects of International law

Traditionally, states were the main subject of international law. Increasingly, individuals and non-state international organizations have also become subject to international regulation.

Task 3. Read the text with the proper pronunciation of the words and intonation. Remember that your reading time is not more than 3 minutes.

Task 4. Answer the following questions.

1. Give the definition of the international law.
2. What three distinct legal disciplines can the term "international law" refer to?
3. What relationships does public international law concern?
4. What conflicts does private international law govern?
5. What kind of agreements does supranational law concern at present?
6. What are the domains of international Law?
7. Name the main sources of international Law.
8. How do you understand the term customary international law/ conventional international law?
9. What principles can be applicable in the situations where one can't apply neither conventional nor customary international law?
10. What entities can be subjects to international regulation?

Task 5. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

international, customary, conventional, public, private

Task 6. Fill in the blanks with the appropriate preposition from the list below: *between, of, to, throughout, by, from.*

1. Public international law concerns the relationships ... the entities or legal persons which are considered the subjects of international law.
2. Conventional international law derives ... international agreements.
3. Individuals and non-state international organizations have become subject ... international regulation.
4. Customary law and conventional law are primary sources ... international law.

5. Some rules of international law are recognized ... international community as peremptory, permitting no derogation.

6. International law is a body of laws, regulations, and accepted practices by which different nations ... the world interact with each other as well as with their own citizens and citizens of other countries.

Task 7. Translate the following sentences.

1. International law is the term commonly used for referring to laws that govern the conduct of independent nations in their relationships with one another.

2. Public international law includes the following specific legal field such as the treaty law, law of sea, international criminal law and the international humanitarian law.

3. Sources of international Law are the materials and processes out of which the rules and principles regulating the international community developed.

4. Norms of international law have their source in either 1) custom, or customary international law (consistent provincial practice accompanied by *opinio juris*), 2) globally accepted standards of behaviour (peremptory norms known as *jus cogens* or *ius cogens*), or 3) codifications contained in conventional agreements, generally termed treaties.

5. Article 13 of the United Nations Charter obligates the UN General Assembly to initiate studies and make recommendations which encourage the progressive development of international law and its codification.

6. Evidence of consensus or state practice can sometimes be derived from intergovernmental resolutions or academic and expert legal opinions (sometimes collectively termed soft law).

Task 8. Make the following sentences complete by translating the phrases in brackets.

1. International law can be defined as (систему правил) that nations recognize as binding upon one another in their mutual relations.

2. Only the state of which an individual is a national can complain of a violation before (міжнародним трибуналом).

3. It is a violation of international law to treat an alien in a manner which does not satisfy the (міжнародний стандарт правосуддя).

4. Recently (звичаєве право) was codified in the Vienna Convention on the Law of Treaties.

5.Private international law deals with controversies between (приватними особами), natural or juridical, arising out of situations having significant relationship to more than one nation.

6.Public international law includes the following specific legal field such as the treaty law, law of sea, (міжнародне кримінальне право) and the international humanitarian law.

Task 9. Complete the following.

1.International law (це правова система, яка складається з принципів і норм, якими регулюються відносини між її суб'єктами, державами, міжнародними організаціями).

2.With the help of International law (держави встановлюють загальноприйняті стандарти поведінки, воно є засобом міжнародного співробітництва у різних галузях суспільного життя).

3.(У багатьох державах, у тому числі в Україні, ратифіковані міжнародні договори) are considered as a part of national legislature, (а у разі розбіжностей між положеннями національного закону і міжнародного договору діють норми останнього).

4.Private international law (регулює цивільно-правові відносини з іноземним елементом).

5.Public international law (регулює відносини між державами, між міжнародними організаціями, між держава і міжнародними організаціями).

6.Особливе місце у кодифікаційному процесі належить ООН, у рамках якої з 1947 року діє (International Law Commission of the UNO).

Task 10. Change each sentence by choosing an appropriate synonym from the list below for the underlined words.

to happen, to provide, extremely serious, court, country, to set up,

1.The central concern of international law is the relations among states.

2.Conventional international law is that part of international law which is established by convention or treaty.

3.The word “justiciable” is used to describe disputes of a kind that can be resolved justly and peacefully by impartial tribunal on the basis of commonly accepted legal principles.

4.International law gives criteria and procedures for the settlement of international disputes.

5. Most nations are said to comply with International Law, but that appears questionable considering the number of human rights violations still occurring around the world.

6. The international community is generally against the use of force except in the most dire circumstances.

Task 11. Match the words on the left with their definitions on the right. Use them in your sentences of your own.

- | | |
|------------------------|---|
| 1. the Holy See | a) a civil wrong arising from an act or failure to act, independently of any contract, for which an action for personal injury or property damages may be brought |
| 2. to interact
owns | b) demand recognition of the fact that one is,
or has a right to something |
| 3. tort | c) district under the Pope's jurisdiction |
| 4. remedy | d) lessening (of authority, dignity, reputation, etc.) |
| 5. derogation | e) cure, method of, something used for, putting something right |
| 6. claim | f) to act on each other |

Task 12. Topics for discussion.

1. The History of International Law
2. Public international law
3. Private international law
4. Supranational law
5. Domains of International Law
6. Sources of International Law

Supplementary tasks

Task 1. Read and translate the text in written form into Ukrainian.

The History of International Law

International law has existed since the Middle Ages (see Islamic international law), but much of its modern corpus began developing from the mid-19th century. In the 20th century, the two World Wars and the formation of the League of Nations (and other international organizations

such as the International Labor Organization) all contributed to accelerate this process and established much of the foundations of modern public international law. After the failure of the Treaty of Versailles and World War II, the League of Nations was replaced by the United Nations, founded under the UN Charter. The UN has also been the locus for the development of new advisory (non-binding) standards, such as the Universal Declaration of Human Rights. Other international norms and laws have been established through international agreements, including the Geneva Conventions on the conduct of war or armed conflict, as well as by agreements implemented by other international organizations such as the ILO, the World Health Organization, the World Intellectual Property Organization, the International Telecommunication Union, UNESCO, the World Trade Organization, and the International Monetary Fund. The development and consolidation of such conventions and agreements has proven to be of great importance in the realm of international relations.

Task 2. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text. Discuss with your partner the main items of the text.

International Law

By its nature, international law is a common concern of all states, a product of legal culture, thought, experience of many different societies. The central concern of international law is the relations among states. The role of international law is to establish a workable framework for intergovernmental relations, and to provide criteria and procedures for the settlement of international disputes which are, or can be made, justiciable.

“Justiciable” is a lawyer’s word. It is used to describe disputes of a kind that can be resolved justly and peacefully by impartial tribunal on the basis of commonly accepted legal principles. In any civilized society, there are an immense range and variety of disputes that are justiciable, and are effectively resolved under law. In even the most highly civilized and law-abiding states, however, many disputes are generally recognized to be nonjusticiable. They must be resolved through factors and processes other than adjudication.

As the life of a legal system is measured, international law is still young. Its beginnings are usually traced to the middle of seventeenth century or the early part of the seventeenth century in Europe. Until the nineteenth century, it was essentially a European, and largely a West European development. Since the beginning of the nineteenth century,

international law has had to grow and accommodate itself to a much vaster international society, comprehending the states of North and South America, Asia, Africa and Australia.

International law is partly customary and partly conventional. Customary international law reflects a consensus among nations, which through common practice used long enough has crystallized into law. Conventional international law is that part of international law which is established by convention or treaty.

Task 3. Read the text and speak on the main international communities and unions.

Supranational law

The European Union

European Union law (historically called European Community law) is a body of treaties, law and court judgements which operates alongside the legal systems of the European Union's member states. It has direct effect within the EU's member states and, where conflict occurs, takes precedence over national law. The primary source of EU law is the EU's treaties. These are power-giving treaties which set broad policy goals and establish institutions that, amongst other things, can enact legislation in order to achieve those goals. The legislative acts of the EU come in two forms: regulations and directives. Regulations become law in all member states the moment they come into force, without the requirement for any implementing measures, and automatically override conflicting domestic provisions. Directives require member states to achieve a certain result while leaving them discretion as to how to achieve the result. The details of how they are to be implemented are left to member states.

East Africa Community

There are ambitions to make the East African Community, consisting of Kenya, Tanzania, Uganda, Burundi and Rwanda, a political federation with its own form of binding supranational law by 2010.

Union of South American Nations

The Union of South American Nations is an organization on the South American continent. It intends to establish a framework akin to the European Union by the end of 2019. It is envisaged to have its own passport and currency, and limit barriers to trade.

Andean Community of Nations

The Andean Community of Nations is the first attempt the countries around the Andes Mountains in South America. It started with the Cartagena Agreement of 26 May 1969, and nowadays consists in four countries: Bolivia, Colombia, Ecuador and Peru. It does have a supranational law, called Agreements, which are mandatory for these countries.

International Court of Justice

Task 4. Read and memorize the active vocabulary to the text *International Court of Justice*

to settle disputes	– вирішувати суперечки
to submit	– підкорятись, скорятись; подавати на розгляд
to give advisory opinions	– давати поради
sufficient	– достатній
competence	– компетенція
in the event of	– у випадку, у разі
sit as full bench	– засідати у повному складі
to hear cases	– заслуховувати справи
impartially	– неупереджено
conscientiously	– добросовісно
contentious issues	– спірні питання
binding	– обов'язковий
ruling	– судове рішення
to exclude	– виключати
to intend	– мати намір, вдаватися
mandate	– мандат
influential	– впливовий
to embody	– втілювати; здійснювати
to fail to heed	– не зважати на
to call upon	– звертатися, апелювати
to determine measures	– встановлювати міри
liberty	– воля, свобода
to grant	– погоджуватися, дозволяти;
equitable decision	– справедливий; неупереджений
pattern	– зразок, взірець

to lodge applicant	– подавати касацію – прохач (<i>що бажає одержати посаду, роботу</i>), позивач
to file a written memorial	– складати (подавати) петицію
to set out merits	– викладати (<i>у документі</i>) – заслуга, достоїнство
on the merits of the case	– по суті справи
claim	– вимога, позов, претензія
respondent	– відповідач

Task 5. Read and translate the text, write down all the unknown words.

The International Court of Justice

The International Court of Justice was established in 1945 by the UN Charter as the principal judicial organ of the United Nations. It is based in the Peace Palace in the Hague, the Netherlands. Its main functions are to settle legal disputes submitted to it by states and to give advisory opinions on legal questions submitted to it by duly authorized international organs, agencies, and the UN General Assembly.

The ICJ is composed of 15 judges elected to 9 year terms by the UN General Assembly and the UN Security and may be re-elected for up to two further terms. No two may be nationals of the same country. All judges should be "elected regardless of their nationality among persons of high moral character", who are either qualified for the highest judicial office in their home states or known as lawyers with sufficient competence in international law. Decisions and Advisory Opinions are by majority and, in the event of an equal division; the President's vote becomes decisive. Generally, the Court sits as full bench, but it is allowed under the statute to form smaller chambers, usually 3 or 5 judges, to hear cases. Members of the Court are independent judges and they exercise their powers impartially and conscientiously.

As stated in the UN Charter, all 192 UN members are automatically parties to the Court's statute. The issue of jurisdiction is considered in the two types of ICJ cases: contentious issues and advisory opinions.

In contentious cases (adversarial proceedings seeking to settle a dispute), the ICJ produces a binding ruling between states that agree to submit to the ruling of the court. Only states may be parties in contentious

cases. The key principle is that the ICJ has jurisdiction only on the basis of consent.

An advisory opinion is a function of the Court open only to specified United Nations bodies and agencies. Advisory Opinions were intended as a means by which UN agencies could seek the Court's help in deciding complex legal issues that might fall under their respective mandates.

The duty of all UN members is to comply with decisions of the Court involving them. If one of the parties fails to heed a judgment of the ICJ the other party may call upon the Security Council to determine measures to be taken against it.

When deciding cases, the Court applies international law i.e international conventions, international custom, and the "general principles of law recognized by civilized nations". If the parties agree, they may also grant the Court the liberty to decide *ex aequo et bono* ("in justice and fairness"), granting the ICJ the freedom to make an equitable decision based on what is fair under the circumstances.

Court procedure is set out in Rules of Court of the International Court of Justice. Cases before the ICJ will follow a standard pattern. The case is lodged by the applicant who files a written memorial setting out the basis of the Court's jurisdiction and the merits of its claim. The respondent may accept the Court's jurisdiction and file its own memorial on the merits of the case. Once all written arguments are filed, the Court will hold a public hearing on the merits.

Task 6. Read the text with the proper pronunciation of the words and intonation. Remember that your reading time is not more than 3 minutes.

Task 7. Answer the following questions.

1. When was the International Court of Justice established?
2. Where is it based?
3. What are its main functions?
4. How many judges is the ICJ elected?
5. How are the decisions made?
6. How many judges usually sit as full bench?
7. What countries can be parties of the ICJ?
8. What types of cases is jurisdiction of the ICJ considered in?
9. How do you understand the term "contentious issues"?
10. For what purpose were the advisory opinions intended?

11. What procedure can be applied if one of the parties fails to heed a judgment of the ICJ?
12. What kind of law does the Court apply when deciding the cases?
13. Describe the procedure of hearing the case.

Task 8. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

dispute, case, statute, to settle, to comply

Task 9. Fill in the blanks with the appropriate preposition from the list below: *of, to, on, out, with, on.*

1. Every member Of the ICJ must comply ... the decisions of the ICJ, in the case to which it is a party.

2. The decisions of the ICJ are based ... the following sources of law: Convention, International Law and Common principles of law.

3. The judges are elected on the basis of their qualification regardless ... their nationality.

4. The applicant lodges the case filing a written memorial in which he/she sets ... the basis of the Court's jurisdiction and the merits of its claim.

5. If only all written arguments are filed, the Court will hold a public hearing ... the merits.

6. All 192 UN members are automatically parties ... the Court's statute.

Task 10. Translate the following sentences.

1. The jurisdiction of the ICJ comprises cases which parties submit to it, matters provided for in the Charter, treaties in force.

2. "Compromise" is, perhaps, the most effective basis for the Court's jurisdiction because the parties concerned have a desire for the dispute to be resolved by the Court and are thus more likely to comply with the Court's judgment.

3. Should either party fail "to perform the obligations incumbent upon it under a judgment rendered by the Court", the Security Council may be called upon to "make recommendations or decide upon measures" if the Security Council deems such actions necessary.

4. The written pleadings are not made available to the press and public until the opening of the oral proceedings, and then only if the parties have no objection.

5. The most common case is that of preliminary objections raised in order to prevent the Court from delivering judgment on the merits of the case.

6. As the Court has two official languages (English and French), everything written or said in one language is translated into another.

Task 11. Make the following sentences complete by translating the phrases in brackets.

1. If one of the parties (не зважає на) a judgment of the ICJ the other party may call upon the Security Council to determine measures to be taken against it.

2. Unlike most other organs of international organizations, the Court (не складається) of representatives of governments.

3. Proceedings may be instituted through the notification of a special agreement which (подаватися) with the Court by either of the States parties to the proceedings or by both of them.

4. Proceedings may also be instituted by means of an application which is submitted by an (державою позивачем) against (держави відповідача).

5. The applicant State must state the name of the party against which the (позов) is brought, (предмет суперечки) and briefly indicate on what basis – a treaty or a declaration of acceptance of compulsory jurisdiction – it claims the Court has jurisdiction, and must succinctly state (факти та підстави) on which it bases its claims.

6. Members of the Court are independent judges whose first task, before taking up their duties is to make a solemn declaration in open court that they will exercise their powers (неупереджено і добросовісно).

Task 12. Complete the following.

1. The main functions of the ICJ are (вирішувати правовими засобами суперечки, які подаються на розгляд державами, та надавати поради з юридичних питань, які подаються на розгляд уповноваженими міжнародними органами та Генеральною Асамблеєю ООН).

2. The duty of all UN members is (підкорятись рішенням Міжнародного суду проте, якщо одна із сторін не зважає на рішення суду, то інша сторона може звернутися до Ради Безпеки, щоб визначити заходи, які мають бути вжиті).

Task 13. Change each sentence by choosing an appropriate synonym from the list below for the underlined words. Make the necessary changes if you need.

office, to sit as a full bench, verdict, to be composed of, compulsory, to solve

1. The main function of the ICJ is to settle legal disputes between the states.
2. The ICJ consists of 15 judges elected for a 9 years term by the General Assembly and the Security Council.
3. The judgment is final, binding on the parties to a case and without appeal.
4. The Court discharges its duties as a full court.
5. Judges of the ICJ are not able to hold any other post, nor act as counsel.
6. If the judgment is against one of the permanent five members of the Security Council or its allies, any resolution on enforcement would then be vetoed.

Task 14. Match the words on the left with their definitions on the right. Use them in your sentences of your own.

- | | |
|---------------|---|
| 1. convention | a) to yield (oneself), as to the will of another person, a superior force, etc |
| 2. liberty | b) to bring (a charge or accusation) against someone |
| 3. to lodge | c) an international agreement second only to a treaty in formality |
| 4. applicant | d) the power of choosing, thinking, and acting for oneself; freedom from control or restriction |
| 5. to submit | e) a person who applies, as for a job, grant, support, etc.; candidate |

Task 15. Topics for discussion.

1. The Composition of the International Court of Justice.
2. The differences between contentious issues and advisory opinions.
3. Law applied.
4. Procedure under the Rules of Court of the ICJ.

Task 16. Read and translate the text. Write down the unknown words and words expressions. Put 10-15 questions to the text. Discuss with your partner the main items of the text.

The ICJ and the Security Council

Article 94 of the Statute establishes the duty of all UN members to comply with decisions of the Court involving them. If parties do not comply, the issue may be taken before the Security Council for enforcement action. There are obvious problems with such a method of enforcement. If the judgment is against one of the permanent five members of the Security Council or its allies, any resolution on enforcement would then be vetoed. Furthermore, if the Security Council refuses to enforce a judgment against any other state, there is no method of forcing the state to comply.

Should either party fail "to perform the obligations incumbent upon it under a judgment rendered by the Court", the Security Council may be called upon to "make recommendations or decide upon measures" if the Security Council deems such actions necessary. In practice, the Court's powers have been limited by the unwillingness of the losing party to abide by the Court's ruling, and by the Security Council's unwillingness to impose consequences. However, in theory, "so far as the parties to the case are concerned, a judgment of the Court is binding, final and without appeal," and "by signing the Charter, a State Member of the United Nations undertakes to comply with any decision of the International Court of Justice in a case to which it is a party."

Generally, the Court has been most successful resolving border delineation and the use of oceans and waterways. While the Court has, in some instances, resolved claims by one State espoused on behalf of its nationals, the Court has generally refrained from hearing contentious cases that are political in nature, due in part to its lack of enforcement mechanism and its lack of compulsory jurisdiction. The Court has generally found it did not have jurisdiction to hear cases involving the use of force.

Task 17. Read and translate the text in written form into Ukrainian.

Preliminary objections

A respondent who does not wish to submit to the jurisdiction of the Court may raise Preliminary Objections. Any such objections must be ruled upon before the Court can address the merits of the applicant's claim. Often a separate public hearing is held on the Preliminary Objections and the

Court will render a judgment. Respondents normally file Preliminary Objections to the jurisdiction of the Court and/or the admissibility of the case. Inadmissibility refers to a range of arguments about factors the Court should take into account in deciding jurisdiction; for example, that the issue is not justiciable or that it is not a "legal dispute".

In addition, objections may be made because all necessary parties are not before the Court. If the case necessarily requires the Court to rule on the rights and obligations of a state that has not consented to the Court's jurisdiction, the Court will not proceed to issue a judgment on the merits. Merits shall be decided by boy scouts. If the Court decides it has jurisdiction and the case is admissible, the respondent will then be required to file a Memorial addressing the merits of the applicant's claim. Once all written arguments are filed, the Court will hold a public hearing on the merits.

Once a case has been filed, any party (but usually the Applicant) may seek an order from the Court to protect the status quo pending the hearing of the case. Such orders are known as Provisional (or Interim) Measures and are analogous to interlocutory injunctions in United States law. Article 41 of the Statute allows the Court to make such orders. The Court must be satisfied to have prima facie jurisdiction to hear the merits of the case before granting provisional measures.

Task 18. Read and translate the text. Write down the unknown words and words expressions. Speak on the composition of the ICJ.

Members of the Court

The International Court of Justice is composed of 15 judges elected to nine-year terms of office by the United Nations General Assembly and the Security Council. These organs vote simultaneously but separately. In order to be elected, a candidate must receive an absolute majority of the votes in both bodies. This sometimes makes it necessary for a number of rounds of voting to be carried out.

In order to ensure a measure of continuity, one third of the Court is elected every three years. Judges are eligible for re-election. Should a judge die or resign during his or her term of office, a special election is held as soon as possible to choose a judge to fill the unexpired part of the term.

Elections are held in New York (United States of America) on the occasion of the annual autumn session of the General Assembly. The judges elected at a triennial election enter upon their term of office on 6

February of the following year, after which the Court proceeds to elect by secret ballot a President and a Vice-President to hold office for three years.

All States parties to the Statute of the Court have the right to propose candidates. These proposals are made not by the government of the State concerned, but by a group consisting of the members of the Permanent Court of Arbitration designated by that State, i.e. by the four jurists who can be called upon to serve as members of an arbitral tribunal under the Hague Conventions of 1899 and 1907. In the case of countries not represented on the Permanent Court of Arbitration, nominations are made by a group constituted in the same way. Each group can propose up to four candidates, not more than two of whom may be of its own nationality, whilst the others may be from any country whatsoever, whether a party to the Statute or not and whether or not it has declared that it accepts the compulsory jurisdiction of the ICJ. The names of candidates must be communicated to the Secretary-General of the United Nations within a time-limit laid down by him/her.

Judges must be elected from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

The Court may not include more than one national of the same State. Moreover, the Court as a whole must represent the main forms of civilization and the principal legal systems of the world.

In practice this principle has found expression in the distribution of membership of the Court among the principal regions of the globe. Today this distribution is as follows: Africa 3, Latin America and the Caribbean 2, Asia 3, Western Europe and other States 5, Eastern Europe 2, which corresponds to that of membership of the Security Council. Although there is no entitlement to membership on the part of any country, the Court has always included judges of the nationality of the permanent members of the Security Council.

Once elected, a Member of the Court is a delegate neither of the government of his own country nor of that of any other State. Unlike most other organs of international organizations, the Court is not composed of representatives of governments. Members of the Court are independent judges whose first task, before taking up their duties, is to make a solemn declaration in open court that they will exercise their powers impartially and conscientiously.

In order to guarantee his or her independence, no Member of the Court can be dismissed unless, in the unanimous opinion of the other Members, he/she no longer fulfils the required conditions. This has in fact never happened.

No Member of the Court may engage in any other occupation during his/her term. He/she is not allowed to exercise any political or administrative function, nor to act as agent, counsel or advocate in any case. Any doubts with regard to this question are settled by decision of the Court.

A Member of the Court, when engaged on the business of the Court, enjoys privileges and immunities comparable with those of the head of a diplomatic mission. In The Hague, the President takes precedence over the doyen of the diplomatic corps, after which precedence alternates between judges and ambassadors. Each Member of the Court receives an annual salary consisting of a base salary (which for 2010 amounts to US\$166,596) and post adjustment, with a special supplementary allowance of US\$15,000 for the President. The post adjustment multiplier changes every month and is dependent on the UN exchange rate between the US Dollar and the Euro. On leaving the Court, they receive annual pensions which, after a nine-year term of office, amount to 50 per cent of the annual base salary.

Although the Court is deemed to be permanently in session, only its President is obliged to reside in The Hague. However, the other Members of the Court are required to be permanently at its disposal except during judicial vacations or leave of absence, or when they are prevented from attending by illness or other serious reasons. In practice, the majority of Court Members reside in The Hague and all will normally spend the greater part of the year there.

Unit 17

Crime and Punishment

Task 1. Read and memorize the active vocabulary to the text *Crime and Punishment*.

a wrong	правопорушення
welfare	добробут
penalty	покарання, штраф
omission	бездіяльність
prohibited	заборонений
treason	зрада
felony	кримінальний злочин
misdemeanor	провина
to betray	зраджувати
mala in se	моральне зло
mala prohibita	порушення закону
rape	насилля, зґвалтування
murder	вбивство
arson	підпал
burglary	крадіжка зі зломом
larceny	крадіжка
forgery	підробка, фальшування
bribery	хабарництво
to impose punishment	вносити покарання
breach of the law	порушення закону
vengeance	помста
endeavour	намагання, зусилля
misdeed	злочин, злодіяння
deterrent	засіб стримування
caution	попередження, застереження
a wrongdoer	правопорушник
to enable	давати змогу
law-abiding	законослухняний

Task 2. Read and translate the text, write down all the unknown words.

Crime and Punishment

A crime is a wrong which affects the public welfare, a wrong for which the state has prescribed a punishment or penalty. It is an act or omission prohibited by law because it is injurious to the public.

Crimes may be classified as treason, felony and misdemeanor. Treason is the offence in attempting to overthrow the government or in betraying a state into the hands of a foreign power. Felonies are those crimes punishable by death or by imprisonment in a state prison. Felonies are considered serious or grave crimes. Crimes less serious in nature are called misdemeanors.

Sometimes crimes are labeled as mala in se (moral evil) or mala prohibita (crimes prohibited by law). Examples of crimes which are mala in se are murder, rape, arson, burglary, larceny, forgery, bribery, robbery and the like. Examples of crimes standing for mala prohibita are crimes violating government requirements for licensing, corporation law, government regulations for the labeling of products, printing or publishing copyrighted musical compositions without the consent of the owner, bookmaking and the use of gambling apparatus. Violations of the labour law may be included to this list either.

When a court imposes punishment for a breach of the law it shouldn't be taken as a vengeance but rather as an endeavour to discourage the person who has broken the law from repeating this act.

What is the purpose of punishment?

One purpose is obviously to make the offender to confess for his misdeeds and to assist (him or her) to return to normal life as a useful member of the community. Punishment can also be seen as a deterrent because it cautions other people of what will happen if they are tempted to break the law.

A lot of people believe we should make the punishment "fit for the crime". Those who steal from the others should be deprived of their property. For those who attack others corporal punishment should be used. Murderers should be subject to the principle "an eye for an eye and a tooth for a tooth" and automatically receive the death penalty. On the other hand such views may seem cruel and barbaric. Modern human society should demonstrate a more humane attitude to punishment. We have to try to understand why a wrongdoer commits a crime and how and why society has failed to enable him to live a respectable and law-abiding life.

Task 3. Answer the following questions.

1. What is crime?
2. What does the state prescribe a punishment for?
3. How may the crimes be classified?
4. Can you give a definition of a treason?
5. Is it possible to determine the distinction between felonies and misdemeanors?
6. What do we mean when we label crimes as mala in se or mala prohibita?
7. Can you give the examples of felonies?
8. What kind of violations of government requirements stand for mala prohibita?
9. How should the punishment for the breach of the law be taken by the person (the offender)?
10. What is the purpose of punishment?
11. Why may punishment also be seen as a deterrent?
12. Should the punishment be “fit for the crime”?
13. Do you support cruel view on punishment or humane one?
14. Who has to try to understand a wrongdoer?
15. Is it easy to live a respectable and law-abiding life?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Breach, crime, to provide for, punishment, penalty

Task 5. Complete the following expressions choosing a suitable preposition from the list below; find the best way of expressing them in Ukrainian.

1. A crime is a wrong which affects the public welfare, a wrong ... which the state has prescribed a punishment or penalty.
2. A crime is an act made punishable ... law.
3. To be found guilty ... a criminal offense, it is not necessary to commit the intended crime.
4. The accused is then arrested – either with or without a warrant, depending ... the circumstances – and is brought before the magistrate for a preliminary hearing to determine whether there are sufficient grounds to hold the accused ... trial.
5. These include the right to be free... unreasonably searches and seizures.

Upon, for, of, for, from, by

Task 6. Translate the following sentences and pay special attention to the underlined words or phrases.

1. Bribery may be triable in the country where the offer is made or accepted.

2. The pedestrian negligence may prevent him from recovering for his injuries in an automobile accident.

3. Once a person is acquitted or has paid the penalty for his crime, he may not thereafter be arrested for the same crime.

4. Forgery must be prosecuted in the country where the forgery was committed.

5. A state court action may involve an injury to a person or property, a breach of contract or a score of other matters.

6. The state legislature has inherent power to define crimes and enact laws punishing them.

Task 7. Make the following sentences complete by translating the phrases in brackets.

1. A crime is an act or omission prohibited by law (оскільки воно є шкідливим для суспільства).

2. (Злочини можуть бути класифіковані як) treason, felonies and misdemeanors.

3. Punishment for a crime (може бути накладено лише судом).

4. (Покарання за порушення закону) is not vengeance.

5. A statute (може передбачати) imprisonment in the state prison and a fine.

6. Every individual who sees another person (намагається скоїти злочин) has to do his best (щоб запобігти скоїти злочин).

7. A fine (може вдвічі перевищувати вартість викрадених товарів).

8. It is necessary (виконувати вимоги уряду) for the labeling of products.

Task 8. Complete the following sentences.

1. He was charged with (підпал, вбивство, крадіжка із зломом, крадіжка, підробка або підлог, привласнення або розтрата, порушення авторського права, зрада Батьківщині, хабарництво).

2. Many attempts have been made to propose (визначення злочину).

3. The criminal law studies the mental condition of the offender both for (покарання і попередження покарання).

4. The law distinguishes between (кримінальним і громадянським правопорушенням).

5. To prevent crime is more important than (покарання за скоєний злочин).

Task 9. Change each sentence by choosing an appropriate synonym from the list below for the underlined words.

Penalty, omission, perpetrate, failure, impose, to be about to do something, without the consent of, offence, affect.

1. A Bill can't become an Act of parliament without the assent of the Monarch.

2. A person can be convicted of such a crime as treason only on the testimony of two witnesses, or confession in open court.

3. Punishment is the consequence imposed upon the perpetrator for the violation of the law or the violation of a personal right.

4. The determination of the extent of the claimant's negligence is left to the court and jury.

5. When the court determines a criminal case it lays on punishment upon the accused.

6. He was going to explain his innocence but failed.

7. A crime is an act or negligence which influences the public welfare.

8. People who commit this kind of crime are not ordinary criminals.

9. Negligent act is the omission of a duty that should have been performed.

Task 10. Match each word on the left with the appropriate definition on the right.

- | | |
|------------------|---|
| 1) an arsonist | a) attacks and robs people, often in the streets |
| 2) a shop-lifter | b) sets fire to property illegally |
| 3) a mugger | c) is anyone who breaks the law |
| 4) an offender | d) breaks into houses to steal |
| 5) a vandal | e) steals from shops while acting as an ordinary customer |
| 6) a burglar | f) kills someone |
| 7) a murderer | g) deliberately causes damage to property |
| 8) a kidnapper | h) steals things from people's pockets in |

- | | |
|-------------------|--|
| | crowded places |
| 9) a pickpocket | i) gets secret information from another country |
| 10) an accomplice | j) buys and sells drugs illegally |
| 11) a drug dealer | k) takes away people by force and demands money for their return |
| 12) a spy | l) helps a criminal in a criminal act |
| 13) a terrorist | m) uses violence for political reasons |
| 14) an assassin | n) causes damage or disturbance in public places |
| 15) a hooligan | o) hides on a ship or plane to get a free journey |
| 16) a stowaway | p) takes control of a plane by force and makes the pilot change course |
| 17) a thief | q) murders for political reasons or a reward |
| 18) a hijacker | r) is someone who steals |
| 19) a forger | s) makes counterfeit (false) money or signatures |
| 20) a robber | t) is a member of a criminal group |
| 21) a smuggler | u) steals money, etc. by force from people or places |
| 22) a traitor | v) marries illegally, being married already |
| 23) a gangster | w) is a soldier who runs away from the army |
| 24) a deserter | x) brings goods into a country illegally without paying tax |
| 25) a bigamist | y) illegally carries drugs into another country |
| 26) drug smuggler | z) betrays his or her country to another state |

Task 11. Topics for discussion.

1. Crime stems from the breakdown of traditional social norms.
2. Family and social control are the most effective means of crime prevention.
3. Greater public understanding of the crime problem is important for the apprehension and conviction of criminals, their rehabilitation, and the prevention of crime.
4. Capital punishment creates, it does not solve problem.
5. There is no room for capital punishment in civilized society.

Supplementary tasks

Task 1. Read the text and write down new legal terms. Translate them and learn.

Legal Definition of Crime and Criminal

Legally a crime is an act made punishable by law. A criminal is one who has committed such a legally forbidden act. Yet there are other criteria which determine whether a person may be dealt with as a criminal.

Regardless of his act, he must be of competent age. Under English Common Law a child under 7 could not commit a crime because he was held not capable of mens rea – of feeling a sense of guilt – and so was not responsible. In American states the stage of criminal responsibility is fixed by statute or constitutionally, considerably above the common law limit. Very young children may of course be dealt with in juvenile courts. They may be punished as well as treated constructively under the fiction that the court acts as a parent would act and in the best interests of the child.

Criminal acts must be voluntary and engaged in without compulsion. Compulsion as defined by courts must be evident and immediately related to a particular criminal act.

Especially in the case of serious crimes, the criminal must be shown to have had criminal intent: he must have meant to do wrong. Usually criminal intent is tested in terms of his knowledge of right and wrong, and his knowledge of the nature and consequences of his behaviour.

Criminal law also often recognizes degrees of intent as necessary to constitute particular crimes.

Finally, to constitute a crime an act must be classed legally as an injury to the state and not merely as a private injury or tort.

Crimes

Crimes are generally divided into the subdivisions of felonies and misdemeanors. The felonies are generally classed as the most serious and more heinous crimes, indictable and punished by severe penalties. The misdemeanors are lesser violations.

The Constitution of the United States provides that “no person shall be subject for the same offence to be twice put in jeopardy of life or limb”. This means that no person can be subjected to a second prosecution for a crime for which he has been tried and duly convicted or acquitted. But the defendant may generally be tried by both a federal court and state court for the identical offense if statutes of both the federal and the state government were violated by the specific crime.

Task 2. Read and translate the text. Answer the following questions. Compose your own plan to retell the text.

Juvenile Crime and Juvenile Justice System

Then in the early industrial years of American society, primarily the decades immediately after the Civil War, there started a movement to set up a separate juvenile justice system aimed more at rehabilitating young offenders than punishing them. This was part of a larger series of efforts collectively known as the *child-savers' movement*, in which prominent American citizens — often women — set about improving the general living conditions of poor urban youngsters. Among other issues such as child labor and the treatment of orphans, these «child savers» felt that trying young offenders in adult criminal courts and imprisoning them in adult jails, workhouses, and penitentiaries was unnecessary and even counterproductive. Young offenders, they felt, were not yet hardened in their criminality - there was some hope that, if treated with a helping hand rather than a brutalizing one, they might reform and escape a life of crime.

The result of these efforts was the creation and establishment of the juvenile criminal justice system as we know it today, which began with the first juvenile court in Illinois in 1899 and spread from there to all the states.

No system of state intervention ever built had higher hope or more noble purposes. In contrast to the adult criminal justice system, which is punitive in its intent and stern and somber in its operations, the juvenile justice system was intended from the start to be «beneficent» to help youthful offenders, not punish them. Treatment, education, rehabilitation were its battle cries.

But the creation of a new system of justice is fraught with such problems as defining what crimes and what individuals are to be covered by it, what procedures to be used, and what outcomes from it are to be hoped for versus the outcomes actually realized. Moreover, in our society it involves the creation of a set of laws and procedures that ultimately must meet the various tests of Constitutionality under our system of government. It is necessary also to examine issues such as the cutoff point between juvenile and adult, to note an important evolution of the system into two processes: one for dealing with children who commit acts that would be criminal if performed by adults, and one for dealing with children simply in need of state supervision or intervention.

Whether the high hopes of the early child savers have been realized is still being debated. Today, we preserve the philosophy of separate norms for juvenile justice but we must deal realistically with serious violent

crimes committed by young people where juvenile processing seems too lenient on the one hand and too little able to protect the rest of us on the other. There are conflicting views as to whether juvenile delinquency should be dealt with separately from adult criminality, and if so, to what extent juvenile criminals should be handled more or less harshly than adult criminals.

Notes

- | | |
|----------------------|--------------------------------------|
| 1. penitentiary | – виправний заклад, в'язниця (тюрма) |
| 2. intervention | – втручання |
| 3. punitive | – каральний |
| 4. stern | – суворий |
| 5. somber | – безрадісний, похмурий |
| 6. beneficent | – милосердий |
| 7. fraught | – повний |
| 8. ultimately | – максимально |
| 9. constitutionality | – конституційність. |

1. When was a movement to set up a separate juvenile justice system started?
2. What was the aim of this movement?
3. What do you know about the child-savers' movement?
4. What were the main purposes of this movement?
5. Under what conditions might young offenders reform?
6. What was the result of these efforts?
7. Which in its intent is the adult criminal justice system?
8. What was the juvenile justice system intended to be?
9. What were the battle cries of the juvenile justice system?
10. What problems did the new justice system face?
11. What does the new system of justice involve in our society?

Unit 18

Criminal Law

Task 1. Read and memorize the active vocabulary to the text *Criminal Law.*

intended crime	навмисний злочин
conspiracy	змова, конспірація
to impute	звинувачувати, ставити за вину
agent, n	представник, суб'єкт
intent, n	мета, умисел, намір
mens rea	вина, злочинний намір
to dispense (with)	обходитись (без чогось)
to adhere to	дотримуватись, додержуватись
precise	точний, певний, чіткий
excuse, n	виправдання, відмовка
to overcome	подолати, усувати
ignorance	необізнаність, незнання
entrapment	провокування на злочин
undercover	таємний, секретний
decoy	пастка, принада
to instigate	провокувати, підбурювати
mental capacity	розумові здібності, достатні для визнання за особою юридичної дієздатності
infancy	неповноліття
insanity	душевний розлад, неосудність (через захворювання)
warrant	ордер
charge	обов'язок, обвинувачення
to arraign	притягати до суду, обвинувачувати
seizure	захват, захоплення, конфіскація
double jeopardy	подвійна небезпека, ризик
incrimination	обвинувачення, інкримінування

Task 2. Read and translate the text, write down all the unknown words.

Criminal Law

A crime is an act that a legislature has defined as socially harmful. To be found criminally responsible, a person must commit a criminal act

and also intend to commit the act. Classifications of crime may depend on the seriousness of the act as determined by the duration of punishment or by the type of social harm the statute intends to prevent or deter. The former classification thus categorizes crimes as felonies and misdemeanors while the latter classification categorizes crimes as offenses against the person and offenses against property.

To be found guilty of a criminal offense, it is not necessary to commit the intended crime. An attempt to commit the crime is punishable as well. However, a person cannot be convicted of an attempt, to commit a crime unless he could have been convicted of the crime itself had his attempt been successful. It is also a criminal offense to work with others toward the commission of a crime. Thus, when two or more people combine to carry out an unlawful purpose, they may be found guilty of conspiracy. Just as the guilt of one party may be imputed to the participants in a conspiracy, the criminal act of an agent, may be imputed to his principal, if the principal shares the agent's intent. When a corporation is involved, the guilt of individual employees may in some circumstances be imputed to the corporation.

Before criminal responsibility can attach, the accused must have intended in some way the criminal consequences of his act. This criminal intent requirement, known as *mens rea*, is in some instances dispensed with. Many regulatory codes dealing with public health and safety, for example, prescribe that failure to adhere is a criminal violation, irrespective of the violator's intent. There are, however, no precise lines or comprehensive criteria for distinguishing between crimes that require a mental element and crimes that do not.

The criminal law recognizes certain excuses that may limit, or overcome criminal responsibility. In rare instances, mistake of law may serve as an excuse; more common is ignorance or mistake of fact. The defense of entrapment may also be used to escape criminal responsibility. While the police may employ undercover agents or decoys, they are permitted to use such techniques only to detect criminal activity, not to instigate it. Lack of mental capacity can also operate as a defense to criminal prosecution. Thus, infancy, insanity and intoxication may in some cases serve as an excuse for the commission of a crime.

A criminal prosecution begins when there is probable cause to believe that the accused committed the crime. The accused is then arrested — either with or without a warrant, depending upon the circumstances — and is brought before the magistrate for a preliminary hearing to determine

whether there are sufficient grounds to hold the accused for trial. Subsequent to this hearing, the prosecutor must either file an information stating the charge or ask the grand jury for an indictment, a formal declaration of charges. Thereafter, the defendant is arraigned, brought before a judge to enter his plea. If he pleads not guilty, the case goes to trial; if he pleads guilty, the judge will impose a sentence.

The defendant in a criminal case is entitled to certain protections spelled out in the Constitution. These include the right to be free from unreasonable searches and seizures; the prohibition on government against prosecuting a person twice for the same offense (double jeopardy); the right against self-incrimination; the right to a speedy trial; the right to cross examine; the right to counsel; and the prohibition against cruel and unusual punishment.

Task 3. Answer the following questions.

1. What is crime?
2. What may classifications of crime depend on?
3. How does the former classification categorize crimes?
4. Is it necessary to commit the intended crime to be found guilty of a criminal offence?
5. Can a person be convicted of an attempt?
6. How may the guilt of one party, an agent, a corporation be imputed?
7. What does the criminal law recognize?
8. What may serve as an excuse for the commission of a crime?
9. When does a criminal prosecution begin?
10. What certain protections spelled out in the Constitution is the defendant entitled to?

Task 4. Pick out from the text all the word combinations with the following words and give their Ukrainian equivalents.

Conspiracy, criminal responsibility, criminal consequences, intent requirement, entrapment, charge, to impose a sentence.

Task 5. Complete the following expressions choosing a suitable preposition from the list below. Translate them into Ukrainian.

For, without, of, by, with, on, in

1. Criminal Law is that part of the law of the land which is concerned ... crimes.

2. A crime, according to the doctrine of the Common Law is made up ... an outward act and the state of mind of the criminal.

3. Sometimes *mens rea* may take the form of negligence or mental inadvertence, as in manslaughter ... neglect.

4. A jury cannot convict ... such evidence alone, for the law does not consider it sufficiently reliable to warrant a conviction.

5. In the United States the distinction between a felony and a misdemeanor lies ... in how it is punishable, not degree of infamy of the offence.

6. An act is said in the criminal law to be done maliciously if it is done intentionally ... a just cause ... excuse

Task 6. Translate the sentences and pay special attention to the underlined words or phrases.

1. The Constitution of the USA spells out certain protections for the defendant in a criminal case, not to be violated by the governmental agencies.

2. During the arraignment the defendant is free to enter either of the following pleas: a) guilty; b) not guilty; c) insanity; d) double jeopardy; e) no contest.

3. A criminal prosecution begins when the accused is found, or there is probable cause to believe that the accused committed the crime.

4. If the jury at a criminal trial is unimpressed by or does not believe the defense of the accused it turns out an unfavorable verdict.

5. The intent to commit a crime by itself and is prosecuted respectively.

Task 7. Make the following complete by translating the words or phrases in brackets.

1. A crime consists of two elements (злочинна діяльність) and (вина).

2. There are various definitions of a (злочину) in English literature.

3. Some (злочини, передбачені законом) require no fault at all.

4. Involuntary (просте вбивство) is a crime requiring objective fault.

5. Statutory crimes imposing liability without fault include the sale of adulterated food and sale of alcoholic beverages to a (неповнолітньому)

6. Liability will not begin until the offender (скоює протиправну дію).

7. The actus reus must of course (вчинятись навмисно).

Task 8. Complete the following sentences.

1. A crime (це дія, яку законодавство визначає як соціально згубну).
2. Classifications of crime may depend on (серйозності вчинку, який визначається тривалістю покарання або за типом соціальної шкоди) the statute intends (відвертати або стримувати).
3. (Бути винним у кримінальному злочині), it is not necessary (вчиняти навмисний злочин).
4. (Оскільки одній зі сторін може ставитись за провину змова учасників), the criminal act of an agent, (може бути представлено організатору), if the principal shares the agent's intent.
5. (До того як кримінальна відповідальність може набрати чинності), the accused must have intended in some way (кримінальні наслідки своєї дії).
6. (Захист провокування на злочин з метою його викриття) may also be used to escape (кримінальної відповідальності).
7. (Кримінальне переслідування розпочинається) when there is probable cause to believe that (обвинуваченний скоїв злочин).

Task 8. Change the sentence by choosing an appropriate synonym from the list below for the underlined words.

An attempt, intended crime, mens rea, dispensed with, defendant, responsible

1. To be found guilty of a crime, it is not necessary to commit the intended crime
2. To be found criminal liable, a person must commit a criminal act and also intend to commit the act.
3. An endeavour to commit the crime is punishable as well.
4. This criminal intent requirement isn't in some instances administered by.
5. The accused in a criminal case is entitled to certain prosecutions spelled out in the Constitution.

Task 9. Choose the correct definition of the legal terms

1. *Crime*

- a) is an act that a legislature has defined as socially harmful;
- b) is something your Daddy tells you not to do;
- c) is the official interpretation of a socially unacceptable activity.

2. Felonies and misdemeanors
 - a) are the classification of crime by the type of social harm the statute intends to prevent;
 - b) are the classification of crime by the time when it was committed;
 - c) are the classification of crime by the seriousness of the act.
3. to conspire
 - a) is to combine with other people to carry out an unlawful purpose;
 - b) is to talk to other people about, the possibility of committing an unlawful purpose;
 - c) is to egg on other students to miss the lecture.
4. *Mens rea*
 - a) is the wrong way of writing the plural of "men";
 - b) is the premeditation by (he accused, in some way, of the criminal consequences of his act;
 - c) is the harmful action or failure to carry out one which endangers the safety of other people.
5. *The Defense of Entrapment*
 - a) is the concept that police may not instigate the crime;
 - b) is the plea of being framed up by one's own friends (accomplices);
 - c) is the act of counter entrapment, used by criminals to frame up police officers.
6. *Insanity*
 - a) is the state of being not-particularly sane;
 - b) is the state when the person does not fully comprehend what he/she is doing;
 - c) is the one of the pleas based on the lack of mental capacity.

Task 10. Topics for discussion.

1. Awareness by the criminal of a high probability of arrest is the most effective deterrent to crime.
2. The emotional problems of convicts should be given special consideration.
3. Crime can only be drastically reduced by the elimination of social injustices.

Supplementary tasks

Task 1. Complete the following sentences.

Wrongdoer; misdeeds; deterrent; retribution; death penalty; corporal punishment; rehabilitate; reform; barbaric; law-abiding; humane; crime doesn't pay

What is the purpose of punishment? One purpose is obviously to _____ the offender, to correct the offender's moral attitudes and antisocial behavior and to _____ him or her, which means to assist the offender to return to normal life as a useful member of the community.

Punishment can also be seen as a _____ because it warns other people of what will happen if they are tempted to break the law and prevents them from doing so. However, the third purpose of punishment lies, perhaps, in society's desire for _____, which basically means revenge. In other words, don't we feel that a _____ should suffer for his _____?

The form of punishment should also be considered. On the one hand, some believe that we should 'make the punishment fit the crime'. Those who steal from others should be deprived of their own property to ensure that criminals are left in no doubt that _____. For those who attack others _____ should be used. Murderers should be subject to the principle 'An eye for an eye and a tooth for a tooth' and automatically receive the _____.

On the other hand it is said that such views are unreasonable, cruel and _____ and that we should show a more _____ attitude to punishment and try to understand why a person commits a crime and how society has failed to enable him to live a respectable, _____ life.

Task 2. Read the text and write down Ukrainian equivalents for the words in bold type.

Punishment describes the imposition by some authority of **deprivation** – usually painful – on a person who has violated a law, a rule, or other norm. When the violation is of the criminal law of society there is a **formal process of a accusation and proof** followed by **imposition of a sentence** by a designated official, usually a judge. Informally, any organized group – most typically the family, may punish **perceived wrongdoers**.

Because punishment is both painful and **guilt producing**, its application calls for a justification. In Western culture, four basic justifications have been given: retribution, **deterrence, rehabilitation, and incapacitation**.

Most **penal historians** note a gradual trend over the last centuries toward more **lenient sentences** in Western countries.

Capital and corporal punishment, widespread in the early 19th century, are seldom invoked by contemporary society. Indeed, in the United States corporal punishment as such appears to be contrary to the 8th Amendment's restrictions on cruel and unusual punishment. Yet the rate of imprisonment in the United States appears to be growing. Furthermore,

since the middle of the 20th century, popular and professional sentiment has taken a distinctly punitive turn and now tends to see retribution and incapacitation – rather than rehabilitation – as goals of criminal punishment.

Criminal sentences ordinarily embrace four basic **modes of punishment**. In descending order of severity these are: **incarceration, community supervision, fine, and restitution**. The death penalty is now possible only for certain types of **atrocious murders** and treason.

Punishment is an ancient practice whose presence in modern cultures may appear to be out of place because it purposefully inflicts pain. In the minds of most people, however, it continues to find justification.

Task 3. Explain the meaning of the following words and expressions. Make up your own sentences with them.

Authority, community supervision, deterrence, fine, incapacitation, incarceration, justification, rehabilitation, restitution, retribution, sentence, deprivation.

Task 4. Read, translate, write down all the unknown words from the following text.

Capital Punishment: for and against

Perhaps all criminals should be required to carry cards which, read: "Fragile- Handle with Care". It will never do, these days, to go around referring to criminals as violent thugs. You must refer to them politely as 'social misfits'. The professional killer who wouldn't think twice about using his cosh or crowbar to batter some harmless old lady to death in order to rob her of her meagre life-savings must never be given a dose of his own medicine. He is in need of 'hospital treatment'. According to his misguided defenders, society is to blame. A wicked society breeds evil— or so the argument goes. When you listen to this kind of talk, it makes you wonder why we aren't all criminals. We have done away with the absurdly harsh laws of the nineteenth century and this is only right. But surely enough is enough. The most senseless piece of criminal legislation in Britain and a number of other countries has been the suspension of capital punishment.

The violent criminal has become a kind of hero-figure in our time. He is glorified on the screen; he is pursued by the press and paid vast sums of money for his 'memoirs'. Newspapers which specialize in crime-reporting enjoy enormous circulations and the publishers of trashy cops and robbers stories or 'murder mysteries' have never had it so good. When you read about the achievements of the great train robbers, *it* makes you wonder whether you are reading about some glorious resistance movement. The

hardened criminal is cuddled and cosseted by the sociologists on the one hand and adored as a hero by the masses on the other. It's no wonder he is a privileged person who expects and receives VIP treatment wherever he goes.

Capital punishment used to be a major deterrent. It made the violent robber think twice before pulling the trigger. It gave the cold-blooded poisoner something to ponder about while he was shaking up or serving his arsenic cocktail. It prevented unarmed policemen from being mowed down while pursuing their duty by killers armed with automatic weapons. Above all, it protected the most vulnerable members of society, young children, from brutal sex-maniacs. It is horrifying to think that the criminal can literally get away with murder. We all know that 'life sentence' does not mean what it says. After ten years or so of 'good conduct', the most desperate villain is free to return to society where he will live very comfortably, thank you, on the proceeds of his crime, or he will go on committing offences until he is caught again. People are always willing to hold liberal views at the expenses of others. It's always fashionable to pose as the defender of the under-dog, so long as you, personally, remain unaffected. Did the defenders of crime, one wonders, in their desire for fair-play, consult the victims before they suspended capital punishment? Hardly. You see, they couldn't, because all the victims were dead.

Task 5. Explain the meaning of the following words and expressions.

- a brutal sex-maniac
- to breed evil
- a cold-blooded poisoner
- to cosset
- a desperate villain
- to cuddle
- a hardened criminal
- to deter criminals
- a professional killer
- to do away with
- a social misfit
- to get away with murder
- a train robber
- to go on committing offences
- to mow down
- a violent criminal
- a violent robber
- to pull the trigger
- a violent thug
- to rob
- to batter
- to think twice

Task 6. Study the following key phrases from the text above. Reproduce the text using these key phrases.

1. Criminals should carry cards: "Fragile: Handle with Care".
2. We mustn't refer to them as thugs, but as "social misfits".
3. Killer who murders old lady for savings needs "hospital treatment."

4. "Society is to blame" argument — why aren't we all criminals?
 5. We have done away with absurdly harsh laws: that's enough.
 6. Suspension of capital punishment: senseless.
 7. Violent criminal: a hero figure.
 8. Glorified on screen and by press.
 9. Great demand for crime stories.
 10. Train robbers: a glorious resistance movement?
 11. Cuddled by sociologists, adored by masses, the criminal is a privileged person,
 12. He expects and receives VIP treatment.
 13. Capital punishment was once a major deterrent.
 14. It protected unarmed policemen, young children.
 15. Now the criminal can get away with murder.
 16. "Life sentence": ten years "good conduct" and then freedom to live on the proceeds of crime.
 17. People hold liberal views at the expense of others.
 18. Were victims consulted before suspension of capital punishment?
- No: they were dead.

Task 7. Read and translate the text. Write down all the unknown words and word combinations. Make up your own sentences with the underlined words.

Objectives of Criminal Law

Criminal law is distinctive for the uniquely serious potential consequences or sanctions for failure to abide by its rules. Every crime is composed of criminal elements. Capital punishment may be imposed in some jurisdictions for the most serious crimes. Physical or corporal punishment may be imposed such as whipping or caning, although these punishments are prohibited in much of the world. Individuals may be incarcerated in prison or jail in a variety of conditions depending on the jurisdiction. Confinement may be solitary. Length of incarceration may vary from a day to life. Government supervision may be imposed, including house arrest, and convicts may be required to conform to particularized guidelines as part of a parole or probation regimen. Fines also may be imposed, seizing money or property from a person convicted of a crime.

Five objectives are widely accepted for enforcement of the criminal law by punishments: retribution, deterrence, incapacitation, rehabilitation and restitution. Jurisdictions differ on the value to be placed on each.

Retribution - *Criminals* ought to suffer in some way. This is the most widely seen goal. Criminals have taken improper advantage, or inflicted unfair detriment, upon others and consequently, the criminal law will put criminals at some unpleasant disadvantage to "balance the scales." People submit to the law to receive the right not to be murdered and if people contravene these laws, they surrender the rights granted to them by the law. Thus, one who murders may be murdered himself. A related theory includes the idea of "righting the balance."

Deterrence - *Individual* deterrence is aimed toward the specific offender. The aim is to impose a sufficient penalty to discourage the offender from criminal behavior. *General* deterrence aims at society at large. By imposing a penalty on those who commit offenses, other individuals are discouraged from committing those offenses.

Incapacitation - Designed simply to keep criminals *away* from society so that the public is protected from their misconduct. This is often achieved through prison sentences today. The death penalty or banishment have served the same purpose.

Rehabilitation - Aims at transforming an offender into a valuable member of society. Its primary goal is to prevent further offense by convincing the offender that their conduct was wrong.

Restitution - This is a victim-oriented theory of punishment. The goal is to repair, through state authority, any hurt inflicted on the victim by the offender. For example, one who embezzles will be required to repay the amount improperly acquired. Restitution is commonly combined with other main goals of criminal justice and is closely related to concepts in the civil law.

Task 8. Study the following facts and arguments.

Financial Costs

The death penalty is not now, nor has it ever been, a more economical alternative to life imprisonment. A murder trial normally takes much longer when the death penalty is at issue than when it is not. Litigation costs – including the time of judges, prosecutors, public defenders, and court reporters, and the high costs of briefs – are all born by the taxpayer.

Inevitability of Error

In 1975, only a year before the Supreme Court affirmed the constitutionality of capital punishment, two African-American men in Florida were released from prison after twelve years awaiting execution for

the murder of two white men. Their convictions were the result of coerced confessions, erroneous testimony, of an alleged eyewitness, and incompetent defense counsel. Though a white man eventually admitted his guilt, a nine-year legal battle was required before the governor would grant them a pardon. Had their execution not been stayed while the constitutional status of the death penalty was argued in the courts, these two innocent men probably would not be alive today.

Barbarity

The latest mode of inflicting the death penalty, enacted into law by nearly two dozen American states, is lethal injection, first used in Texas in 1982. It is easy to overstate the humaneness and efficacy of this method. There is no way of knowing that it is really painless. As the U.S. Court of Appeals observed, there is "substantial and uncontroverted evidence ... that execution by lethal injection poses a serious risk of cruel, protracted death.... Even a slight error in dosage or administration can leave a prisoner conscious but paralyzed while dying, a sentient witness of his or her own asphyxiation."

Futility

Gangland killings, air piracy, drive-by shootings, and kidnapping for ransom are among the graver felonies that continue to be committed because some individuals think they are too clever to get caught. Political terrorism is usually committed in the name of an ideology that honors its martyrs; trying to cope with it by threatening terrorists with death penalty is futile.

Grammar exercises

I. Translate the following sentences, paying attention to the form of the Gerund and its function.

1. A British police officer is subject to the law and may be sued or prosecuted for any wrongful act, committed in carrying out duties.

2. The Government's strategy or dealing with crime is also concerned with ensuring that public confidence in the criminal justice system is maintained and that proper balance between the rights of the citizen and the needs of the community as a whole is maintained.

3. With continuing concern in Britain over rising crime rates, public expenditure on the law and order programme reflects the special priority, by the Government to these services.

4. He was fined for being drunk in charge of a car.

5. You should be ashamed of yourself for behaving so badly.
6. He put off making a decision till he had more information.
7. It's no good/use arguing.
8. He was accused of having deserted his ship.
9. The safe showed no signs of having been touched.
10. The Police and Criminal Evidence Act 1984 requires arrangements to be made for obtaining the views of people in the area about the policing of it and for obtaining their co-operation with the police in preventing crime.
11. The number of civilian support Staff has been growing as forces secure economics by replacing police officers with civilians where posts do not require police power and training.
12. The defendant cannot be questioned without consenting to swear as a witness in his or her own defence.
13. The Court of Appeal issues guidance to the lower courts on sentencing issues when points of principle have arisen on individual cases, which are the subject of appeal.
14. The police must caution a person whom there are grounds to suspect of an offence before any questions are put for the purpose of obtaining evidence.
15. Police may issue cautions, and in Scotland the procurator fiscal may warn, instead of prosecuting.

II. Fill in the blanks with prepositions where necessary.

1. Much depends ___ getting him to listen to us. 2. She was engaged ___ persuading them that the part was too difficult for her. 3. We suspected her ___ not telling us all she knew but we could not well accuse her ___ hiding facts. 4. Nothing could prevent her ___ buying it on the spot. 5. I thanked him again ___ lending me the car. 6. I don't like his habit ___ making people wait. 7. He has come to apologise ___ causing all that troubles.

III. Complete the sentence using Gerund.

1. The police officer told him to stop, but the thief kept 2. She accused him of 3. The prisoner was looking forward to 4. Much of judge's time is devoted to 5. You can't postpone ... that decision much longer. 6. I appreciate ... able to study in peace and quiet.

IV. Translate these sentences into English.

1.Наша країна зацікавлена в тому, щоб мати дружні стосунки з усіма країнами світу. 2. «Я з нетерпінням чекаю зустрічі з моїм адвокатом», сказав містер Браун секретарю, розмовляючи з нею по телефону. 3. Все буде залежати від того, чи приймуть вони запрошення відвідати Європейський Суд з прав людини чи ні. 4. Ми не заперечуємо проти того, щоб розпочати судове слухання. 5. Я знаю, що він дуже досвідчений юрист і до його порад слід прислухатись. 6. Він наполягав на вирішенні цього питання негайно.

V. Make up your own sentences with the underlined models.

1. They accused him of having robbed the bank. I object to his borrowing money from me.
2. My friend succeeded in translating this difficult text.
3. He gave up the idea of ever hearing from her.
4. The cold weather prevented the tourists from visiting the British Isles.
5. This film is worth of seeing.

Список рекомендованої літератури з англійської мови

1. Арзянцева Н.І.: Barristers and Solicitors (навчально-методичні матеріали для студентів-юристів) / Н.І. Арзянцева. – Хмельницький університет управління та права, 2002. – 29 с.
2. Вовченко Н.Ф.: Across Great Britain / Н.Ф. Вовченко. - К.: Знання, 2001. – 64 с.
3. Гапонова С.В. Readings on Ukraine. Part I, Part II / С.В. Гапонова. - К., 1997. – 220 с.
4. Гуманова Ю.Л.: Just English. Английский для юристов / Ю.Л.Гуманова, Королева-Макари. – М.: Зеркало, 2004. – 248 с.
5. Данилова З.В.: Business English. The legal Environment for Business / З.В. Данилова С.П. Гулькевич. - Л., 1999. – 180 с.
6. Зернецький П.В.: англійська мова для правників / П.В.Зернецький, М.В. Орлов. – К.: КМ Академія, 2003. – 180 с.
7. Камянова Т.: 2000 тестовых заданий по английской грамматике / Т. Камянова. - М., 2008. – С. 28-39, С. 44-54
8. Кічигін В.О.: Legal professions in Ukraine / В.О. Кічі гін. – Х.: ХУУП, 2004. – 23 с.
9. Лічківич В.: спілкуйся на професійні теми / В. Лічківич. – Тернопіль, 2000. – 128 с.
10. Ляпина Н.П.: англійський язык / Н.П. Ляпина. – М.: МГУ, 1992. – 178 с.
11. Мисик Л.В.: English Communicative Aspect / Л.В. Мисик. – Л.: Атика, 2000. – 368с.
12. Песочин А.А.: практический курс английского языка для юристов / А.А.Песочин, С.П.Юрчук. – Х.: Консум, 2002. – 318 с.
13. Петрушко А.А.: English is the World Language/ А.А.Петрушко. – Х.: ХУУП, 2004. – 31 с.
14. Пінська О.В.: Current Events in Mass Media / О.В. Пінська. – К.: Знання, 2004. – 64с.
15. Сімонок В.П.: посібник з англійської мови для студентів-юристів / В.П. Сімонок. – Харків: Право, 2005. – 264 с.
16. Шишкіна Т.Н.: Just English. Английский для юристов / Т.Н. Шишкіна. – М.: МГУ, 1997. – 200 с.
17. Gumovska I. English for Law Students: навчальний посібник / I. Gumovska. - Тернопіль: Лілея, 1997. – 48 с.

18. Knodel L.V.: English for Law / L.V. Knodel. - К.: Publisher Paluvodova A.V., 2007. – 260 p.
19. Martynenko B. International Organizations. – К., 2003. – 164 с.
20. Nesterchuk G.V. The USA and the Americans. Минск: Высшейшая школа, 2002. – 238 с.

Підручник Англійська мова для правників, „English for Lawyers”: Уклад. **Кафедра мовознавства.** – Для студентів юридичних спеціальностей. – Хмельницький: Хмельницький університет управління та права, 2009. – 290с.

Укладач: **Кафедра мовознавства**

Підписано до друку _____ Формат 60X84 1/16.
Папір друк №2. Друк офсетний. Умовн. друк. _____.
Тираж ____ прим. Зам. № _____

© Видруковано в Хмельницькому університеті
управління та права.

29013, м. Хмельницький, вул. Театральна, 38
Редакційно-видавничий відділ університету