

МИНИСТЕРСТВО ОБРАЗОВАНИЯ И НАУКИ РОССИЙСКОЙ ФЕДЕРАЦИИ  
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# **СБОРНИК ТЕКСТОВ ДЛЯ ЧТЕНИЯ И ЗАДАНИЙ ПО ЮРИДИЧЕСКОМУ АНГЛИЙСКОМУ ЯЗЫКУ**

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# CONTENTS

## **UNIT I. WHAT IS LAW?**

The need for law.....	4
Extra reading I: The first laws.....	8
Extra reading II: Draconian laws (draconic code).....	9

## **UNIT II. CRIME**

Why do we Commit Crimes?.....	11
Extra reading: Incidents.....	18

## **UNIT III. PUNISHMENT**

Types and Purposes of Punishment.....	20
Extra reading: Making the Punishment Fit the Crime.....	25

## **UNIT IV. THE LEGAL PROFESSION**

Part 1. Two kinds of Lawyers in Britain.....	28
Part 2. Other Legal Professions in Britain... ..	31
Part 3. Legal Professions in the USA.....	34
Extra reading: Compensation.....	37
REFERENCES.....	40

# UNIT I. WHAT IS LAW?

*1. How do you understand the difference between the following terms? Read and check:*

- A law and a rule
- Criminal law and civil law
- Law and morality

## THE NEED FOR LAW

Law is a system of rules that a society or government develops in order to deal with crime, business agreements and social relationships. It is also a set of rules for good behaviour which is considered right and important by the majority of people as well as supported by the power of the government for moral, religious and emotional reasons.

The main function of law is a regulative one. Law basically serves two functions in a modern society. First, it serves to order and regulate the relations between all “persons”: individuals, businesses or governments. Secondly, law acts as a standard of conduct and morality. Through both of these functions law forms and regulates the pattern of behaviour of a given society in order to achieve a broad range of social objectives. A modern society cannot exist without law as there would be anarchy in this society then.

Law is “invisible” for ordinary people and is noticed only when somebody violates its order. If our neighbours play loud music late at night we will probably try to settle the matter in a reasonable and informal way without going to the police. Only when an informal discussion breaks down we will start thinking about law.

Relations and transactions in modern societies are so complex that often we cannot deal with them without seeking legal advice. We use it when we buy or sell property, settle disputes with our employers, demand a refund for a defective product, try to hold somebody liable for damaging or stealing our possessions. Thus there are different types of law: civil law, criminal law, law of contracts, law of property, labour law, etc.

Life of a modern society is changing very fast and every day new phenomena appear. Therefore, there is always a demand for new laws to regulate new spheres of life. For example, two hundred years ago there were no cars, so people didn’t need any laws for roads and traffic. With the invention of the car there appeared a need for driving regulations and we cannot imagine our life without these rules. The same happened with the advent of the computer. When the first computer crime took place, no one could be punished for it as there was no law for it; only after this case the need for law on computer crime and later on cybercrime appeared and they started to be developed.

Every country tries to provide laws which will help its citizens to live safely and as comfortably as possible but no country has been successful in producing such laws which are completely satisfactory. But as you can see life in a civilized society, not in anarchy, is impossible without law, so it is much better to live with the imperfect laws which we have than if we had none at all.

## VOCABULARY FOCUS

### **2. Match the words or phrases on the left with their equivalents on the right:**

- |                 |                              |
|-----------------|------------------------------|
| 1. society      | a. общество                  |
| 2. government   | b. нарушать                  |
| 3. regulative   | c. юридическая консультация  |
| 4. anarchy      | d. правительство             |
| 5. violate      | e. сделка                    |
| 6. transaction  | f. регулятивный              |
| 7. legal advice | g. изобретение               |
| 8. property     | h. анархия                   |
| 9. invention    | i. собственность             |
| 10. labour law  | j. трудовое законодательство |

### **3. Match each word on the left with the correct definition on the right:**

- |              |  |
|--------------|--|
| 1. liable    | a. the people living in a region as an organized group |
| 2. objective | b. is what you are trying to achieve                   |
| 3. crime     | c. an argument between people                          |
| 4. society   | d. legally responsible                                 |
| 5. dispute   | e. an illegal action punished by law                   |

**4. Use the correct form of these words to complete the second column of the chart. Use a good dictionary to help you:**

Noun	Adjective
1. crime	1. ...
2. society	2. ...
3. ...	3. powerful
4. individual	4. ...
5. ...	5. moral
6. modernity	6. ...
7. informality	7. ...
8. ...	8. liable
9. regulation	9. ...
10. ...	10. successful

**5. Use one of the adjectives or nouns above to complete the sentences:**

1. She always wants to be the best. She is always looking for ...
2. He regularly breaks norms and rules and sometimes acts violently. His behaviour can be considered anti-... .
3. He likes people to feel comfortable and relaxed during a meeting. An ... atmosphere is very important to him.
4. In modern legislation there are many different methods of punishment for ... acts.
5. He has always wanted to get high positions in the government – he has always wanted more and more ...

**6. Match the antonyms:**

- |               |                  |
|---------------|------------------|
| 1. legal      | a. unimportant   |
| 2. social     | b. impossible    |
| 3. perfect    | c. law and order |
| 4. possible   | d. uncivilized   |
| 5. modern     | e. asocial       |
| 6. moral      | f. imperfect     |
| 7. right      | g. wrong         |
| 8. important  | h. traditional   |
| 9. anarchy    | i. illegal       |
| 10. civilized | j. immoral       |

**7. Check that you know the meanings of the adjectives below:**

lawful, reliable, economical, popular, practical, successful, attractive, realistic, balanced, usual
---

**8. Antonyms are sometimes formed by prefixes -un, -im, -in. Write adjectives with the opposite meaning from the exercise above:**

-un	-im	-in

## Lexical and grammar work

9. Find in the text “The need for law” examples of the construction “in order to” and translate them.

### Lexical and grammar note

Мы используем конструкцию “in order to” для выражения цели:

- In order to do smth. – тот, кто совершает действие, делает это для собственного блага.

*Legislators make new laws in order to build a civilized society.*

- In order for smb. to do smth. - тот, кто совершает действие, делает это для чьего-либо блага.

*Legislators make new laws in order for the society to live safely and comfortably.*

- Конструкция *in order to* используется в формальном стиле. В разговорном английском *in order* обычно опускается. Например: I went to Hungary (**in order**) to study law.

10. Translate the phrases, paying attention to the construction “in order to”:

a) in order to make new laws, in order to build a civilized society, in order not to be punished, in order to avoid anarchy, in order to support the government, in order to clinch a business deal, in order to function, in order to regulate the relations, in order to provide laws, in order not to violate the law;

b) in order for the government to make new laws, in order for the law to function, in order for us to live in a civilized society, in order for a modern society to exist, in order for ordinary people to live safely, in order for new laws to regulate new spheres of life, in order for neighbours to settle the matter;

с) чтобы жить в современном обществе, чтобы иметь высокие моральные устои, чтобы закон достиг своей цели, чтобы рабочие получили юридическую консультацию, чтобы привлечь его к ответственности, чтобы преступления не происходили, чтобы пойти в полицию, чтобы он пошёл в полицию, чтобы служить современному обществу, чтобы законы служили современному обществу, чтобы соседи не включали громкую музыку ночью, чтобы урегулировать разногласия, чтобы им урегулировать разногласия, чтобы наказать преступников, чтобы получить денежную компенсацию за бракованный товар.

## COMPREHENSION

11. Answer the questions on the texts:

1. What is law?
2. What is the main function of law? How is it put into practice?

3. Why cannot a society exist without law?
4. In what situations do we usually need to seek legal advice?
5. What types of law do you know?
6. Why do new laws appear?
7. Why does every country try to provide laws?

## DISCUSSION

**12. Comment on the following statements. Give reasons for your answer:**

- There are good laws and bad laws.
- Should we *obey* the law which we disagree with or which we consider to be stupid and unnecessary?
- Are there any laws you would like to change or *abolish*?
- Are there any new laws you would like to introduce?
- Everybody must be equal before the law, *regardless of* their wealth, social status or position.

### Vocabulary notes:

obey – подчиняться

abolish – отменить

regardless of – невзирая на

## EXTRA READING I

**1. Read the text and translate the words and phrases in bold:**

### THE FIRST LAWS

Rules and laws have been a part of human life ever since people started living in large settled communities. One of the most detailed **ancient** legal codes was drawn up in about 1758 B.C. by Hammurabi, a king of Babylonia. The code was **carved** into a great stone **pillar** so that it could be read by every citizen. The pillar is now in the Louvre museum in Paris.

The laws were about most spheres of life and punishments under the code were often **harsh**. The principle of **revenge** was observed: an eye for an eye and a tooth for a tooth. Not only **murderers** but also **thieves** and **false accusers** faced the **death penalty**. Hammurabi's laws **outlawed private blood feuds** and represented an advance on earlier **tribal customs**, because the penalty could not be harder than the crime.

The ancient Greeks were among the first to develop a concept of law that separated everyday law from religious beliefs - they believed that laws were made by the people and for the people. In the seventh century B.C., Draco drew up Greece's

first written code of laws. Under Draco's code death was the punishment for most offenses. Thus, the term *draconian* usually applies to extremely hard punishments.

Several decades passed before Solon — poet, military hero, and Athens' statesman — devised a new code of laws. **Trial by jury**, an ancient Greek tradition was retained, but enslaving debtors was prohibited. Most of the harsh punishments of Draco's code (except that on **homicide**) were prohibited or changed to make them more **humane**.

Roman Law is one of the greatest systems that have ever existed. It was based upon custom. Greeks and Romans believed in “natural law” – certain basic principles that are above the laws of a nation and arise from the nature of people. Roman Law and Greek Law had a strong influence on the law of most European countries and on Anglo-Saxon law.

### **2. Answer the questions:**

1. What were the first two known ancient law systems?
2. What principle were they based on? How do you understand this principle?
3. Why do you think Hammurabi decide to carve his laws into a pillar?
4. What is the origin and the meaning of the word “*draconian*”?
5. Why were Hammurabi's laws an advance on ancient tribal traditions?
6. What was the Greek concept of law?
7. What was Solon’s Contribution to ancient law?

## **EXTRA READING II**

### **3. Read the text paying attention to the pronunciation section below:**

#### **DRACONIAN LAWS (DRACONIC CODE)**

#### **ДРАКОНОВЫ ЗАКОНЫ (ДРАКОНОВСКИЕ МЕРЫ)**

*Draconian laws* are extremely harsh and cruel laws. They are called after Draco, an Athenian law-giver of the 7<sup>th</sup> century B. C.

Draco devised a code of laws, which were so severe that, as a Greek orator said, they were written in human blood. Every violation of a law was made a capital offense in this code. Idleness, as well as murder, was punished with death, and when Draco was asked to give his reason for this, he replied that even the smallest crimes deserved death, and there could be no higher punishment for the greater ones.

**Pronunciation and stress:** Draco ['dreikəu], Draconian [drei'kəunjən], Athenian [ə'ti:njən], dragon ['drægən].

### **4. Do the following two-way translation:**

– Скажите, что такое Драконовы законы? Они имеют какое-нибудь отношение к сказочному чудовищу?

– Oh, no. The Draconian laws are called after Draco. The mythical dragon has nothing to do with them, as far as I know.

– Видимо, Дракон был законодателем. И давно он жил?

– He lived in the 7th century B. C.

– Ну, конечно, опять древняя история, мое уязвимое место. Наверное, Ассирия или Вавилония?

– No, Draco was an Athenian law-giver. He lived in Athens, one of the foremost cities of Greece.

– И чем же особенным отличались его законы? Почему он так прославился?

– It was notoriety that he earned, not fame. His laws were extremely harsh and cruel. He made every crime a capital offense. The laws set terrible penalties even for minor offenses and the smallest crimes.

## UNIT II. CRIME

**1. Introduction. Analyze the dictionary definitions of 'crime,' underline the differences and circle the similarities. Give your own definition of 'crime!'**

"Crime – an offence for which one may be punished by law". (Oxford Advanced Learner's dictionary)

"Crime – an offence which is punishable by law". (Longman Dictionary of Contemporary English)

"Crime – an action which is against the law, or, more generally, (an example of) bad or unacceptable behaviour". (Cambridge International Dictionary of English)

**2. Read the text and match the headings with the sections of the text below:**

- Psychological and psychiatric theories
- Genetic and biological theories
- Social environment theories
- Theological and ethical theories
- Multiple causation theory
- The theory of choice

### WHY DO WE COMMIT CRIMES?

All adults at some time or another commit a crime, sometimes by accident, but why do some people intentionally commit crimes? Here are some theories that try to explain the causes of criminal behaviour:

1. No one knows why crime occurs. The oldest theory, based on theology and ethics, is that criminals are perverse persons who deliberately commit crimes or who do so at the instigation of the devil or other evil spirits. Although this idea has been discarded by modern criminologists, it persists among uninformed people.

2. The idea that some people commit crimes because of biological factors has a long tradition. This theory suggests that criminals are born, not made. It was developed in the 19<sup>th</sup> century by the Italian criminologist Cesare Lombroso, who believed that crimes were committed by persons who are born with certain recognizable hereditary physical traits. Among the things he considered important were skull and ears shapes, colour of the hair and the eyes, etc. Although experts today no longer believe this, they argue that human behaviour can be linked to an individual's genes. Studies of adopted children who show criminal behaviour suggest that their behaviour is more similar to their biological parents' behaviour than their adoptive parents', showing a genetic link.

3. Many prominent criminologists of the 19<sup>th</sup> century stated that a person's surroundings such as poverty, lack of privacy and poor sanitation influence their behaviour. These conditions engender feelings of deprivation and hopelessness and are conducive to crime as a means of escape. More modern scientists point out that

just as children learn good behaviour from their parents, so children can learn bad behaviour from their families and friends. It is a vicious circle, as one expert states: “Problem children tend to grow up into problem adults, and problem adults tend to produce more problem children.”

4. Studies of the 20<sup>th</sup> century investigators indicated that about one-fourth of a typical convict population is psychotic, neurotic, or emotionally unstable and another one-fourth is mentally deficient. These emotional and mental conditions do not automatically make people criminals, but make them more prone to criminality. Recent studies of criminals state that emotional disturbances may lead to criminal behavior.

5. The central idea of this theory is that crime is a career decision, an alternative way of making a living. The theory argues that most criminals are rational people, who know what they want and the different ways of getting it. They are able to balance the risks of committing a crime, such as going to prison, against its benefits, i.e. what they gain if they aren't caught. The conclusion is: if there are more benefits than risks, - do it; but if there are more risks than benefits, - don't do it.

6. Since the mid-20<sup>th</sup> century experts have inclined to the so-called multiple causation theory. They reason that crime springs from a multiplicity of influences — biological, psychological, cultural, economic and political. The multiple causation explanations seem more credible than the earlier, simpler theories. An understanding of the causes of crime is still elusive, however, because the interrelationship of causes is difficult to determine.

To protect its citizens laws are made to regulate human behaviour and the State provides crime prevention policies, remedies and sanctions if the laws are broken. However, research is continuing into people's motivation for committing crimes, because understanding this may help us apply the correct punishments for crime. With more knowledge, it will be easier to prevent crime and to help criminals to lead a more useful life.

## VOCABULARY FOCUS

### 3. *Match the synonyms:*

- |                 |                          |
|-----------------|--------------------------|
| 1. link         | a. intentionally         |
| 2. deliberately | b. to go on              |
| 3. to occur     | c. to cause              |
| 4. prominent    | d. to happen             |
| 5. to lead to   | e. important, noticeable |
| 6. to argue     | f. conduct               |
| 7. to continue  | g. connection            |
| 8. behaviour    | h. to state              |

**4. Match the antonyms:**

- |                |                   |
|----------------|-------------------|
| 1. adult       | a. minor          |
| 2. by accident | b. stable         |
| 3. the oldest  | c. wealth         |
| 4. uninformed  | d. irrational     |
| 5. similar to  | e. on purpose     |
| 6. poverty     | f. the latest     |
| 7. unstable    | g. different from |
| 8. rational    | h. literate       |

**5. Use the appropriate form of the antonyms above in the following sentences:**

1. You can't go to the pub with me because you are only fifteen and ... are not allowed to enter such places.
2. In old times ... people used to believe that the Earth was flat.
3. Many criminals usually don't look very ... ordinary people.
4. The judge was sure that the arsonist set his neighbour's house on fire ...: it was clearly an act of revenge.
5. I wouldn't send John to the terrorists as a negotiator: he is too nervous and emotionally ...

**6. Match the following Russian words and expressions to the English equivalents:**

- |                                    |  |
|------------------------------------|--|
| 1. совершать преступления          | a. mentally deficient                      |
| 2. намеренно                       | b. gain                                    |
| 3. узнаваемые наследуемые черты    | c. recognizable hereditary physical traits |
| 4. недостаток личного пространства | d. interrelationship                       |
| 5. порочный круг                   | e. emotionally unstable                    |
| 6. эмоционально нестабильный       | f. vicious circle                          |
| 7. бедность                        | g. commit crimes                           |
| 8. преимущество, выгода            | h. intentionally                           |
| 9. взаимоотношения                 | i. to be prone to                          |
| 10. извлечь выгоду, нажать         | j. benefit                                 |
| 11. умственно неполноценный        | k. poverty                                 |
| 12. быть склонным к                | l. lack of privacy                         |

**7. Match each word on the left with the appropriate definition on the right:**

1. an arsonist	a. attacks and robs people, often in the street
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 or other buildings 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. a drug smuggler	z. betrays his or her country to another state

**8. Continue the table with the words from Task 4 where possible. The first few are done for you. Consult a dictionary when necessary:**

<b>Crime</b>	<b>Criminal</b>	<b>Criminal Act</b>
treason	traitor	to betray
theft	thief	to steal
murder	murderer	to murder

**9. Provide the appropriate names of crimes or criminals for the following situations:**

1. It was typically an ... . The police found some stranger's footmarks at the back of the burnt house and an empty canister of petrol nearby.

2. When walking down the street at night he was hit by some heavy object and robbed. It was so dark that he couldn't see the face of the ...

3. The woman suffered from kleptomania and was several times caught with ... in the city shops.

4. The ... entered the bank, pointed their guns at the teller and demanded money.

5. Although sturgeon roe is illegal for selling on the territory of the country, several tons ... every year from the nearby territories.

6. The robber couldn't commit the crime alone – he definitely needed an ...

7. He has always hated the army - so after serving only for one week, he escaped but was caught the next day and charged as a ...

8. After studying the documents, Helena realized that John had married her being already married. He was a ...!

9. After the criminals demanded ransom for the girl and fixed the time and place of the meeting, the police came and arrested the ...

10. For several months the ... paid for everything using banknotes which they printed on special paper on a high-quality colour printer. And no cashier suspected anything strange.

## VOCABULARY AND GRAMMAR FOCUS

### *Passive Voice (Страдательный залог)*

#### Grammar note 1

• Страдательный залог используется, когда логически понятно, неизвестно или неважно, кто совершает действие. Страдательный залог образуется при помощи глагола *to be* + 3я форма глагола.

*Many cases are heard in court every month.*

• Если мы хотим указать, кто совершает действие, мы используем *by*  
*The criminal was arrested by Constable Johnson.*

### **10. Choose the correct alternative – active or passive voice:**

1. They *attacked/were attacked* and *robbed/were robbed* by some muggers at night.

2. Some burglars *were broken into/broke into* the house last weekend. As a result a lot of devices, money and jewelry *were stolen/stole*.

3. These cases *will deal with/will be dealt with* by the Court of Appeal.

4. Criminal law *was violated/violated*.
5. He *sentenced/was sentenced* to life in prison.
6. While I was on holiday my wallet *stole/was stolen* from my hotel room.
7. While I was on holiday my wallet *was disappeared/disappeared* from my hotel room.
8. The judge *didn't give/wasn't given* her a real prison sentence, saying that it would be better for her to be at home with her little children.

### Grammar note 2

Предложения трансформируются из активного в страдательный залог по формуле: дополнение предложения активного залога занимает место подлежащего в предложении страдательного залога; сказуемое меняется из активного в страдательную форму с сохранением оригинального времени

#### *Infinitive*

*active:* (to) do/clean/see etc.

Somebody will clean **the room** later.

*passive:* (to) be + done/cleaned/seen etc.

**The room** will be cleaned later.

**11. Change the following sentences from active into passive. Don't mention the doer of the action:**

1. The judge will give him a fair trial.
2. Police arrested 130 rioters last Friday.
3. Criminals and negligent people set hundreds of hectares of forests on fire every summer.
4. Terrorists killed many civilians on the occupied territory.
5. Judges often send convicted people to prison after the trial.
6. The judge secretly transferred the hearing to another state so that the criminal's supporters couldn't interfere with the trial.
7. The committee will investigate this case in the shortest time possible.
8. The prosecutor, the judge and the advocate usually ask witnesses a lot of questions during the trial.

## COMPREHENSION

**12. Look at this list of crimes."Try and rate each crime on a scale from 1 to 10 (1 is a minor misdemeanour, 10 is a very serious crime). They are in no order:**

- speeding
- common assault (e.g. a fight in a disco-club)
- drinking and driving
- malicious wounding (e.g. stabbing someone in a fight)

- murdering a policeman during a robbery
- murdering a child
- causing death by dangerous driving
- smoking marijuana
- selling drugs (such as heroin)
- stealing £ 1,000 from a bank, by fraud
- stealing £1,000 worth of goods from someone's home
- rape
- grievous bodily harm (almost killing someone)
- shop-lifting
- stealing £1,000 from a bank, by threatening someone with a gun
- possession of a gun without a license
- homicide

**13. Answer the following questions:**

1. What concepts formed the basis of the earliest criminological theories?
2. How did the biological theories develop?
4. What views on crime predominated in the 19<sup>th</sup> century? What factors were considered the most probable causes of criminal behaviour?
5. How did criminological theories develop in the 20<sup>th</sup> century?
6. What is the relationship between the mental and emotional state of a person and his or her inclinations to crime?
7. What are the latest views on the causes of crime?
8. What theory, do you think, best explains the causes of crime?

## DISCUSSION

**14. Comment on the following statements. Give reasons for your answer:**

1. Criminals are born, not made.
2. Most criminals are perverted people.
3. Crime doesn't pay.
4. Petty crimes lead to serious crimes.
5. Once a criminal – always a criminal.
6. Violence in films and television programmes is a major cause of crime.

## EXTRA READING

**1. Complete the following true stories with the correct active or passive form of the verb in brackets. (Pay attention to the tense of the verb.)**

### INCIDENTS

a) Seventy-five prisoners in northern Mexico (1) ... (spend) over six months digging a tunnel in an attempt to escape from Saltillo prison. Unfortunately for them, however, their tunnel (2) ... (come) up in the nearby courtroom, where they (3) ... (sentence). All seventy-five prisoners (4) ... (return) to prison immediately by the surprised judge.

b) Mrs. Redwood, from Port Headland in Australia, (5) ... (attack) by a burglar while she (6) ... (talk) on the phone to her brother in Leeds, England. Her brother (7) ... (hear) strange noises, and (8) ... (phone) his local police station in Leeds. The Port Headland police (9) ... (contact) immediately, and an officer (10) ... (send) to Mrs. Redwood's house. The woman (11) ... (rescue) just eighteen minutes after the attack (12) ... (happen).

c) A towel (13) ... (steal) from a 'Holiday Inn' hotel in the USA, every twelve seconds – a total of 2.7 million towels a year!

**2. Read and give a summary of the following newspaper articles (some vocabulary notes are provided below for you). Comment on the cases.**

#### Text 1

### OFF-DUTY COP SHOOTS, INJURES MAN

A five-year *veteran* of the Chicago Police Department was justified in shooting a man who *pulled* a replica handgun on him after the *off-duty* officer confronted the man about *tampering* with a car, police said.

The 19-year-old man, whom police did not identify, was *shot* about 3:30 a.m. Sunday and was being treated in Advocate Christ Medical Center in Oak Lawn after he was admitted in serious condition.

A consultation among police commanders about the *circumstances* of the shooting Sunday found the officer's actions were *in compliance with state* law and police procedure, police spokesman Sgt. Robert Cargie said.

The off-duty officer's girlfriend woke him up to tell him a man was outside in the 7700 block of South Keating Avenue, tampering with a car, police spokesman Hector Alfaro said.

After *grabbing* his gun and *identification*, the officer went out to find the man, police said.

The officer *approached* the man and identified himself as a police officer,

When the man walked away, the officer ordered him to stop and again told him he was an officer.

At that point, the man said, "I'm a police officer too," Alfaro said.

When the officer told the man to show his identification, the man pulled out a gun replica, Alfaro said, adding that the off-duty police officer, thinking the replica was real, fired at least one shot at the man.

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### **Vocabulary notes:**

veteran – сотрудник, работающий долгое время

pull – вытаскивать

off-duty – не на службе, не при исполнении служебных обязанностей

tamper – возиться

shoot – shot – shot (=fire) - стрелять

circumstances – обстоятельства

in compliance with – в соответствии с

grab (=take) – брать

identification – удостоверение

approach – приблизиться, подойти

### **Text 2**

#### **BRITISH COURT JAILS MAN FOR BOMB JOKE**

LONDON – A businessman who joked that he had a bomb aboard a plane and sparked an expensive *security alert* was jailed for two months on Tuesday.

Police, a negotiation team and other *emergency services* were called after Peter Aldred, 41, of Hitchin, north of London, told a stewardess on a low-cost easyJet flight waiting to take off from Scotland's Inverness Airport on Dec. 12 that he had a bomb in his carrier bag.

All 124 passengers on the flight bound for London's Luton Airport were evacuated. A search of Aldred's bag found two toys and some candy.

The flight finally left for Luton three hours late.

Judge Alastair MacFadyen ordered the sentence, telling Aldred that the two-month *term* was the only response to his "irresponsible and reckless conduct."

Prosecutors said the incident had cost easyJet \$45,000 because some passengers missed *connecting flights* and the airline had to pay to accommodate them in London overnight.

By Associated Press. Copyright © Chicago Tribune

### **Vocabulary notes:**

security alert – аварийный вызов служб безопасности

emergency services – аварийно-спасательные службы

term – тюремный срок

connecting flights – пересадочные рейсы

## UNIT III. PUNISHMENT

### *1. Can you answer these questions?*

- What is punishment?
- Why punish?
- What kinds of punishments do you know?

*2. Read the text to check your answers. Translate the words and phrases in bold. Make a list of reasons for punishment.*

### TYPES AND PURPOSES OF PUNISHMENT

Punishment describes the imposition (by some authority) of a **deprivation** on a person who has violated a law, a rule, or another norm. When the violation is of the criminal law there is a **formal process of accusation and proof** followed by **imposition of a sentence** by an official, usually a judge. Informally, any organized group – most typically the family, may punish the **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**.

**Deterrence** means preventing someone from committing a crime, by making the punishment severe enough that the benefit gained from the offence is outweighed by the cost (and probability) of the punishment. Some punishments include work **to reform** and **rehabilitate** the wrongdoer so that they will not commit the offense again. The goal here is to change the offender's attitude to what they have done, and make them come to accept that their behaviour was wrong.

**Incapacitation** means physically preventing offenders from committing crimes outside prison, i.e. protecting the community.

For some petty crimes, punishment in the form of fines and compensation payments may be considered a sort of "**restitution**". In more serious cases retribution sets an important standard on punishment – the criminal must get what he deserves, but no more. Therefore, a thief put to death is not retribution; a murder put to death is. Here the concept is the mirror punishment ("an eye for an eye"), which reflects the nature or means of the crime in the means of (mainly corporal) punishment.

Most penal historians note that sentences in Western countries have become much softer. **Capital and corporal punishments**, widespread in the early 19th century, are seldom used in modern society.

Furthermore, since the mid-1970s, punitive actions see retribution and incapacitation as the goals of criminal punishment. Criminal sentences ordinarily include four basic types 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 murders and treason.

### VOCABULARY FOCUS

*3. Explain the following terms and make up your own sentences with them:*

- deterrence
- incapacitation
- retribution
- incarceration
- fine
- death penalty
- accusation

#### Vocabulary booster

There is a difference in English terms of the Russian equivalent «обвинять». In the ascending order of gravity they are the following:

- Accuse (v), Accusation (n) – if you accuse someone of doing smth. wrong or dishonest you tell them that you believe that they did it.

- Charge (v/n) – if you charge someone with doing smth. wrong or dishonest you formally say that they have done it. Charges are usually brought by someone in the position of legal authority.

- Convict (v), Conviction (n), Convict (person) – if someone is convicted of a crime, they are found guilty of that crime in a law court.

There are two more words which are often found in the context of the above ones:

- Try (v), Trial (n) – when a person is tried for doing smth. wrong, he or she has to appear in a law court and is found innocent or guilty.

- Acquit (v), Acquittal (n) – if someone is acquitted of a crime in a law court, they are formally declared **not** to have committed the crime.

Note! The terms above are normally followed by the fixed prepositions:

accuse smb **of**

charge smb **with**

convict smb **of**

try smb **for**

acquit smb **of**

**4. Choose the correct variant and provide the necessary prepositions:**

1. He was (accused/charged) ... a serious crime, but (convicted/acquitted) in a law court.

2. They were (acquitted/convicted/accused) ... murder and sent to prison.

3. Tomorrow he will be (tried/accused) ... his crimes in Chicago District Court.

4. My neighbour (convicted/charged/accused) me ... not locking the front door for the night.

5. "How *dare* you (charge/accuse/acquit) me ... something I haven't done?" he said to his parent.

6. In the 1960s they were (accused/charged) ... *oath-breaking*, convicted and sworn to secrecy. Only after the collapse of the USSR they were (tried/acquitted/convicted) and rehabilitated.

7. The prosecutors (convicted/charged/acquitted) the man ... theft and presented evidence to the judge and jury.

8. The police found that he had *prior* (convictions/accusations/charges) for unlawful use of drugs and spent in Texas prison 8 years in total.

9. After the witness' *testimony* all the (accusations/charges/convictions) were dismissed and they were (convicted/charged/acquitted) and released in the court room.

10. When I was leaving the shop, the security guard (acquitted/accused/charged) me ... stealing some chocolates.

11. He was arrested by the police and (charged/acquitted/accused) ... a criminal offence but *released on* a \$200,000 *bail*. However, he escaped from the state and didn't appear in court on the fixed day of (conviction/accusation/trial).

12. The fact that he had no prior (convictions/charges/trials) was taken into account by the judge.

**Vocabulary notes:**

dare – осмелиться

oath-breaking – нарушение присяги

prior – (зд.) прежде, ранее

testimony – показания

release on bail – отпустить под залог

**COMPREHENSION**

**5. Scan the text and choose the only correct answer:**

1. The formal process of accusation is followed by

a. violation of law

b. imposition of a sentence

c. trial

2. Application of punishment calls for a justification because it is
  - a. painful producing
  - b. guilty producing
  - c. painful and guilt producing
3. ...punishment is rarely used by modern society.
  - a. corporal
  - b. barbaric
  - c. humane
4. Criminal sentences embrace... basic modes of punishment.
  - a. 4
  - b. 14
  - c. 40
5. The death penalty nowadays is possible for ... types of crimes.
  - a. all
  - b. certain
  - c. a lot of

**6. Complete the following text using these words and phrases. Name the main purposes of punishment:**

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 \_\_1\_\_ the offender, to correct the offender's moral attitudes and antisocial behavior and to \_\_2\_\_ 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 \_\_3\_\_ 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 \_\_4\_\_ which basically means revenge. In other words, don't we feel that a \_\_5\_\_ should suffer for his \_\_6\_\_?

The form of punishment should also be considered. Some people 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 \_\_7\_\_. For those who attack others \_\_8\_\_ 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 \_\_9\_\_.

On the other hand, it is said that such views are unreasonable, cruel and \_\_10\_\_ and that we should show a more \_\_11\_\_ 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, \_\_12\_\_ life.

## DISCUSSION

**7. Here is a list of several types of punishment. Translate them and answer the questions: Which are normally applied for the list of offences in your country? Do you know any countries where these offences are punished differently? You are free to suggest any other punishments which are not on the list.**

life in prison, caning/flogging, doing some extra work for free, fine, refund, sack, prohibition to hold the same or analogous position in future, shooting/hanging, beating to death by stones, pay cut, short-term imprisonment, mid-term imprisonment, long-term imprisonment, suspended sentence, community service, free reparation, property confiscation, suspension of driving license

- murder
- adultery
- speeding
- selling defective/expired products
- mugging
- treason
- bribery
- avoiding paying fines or alimony
- drinking and driving
- breaking into smb's house
- abusing smb's powers
- rape
- selling commercial secrets to your competitors
- illegal parking
- ignoring your duties at work
- damaging smb's property (e.g. breaking shop/car windows)
- another person's injury as a result of not looking properly after your pets
- setting your neighbour's house on fire as a revenge for smth.
- secretly emptying poisonous production waste into the local river
- hi-jacking a plane
- deliberately infecting other people with a serious illness
- involuntary manslaughter
- killing smb in self-defence
- battery
- selling drugs

**8. Discuss the following points:**

- a) Have you ever been punished? How, for what? Do you think the punishment was just or unjust?
- b) Do you think corporal punishment should be applied in today's world?
- c) Do you think the principle "an eye for an eye" is applicable in modern society?
- d) In what cases a person must be punished and in what cases a warning could be enough?
- e) Should different categories of people be punished differently for the same offence (e.g. ordinary people, politicians, judges and policemen, the military)?
- f) Do you think the system of punishment in our country is ok, too hard or too lenient?

**EXTRA READING**

**1. What do you think would be an appropriate punishment for...?**

1. a woman who left some kittens in a forest
2. people caught speeding in a residential area
3. a man who was caught carrying a loaded gun in the street
4. some teenagers who vandalized a school bus
5. noisy neighbours who play rock music very loudly at all hours

**2. Read the first four paragraphs of the article. What sentence did Judge Cicconetti give these people? Why? Do you think his sentences would be more effective than yours?**

**MAKING THE PUNISHMENT FIT THE CRIME**

*Mike Cicconetti, a US judge with a difference...*

When Michel Murray was arrested for leaving some kittens in a forest, she expected to get a fine. Instead she was sentenced to spend the night in the same cold, dark forest. In the end it was so cold that she only had to spend three hours in the forest but Judge Mike Cicconetti had *made his point*. He wanted the woman to feel the same pain and suffering as the animals she had left, many of which later died.

Judge Cicconetti's unusual system of creative sentencing made him nationally famous and this year he won the presidency of the American Judges Association.

Cicconetti allows offenders to choose between prison and an alternative, "creative" sentence. For example, people accused of speeding are offered to choose between having their licenses suspended for 90 days or having it suspended for a shorter period and spend one day working as a *school crossing guard*. The judge says that offenders who spend a day helping school children cross the street never appear in his courtroom for speeding again.

The judge also sent a man who was caught with a loaded gun to the morgue to view dead bodies and ordered teenagers who vandalized school buses to organize a picnic for primary school children. He has ordered noisy neighbours to spend a day of silence in the forest or to listen to classical music instead of rock.

Cicconetti says his unusual system has developed as a result of having a hard childhood. He was the oldest of nine children and had to work part-time *collecting rubbish* to pay for his college. He studied law at night school. He says, "It makes you understand what the working man has to go through, and why some of them commit crimes. I want to give people a positive lesson, not a negative one."

A *drawer* in his office is full of thank-you letters from both victims and criminals. "Some people will say that my punishments are cruel or unusual," the judge said. "Ok, it's a little bit of *embarrassment* and *humiliation*. But when you make people serve these sentences, you are doing it for them and the victims and the community. I can remember only two people who have been sentenced to alternative punishments and who have *reoffended*."

#### **Vocabulary notes:**

to make a point – попасть в точку, донести основную мысль

a school crossing guard – дежурный, регулирующий движение транспорта у школ

collect rubbish – собирать мусор

drawer – ящик стола

embarrassment – смущение, неловкое положение

humiliation – унижение

reoffend – совершать правонарушение повторно

**3. Read through the questions below. Then read the whole article to find the information.**

1. The judge
2. What was his early life like? How successful has he been professionally?
3. The punishments
4. Which three creative punishments get the offenders to learn from a personal experience?
5. Which two punishments get them to do something for other people?
6. The reasons behind his system
7. What inspired his system of creative punishments? Why does he think they are better than traditional punishments?
8. What shows that the punishments are successful?

**4. What do you think of his system? Would you like to have a judge like Cicconetti in your town?**

## ***SPEAKING***

### ***Giving your opinion***

When we are giving our opinion about the right way to punish someone, we often use *should* + active infinitive or passive infinitive:

*I think they should correct smth.*

*I think they should be made to... I don't think they should be allowed to...*

#### ***a) In groups, decide on creative punishments for these crimes or offences:***

- An arsonist who sets fire to a local beauty spot, for example, a forest.
- A 15-year-old who is caught drinking and smoking.
- Someone who parks illegally causing major traffic delays.
- A group of teenagers who paint graffiti all over walls in a small town.
- A couple whose dogs bark day and night and bother the neighbours.
- A young person who creates a computer virus which infects thousands of computers.

***b) Compare with other groups and decide which you think are the best solutions.***

# UNIT IV. THE LEGAL PROFESSION

## PART 1. TWO KINDS OF LAWYERS IN BRITAIN

*1. Read part 1 of the text describing legal professions in Britain, and name them. Then do the tasks.*

### SOLICITORS AND BARRISTERS

In most countries there is only one legal profession. England is almost unique in having two different kinds of lawyers, with separate jobs in the legal system. The two kinds of lawyers are solicitors and barristers. Solicitors and barristers are qualified lawyers, but they have a different legal training, they take different examinations to qualify, and once they qualified they usually do different types of legal work.

If a person has a legal problem, he will go and see a solicitor. Almost every town will have at least one. In fact there are at least 50,000 solicitors in Britain, and the number is increasing.

Solicitors do much of the initial preparation for cases, which they then give to barristers to argue in court, as well as legal work, which does not come before a court. They draw up wills, give advice in the field of business, make all the legal arrangements for buying or selling land, assist employees and employers in cases involving allegations of unfair dismissal and redundancy payments, handle divorce and child care. They also deal with litigation, which is settled out of court. Solicitors have the right of audience in lower courts, such as Magistrates' courts and in a civil action they can speak in the County Court, when the case is one of divorce or recovering some debts.

To qualify as a solicitor, a young man or woman joins a solicitor as a "clerk" and works for him while studying part time for the *Law Society* exams. Interestingly enough, it is not necessary for you to go to university. When you have passed all the necessary exams, you can "practise", which means you can start business on your own.

Barristers are different from solicitors. Barristers are experts in the interpretation of the Law. The barrister is also an expert on advocacy (the art of presenting cases in Court). If you want representation in any Court except the Magistrates' Court, you must have a barrister. A barrister must be capable of prosecuting in a criminal case one day and defending an accused person the next. Barristers are rather remote figures. If you need one, you never see him without your solicitor being with him. They are not paid directly by clients, but are employed by solicitors. Barristers do not have public offices in any street. They all belong to

institutions called *Inns of Court*, which are ancient organizations rather like exclusive clubs: *Gray's Inn*, *Lincoln's Inn*, *Inner Temple* and *Middle Temple*.

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

### **Vocabulary notes:**

Law Society – Общество юристов (профессиональный союз солиситоров)

Queen's Counsel – королевский адвокат (высшее адвокатское звание)

Inns of Court – "Судебные инны" (четыре корпорации барристеров в Лондоне: пользуются исключительным правом приема в адвокатуру: в школах при этих корпорациях готовят барристеров: существуют с XIX в.)

Gray's Inn – "Грейз Инн" (самый новый из "судебных иннов", назван по имени первого владельца здания).

Lincoln's Inn – "Инн Линкольна" (готовит преимущественно барристеров Канцлерского отделения высокого суда правосудия: назван по имени первого владельца здания).

Inner Temple – "Внутренний темпл" (самый старейший из судебных типов.)

Middle Temple – "Средний темпл"

Lord Chancellor – лорд-канцлер (глава судебного ведомства и верховный судья Англии)

## **VOCABULARY FOCUS**

### **2. Insert prepositions consulting the text:**

a) Solicitors do much ... the initial preparation for cases, which they then give ... barristers to argue ... court.

b) They draw ... wills, give advice ... the field of business, make all the legal arrangements ... buying or selling land.

c) They also deal ... litigation, which is settled ... court.

d) Barristers are different ... solicitors.

e) A barrister must be capable ... prosecuting in a criminal case.

f) They all belong ... institutions called Inns of Court.

g) Before a junior counsel can hope to achieve the status he must have ... least 10 years of successful practice ... a barrister.

**3. Match words with their synonyms:**

- |                          |                          |
|--------------------------|--------------------------|
| 1. to handle             | a. to hire               |
| 2. to increase           | b. the right to be heard |
| 3. to assist             | c. to help               |
| 4. legal                 | d. free                  |
| 5. the right of audience | e. to deal with          |
| 6. dismissal             | f. lawful                |
| 7. not paid              | g. to go up              |
| 8. to employ             | h. sack                  |

**4. Give antonyms using the affixes in the box and translate them:**

*dis, less, in, counter, mis, un*

1. careful
2. different
3. prepared
4. advantage
5. useful
6. certain
7. appear
8. interpret

**5. Use the appropriate form of the antonyms above in the following sentences:**

1. The judge reasonably rejected all the party's arguments – obviously the barrister had made a mistake and ... the law.

2. The solicitor's assistant was so ... - he had lost my phone number and mixed up the time of our meeting!

3. When the day of the trial came, the barrister discovered that some important evidence in the case ... . He just could not find it anywhere!

4. The lawyer spoke very vaguely, mumbled and stumbled during his speech and appeared to be totally ...

5. All the evidence presented in the courtroom appeared to be ... – the judge rejected everything.

**6. Add nouns to the following adjectives to form noun phrases:**

legal, criminal, civil, successful, public, ancient, junior.

**7. Answer the questions:**

1. What is almost unique about the English legal system?
2. What is the difference between a barrister and a solicitor?
3. What kind of problems does a solicitor deal with?
4. In what courts do solicitors have the right of audience?
5. How do you qualify as a solicitor?
6. What are barristers experts in?
7. When must you have a barrister?

## **PART 2. OTHER LEGAL PROFESSIONS IN BRITAIN**

**1. Read part 2 of the text describing legal professions in Britain, referring to the notes after the text. Be ready to say:**

- **How many legal professions are there in England in total?**
- **What two categories of judges are there in Britain? How are they chosen?**

### **Judges**

In Britain, the vast majority of judges are unpaid. They are called "Magistrates", or "Justices of the Peace" (*JPs*). They are ordinary citizens who are selected not because they have any legal training but because they have "sound common sense" and understand their fellow citizens. Magistrates are selected by special committees in every town and district from as wide a variety of professions and social classes as possible.

A small proportion of judges are not Magistrates. They are called "High Court Judges" and they deal with the most serious crimes. Judges are usually chosen from the most senior barristers, and once appointed they cannot continue to practise as barristers. High Court Judges, unlike Magistrates, are paid salaries by the State and have considerable legal training.

### **Jury**

A *jury* consists of twelve people (jurors), who are ordinary people chosen at random from voter registration lists. The jury listens to the evidence given in court in certain criminal cases and decides whether the defendant is guilty or innocent. If the person is found guilty, the punishment is passed by the presiding judge.

### **Coroners**

*Coroners* have medical or legal training (or both), and investigate violent or unnatural deaths.

### **Clerks of the Court**

Clerks look after administrative and legal matters in the courtroom.

## Vocabulary notes:

JPs – мировые судьи

jury – коллегия присяжных

coroner – коронер

## VOCABULARY AND GRAMMAR FOCUS

### *2. Insert prepositions consulting the text:*

- a) Magistrates are selected ... special committees ... every town.
- b) Judges are usually chosen ... the most senior barristers.
- c) High Court Judges are paid salaries ... the State.
- d) A jury consists ... twelve people.
- e) The jury listens ... the evidence given ... court.
- f) Clerks look ... administrative and legal matters.

### *3. Transform the sentences from active into passive to make them sound more natural:*

- a) The State doesn't pay money to the vast majority of judges.
- b) People call them Magistrates.
- c) Committees of lawyers and barristers choose judges from the most senior barristers.
- d) They choose jurors at random from voter registration lists.
- e) At the end of the trial the presiding judge usually passes a judgment.

## COMPREHENSION

### *4. Choose the best way to complete the sentences:*

1. England has two different kinds of lawyers:
  - a) solicitors and barristers
  - b) barristers and clerks
  - c) solicitors and judges
2. Solicitors work on court cases of clients ...
  - a) in the court
  - b) outside the court
  - c) at home
3. ... prepare a case for a barrister.
  - a) Clerks
  - b) Judges
  - c) Solicitors
4. In a ... action solicitors have the right to speak in the lowest courts.

- a) civil
  - b) criminal
  - c) civil and criminal
5. Barristers are experts in ... the Law.
- a) interpreting
  - b) examining
  - c) making
6. ... is a governing body of solicitors.
- a) the Bar
  - b) the Highest Court
  - c) Law Society
7. The highest level barristers have the title of ...
- a) Queen's Counsel
  - b) Queen's Advocate
  - c) Senior Barrister
8. The status on the barrister is bestowed by the Queen on the advice of ...
- a) the Lord Chancellor
  - b) Prime Minister
  - c) the Attorney General
9. The ... is expected to appear only in the most important cases.
- a) Lord Chancellor
  - b) Queen's Counsel
  - c) Prime Minister
10. Barristers belong to ...
- a) Law Society
  - b) the Inns of Court
  - c) the Bar
11. Magistrates don't have ...
- a) legal training
  - b) common sense
  - c) both legal training and common sense
12. Magistrates don't work ...
- a) in any other sphere but legal
  - b) for money
  - c) in a law court
13. Judges are usually ... from the most senior barristers.
- a) elected
  - b) chosen
  - c) appointed
14. High Court Judges don't ...

- a) work for money
- b) have any legal training
- c) appear in lower courts

15. A jury consists of ...

- a) ordinary people
- b) people from only specific professions
- c) ex-judges

**5. Choose the correct definition for each legal profession mentioned in the text:**

- a) an officer acting as a judge in a low court;
- b) a public official with authority to hear and decide cases in a law court;
- c) a group of people who swear to give a true decision in a law court;
- d) an official who investigates the cause of any violent or unnatural death;
- e) a lawyer who has the right to speak and argue in higher law courts;
- f) a lawyer who prepares legal documents and advises clients on legal matters.

### **PART 3. LEGAL PROFESSIONS IN THE USA**

**1. Read part 3 of the text describing legal professions in Britain, referring to the notes after the text. Be ready to answer the question: What makes attorneys so important in American communities?**

#### **COMPENSATION CULTURE AND LAWYERS IN THE USA**

Issues of crime and justice have always held Americans' attention. For Americans it is normal to bring their claims for justice to the courts. In America it is common to sue for compensation so we can say that Americans have a strong "compensation culture". There are few countries where people treat the law as part of their everyday life.

Americans' claims for justice are based on the provisions of the United States Constitution. Most of the rights and freedoms that Americans enjoy are guaranteed in the first ten amendments or "Bill of Rights" of the Constitution. Among the guarantees are the freedom of religion, freedom of the press, and freedom to assemble in public. Citizens have the right to be judged in a speedy and public trial. If someone feels that these or other rights have been violated, he or she may bring the case to court.

Local, state and federal courts handle about 12 million cases a year. Today, the number of lawyers in the United States exceeds 675,000. This translates to one lawyer for every 364 people. Twenty-five years ago, there was one lawyer for every 700 people. The rate at which the legal profession is growing will probably continue to outpace the rate of population growth.

Why is a career in law so popular? The first reason is big salaries and fees. Lawyers' salaries are still substantially greater than those of many other professionals. Some firms offer additional bonuses for clerkship experience in the federal courts and state supreme courts. The glamour of legal practice strengthens the attraction of its financial rewards.

There are other reasons for the popularity of the legal profession and the great demand for legal services. Materialism and individualism in American culture encourage dispute. Federalism gives separate legal systems for each state plus the national government. Advertising can now create demand for legal services, too. Finally, the principles of separation of powers and of checks and balances make governing difficult and sometimes impossible. When political institutions act, they often are forced to compromise, deferring critical issues to the courts. Pluralist democracy operates when groups can press their interests on, and even challenge the government through lawsuits in courts for all manner of disputes and interests.

The President of the United States appoints federal judges to office with the approval of the U.S. Senate. This appointment includes Supreme Court justices, court of appeals judges and district judges. The Justice Department assesses candidates' professional abilities, and the Senate Judiciary Committee initiates an independent investigation of the nominees. All nominees must be qualified attorneys.

The Justice Department is responsible for faithful execution of the laws under the president's authority. The main administrators of federal law enforcement are the ninety-four US attorneys, appointed by the president with the advice and consent of the Senate. Unlike federal judges, these appointees serve at the pleasure of the president and are expected to relinquish their positions when the reins of government change hands.

There is a US attorney in each federal judicial district. Their staffs of assistant attorneys vary in size with the amount of litigation in the district. US attorneys have considerable discretion, which makes them powerful political figures in any community. Their decision to prosecute or not affects the wealth, freedom, rights, and reputation of individuals and organizations in the district.

US attorneys are political appointees whose position commands media attention and can serve political goals.

## VOCABULARY FOCUS

### ***2. Insert prepositions consulting the text:***

- a) In America it is common to sue ... compensation.
- b) Americans' claims for justice are based ... the provisions ... the United States Constitution.

- c) If someone feels that his rights have been violated, he may bring the case ... court.
- d) There are other reasons ... the popularity of the legal profession.
- e) Advertising can now create demand ... legal services, too.
- f) The Justice Department is responsible ... faithful execution ... the laws.
- g) US attorneys are appointed ... the president ... the advice and consent ... the Senate.
- h) These appointees serve ... the pleasure ... the president.

**3. Match words with their synonyms:**

- |                |                 |
|----------------|-----------------|
| 1. to violate  | a. to break     |
| 2. to handle   | b. publicity    |
| 3. to outpace  | c. fast         |
| 4. to assemble | d. to deal with |
| 5. salaries    | e. to influence |
| 6. to affect   | f. to overtake  |
| 7. goal        | g. to gather    |
| 8. speedy      | h. purpose      |
| 9. advertising | i. wages        |

**4. Give antonyms using the prefixes in the box and translate them:**

*dis, in, il, ir, mis, un*

1. justice
2. common
3. treat
4. handle
5. continue
6. legal
7. responsible

**5. Use the appropriate form of the antonyms above in the following sentences:**

1. Buying and selling drugs is ... in most countries of the world.
2. The judge said a three month-term in prison was the only reasonable punishment for the man's ... and reckless conduct.
3. Many Americans who are not satisfied with the court's decision usually appeal the case – so, this practice is not ... in the US.

4. Most of the arrested persons filed complaints because they thought they had been ... by the police.

5. Despite a great number of laws, rules and regulations, ordinary people regularly face social ... in their lives.

## COMPREHENSION

### **6. Answer the questions:**

1. What shows that Americans have a strong “compensation culture”?
2. What do American citizens usually do when they feel that their rights have been violated?
3. Why is the profession of a lawyer so popular in the US?
4. What is an attorney in the US? How is he appointed?
5. When does an attorney resign?

## EXTRA READING

### PART 4. COMPENSATION

#### **1. Read the texts and complete them with the words below:**

*“cool”, several times, two packets, fully understand, fifties*

#### **Text 1**

Bill, a man from California, was diagnosed with terminal *lung cancer* in his (1). He had started smoking when he was 13, and had smoked (2) of the same brand of cigarettes a day for most of his adult life. He said that he had tried to stop (3) but couldn't. He claimed that he had been ‘*tricked into*’ smoking by the tobacco industry, which he said had made him think that cigarettes were (4) without making him (5) the danger to his health. He sued the tobacco company in question, and was eventually *awarded* a sum of money by the court.

#### **Vocabulary notes:**

“cool” – «круто»

lung cancer – рак лёгких

to trick into – обманом заманить

award – присудить

#### **Text 2**

*110, back pain, a ticket collector, unfair dismissal, too small*

John, a rail worker employed as (1) had to sit in a ticket booth checking passengers' tickets as they left the platform. However, John, who weighed (2) kgs and was 1.82 m tall, claimed that the ticket booth was (3) for him to work in comfortably.

When he went off sick suffering from severe (4) he was sacked. John said the rail company had treated him *unfairly* because his working conditions were *to blame* for his poor health, and he sued his employers for (5). John eventually won his case and was awarded a sum of money in compensation.

**Vocabulary notes:**

a ticket collector – билетный контролёр  
unfair dismissal – незаконное увольнение  
unfairly – несправедливо  
to blame – винить

**Text 3**

*a dancer, his fortune, 18 months, nothing, \$2 billion*

Diana, a 26-year-old woman, was working as (1) when she met an *elderly* Texas *oil tycoon*. The man *showered* the young dancer with gifts and money, and three years later the couple got married. They were married for only (2) before he died, aged 89, leaving an estate worth (3). Diana did not have a *prenuptial agreement* with her *late* husband and there was no mention of her in his *will*. However, she claimed that he had always said he would take care of her, and had promised to leave her (4). This claim was *contested* by the man's son, who said he was the *sole beneficiary* of his father's will. He said that Diana had 'exploited' his late father and should receive (5).

**Vocabulary notes:**

fortune (=estate) – состояние, богатство  
elderly – престарелый  
oil tycoon – нефтяной магнат  
to shower – «осыпать» (подарками, деньгами и т.д.)  
prenuptial agreement – брачный договор  
late – покойный  
will – завещание  
to contest – оспаривать  
sole beneficiary – единственный бенефициар (наследник)

**2. For each case decide how much each person should get. You can choose any amount between \$100 and \$3 billion. Give reasons for your answers.**

**3. After presenting your ideas in exercise 1, find out how much money the people really got. Do you agree with the court decision?**

1. Bill was awarded a total of \$3 billion dollars by the Californian court - the largest sum ever awarded in a case of this kind. Members of the jury explained that they wanted to 'hurt' the tobacco industry.

2. John received just \$2,250 – about a month's salary – as a compensation for losing his job.

3. Diana was initially awarded \$450 million – the amount by which the value of her late husband's companies had increased during their marriage. However, this was later reduced to \$88 million when her husband's son appealed against the decision.

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# СБОРНИК ТЕКСТОВ ДЛЯ ЧТЕНИЯ И ЗАДАНИЙ ПО ЮРИДИЧЕСКОМУ АНГЛИЙСКОМУ ЯЗЫКУ

Практикум

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