

**МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ  
ЧЕРНІГІВСЬКИЙ НАЦІОНАЛЬНИЙ ТЕХНОЛОГІЧНИЙ  
УНІВЕРСИТЕТ**

**ENGLISH FOR LAWYERS**



Методичні вказівки до практичних занять з англійської мови за  
професійним спрямуванням для студентів  
спеціальності 081 «Право»

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Іноземна мова за професійним спрямуванням

English for lawyers. Методичні вказівки до практичних занять з англійської мови за професійним спрямуванням для студентів спеціальності 081 «Право». І частина / Укл.: Н.М. Лашук, Л.М. Гречок, Ю.В. Шевченко. Чернігів: ЧНТУ, 2020. 96 с.

Укладач: Лашук Наталія Миколаївна, викладач кафедри іноземних мов професійного спрямування Чернігівського національного технологічного університету;  
Гречок Лідія Михайлівна, старший викладач кафедри іноземних мов професійного спрямування Чернігівського національного технологічного університету;  
Шевченко Юлія Вікторівна, старший викладач кафедри іноземних мов професійного спрямування Чернігівського національного технологічного університету

Відповідальна за випуск: Литвин Світлана Володимирівна, кандидат педагогічних наук, доцент кафедри іноземних мов професійного спрямування Чернігівського національного технологічного університету

Рецензент: Гагіна Наталія Вікторівна, кандидат педагогічних наук, доцент кафедри іноземних мов професійного спрямування Чернігівського національного технологічного університету

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## ВСТУП

Методичні вказівки призначено для проведення практичних занять зі студентами юридичного факультету спеціальності 081 «Право» та укладено відповідно до чинної робочої програми з дисципліни «Іноземна мова (за професійним спрямуванням)».

Мета методичних вказівок – сприяти формуванню іншомовної комунікативної професійно орієнтованої компетентності в читанні, усному й писемному мовленні, що здійснюється в межах професійного контексту.

Методичні вказівки містять 4 модулі, в які входять 8 тем із текстами для читання, завданнями для перевірки прочитаного, лексичними та граматичними вправами, завданнями на розвиток умінь усного мовлення та письма. Підібраний текстовий матеріал є органічним компонентом професійної підготовки студентів юристів у сфері права. Фахові тексти та система вправ допоможуть майбутнім спеціалістам оволодіти відповідною термінологічною лексикою, підготують їх до спілкування іноземною мовою у професійному середовищі. Різноманітність та варіативність завдань сприятимуть реалізації диференційованого, індивідуального підходів і розвитку критичного мислення здобувачів вищої освіти.

## MODULE 1. University life

### Unit 1. Being a student. My university

What do you know about the topic?	What do you want to know?	What did you learn?	<b>How</b> can we find out?	How can I <b>share</b> the information I find?	What will I <b>do</b> next?	How can I <b>apply</b> what I have learnt?

#### Questions for group discussion:

*How do you feel about entering this university? How is a university different from a school?*

*What are your expectations of studying at this university?*



**1.1 Read the text about the University education. Give Ukrainian equivalents of the words in bold**

#### A. Subjects

You can normally do / study these subjects at university but not always at school:

*medicine*

*law*

*philosophy*

*engineering*

*psychology*

*sociology*

*architecture*

*politics*

*business*

*studies*

*agriculture*

*history of art*

#### B. Studying at (a British) university

If you want to go to (= enter) university, you must first **pass examinations** that most students take at the age of eighteen (called “A” levels). Most students take

the “A” levels (three examinations in three different subjects) and they must do well in order to **get / obtain** a place at university because the places are limited. At the moment, approximately 30% of young adults go to university in Britain.

If you get a place at university, the **tuition** (= the teaching) is free, and some students also **get** (= receive) **a grant** (= money to pay for living expenses, e.g. food and accommodation) as well. Students at university are called **undergraduates** while they are studying for their first degree.

Most university courses **last** (= go on for / continue for) three years, some courses last four years, and one or two courses,

e.g. medicine, may be even longer. During this period students can say that they are **doing / studying** history, or **doing / studying for** a degree in history, for example. When they finish the course and pass their examinations, they receive **a degree** (the qualification when you complete a university course successfully).

This can be a **BA** (= Bachelor of Arts) or a **BSc** (= Bachelor of Science), e.g. I have a friend who has a BA in history, and another who has a BSc in chemistry.

### **C. Postgraduate courses**

When you complete your first degree, you are a **graduate**. (In the US students also use this word as a verb and say, they “graduated in history” or “graduated in chemistry”, for example.) Some students then go on to a second course or degree (**postgraduate course \ postgraduate degree**). These students are then **postgraduates**. There are usually three possible degrees:

MA (Master of Arts) or MSc (Master of Science); usually one year

MPhil (Master of Philosophy); usually two years PhD (Doctor of Philosophy); at least three years

When people study one subject in great detail (often to find new information), we say they are **conducting / doing / carrying out research**; e.g. I’m **doing** some **research into / on** the languages of different African tribes.

## **B. School vs. university**

At school, you have **teachers** and **lessons**, at university, you have **lecturers** and **lectures**. When a lecturer **gives** / **does** a lecture, the students listen and **take** / **make notes** (= write down the important information), but do not usually say much, except to ask occasional questions.

**1.2 Read these sentences spoken by university students. What is each person studying?**

1. We have to know every bone in a person's body.
2. I'm concentrating on the modernist style and the work of Le Corbusier.
3. The way we use fertilizers is much more precise than twenty years ago.
4. We're going to concentrate on Freud and Jung this term.
5. I've been reading some books on time management.
6. Expressionism was really a reaction to the work of the Impressionists.
7. We've spent a lot of time on American foreign policy and how it has been affected by various domestic problems.
8. You must know this case – it's one of the most famous in legal history.

### **1.3 What do you call:**

- 1) the money some students receive if they get a place at university?
- 2) the qualification you get at the end of university?
- 3) the name we give students during this period at university?
- 4) teachers at university?
- 5) students when they have completed their first degree?
- 6) students studying for a second degree?
- 7) the study of one subject in great depth and detail, often to get new information?
- 8) the talks the students go to while they are at university?

**1.4 Read the dialogue and underline synonyms that a student and a teacher use:**

*Student:* Do we have to go to all the lectures to do the course or just yours?

*Teacher:* You must attend all the lectures to complete the course.

*Student:* Excuse me. Where will next week's class be? In this room?

*Teacher:* No. Next week's class will be held in Room 405.

*Student:* When do we have to give you our essays?

*Teacher:* You have to hand in your essays on Friday.

*Student:* When do we have to send in our university applications?

*Teacher:* You have to submit your application by December 1st.

*Student:* What do I have to do if I want to leave the course?

*Teacher:* If you want to withdraw from the course, you have to go to the College Office.

**1.5 Replace the underlined verbs with different verbs that have the same meaning in the context.**

1. Who is giving the lecture today?
2. Can I receive a grant for the course?
3. Is it more difficult to obtain a place at university?
4. You have to pass the exams before you can enter university.
5. He's studying physics, I think.
6. I think they are carrying out some research into the cause of asthma.
7. I always take detailed notes at lectures.
8. The course goes on for three years.

**1.6 Replace all the uses of *do* or *get* in this paragraph with the alternatives. Use the table below.**

<i>Expressions with do/get</i>	<i>Alternatives</i>
do an exam	I have to <b>sit/take an exam</b> in biology at the end of term.



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do research, do a research project	Our class <b>carried out/conducted a research project</b> into the history of our school.
do a course	I decided to <b>enroll on/take</b> a course in computer programming.
do a degree/diploma	She <b>studied for/took</b> a degree in engineering.
do a subject (e.g. law)	I <b>studied/took history and economics</b> in high school.
do an essay/assignment	All students have to <b>write an essay/assignment</b> at the end of term.
do a lecture/talk	Professor Parkinson <b>gave a lecture</b> on American Civil War.
get a degree/diploma	He <b>obtained/was awarded a diploma</b> in Town Planning in 1998.
get a grade	Her essay <b>received/was given</b> an A-grade.
get a qualification	You will need to <b>obtain/acquire a qualification</b> in social work.
get an education	The country is poor; only 27% of children <b>receive a basic education</b> .

I have three daughters. The oldest one did a degree in economics at Birmingham University. She got her bachelor degree last year and is now doing some research on taxation laws in different countries. The second one is doing a course at Newcastle University. She's doing history. She loves it, though she says she has to do far too many assignments. My youngest daughter is still at school. She's doing her school-leaving exams in the summer. She'll go to university next year if she gets good enough grades in her exams. She wants to do sociology and then get a social work qualification. My daughters are all getting a much better education than I ever had.

### 1.7. Read the sentences. Underline and translate new phrases on the topic.

- Do you keep a vocabulary notebook? It's a good way of recording new collocations.
- I did the first draft of my essay last week and the final draft this week. I have to hand it in tomorrow. Then the teacher gives us feedback after about a week.

- We don't have exams at my school. We have continuous assessment, [system where the quality of a student's work is judged by pieces of course work and not by one final examination]
- The local technical college provides training for young people in a variety of professions.
- After secondary school, 30% of the population go on to higher/tertiary education, and 20% of adults do some sort of further education course during their lives.
- Does your government recognise foreign qualifications for school teachers?

**1.8 Complete these questions with the appropriate words.**

1. What homework do we have to \_\_\_\_\_ tonight?
2. In which month do students usually \_\_\_\_\_ their final exams in your country?
3. Who do we have to \_\_\_\_\_ our essays in to?
4. What do we need to do if we want to \_\_\_\_\_ from the course?
5. In which room is the translation class going to be \_\_\_\_\_ ?
6. Have you done the first \_\_\_\_\_ of your essay yet?
7. Who is \_\_\_\_\_ on today's lecture on Shakespeare?
8. Do you prefer exams or continuous \_\_\_\_\_?
9. Do you always \_\_\_\_\_ to all your lectures?
10. Does the college \_\_\_\_\_ training in computer skills?

**1.9 Choose the correct collocation.**

1. I'm happy to say that you have all *sat / taken / passed* your maths test.
2. Will the teacher *give / provide / make* us some feedback on our essays?
3. The university *agrees / recognises / takes* the school-leaving exams of most other countries.

4. It isn't compulsory to *assist / attend / listen* all the lectures at this university.
5. How long will it take you to *complete / carry out / fulfil* your degree?
6. You must *submit / send / write* your application in before the end of June.
7. Several students have decided to *withdraw / go / leave* the course this year.
8. I want you all to *write / hold / keep* a vocabulary notebook.

**1.10 Make as many collocations as possible (a word may be used more than once).**

to do	a research
to study for	a subject
to receive	
to sit	a degree
to enroll on	a lecture
to get	
to obtain	a qualification
to take	an exam
to acquire	
to carry out	a grade
to conduct	a course
to be awarded	
to give	a diploma
to be given	an education

**1.11 Use collocations from Exercise 1.10 to answer the questions:**

1. What types of classes do students have at your university?
2. What do they do at different types of classes?

3. How is their knowledge assessed?

### FOCUS ON GRAMMAR

**1.12.1 Read the text about the University education again and find examples of the present simple and the present continuous tense.**

**Exercise 1.12.2 Read the situations given below and decide which tense to use for:**

repeated actions (regularly, often, never) actions taking place right now developing situations;

actions set by a timetable or schedule actions taking place around now (temporary) daily routines;

arrangements for the near future;

**1.12.3 Match the situations stated above and the following sentences:**

1. We are having English class now.
2. We are gathering today after classes to discuss the project.
3. Our classes start at 8:00.
4. I feel my English skills are improving.
5. Peter never asks questions on lectures.
6. I usually wake up at 6:30, have breakfast and go to the University.
7. Peter is working hard these days.

**1.12.4 This is a daily schedule of Michelle Hattan from the University of Illinois (taken from [www.collegexpress.com](http://www.collegexpress.com)). Make up sentences using the notes; tell the class how it differs from your daily routine.**

*Example: His first alarm rings at 7:10 am.*

7:10 am                      first alarm

7:20 – 7:50 am            get up

8:40 – 9:00 am the long walk to class on the opposite side of campus.

9:00 – 10:00 am Intro to Fiction

10:00 am – 12:00 pm my professor's office hours

12:00 – 1:00 pm Dynamics lecture (a crazy mechanical engineering class)

1:00 – 2:00 pm Modeling Human Physiology

3:00 – 6:00 pm Research!

6:00 – 7:00 pm dinner with friends

7:00 – 8:00 pm Engineering Council meeting.

8:00 pm – 12:00 am Work on homework at the library!

**1. 12. 5 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.

**1. 12.6 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.

**1. 12.7 In some of these sentences much is incorrect or unnatural. Change *much* to *many* or *a lot (of)* where necessary. Write «OK» if the sentence is correct.**

1. We didn't spend much money.
2. Sue drinks much tea.

3. Joe always puts much salt on his food.
4. We'll have to hurry. We haven't got much time.
5. It cost much to repair the car.
6. Did it cost much to repair the car? - I don't know much people in this town.
7. I use the phone much at work.
8. There wasn't much traffic this morning.
9. You need much money to travel round the world.

**1.12.8 Put in *much* / *many* / *few* / *little* (one word only).**

1. She isn't very popular. She has \_\_\_\_\_ friends.
2. Ann is very busy these days. She has \_\_\_\_\_ free time.
3. Did you take \_\_\_\_\_ photographs when you were on holiday?
4. I'm not very busy today. I haven't got \_\_\_\_\_ to do.
5. This is a very modern city. There are \_\_\_\_\_ old buildings.
6. The weather has been very dry recently. We had \_\_\_\_\_ rain.
7. Do you know Rome? No, I haven't been there for \_\_\_\_\_ years.

**1.12.9 Put in *a* where necessary. Write «OK» if the sentence is already complete.**

1. She's lucky. She has few problems.
2. Things are not going so well for her. She has few problems.
3. Can you lend me few dollars?
4. There was little traffic, so the journey didn't take very long.
5. I can't give you a decision yet. I need little time to think.
6. It was a surprise when he won the match. Few people expected him to win.
7. I don't know much Spanish - only few words.
8. I wonder how Sam is. I haven't seen him for few months.

**1.12.10 Complete the sentence with *a*, *an*, *some* or *any*.**

a I haven't got \_\_\_\_\_ money.

- b Jack hasn't got \_\_\_\_\_ sister and he hasn't got \_\_\_\_\_ brothers either.  
c He wanted to use the computer to see \_\_\_\_\_ e-mails he was expecting.  
d I need to buy \_\_\_\_\_ toothpaste before I go on ho liday.  
e I don't normally have \_\_\_\_\_ lunch except for \_\_\_\_\_ sandwich.  
f You don't need to take \_\_\_\_\_ food on the trip.  
g You've got \_\_\_\_\_ great films in your DVD collection.  
h We went skiing this weekend but there wasn't \_\_\_\_\_ snow.  
I found \_\_\_\_\_ insect in my salad so we left the restaurant.  
I'd like \_\_\_\_\_ bread, please.

**1. 12.11 Complete the question with *much* or *many*.**

- a How \_\_\_\_\_ time have you got at the moment?  
b How \_\_\_\_\_ trains into town are there on a Sunday?  
c How \_\_\_\_\_ pens do you take when you have an exam?  
d How \_\_\_\_\_ orange juice have you had today?  
e How \_\_\_\_\_ people are there in your class?  
f How \_\_\_\_\_ kilometers do you run each week?  
g How \_\_\_\_\_ children has she got?  
h How \_\_\_\_\_ homework do you get?  
i How \_\_\_\_\_ food do we need?  
g How \_\_\_\_\_ pairs of shoes does she own?

**1. 12.12 Complete the sentence with *some* or *any* and a word from the box.**

people	petrol	news	apples	aspirins	wine
ink		programmes	housework		

- a The meeting was very short because there weren't \_\_\_\_\_ in the room.  
b There isn't \_\_\_\_\_ left in the printer cartridge. Can you buy a new one?  
c I've got \_\_\_\_\_ for you. I passed the exam!

- d \_\_\_\_\_ hate studying but I quite enjoy it.
- e There is \_\_\_\_\_ for Rioja left in the bottle if you want some: 2004 was a good year.
- f I couldn't find \_\_\_\_\_ in the market so I bought these pears.
- g TV in this country is awful. I haven't seen \_\_\_\_\_ interesting recently.
- h I need to buy \_\_\_\_\_. The tank is nearly empty.
- i If you go to the chemist, can you buy \_\_\_\_\_? I 've got a headache.
- j I always cook the dinner and wash up. You never do \_\_\_\_\_.

**1.13 Work in pairs. Ask each other about your University life. Be ready to speak about your partner.**

### *Writing*

**1.14.1 Your friend Andrew has entered a university in Cambridge. Write an e-mail to him about your university life and ask about his experience (100 – 150 words).**

Look through your email, tick if you have the following: clear structure: opening, main body, closing, signature informal greeting short sentences contractions linking words

Look at the phrases. Where can we use them? Write down **I** for an informal letter and **F** for a formal one.

*How are you?*

*Dear Sir/ Madam,*

*To whom it may concern I hope you are doing well*

*I am writing to make a reservation just a quick note to ...*

*Could you please let me know if I would also like to know if*

*Can you call me...*



*I am attaching my CV for your consideration. Please see the statement attached.*

*I'm attaching/sending you ... I can't wait to see you soon. Send my love to ...*

*Yours faithfully, Yours sincerely, Best wishes, Kindly,*

*Love,*

*Sincerely Yours,*

### **Writing**

**1.14.2 There is an open call for the participants of a two-week study visit to a Cambridge university. Write a letter of motivation to join the group, stating:**

- *what you are studying at university;*
- *why you want to go on the study visit;*
- *why the organizing committee should choose you.*

## **Unit 2. My future profession**

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

### **2.1 Lead-in**

*The study of law differs from country to country, but most Law degree programmes include core (compulsory) subjects which all students must take. Which*

*core courses are typical in your country? How long does it take to complete a Law degree?*

### **Reading: A career in law**

#### **2.2 Read the text below and answer these questions.**

- 1) *Which courses do law students in the UK have to take?*
- 2) *Which optional courses might a student who wants to work in a big law firm take?*

The study of law is intellectually stimulating and challenging, and can lead to a variety of interesting careers. In the UK and the USA, law degree programmes usually take three years to complete. In the UK, these programmes typically include core subjects such as criminal law, contract law, tort law, land law, equity and trusts, administrative law and constitutional law. In addition, students are often required to take courses covering skills such as legal writing and legal research. There is also a variety of optional (elective) courses available. Since many law students go on to become lawyers, students often take courses that will be useful to them during their future careers. Someone wishing to run a small partnership or to work alone as a sole practitioner in a small town may decide to take subjects such as family law, employment law and housing law. Those wishing to work in a large law practice will consider subjects such as company law, commercial law and litigation and arbitration. Many universities also offer courses on legal practice. Courses like this give students the opportunity to experience the work of a lawyer before deciding on a career in the law. Another way of finding out more about law in practice is to get involved with a voluntary advice centre or law clinic. These clinics offer free legal assistance to the local community and provide a useful introduction to some of the day-to-day work of a lawyer.

For students wishing to work in a commercial practice, knowledge of foreign languages is essential. When law firms hire new recruits, they generally look at four

things: education, personality, work experience and language ability. Since English is the language of the international legal community, law firms increasingly expect graduates to have a good command of English.

**2.3 Read the text again and decide whether these statements are true (T) or false**

(F). If the statement is false, correct it.

- A. A course in family law is usually included among the core subjects at law schools in the UK.
- B. Some law degree programmes offer courses in some of the important skills that lawyers need in order to do their work, such as legal writing or legal English.
- C. Law clinics give law students the opportunity to learn about the legal problems of the medical profession.
- D. Today, commercial law firms expect recruits to be completely fluent in English.

**2.4 When you record vocabulary, you should try to write down as many collocations as you can, and not only single words.**

How many collocations with the words legal (e.g. legal writing) and law (e.g. law firm) can you find in the text?

**Speaking: Law firms and courses**

**2.5 Discuss these questions with a partner. Look at the sample responses.**

1. What type of law firm do you (think you would like to) work in?

*I'd like to work as a sole practitioner, as I'd prefer to be my own boss.*

*I think a big Law firm would be exciting.*

2. Which optional courses are you taking/ did you take during your studies?

*This semester, I 'm taking an elective course in environmental law.*

*I took a course on human rights law when I was in law school.*

**Reading: Course descriptions**

**2.6 Quickly read the law course descriptions taken from a university website ignore the gaps for now. Do you think this university is in the UK? Why (not)?**

### **First-year course description**

**Introduction to Law:** This course aims to familiarize the student with the study of law; to begin the development of certain basic skills, such as reading, analysis and synthesis of legal decisions, and interpretation of statutes; to discuss fundamental aspects of the legal process, e.g. how courts "make law" and the function of the courts with respect to statutory law.

1) ..... :This course covers the fundamental principles governing the formation, interpretation, performance, and enforcement of contracts. In addition, special attention is given to the requirements of offer and acceptance, consideration, formal requirements, public policy, and the problems of choosing a remedy in case of a breach. Some attention will also be given to the Uniform Commercial Code.

2) ..... :Topics covered include liability for intentional and negligently caused injuries to person and property; strict liability; vicarious liability; ultra-hazardous activities; products liability; nuisance; invasion of privacy; defamation; the impact of insurance and risk distribution upon liability; accident compensation plans; damages; losses.

3) ..... : This course presents the basic concepts of criminal law. Crimes against persons, property, and public administration are covered, with special emphasis placed upon the law of homicide.

### **Second-year course descriptions**

**Evidence:** This course will explore the rules of evidence and their rationale, including relevancy, hearsay, impeachment, cross-examination, opinions and experts, documents, and privileges.

**Criminal Procedure:** This course will cover regulation of law enforcement conduct during the investigation of crimes, with special emphasis on constitutional and statutory limitations. Topics include search and seizure, confessions and incriminating statements, electronic surveillance, entrapment, identification procedures, and remedies for improper police conduct.

4) ..... :This course covers the general principles of federal constitutional law, including government authority and its distribution under the constitution; the judicial function in constitutional cases; powers delegated to the national government and the reserved powers of the states in areas of federal authority; intergovernmental relations; rights, privileges, and immunities under the constitution; national citizenship; the contract clause; the federal constitution and the amendments thereto.

5) ..... :This course is designed to acquaint students with the nature of legal research. Students will analyze judicial opinions; apply legal concepts and rules; and learn correct legal citation and use of correct precedent. Special attention is given to the mechanics of legal research, the techniques of writing memoranda, and briefs.

**2.7 Choose the correct title for each course in the catalogue excerpt in Ex.2.6.**

1. Criminal law / Crime law
2. Law of the constitution / Constitutional law
3. Contract law / Contracting law
4. Legal research and writing/ Legal investigation and writing
5. Liability law / Tort law

**2.8 Read the excerpt again and answer these questions.**

1. Which course covers basic skills that students will need during their studies?

2. Which course deals with research and writing skills needed in professional life?
3. Which course teaches students how to cross-examine a witness?

**2.9 Underline three words you do not know. Try to guess their meaning by looking at surrounding words and analysing the words.**

**2.10 Which of the courses in the excerpt are/were you required to take in the law degree programme you are/were enrolled in?**

## **FOCUS ON GRAMMAR**

### **Comparative and superlative forms**

**2.11.1 Look at these sentences from the dialogue (1-9) and match them with the rules regarding the use of comparative and superlative forms (a-h). Some examples may match with more than one rule.**

1. People here speak very quickly, which makes it harder to understand.
2. But now it's much easier - I can understand almost everything.
3. That's more difficult for me than understanding what people say.
4. Yes, I think writing's the hardest thing to do in English.
5. Our course was more practical-we worked on the language skills that lawyers need.
6. We didn't really work on speaking skills, though; it was more important to present the terminology.
7. That was definitely the most useful thing we did.
8. It sounds like your course was better than mine.
9. I don't know if it was better, but it was certainly more language-based and more skills-based.

a Adjectives with one syllable form their superlative by adding -est.

b Adjectives with one syllable form their comparative by adding -er.

c Short adjectives ending in -y form their comparative by removing -y and adding -ier.

- d Multi-syllable adjectives form their comparative with more.
- e Compound adjectives form their comparative with more.
- f Multi-syllable adjectives form their superlative with most.
- g Some very frequent adjectives have irregular comparative forms.
- h Than is used to introduce the second element in a comparative structure.

**2.11.2 Complete this excerpt from an introductory talk given in the first session of a legal English course. Use the correct comparative or superlative form of the adjectives given.**

You might be expecting to learn a lot of detail about Anglo-American legal systems and their foundations, but our focus this semester will be 1) (practical) than \_\_\_\_\_ theoretical. We will mainly be working on language skills, such as writing letters or speaking with clients. I am convinced this is the 2) \_\_\_\_\_ (good) way to prepare for using English for law. You may find this course 3) \_\_\_\_\_ (challenging) and 4) \_\_\_\_\_ (time-consuming) than you expected, but you may also find it one of the 5) \_\_\_\_\_ (useful) courses you take at university, as many students have told me in the past. To make it 6) \_\_\_\_\_ (easy) for you to plan your time, I'll be handing out a list of the readings and the assignments you'll be working on this term.

**2.11.3 Complete the sentence with is or are.**

- a There *are 4 paralegals there.*
- b There \_\_\_\_\_ 12 students in the class.
- c There \_\_\_\_\_ a hospital in the city centre.
- d There \_\_\_\_\_ a big supermarket near my house.
- e There \_\_\_\_\_ two teachers in the room.
- f There \_\_\_\_\_ 12 songs on this CD.
- g There \_\_\_\_\_ a good film on TV tonight.
- h There \_\_\_\_\_ his friends.

- i There \_\_\_\_\_ your mobile phone.
- j There \_\_\_\_\_ a computer and a TV in my room.
- k There \_\_\_\_\_ seven books in my bag.
- l There \_\_\_\_\_ no homework today.

**2.11.4 Complete the sentence with *there* or *it*.**

- a There is a CD on the desk. \_\_\_\_\_ is mine.
- b \_\_\_\_\_ is a nice day today.
- c \_\_\_\_\_ is a new student in my class.
- d There is a park next to my house. \_\_\_\_\_ is very beautiful.
- e \_\_\_\_\_ is three o' clock.
- f \_\_\_\_\_ is no one in the room.
- g \_\_\_\_\_ is a man outside the window.
- h There is a big shopping centre in my town . \_\_\_\_\_ is very popular.
- i \_\_\_\_\_ is a teacher at my school called Mr Smith.
- j \_\_\_\_\_ is so hot in this room!
- k is a swimming pool at my school. \_\_\_\_\_ is also a tennis court.

**2.11.5 Complete the sentence with *there*, *it* or *they*.**

- a \_\_\_\_\_ are two bottles of water on the table.
- b \_\_\_\_\_ are nurses, not doctors.
- c There's a cat in the kitchen. \_\_\_\_\_ is black and white.
- d There are 30 people at the party. \_\_\_\_\_ are all my friends.
- e \_\_\_\_\_ is cold outside. There's snow on the ground.
- f \_\_\_\_\_ are from London.
- g They're in the hall. \_\_\_\_\_ is an exam now.
- h \_\_\_\_\_ is a very interesting book.
- i There is my bag. \_\_\_\_\_ is next to the desk.
- j My key is in my pocket. \_\_\_\_\_ is in a safe place!



k The students are very tired. \_\_\_\_\_ study too hard.

**2.11.6 Write negative sentences with have.**

1. I can't get into the house. I \_\_\_\_\_ (a key).
2. I can't read the letter. I \_\_\_\_\_ (my glasses).
3. I can't get onto the roof. I \_\_\_\_\_ (a ladder)
4. We can't visit the museum. (enough time) We \_\_\_\_\_ .
5. He can't find his way to our house. (a map) He \_\_\_\_\_.
6. She can't pay her bills. (any money). \_\_\_\_\_
7. I can't go swimming today. (enough energy) \_\_\_\_\_ .
- 8 The photographer can't take any photographs. (a camera) \_\_\_\_\_ .

**2.11.7 Complete the questions with have.**

- Why are you holding your face like that? \_\_\_\_\_ a toothache?
- I need a stamp for this letter. \_\_\_\_\_ one?
- It started to rain very heavily while I was out. \_\_\_\_\_ an umbrella?

**2.11.8 Write sentences about yourself. Have you got these things now?**

1. (a car) .....
2. (a bike) I .....
3. (a mobile phone) .....
4. (a dog) .....
5. (a guitar) .....
6. (long hair) .....
7. (a driving license) .....

## MODULE 2. Basic legal terms and concepts

### Unit 1. Legal terms and concepts

#### Law: What is it?

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

#### 1.1 Answer the following questions:

a) What does the word “law” mean for you?

b) In what circumstances do people think of their everyday activities as legal matters?

1.2 Read the text to understand what information is of primary importance or new for you:



#### What is Law?

Although “the law” may seem to be abstract and far removed from everyday life, it actually is a framework for much of what you do. Perhaps you get a traffic ticket or want a local store to replace a defective toaster you bought. Perhaps you must testify as a witness to an accident or

want to stop a road-widening project near your home. Each of these scenarios involves the law. What is law? You can surely find various definitions of it, because scholars investigate the nature of law through many perspectives, including legal history and philosophy, or social sciences such as economics and sociology. The study of law raises important questions about equality, fairness and justice, which are not always simple. However, in the broadest terms, law is the set of rules that guides our conduct in society and is enforceable through public institutions. The most important institutions for law are the judiciary, the legislature, the executive, its bureaucracy, the military and police, the legal profession and civil society.

Our relations with one another are governed by many rules of conduct – from important concepts of ethics and fair play to minor etiquette matters such as which fork to use and how to introduce strangers to one another. We obey these rules because we think they are right or simply because we desire the approval of others. If we do not follow these rules, others may treat us differently – from giving us a disapproving look to completely rejecting us.

The history of law is the history of our race, and the embodiment of its experience. It is the monument of its wisdom and of its frequent want of wisdom. The best thought of the people is to be found in its legislation; its daily life is best mirrored in its customs and traditions, which constitute the law of its ordinary transactions.

The recognition of the existence of law is inherent in man's nature, and is a necessity of his being. While all true philosophy recognizes that society exists for the individual, and not the individual for society, yet it is also true that the individual is intended to exist in society, and that he must in many things subordinate his own will to that of society, since society cannot exist without law. Thus the existence of law is inseparable from that of the human race.

**1.3 Mark the statements true (T) or false (F) according to the text:**

1. The most important institutions for law are the judiciary, the legislature, the executive.
2. The study of law doesn't deal with questions of equality, fairness and justice.
3. The relations between people are governed by many rules of conduct.
4. Society cannot exist without law.

**1.4 Make sure that you know the meaning of the underlined words and phrases, make up your own sentences with them**

**1.5 Write down 5 questions and a summary to the text above**

**1.6 Read the text for general understanding:**

**Law and Society**

Mr. Jones, having murdered his wife, was burying her in the garden one night, when his neighbour, hearing the noise, asked him what he was doing.

"Just burying the cat," said Mr. Jones.

"Funny sort of time to bury a cat," said the neighbour.

"Funny sort of cat," said Mr. Jones.

Now it is obvious to everyone that, in a community such as the one in which we live, some kind of law is necessary to try to prevent people like Mr. Jones from killing their wives. When the world was at a very primitive stage, there was no such law, and, if a man chose to kill his wife or if a woman succeeded in killing her husband, that was their own business and no one interfered officially.

But, for a very long time now, members of every community have made laws for themselves in self-protection. Otherwise it would have meant that the stronger

man could have done what he liked with the weaker, and bad men could have joined together and terrorized the whole neighborhood.

If it were not for the law, you could not go out in broad daylight without the fear of being kidnapped, robbed or murdered. There are far, far more good people in the world than bad, but there are enough of the bad to make law necessary in the interests of everyone.

There is no difficulty in understanding this but it is just as important to understand that law is not necessary just because there are bad people in the world. If we were all as good as we ought to be, laws would still be necessary. If we never told lies, never took anything that didn't belong to us, never omitted to do anything that we ought to do and never did anything that we ought not to do, we should still require a set of rules of behaviour, in other words laws, to enable us to live in any kind of satisfactory state.

How is one good man in a motor-car to pass another good man also in a motor-car coming in the opposite direction, unless there is some rule of the road? People sometimes hover in front of one another when they are walking on the pavement before they can pass, and they may even collide. Not much harm is done then, but, if two good men in motor-cars going in the opposite directions hover in front of one another, not knowing which side to pass, the result will probably be that there will be two good men less in the world. So, you can see that there must be laws, however good we may be. Unfortunately, however, we are none of us always good and some of us are bad, or at any rate have our bad moments, and so the law has to provide for all kinds of possibilities. Suppose you went to a greengrocer and bought some potatoes and found on your return home that they were mouldy or even that some of them were stones. What could you do if there were no laws on the subject? In the absence of law, you could only rely upon the law of the jungle. You could go back to the shop, demand proper potatoes and hit the shopkeeper on the nose if he refused to

give them to you. You might then look round the shop to try to find some decent potatoes. While you were doing this, the shopkeeper might hit you on the back of the neck with a pound weight. Altogether not a very satisfactory morning shopping.

Or you might pay your money to go to see a film at a cinema. You might go inside, sit down and wait. When the cinema was full, there might be flashed on the screen: "You've had it, Chums". And that might be the whole of the entertainment. If there were no law, the manager could safely remain on the premises and, as you went out, smile at you and say: "Hope you've enjoyed the show, sir. That is to say, he could do this safely if he were bigger than you or had a well-armed bodyguard. Every country tries, therefore, to provide laws which will help its people to live safely and as comfortably as possible. This is not at all an easy thing to do, and no country has been successful in producing laws which are entirely satisfactory. But we are far better off with the imperfect laws which we have, than if we had none at all.

**1.7 Answer the questions to the text above:**

1. Whom did Mr. Jones murder?
2. What did he tell to the neighbour?
3. What could happen if there was not law?

**1.8 Read the text and do the tasks below**

**Law and the Legal System**

The nature of law is so complex that a precise definition is difficult to provide. In general, however, law is the set of values, institutions and concepts that permit civilization to exist and people to live orderly lives. Although legal principles and principles of morality and justice often have much in common, law, morality and

justice are not synonymous terms. An immoral act is not necessarily illegal; moreover, a law may be unjust because it is harsh or unfair as applied.

While there are dozens of ways to categorize law, its major dimensions are found in the following four-fold classification scheme: 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, both geographically and institutionally, to regulate conduct. Governmental law, as a classification, views law in terms of the branch of government —executive, legislative or judicial —that created it. Structural law classifies law by the person, group, or institution to which it is addressed.

In the United States there are four major sources of law. Constitutional law is the supreme law of the land and regulates the different branches of government and puts limits on their powers. Statutes, the enactments of legislatures, are created on the federal, state and local levels, as are 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 emanates from courts through judicial decisions.

In addition to structuring the government, the Constitution establishes several important limitations on the power of government, both federal and state, to interfere with individual liberty. The First Amendment rights, due process clause and equal protection clause provide courts with the basis to preserve individual liberties against governmental intrusion. By the process of judicial review, courts can invalidate statutes which conflict with the Constitution, thereby playing a large role in determining important questions of public policy.

The federal government's power to regulate business activity, based on the Commerce Clause of Article I of the Constitution, is nominally confined to interstate commerce, the flow of commercial enterprise across state lines. During the last fifty

years, however, the federal government has played an increasingly vigorous role in regulating business activity, even on the local level, because of a developing judicial theory that if a business action "affected" interstate commerce, Congress could regulate it. Today, in realistic terms, the power of the federal government to regulate economic activity is as broad as the desire to regulate.

**1.9 Choose the right variant according to the text above:**

*1. Law*

- a) is the set of values, institutions and concepts that permit civilization to exist and people to live orderly lives;
- b) is the system which cannot be categorized at all;
- c) is a synonym of morality and justice.

*2. Substantive Law*

- a) deals with the power of political entities, both geographically and institutionally, to regulate conduct;
- b) deals with human conduct and includes the broad areas known as criminal law and civil law;
- c) deals with the problems of substance and matter.

*3. Jurisdictional Law*

- a) deals with the power of political entities, both geographically and institutionally, to regulate conduct;
- b) views law in terms of the branch of government — executive, legislative, or judicial — that created it;
- c) regulates the issues concerning the jurisdiction of the courts.

*4. Governmental Law*

- a) coordinates the day-to-day activity of the universities;



b) deals with human conduct and includes the broad areas known as criminal law and civil law;

c) as a classification, views law in terms of the branch of government — executive, legislative, or judicial — that created it.

#### *5. Structural Law*

a) systematizes all the rules and regulations introduced by the executive branch of the government;

b) directs the business activity, based on the Constitution;

c) classifies law by the person, group, or institution to which it is addressed.

#### *6. Constitutional Law*

a) is one of three major sources of law in the United States;

b) is the supreme law of the land;

c) puts no limits on the powers of the different branches of government.

#### *7. Statutes [the enactments of legislature]*

a) are created on the federal, state, and local levels;

b) are the same as administrative decisions;

c) have nothing to do with law.

#### *8. Administrative Regulations*

a) are promulgated by government agencies pursuant to power delegated by the legislatures;

b) is the body of law that emanates from courts through judicial decisions;

c) are the object of study of Constitutional law.

#### *9. Common Law*

a) or "unwritten law", is the body of law that emanates from courts through judicial decisions;

b) is the only source of law in the United States;

c) is molded and implemented in the House of Commons.

*10. The First Amendment rights*

- a) together with due process clause and equal protection clause, provide courts with the basis to preserve individual liberties against government intrusion;
- b) are amended by courts;
- c) are the rights stated in the Constitution of Ukraine.

**FOCUS ON GRAMMAR**

**We use the Present Continuous:**

- a) for actions taking place now, at the moment of speaking.**

*He is giving the baby a bath at the moment.*

- b) for temporary actions; that is actions that are going on around now, but not at the actual moment of speaking.**

*I'm looking for a new job these days. (He is not looking for a job at the moment of speaking.)*

- c) with adverbs such as: always, constantly, continually, etc. for actions which happen very often, usually to express annoyance, irritation or anger.**

*I'm always meeting Sara when I go shopping. (action which happens very often)*

*You're constantly interrupting me when I'm talking, (expressing annoyance / irritation)*

- d) for actions that we have already arranged to do in the near future, especially when the time and place have been decided.**

*They're moving into their new house next week. (The time has been decided.)*

- e) for changing or developing situations.**

*More and more species are becoming extinct.*

The present continuous is used with the following time expressions: *now, at the moment, at present, these days, still, nowadays, today, tonight, etc.*

**1.10.1 Complete David's email to his secretary with the correct form of the present continuous**

Hi Lesley,

I hope everything (go) .....is going.....<sup>1</sup> well in the office. I (write) .....<sup>2</sup> this email to let you know that we (have) .....<sup>3</sup> a great time in Florida but we've had to change our holiday plans.

We (not/fly) .....<sup>4</sup> on Sunday night as planned. We've decided to fly back on Monday and I (not/return) .....<sup>5</sup> to the office until Tuesday. I (travel) .....<sup>6</sup> to Cambridge on Wednesday for a meeting but I'll phone to confirm when I'm back in the country. Could you also please check that a taxi (come) .....<sup>7</sup> to pick us up from Gatwick Airport at 17.00 hrs on Monday?

Thanks for everything.

Best regards,

David.

**1.10.2 Underline the correct option in these sentences**

1. A: What language *are you speaking / do you speak?*

B: English, French and Italian.

2. A: What's that song *you listen to / you're listening to?*

B: It's called "Angels." Good, isn't it?

3. A: What *are you reading / do you read?*

B: It's an article about holidays in Switzerland.

4. A: *Do you smoke / Are you smoking?*

B: No, thank you. I stopped smoking two years ago.

5. A: *Why are you laughing / do you laugh?*

B: It's your face. You look so funny!

6. A: *Does your brother play / Is your brother playing any sport?*

B: Yes. Football in the winter, tennis in the summer and swimming all year.

**1.10.3 Read the following extracts and put the verbs in brackets into the present simple or the present continuous. Then, say what use of these tenses each extract shows**

**1** These days, it seems everything 1) *...is changing...* (change). Cities 2) .....(become) bigger and busier every year, technology 3) .....(develop) faster than ever before, and scientists 4) .....(learn) more about the way things work.

**2** Water 1) .....(boil) at 100°C and 2) .....(freeze) when the temperature 3) ..... (drop) below 0°C. Salt water 4) .....(be) different, however.

**3** This film 1) .....(be) great! It 2) .....(have) an all-star cast and the script 3) .....(be) very funny. The action 4) .....(begin) when two young men 5) .....(try) to rob a bank....

**4** Rogers 1) .....(kick) the ball and 2) .....(pass) it to Jones. Jones 3) .....(run) down the pitch. He

- 4) .....(pass) the ball to Smith who 5) .....(shoot) and  
6) .....(score)!

**1.10.4 Put the verbs in brackets into the correct form of the present continuous or the present simple**

1. A: Where's James?  
B: He ..... (play) football in the garden right now.
2. A: Bill.....(dance) very well.  
B: Yes, he's a good singer, too.
3. A: Lucy is very busy.  
B: Yes. She.....(work) very hard these days.
4. A: What .....(you/do) on Saturdays?  
B: I clean the house and go shopping.
5. A: Why.....(you/pack) your suitcase?  
B: Because I .....(fly) to Paris tomorrow morning.
6. A: Fred.....(not/know) how to swim.  
B: That's because he's only three.
7. A: Max looks very fit.  
B: Yes. He .....(take) a lot of exercise these days.

**1.10.5 Put the verbs in brackets into the present simple or the present continuous.**

Dear Martin,

How are you and Sally? I 1) *...hope...* (hope) you're well. I  
2)..... (write) to give you some good news. I have got a  
summer job for the holidays! I 3) ..... (repair)  
telephone lines for a telephone company. I 4).....(usually/ride)

my bicycle to work because it's only a ten minute ride from home. We  
5)..... (start) work at 8:30. We 6) ..... (finish)  
at 4:30 on Mondays to Thursdays, but at 2:30 on Fridays, so I  
7)..... (have) long weekends. I 8)..... (work)  
very hard at the moment. To tell you the truth, I 9) .....  
(be) a bit nervous because my boss 10)..... (leave) for  
Scotland on business next week, so I'll be on my own. Lizzie says I  
11)..... (worry) about it too much. She's probably right!  
Please write with your news. Say hello to Sally for me.

Best wishes,

Richard.

**1.10.6 Read the text and put the verbs in brackets into the present simple or the present continuous**

Michael Barns 1) ..is... (be) a very busy man. Every morning, he  
2).....(leave) home at 8 o'clock, and 3).....(go)  
to his office. He 4).....(usually/have) meetings until  
lunchtime, and in the afternoon, he 5)..... (often/visit)  
the people of Madewell. He really 6).....(enjoy) talking  
to people. At the moment, he and his team 7).....(organise)  
his election campaign. There are elections in June and he 8) .....  
(hope) to persuade lots of people to vote for him.

Next month, he 9)..... (go) to London to meet the  
Prime Minister. They 10)..... (have) a meeting to discuss  
future plans for Madewell.

**1.10.7 Correct the mistakes**

1. Steve goes fishing tomorrow.
2. Rebecca wash her hair every day.
3. I am visiting my grandparents every week.
4. Tim doesn't wants to do his homework.
5. He sits on the floor at the moment.
6. Do you watch TV in the evenings always?
7. Sarah is drinking coffee every morning.
8. They don't go usually on holiday in May.
9. Does she work late? No, she does never.
10. Peter looks for a new house at the moment.

## Unit 2. Legal professions

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

### Types of legal professions in Ukraine

#### 2.1 Answer the following questions:

1. Why did you choose law as a career?
2. What is the most attractive thing in the legal profession: salary, protection of society and individuals, prestige?
3. What are the major objectives of lawyer's work?

4. How do lawyers apply the knowledge of law in their practice?
5. Where do lawyers work? What legal professions do you know?
6. Is it important to specialize in any particular area? Why?

**2.2 Match the following English words and expressions with their Ukrainian equivalents:**

- |                             |                                      |
|-----------------------------|--------------------------------------|
| 1. Legal profession         | a) соціальні відносини               |
| 2. Law-making processes     | b) слідчий                           |
| 3. Social relations         | c) юрист, консультант з питань права |
| 4. Investigator             | d) суддя                             |
| 5. Prosecutor               | e) юридична професія                 |
| 6. Municipal enterprises    | f) нотаріус                          |
| 7. Lawyer                   | g) адвокат                           |
| 8. To improve notary system | h) прокурор                          |
| 9. Judge                    | i) законотворчі процеси              |
| 10. Informative activity    | j) муніципальні підприємства         |
| 11. Notary                  | k) інформативна діяльність           |
| 12. Advocate                | l) вдосконалити нотаріальну систему  |

**2.3 Read the text to find the sentences with the words from exercise 2.2 and translate them into Ukrainian**

**Legal Profession in Ukraine**

One of the most popular professions among the young people of our country is the profession of a lawyer. It is very interesting and important. Our country is creating a law-governed state, and lawyers play a very significant role in this process. They are necessary for regulating social relations in the state.

In Ukraine training lawyers is the task of the law establishments such as Law Academies, Law Institutes, and law faculties of higher institutions. Graduates of different law schools can work at the Bar, in the Prosecutor's Office, different courts,



notary offices, legal advice offices, establishments of tax inspection, militia, as well as in different firms, companies, banks, enterprises, etc. They can work as advocates, judges, notaries, investigators, prosecutors, legal advisors, inspectors, customs officers, traffic officers, and other workers of law enforcement agencies.

Legal profession combines legal practitioners and scholars, members of the judiciary, and the Bar, prosecutors, defense lawyers, notaries, jurists and counsels (legal advisors of private, state and municipal enterprises and organizations).

The Academy of Legal Sciences was established in 1993. It is a national scientific organization, which carries out the fundamental researches and coordinates, organizes and fulfils works in the field of state and law. The academicians and known scientists are the members of the Academy. There are also some other professional unions of lawyers in Ukraine.

The Union of Lawyers of Ukraine carries out lawmaking, scientific, methodological, educational and informative activities with the aim of promoting lawyers of Ukraine in their professional and social interests, their public activities and participation in the state policy development.

The Ukrainian Bar Association unites lawyers from all spheres of legal profession with the aim of protecting their professional and other common interests, developing the legal profession, and creating a law-governed state in Ukraine.

The Union of Advocates of Ukraine is an independent and self-governed public all-Ukrainian organization. It is aimed at facilitating the role and authority of the Bar in our society and the state, the true independence and self-regulation of the Bar and developing the democratic state in Ukraine.

The Ukrainian Association of Prosecutors has a purpose to protect legal rights and interests of its members who worked/work in the Prosecutor's Office, and support the prosecutors' positive image in Ukraine and abroad, helping to fulfill their tasks.

The Ukrainian Notarial Chamber is a public organization which supports its members in their professional activities, makes efforts to improve notary system and participates in the law-making process.

The Ukrainian branch of the European Law Students' Association – ELSA Ukraine is comprised of students and recent graduates of the Ukrainian law education establishments who are interested in law and have demonstrated commitment to international issues.

**2.3.1 Read the following statements and decide if they are true or false according to the text. Prove your answers with the information from the text**

- 1) The profession of a lawyer is very popular in our country.
- 2) The lawyer can help in regulating social relations in the state.
- 3) Only one educational establishment trains lawyers in Ukraine.
- 4) Members of the judiciary don't belong to the legal profession.
- 5) The Academy of Legal Sciences was established in 2003.
- 6) The aim of the Ukrainian Bar Association is law enforcement.
- 7) The Union of Advocates of Ukraine is a state-governed public all-Ukrainian organization.
- 8) The Ukrainian Notarial Chamber makes efforts to improve notary system.
- 9) ELSA is the Ukrainian branch of the European Law Students' Association

**2.3.2 Read the text again and complete the table.**

<b>Organization</b>	<b>Function</b>	<b>Aim</b>
The Academy of Legal Sciences		
The Union of Lawyers of Ukraine		
The Ukrainian Bar Association		
The Union of Advocates of		

Ukraine		
The Ukrainian Association of Prosecutors		
The Ukrainian Notarial Chamber		

**2.3.3 Find in the text synonyms to the following words and use them in your own sentences:**

Body, country, lawful, legislation, defence lawyer

**2.3.4 Choose the right variant:**

1. Law faculties of higher institutions –

- a) enforce law
- b) regulate social relations in the state
- c) train lawyers

2. Legal profession doesn't comprise

- a) counsels
- b) notaries
- c) accountants

3. The Academy of Legal Sciences

- a) carries out the fundamental researches
- b) makes efforts to improve notary system
- c) creates a law-governed state

4. The purpose of protecting legal rights and interests of prosecutors is carried

by

- a) The Ukrainian Notarial Chamber
- b) The Ukrainian Association of Prosecutors
- c) ELSA Ukraine

**2.3.5 Complete the sentences:**

1) Organization, which has a purpose to protect legal rights and interests of its members who worked/work in the Prosecutor's Office, is called...

2) Students and recent graduates of the Ukrainian law education establishments, who are interested in law, may join...

3) The Union of Advocates of Ukraine is aimed at...

4) A national scientific organization, which carries out the fundamental researches and coordinates, organizes and fulfils works in the field of state and law, was established in...

5) A public organization which supports its members in their professional activities, makes efforts to improve notary system and participates in the law-making process, is...

6) Lawyers from all spheres of legal profession unite in...

7) The Union of Lawyers of Ukraine carries out the following activities:...

## **2.4 Answer the questions:**

1. What do you know about the work of an investigator?

2. Would you like to be an investigator? Why? Why not?

### **2.4.1 Read the text and do the post-reading tasks below**

#### **Investigator**

In accordance with the new national criminal legislation all criminal cases pass through the stage of preliminary or pre-trial investigation before they are heard in court.

The Prosecutor's Office of Ukraine, Ministry of the Interior, Security Service of Ukraine, and Tax Police have their own investigation departments. Their competence is briefly as follows:

2) investigators from the Prosecutor's Office have the right to investigate any case but actually they carry out inquiries into the gravest crimes, such as murder,

embezzlement on a large scale, rape, banditry, malfeasance, crimes committed by workers of law-enforcement bodies;

3) investigators from the Ministry of the Interior have the right to institute proceedings against persons who have committed any crime, e.g. burglary, theft, swindling, disorderly conduct, economic crimes, juvenile delinquency, etc. But in cases of gravest crimes they only perform urgent actions and then transfer the case to the investigators of the Prosecutor's Office;

4) investigators from the Security Service of Ukraine conduct pretrial investigation in crimes committed against the national security of the state, e.g. treason, espionage, smuggling, drug trafficking, organized crime, acts of terrorism, and also crimes against peace, security of mankind and international law and order;

5) Investigators from the Tax Police investigate crimes related to evasion of taxes, illegal use of foreign currency accounts abroad, money laundering etc.

The new criminal legislation also envisages definite peculiarities of investigating a number of crimes against justice.

The investigator's job is to detect crimes, to disclose and expose persons guilty of them. Every person who commits a crime shall suffer a just punishment.

While fulfilling his duties the investigator has the right to detain a person suspected of a crime, make a requisite search and inspection, question citizens and officials as witnesses of a crime, order an expert examination, etc.

The investigator's job is to prepare the materials of the case for court hearing.

Pretrial investigation is called upon to facilitate the objective and comprehensive administration of justice.

#### **2.4.2 Find in the text the English equivalents of the following:**

вчинити злочин, розкрити злочин, тяжкий злочин, привласнення майна; розтрата, посадовий злочин, порушувати справу (проти), шахрайство, дрібне хуліганство, злочинність неповнолітніх, ухилення від сплати податків,

незаконне використання валютних рахунків за кордоном, відмивання грошей, зазнати покарання, затримувати, проводити необхідний обшук та огляд.

### **2.4.3 Give the Ukrainian equivalents of the following:**

pretrial investigation, inquiry, to commit a crime, to detect a crime, grave crime, embezzlement, malfeasance, to institute proceedings (against), swindling, disorderly conduct, juvenile delinquency, evasion of taxes, illegal use of foreign currency accounts abroad, money laundering, to suffer a punishment.

### **2.4.4 Speaking**

Imagine that you are investigators of different departments, tell students about your duties and difficulties in your job.

### **2.5 Find the definition:**

A *prosecutor* is a person who

- a) defends people in court.
- b) draws up legal documents.
- c) investigates cases.
- d) tries to prove that the accused is guilty.

### **2.5.1 Read the text and do the post-reading tasks below:**

#### **Prosecutor**

According to the Constitution of Ukraine the Prosecutor's Office is entrusted:

- 1) to uphold state prosecution in court;
- 2) to represent the interests of citizens or the state in cases provided for by the law;
- 3) to supervise the observance of laws by organs conducting operational search actions, inquiry and pretrial investigation;
- 4) to supervise the observance of laws in the course of executing judicial decisions on criminal cases, and while taking other enforcement measures related to the restraint of personal liberty of citizens.

The Prosecutor General of Ukraine heads the Prosecutor's Office. He is appointed to the office for a five-year term with the consent of Verkhovna Rada and is removed from the post by the President of Ukraine. Verkhovna Rada may give a vote of no confidence to the Prosecutor General, which results in his resignation from the office.

The prosecutor has various and complicated duties. He contributes to comprehensive, objective and complete investigation of cases. After the investigation of a criminal case he approves the indictment and transfers it to the court.

As a public prosecutor he has the same rights as other participants in the trial. He may challenge the members of the court, examine and submit fresh evidence, question witnesses, etc. When the court investigation is over he pronounces his speech for the prosecution. It includes his opinion as to the application of the criminal law and punishment. The prosecutor may lodge an appeal or a cassation against a court sentence, decision or a ruling in a higher court.

The prosecutor has broad powers of supervision over the observance of legality in places of confinement. He verifies the legality of keeping convicted criminals, supervises the observance of statutory regime rules and rules of labor for convicts and their release at the right time, etc. He has the right to inspect places of confinement at any time, to study documents, to question prisoners in person, to demand personal explanations from the administration.

Thus, the prosecutor's work is to supervise the observance of legality and to prevent breaches of laws as provided for by the legislation of Ukraine.

### **2.5.2 Find in the text above the English equivalents for the following:**

оперативно-розшукова дія, примусові заходи, обмеження, вотум недовіри обвинувальний висновок, доказ, місця позбавлення волі, перевіряти, контролювати, установлений законом режим, визнавати винним, засуджувати, засуджений, ув'язнений, в'язень, порушення закону

### **2.5.3 Give the Ukrainian equivalents of the following:**

operational search action, enforcement measures, restrain, a vote of no confidence, indictment, evidence, places of confinement, to verify, statutory regime rules, to convict, convict, breach of law

### **2.5.4 Find in the text the words corresponding to the following definitions:**

- a legal proceeding by which a case is brought to a higher court for review
- compliance in or approval of what is done or proposed
- a person serving a prison sentence
- the place where cases are heard
- the act of breaking a law.

### **2.5.5 Answer the following questions:**

1. What are the main tasks of the Prosecutor's Office?
2. Who is at the head of the Prosecutor's Office?
3. How is the Prosecutor General appointed?
4. What is the term of the Prosecutor General's office?
5. What does a prosecutor do in the trial?
6. What does a prosecutor do if he disagrees with the court's judgment?
7. What are a prosecutor's functions in places of confinement?

### **2.5.6 Writing**

Write a letter to your pen friend about current changes in Prosecutor's Office in Ukraine

### **2.6 Answer the questions:**

1. What do you know about the work of a notary in Ukraine?
2. Would you like to be a notary? Why? Why not?

#### **2.6.1 Read the text about notary bodies and do the tasks below:**

The task of notary bodies in Ukraine is the promotion of legality, protection of state and personal property, rights and lawful interests of citizens, enterprises and



public organizations by attesting contracts and performing other notary actions provided for by the law.

The notary system of Ukraine consists of the subjects possessing the right to perform notary activity. They are public and private notaries, officials of executive committees in the local councils (the chairman, the secretary or a member of the executive committee), and consulates.

The public notaries have the broadest competence in Ukraine. All notary activity is divided into 4 groups:

- 1) notary activity directed at certifying indisputable right,
- 2) notary activity directed at certifying indisputable fact,
- 3) notary activity directed at certifying documents,
- 4) protective notary activity.

A citizen of Ukraine, who has higher legal education and at least six months of work experience, has passed the qualification examination and received notary's certificate, can hold the post of a notary. Notaries help to prevent various civil offences and disputes on rights. They attest contracts, transactions, wills, deeds and writings, officially register hereditary rights etc.

Notary offices help applicants to make wills, to draw up deeds of purchase-and-sale or conveyance of property. They verify copies of documents; certify seals, signatures, gifts, translations of documents into Ukrainian and foreign languages.

### **2.6.2 Answer the following questions:**

1. What is the main task of the notary bodies in Ukraine?
2. Who performs notary functions in Ukraine?
3. Who has the broadest competence in Ukraine?

### **FOCUS ON GRAMMAR**

**State verbs** are verbs which do not normally have continuous tenses because they describe a state rather than an action. These include:

- verbs which express likes and dislikes: *like, love, hate, dislike, enjoy, prefer*, etc. e.g. *Cathy likes romantic films.*

- verbs of perception: *believe, know, notice, remember, forget, recognise, understand, realise, seem, think*, etc. e.g. *I don't believe a word he's saying.*

- verbs of the senses: *see, hear, feel, taste, look, smell, sound*. We often use *can* or *could* with these verbs when we refer to what we see, hear, etc. at the moment of speaking.

e.g. *The soup tastes delicious. John must be in the attic. I can hear his footsteps.*

some other verbs: *be, contain, fit, include, matter, need, belong, cost, owe, mean, own, appear, want, have* (=possess), etc. e.g. *This book is mine. It belongs to me.*

Some state verbs have continuous tenses, but there is a difference in meaning. Study the following examples:

1) *I think she's Italian. (=believe) I'm thinking about my holiday. (=am considering)*

2) *The soup tastes awful. (=has an awful flavour) She's tasting the soup. (=is testing the flavour of)*

3) *I can see an aeroplane in the sky. (=perceive with my eyes) I'm seeing Jill tonight. (=am meeting)*

4) *Susan looks tired. (=appears) Susan is looking at some photos. (=is studying)*

5) *The room smells of perfume. (=has the smell) The cat is smelling its food. (=is sniffing)*

6) *This towel feels soft. (=has a soft texture) Jill is feeling her son's forehead. (=is touching)*

7) *He has a sports car. (=possesses) He's having lunch now. (=is eating — idiom)*

*Some idioms with have include: **have** breakfast / lunch / dinner, etc.*

*a bath / shower / swim / party, etc.*

*a(n) accident// experience / dream, etc.*

*a baby*

*difficulty / fun / trouble, etc.*

### **2.7.1 Put the verbs in brackets into the present simple or the present continuous**

1. A: ...*Do you know...* (you/know) that man over there?

B: Actually, I do. He's Muriel's husband.

2. A: Are you doing anything tomorrow evening?

B: Yes. I .....(see) Jack at nine o'clock.

3. A: I.....(see) you're feeling better.

B: Yes, I am, thank you.

4. A: What's that noise?

B: The people next door.....(have) a party.

5. A: Graham.....(have) a new computer.

B: I know. I've already seen it.

6. A: This dress.....(not/fit) me any more.

B: Why don't you buy a new one?

7. A: Your perfume .....(smell) nice. What is it?

B: It's a new perfume called Sunshine.

8. A: What is Jane doing?

B: She .....(smell) the flowers in the garden.

9. A: What.....(you/look) at?

B: Some photos I took during my holidays. They aren't very good, though.

10. A: You .....(look) very pretty today.

B: Thank you. I've just had my hair cut.

11. A: I .....(think) we're being followed.

B: Don't be silly! It's just your imagination.

12. A: Is anything wrong?

B: No. I .....(just/think) about the party tonight.

13. A: This fabric .....(feel) like silk.

B: It is silk, and it was very expensive.

14. A: What are you doing?

B: I .....(feel) the radiator to see if it's getting warm.

15. A: She.....(be) generous, isn't she?

B: Yes, she has never been a mean person.

16. A: He.....(be) very quiet today, isn't he?

B: Yes, I think he has some problems.

17. A: Would you like some cherries?

B: Yes, please. I .....(love) cherries. They're my favourite fruit.

18. A: I'm sorry, but I ..... (not understand) what you mean.

B: Shall I explain it again?

19. A: The children are making lots of noise today.

B: I know, but they.....(have) fun.

20. A: This cake.....(taste) awful.

B: I think I forgot to put the sugar in it!

## MODULE 3. Legal resources

### Unit 1. Legal resources

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

#### 1.1 Before you read the passage, talk about these questions.

1. Where can legal professionals get information about cases?
2. Why do legal professionals need good research skills?

#### *Reading*

Letter of the Law

Where do I look?

*Miriam Wheeler*



There are many legal resources, so it's important to know how libraries organize them. Most libraries have a section for **primary materials**. These texts contain laws relevant to cases. **Secondary materials** give opinions on the law. They include **legal**

**encyclopedias** and **digests**. Encyclopedias often **cite** primary sources in their references. **Digests** summarize individual cases that have similar topics. Other legal publications include **case annotations** and **form books**. Annotations are articles about cases, and they are printed in law journals. Form books show

how documents should be worded and formatted. Thankfully, most of these resources are available on computerized databases. That way, you don't have to carry around a ton of books!

### **1.1.2 Read and choose the correct answer**

1. Legal professionals publish their thoughts and assessments about laws in

A digests

B primary materials

C form books

D case annotations

2. What can be inferred about form books?

A Judges use them when making decisions.

B Attorneys use them to find relevant laws.

C Lawyers use them when writing official papers.

D Libraries use them to organize computer databases.

3. Which of the following does NOT focus on information about laws?

A digests

B computerized databases

C primary materials

D legal encyclopedias

### **1.2.1 Write a word that is similar in meaning to the underlined part.**

1. The texts that contain laws are on the first floor of the library.

p \_\_\_ a \_\_\_ m\_t \_\_\_ I\_

2. Mary should look at a collection of example documents to see how to word the contract correctly.

\_o \_\_\_ b \_\_\_

3. Many law books mention information from primary materials.

-- t -

4. The best place to find an opinion on the case is in a book that summarizes cases.

\_ i \_ s \_

5. The firm's legal sources of information are located in the room next to Mr. Wen's office.

\_ s \_ r \_ \_

### **1.2.2 Read and choose the correct words.**

1. The paralegal can find the case annotations in the *journals* / *legal encyclopedias*.

2. It is much easier for Jane to find resources when she uses *the form book* / *computerized database*.

3. The writer noted all the texts he used in the list of *digests* / *references*.

4. Mark found the *case annotation* / *primary material* in one of the legal journals.

5. A *form book* / *legal encyclopedia* is useful when looking up what a legal term means.

### **1.2.3 Read the text again. How do libraries organize legal resources?**

#### *Listening*

**1.3.1 Listen to a conversation between a lawyer and a paralegal. Mark the following statements as true (T) or false (F).**

1 \_ The woman located similar cases in the computerized database.

2 \_ Young defendants without previous convictions had their cases dismissed.

3 \_ The man asks the woman for a summary of the case annotations.

### **1.3.2 Listen again and complete the conversation.**

Lawyer: Oh, Mary, you're back. Did the law library have anything to help our case?

Paralegal: Yes. there were several similar cases in the 1 \_\_\_\_\_. Apparently, judges often dismiss cases against young defendants.

Lawyer: OK. Do those defendants have anything 2 \_\_\_\_\_?

Paralegal: According to the 3 \_\_\_\_\_ none of them had any previous convictions.

Lawyer: That's perfect.

Paralegal: I also gathered 4 \_\_\_\_\_ about crimes involving young offenders.

Lawyer: Thank you. Can you do me one more favor? Write a summary of the 5 \_\_\_\_\_ on young defendants.

Paralegal: 6 \_\_\_\_\_

### *Speaking*

**1.3.3 With a partner, act out the roles below based on Task 1.3.2 Then, switch roles.**

***USE LANGUAGE SUCH AS:***

*Did the law library have anything to help our case?*

*There were several similar cases in the ...*

*Can you do me one more favor?*

Student A: You are a paralegal. Explain to Student B the information you found at the law library. Talk about:

- similar cases
- dismissed cases
- sources

Student B: You are a lawyer. Talk to Student A about the research he or she completed for a case.

### *Writing*



**1.4 Use the conversation from Task 1.3.3 to fill out the paralegal's notes on the case.**

Sources: \_\_\_\_\_

\_\_\_\_\_

Useful information: \_\_\_\_\_

\_\_\_\_\_

What cases have in common: \_\_\_\_\_

\_\_\_\_\_

## FOCUS ON GRAMMAR

### Present Perfect Continuous versus Present Perfect Simple

**We use the Present Perfect:**

**a) for an action which has recently finished and whose result is visible in the present.**

*She **has just washed** her hair. (She has now wrapped her hair in a towel, so the action has finished.)*

**b) for an action which happened at an unstated time in the past. The exact time is not mentioned because it is either unknown or unimportant. The emphasis is placed on the action.**

*The Taylors **have bought** a sailing boat. (The exact time is unknown or unimportant. What is important is the fact that they now own a sailing boat.)*

**c) for an action which has happened within a specific time period which is not over at the moment of speaking. We often use words and expressions such as *today, this morning / evening / week / month, etc.***

*She **has taken** fifteen pictures today. (The time period - today - is not over yet. She may take more pictures.)*

**BUT:** *She took twenty pictures yesterday. (The time period - yesterday - is over.)*

**Note:** We use the present perfect to announce a piece of news and the past simple or past continuous to give more details about it.

*The police have finally arrested Peter Duncan. He was trying to leave the country when they caught him.*

**d)** for an action which started in the past and continues up to the present, especially with state verbs such as *be, have, like, know, etc.* In this case, we often use *for* and *since*.

*Rachel has had the dog for three years. (She got the dog three years ago and she still has it.)*

The present perfect is used with the following time expressions: *for, since, already, yet, always, just, ever, never, so far, today, this week / month, etc., how long, lately, recently, still (in negations), etc.*

We use the **Present Perfect Continuous:**

**a)** to put emphasis on the duration of an action which started in the past and continues up to the present, especially with time expressions such as *for, since, all morning / day / year, etc.*

*Sam has been talking on the phone for half an hour. (He began talking on the phone half an hour ago and he is still talking.)*

**b)** for an action which started in the past and lasted for some time. The action may have finished or may still be going on. The result of the action is visible in the present.

*Her feet hurt. She has been walking all morning. (The result of the action is visible in the present - her feet hurt.)*

c) **to express anger, irritation or annoyance.** *Somebody has been giving away our plans. (The speaker is irritated.)*

**Note:** With the verbs *live, work, teach* and *feel* we can use the present perfect or present perfect continuous with no difference in meaning. *We have lived/have been living here for twenty years.*

The present perfect continuous is used with the following time expressions: *for, since, how long, lately, recently.*

**Note:** We use the present perfect to put emphasis on number and the present perfect continuous to put emphasis on duration.

Compare the examples:

*e.g. I've typed four reports so far.*

*I've been typing reports all morning.*

### **1.5.1 Use the prompts to make sentences in the Present Perfect Tense**

1. I/not complete/my studies/yet  
*I haven't completed my studies yet.*
2. I/already/read/twenty pages of a book
3. You/ever/give an interview?
4. How long/you/know each other?
5. She/never/take part in any competition
6. They/publish/ three articles on this topic
7. He/not do/ anything exciting this week
8. She/have/four different jobs during the last ten years
9. How many times/you/be married?

10. He/just/start/his own company

**1.5.2 Put the verbs in brackets into the present perfect continuous**

A: Hi! Liz. You look exhausted. 1) Have you been working (you/work) overtime again?

B: Yes, I have. I 2) .....(help) my boss to update the files in the office all week. He 3).....(read) the files and I 4) .....(write) down names, addresses, phone numbers and so on. What about you?

A: Well, I 5) .....(train) hard for the championship next week.

B: I see! 6) .....(you/lift) weights all day long?

A: Yes, for two weeks. How's Sue? 7)..... (she/study) for her exams?

B: No, she hasn't. She 8).....(go) out every evening I won't be surprised if she fails again!

**1.5.3 It is 11 o'clock. The following people all started work earlier this morning. Look at the information and say how long they have been working and how much work they have done so far, as in the example**

S1: Sandra's been typing since 9 o'clock / for two hours.

S2: She's typed twenty letters so far.

Name	Started / Activity	Completed
Sandra	9 o'clock / type	20 letters

Kim	8 o'clock / clean the guestrooms	4 rooms
Bob	10 o'clock / examine patients	3 patients
Sam	6 o'clock / carry guests' bags	20 bags
John	7 o'clock / deliver parcels	15 parcels
Helen	8 o'clock / serve guests at the bar	10 guests

**1.5.4 Fill in the gaps with have / has been to or have / has gone to**

1 A: Hello, Jim! Have you seen Mum?

B: Yes. She ...*has gone to*... the shops. She'll be back soon.

2 A: Where.....you.....today?

B: I.....the cinema.

3 A: Shall we go on a picnic this weekend?

B: Oh, yes! I.....not.....on a picnic for ages.

4 A: I'm going to India this year.

B: I.....never.....India.

A: Really? I.....there twice before.

5 A: Where are the children?

B: They.....the park to play football.

A: .....Dad.....with them?

B: Of course. Don't worry!

**1.5.5 Underline the correct word in bold**

1. I **always/already** do the housework on Saturdays.
2. We haven't booked our summer holiday **just/yet**.
3. My brother has **just/ever** joined the football club.
4. Linda has **already/ever** bought a new dress for the party.
5. Have you so **far/ever** tasted Japanese food?
6. Joe has been in Paris **since/for** two weeks.
7. I have **never/just** seen this film before.
8. The secretary has typed twenty letters **yet/so far** this morning.
9. I have been working here **since/still** July.
10. The Taylors have moved house **recently/so far**.
11. They **still/already** haven't employed a new supervisor.

**1.5.6 Fill in the gaps with *recently, how long, yet, for, always, ever, already, since, so far or just*. Sometimes more than one answer is possible**

1. A: Has Tom finished his exams ...**yet**...?  
B: No. He finishes them next Thursday.
2. A: .....has Janet been working at the hospital?  
B: She has been working there .....she left school.
3. A: How are you finding your new job?  
B: Great. I haven't had any problems .....
4. A: Is John at home, please?  
B: No, I'm afraid he's.....gone out.
5. A: Have you been waiting long?  
B: Yes, I've been here.....two hours.
6. A: Has Martin.....been to Spain?  
B: No, I don't think so.
7. A: Have you spoken to Matthew.....?

B: Yes. I phoned him last night.

8 A: Can you do the washing-up for me, please?

B: Don't worry. Mike has .....done it.

9 A: Lucy has.....been musical, hasn't she?

B: Yes, she started playing the piano when she was five years old.

10 A: Shall we go to that new restaurant tonight?

B: Yes. I have .....been there. It's really nice.

11. A: Your dog's been barking.....three hours!

B: I'm sorry. I'll take him inside.

12. A: Have you finished reading that book yet?

B: No, I've.....started it.

**1.5.7 Put the verbs in brackets into the present perfect or continuous, using short forms where appropriate**

1. A: How long ...*have you known*... (you/know) Alison?

B: We ..... (be) friends since we were children.

2. A: Who ..... (use) the car?

B: I was. Is there a problem?

3. A: What are Andrew and David doing?

B: They ..... (work) in the garden for three hours.

4. A: Why is Sally upset?

B: She ..... (lose) her bag.

5. A: I ..... (always/believe) that exercise is good for you.

B: Of course, it's good to keep fit.

6. A: Emily ..... (teach) Maths since she left university.

B: Yes, and she's a very good teacher, too.

7. A: Fred ..... (open) a new shop.

B: Really? Where is it?

8. A: This pie is delicious.

B: Is it? I ..... (not/taste) it yet.

9. A: Have you found your umbrella yet?

B: No, I ..... (look) for it for an hour now.

10. A: You look exhausted.

B: Well, I ..... (clean) the windows since 8 o'clock this morning.

11. A: Can I have some more lemonade, please?

B: Sorry, your brother ..... (just/drink) it all.

12. A: Have you got new neighbours?

B: Yes, they ..... (just/move) to the area.

7. Identify the tenses, then match them to the correct descriptions.

**1.5.8 Put the verbs in brackets into the present perfect continuous or the present perfect simple**

A: Good evening and welcome to our show. Tonight we have Steve Connolly, the well-known director. We're glad to have you here Steve. What 1) have you been doing (do) lately?

B: Well, I 2).....(finish) my latest film, "Double Crossing".

A: That 3).....(just/come out) at the cinema, hasn't it?

B: Yes. The papers 4).....(give) it good reviews. I hope they'll like my next film too.

A: 5).....(you/decide) what it'll be about?

B: Yes, I 6).....(read) an exciting book over the last few weeks and I want to make it into a film. I 7).....(not/decide) where to film it yet, perhaps Moscow.



A: Aha! Is it true that you 8).....(recently/start) learning Russian?

B: Yes, I 9).....(study) it for three years now and I 10) ..... (visit) the country twice.

A: Steve, thank you very much for being with us, and good luck with your new film.

## Unit 2. Sources of law

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?



**2.1.1 Before reading the text, check your knowledge and predict the right answers on the topic:**

1. What is a precedent?

- a) a previous decision made in court which informs future cases
- b) a senior judge
- c) a set of written rules
- d) a jury's decision

2. What does stare decisis mean?

- a) decision is made based on legislation
- b) words said in passing
- c) stand by things decided
- d) once made the decision must not be changed.

3. What is the Latin for a logical basis for a decision made by a court which may bind all future cases?

- a) ratio ultima
- b) modus vivendi
- c) ratio – decidendi
- d) jus strictum

**2.1.2 Match the following English words and phrases with their Ukrainian equivalents:**

1) binding precedent	a) адвокат
2) counsel	b) посилатися на справу
3) to cite a case	c) розрізняти
4) to distinguish	d) правове обґрунтування
5) legal reasoning	e) суд нижчої інстанції
6) to argue	f) доводити
7) lower court	g) прецедент, що має обов'язкову силу
8) to overturn the decision	h) скасувати рішення

### 2.1.3 Read the text and compare the content with your answers in Exercise 2.1.1.

#### JUDICIAL PRECEDENT

*Judicial precedent* is one of the sources of law, particularly English Common Law which, itself, is the basis of legal systems in many parts of the world (e.g. the USA and Commonwealth countries). Essential to the common law is the *hierarchy of the courts* and the principle of *binding precedent*. In practice, this means that the decision of a *higher court* is binding on a lower court, and in the course of a trial the judges must *refer to existing precedents*. This is known as *stare decisis* ‘stand by what has been decided’. The judges will also consider decisions made by a *lower court*, although they are not bound to follow them. However, a rule set by a court of greater or equal status must be applied if it is relevant. During a trial, a counsel will cite cases and either attempt to distinguish the case at trial from those referred to, or alternatively, argue that the rule established in a previous case is applicable and should be followed. At the end of each legal case the Judge gives a summary of the facts of the case; then a review of the arguments (defence and prosecution) and an explanation of the principles of law he/she is using to come to a decision. Only the legal principles used to come to a decision are referred to as the *ratio – decidendi* which means ‘the reason for deciding’. Sometimes the Judge will consider what his/her decision would have been if the facts of the case had been different; this hypothetical situation is referred to as the «*obiter dicta*» (i.e. other things said) and the *legal reasoning* put forward may be used in future cases. The great body of legal precedent contained in law books is the result of *appeals* to higher courts *against* the decisions of lower courts. The appeals have resulted in the clarification of specific principles, either by improving them or by *overturning* the original court's decision through the introduction of a new precedent. So, put in broad terms, judicial precedent is the body of legal principles established by past court decisions which

have survived the process of appeal to higher courts and have consequently become binding on all courts.

**2.1.4 Answer the following questions using the information from the text:**

- 1) What are the distinctive features of common law?
- 2) What does the principle of binding precedent mean?
- 3) Should rules set by courts of equal status be applied if they are relevant?
- 4) What is the role of the judge at the end of the case?
- 5) How would you define the «obiter dicta»?
- 6) What are the results of appeals to higher courts against the decisions of lower courts?

**2.2 Complete the table with the related forms**

<i>Verb</i>	<i>Noun</i>	<i>Adjective</i>
Cite		
Apply		
Precede		
Bind		
Appeal		
Cite		

**2.2.3 Translate the following sentences into English:**

1. У країнах англо-саксонської правової сім'ї прецедент є основою правової системи, тоді як у деяких інших країнах (наприклад, у Франції) прецеденти використовуються для заповнення прогалін у законодавстві.
2. Існує ієрархія прецедентів, відповідно до якої рішення, які були прийняті судами вищих інстанцій (наприклад, палатою лордів у Англії), є обов'язковими для використання нижчими в аналогічних ситуаціях.

3. В Україні прецедент офіційно не вважається джерелом права, але на практиці рішення судів вищих інстанцій часто беруться до уваги при вирішенні спорів.

**2.2.4 Match a word in column A with a word/phrase in column B to make as many phrases as possible and translate them.**

A	B
to set	an appeal (against)
to create	a decision
to introduce	a rule
to lodge	a precedent
to overturn	a verdict
to refer to	a case
to apply	a protest (against)
to establish	
to follow	

**2.3 Divide into two groups (proponents and opponents of case law). Read about the advantages and disadvantages of judicial precedent and discuss them.**

#### **Advantages**

- **Certainty** – It creates certainty in the law and means solicitors and barristers can advise their clients on the probable outcome of their case.
- **Fairness** – Similar cases are treated in a similar way, this is in the interests of justice and fairness.
- **Time Saving** – It saves court time as for most situations there is already an existing solution.
- **Law Development** – it allows the law to develop alongside society **R v R** (1991) – this case overturned a centuries old legal principle that a man could not rape his wife.

### **Disadvantages**

- **Rigidity** – The system is too rigid and does not allow the law to develop enough.
- **Injustice** – The strict rules of judicial precedent can create injustice in individual cases.
- **Slow Development** – The law is slow to develop under the system of judicial precedent. The law cannot be changed until a case on a particular point of law comes before one of the higher appellate courts.
- **Confusion** – Hundreds of cases are reported each year, making it hard to find the relevant precedent which should be followed.
- **Complexity** – The law is too complex with thousands of fine distinctions.

### *Writing*

- a) Describe the process of making new law in your country. What are the strengths and the weaknesses of the process?
- b) Explain to a student from a different jurisdiction how cases are used and recorded in your legal system.

### **FOCUS ON GRAMMAR**

#### **We use the Past Simple:**

- a) for an action which happened at a definite time in the past. The time is stated, already known or implied.

They *went camping by the lake last month*. (When did they go camping? Last month. The time is stated.)

- b) for actions which happened immediately one after the other in the past.

*First, she paid the driver, then she got out of the taxi.*

- c) for past habits or states which are now finished. In such cases we can also use the expression *used to*.

*Kitchens were/used to be very different a hundred years ago.*

**The past simple is used with the following time expressions: *yesterday, then, when, How long ago ...?, last night / week / month / year / Tuesday, etc., three days / weeks, etc. ago, in 1997, etc.***

**2.4.1. Make sentences using the prompts below:**

1. Olivia's room is clean now. (clean it / an hour ago)
2. Helen isn't watching TV. (turn it off / half an hour ago)
3. Steve doesn't go to the gym any more. (stop/six months ago)
4. Mary is eating the cake. (bake it / half an hour ago)
5. Kim is having a party today. (arrange it / two weeks ago)
6. Rob doesn't live here any more. (move/three days ago)
7. Peter's house is tidy. (tidy it / two hours ago)

**2.4.2 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)

**2.4.3 Put the verbs in brackets into the correct form of the past simple:**

1. A: Sorry Mum. but I \_\_\_\_\_. (drop)'the glass on the floor.  
Never mind. Just be careful next time.
- 2.A: \_\_\_\_\_ (you/watch) the horror film last night?  
B: Yes, but I \_\_\_\_\_ (not / enjoy) it.
3. A: \_\_\_\_\_ (your neighbours/move) house yesterday?

B: Yes, we \_\_\_\_\_ (help) them move their boxes.

4. A: A train \_\_\_\_\_ (crash) last night.

B: I know, luckily all the passengers \_\_\_\_\_ (survive)

5. A: Susan \_\_\_\_\_ (not/play) tennis yesterday.

B: I know. She's playing today instead.

6. A: \_\_\_\_\_ (you/see) Kate yesterday?

B: Yes. We \_\_\_\_\_ (have) lunch together.

## MODULE 4. The ancient systems of law.

### Unit 1. The first laws of Babylon, Rome, Greece

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

### The ancient systems of law: the first laws of Babylon, Rome, Greece

#### 1.1 Answer the following questions:

1. Why is it difficult to judge about the earliest laws?
2. Where and why did the first laws appear?



3. What association does the word “Babylon” call to your mind?

### 1.2 Read the text and do the tasks below

#### Laws of Babylon

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

The pillar, lost for centuries after the fall of Babylon in the 16<sup>th</sup> century B.C., was rediscovered by a French archaeologist in 1901 among the ruins of the Persian city of Susa. Hammurabi's words were still legible. The pillar is now in the Louvre museum in Paris.

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

Punishments under the code were often harsh. The cruel principle of revenge was observed: an eye for an eye and a tooth for a tooth, which meant that criminals had to receive as punishment precisely those injuries and damages they had inflicted upon their victims. Not only murderers but also thieves and false accusers faced the death penalty. And a child who hit his father could expect to lose the hand that struck the blow. The code outlawed private blood feuds and banned the tradition by which a man could kidnap and keep the woman he wanted for his bride. In addition, the new laws took account of the circumstances of the offender as well as of the offence. So a lower-ranking citizen who lost a civil case would be fined less than an aristocrat in the same position — though he would also be awarded less if he won. Nevertheless,

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

**1.2.1 Answer the following questions:**

1. Why do you think Hammurabi decided to have his laws “carved into a pillar”?
2. Why was the pillar set up in a temple?
3. What spheres of human life were covered by Hammurabi's code?
4. How do you understand the principle "an eye for an eye and a tooth for a tooth"?
5. In your opinion, were punishments always fair?
6. Why do you think people of different ranks were treated differently by Hammurabi's code?

**1.2.2 Write down the Ukrainian equivalents for the underlined words and expressions and make up your own sentences with them**

**1.3 Read the text to understand what information is of primary importance or new for you:**

**The Legal Heritage of Greece and Rome**

The ancient Greeks were among the first to develop a concept of law that separated everyday law from religious beliefs. Before the Greeks most civilizations attributed their laws to their gods or goddesses. Instead, the Greeks believed that laws were made by the people 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 harsh measures.

Several decades passed before Solon — poet, military hero, and ultimately Athens' lawgiver — devised a new code of laws. Solon, the Athenian statesman, is

known as one of the Seven Wise Men of Greece. He ended exclusive aristocratic control of the government, substituted a system of control by the wealthy, and introduced a new and more humane law code. He was also a noted poet.

Unfortunately, it was not until the 5<sup>th</sup> century B.C. that accounts of his life and works began to be put together, mostly on the evidence of his poems and his law code. Although certain details have a legendary ring, the main features of his story seem to be reliable.

Solon was of noble descent but moderate means. He first became prominent in about 600 B.C. The early 6<sup>th</sup> century was a troubled time for the Athenians. Society was dominated by an aristocracy of births, who owned the best land, monopolized the government, and were themselves split into rival factions. The social, economic, and political evils might well have culminated in a revolution and subsequent tyranny (dictatorship), as they had in other Greek states, had it not been for Solon, to whom Athenians of all classes turned in the hope of a generally satisfactory solution of their problems. Because he believed in moderation and in an ordered society in which each class had its proper place and function, his solution was not revolution but reform.

Solon's great contribution to the future good of Athens was his new code of laws. The first written code at Athens that of Draco was still in force. Draco's laws were shockingly severe (hence the term draconian), so severe that they were said to have been written not in ink but in blood. On the civil side they permitted enslavement for debt, and death seems to have been the penalty for almost all criminal offenses. Solon revised every statute except that on homicide and made Athenian law altogether more humane.

What the Greeks may have contributed to the Romans was the concept of 'natural law'. In essence, natural law was based on the belief that certain basic principles are above the laws of a nation. These principles arise from the nature of

people. The concept of natural law and the development of the first true legal system had a profound effect on the modern world.

### **1.3.1 Answer the following questions to the text above:**

1. What does the ancient Greek concept of law comprise?
2. Why were the first laws attributed to divine powers?
3. What is the origin and the meaning of the word “draconian”?
4. How do you understand the concept of “natural law”?
5. What was Solon's contribution to the ancient law?

### **1.4 Read the text and do the tasks below**

#### **The Bill of Rights**

The Bill of Rights (1689) is one of the basic instruments of the British constitution, the result of the long 17<sup>th</sup>-century struggle between the Stuart kings and the English people and Parliament. The Bill of Rights provided the foundation on which the government rested after the Revolution of 1688. The Revolution settlement made monarchy clearly conditional on the will of Parliament and provided a freedom from arbitrary government of which most Englishmen were notably proud during the 18<sup>th</sup> century.

The main purpose of the act was to declare illegal various practices of James II. Among such practices proscribed were the royal prerogative of dispensing with the law in certain cases, the complete suspension of laws without the consent of Parliament, and the levying of taxes and the maintenance of a standing army in peacetime without specific parliamentary authorization. A number of clauses sought to eliminate royal interference in parliamentary matters, stressing that elections must be free and that members of Parliament must have complete freedom of speech. Certain forms of interference in the course of justice were also proscribed. It is the

constitutional paper of great importance, which prevented the sovereign from abusing his authority.

**1.4.1 Answer the following questions using the information from the text above**

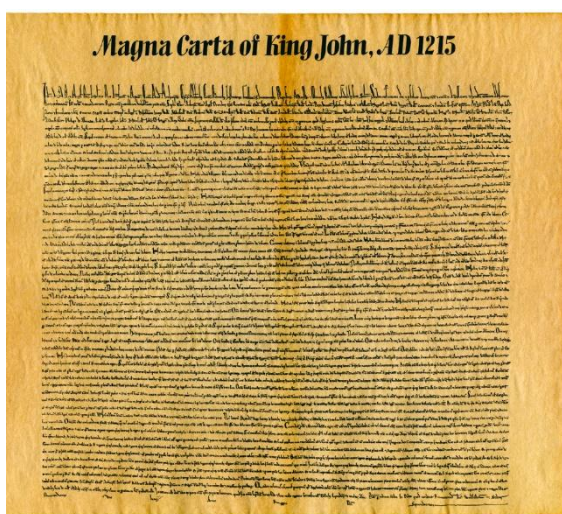
1. What events preceded the Bill of Rights?
2. Why did King James have to leave the country?
3. What document has regulated succession since 1688?
4. How were the rights of the monarch limited by the Bill of Rights?

**1.4.2 Make sure you know the meaning of the underlined words, expressions and make up your own sentences with them**

**1.5 Read the text and write down the Ukrainian equivalents for the underlined words and expressions**

### The Magna Carta

*We will sell to no man, we will not deny or defer to any man either justice or right. —Magna Carta (1225)*



At the heart of the English system there are two principles of government — limited government and representative government. The idea that government was not all-powerful first appeared in the Magna Carta, or Great Charter, that King John signed in 1215 under the threat of civil war.

Earlier kings of England had issued charters, making promises to their barons. But these were granted by, not exacted

from the king and were very generally phrased. Later the tension between the Kings and the nobility increased. Since 1199 John's barons had to be promised their rights. It is, therefore, not surprising that Stephen Langton, archbishop of Canterbury, directed baronial unrest into a demand for a solemn grant of liberties by the king. The document known as the Articles of the Barons was at last agreed upon and became the text from which the final version of the charter was drafted and sealed by John on June 15, 1215.

The Magna Carta established the principle of limited government, in which the power of the monarch, or government, was limited, not absolute. This document provided for protection against unjust punishment and the loss of life, liberty, and property except according to law. It stipulated that no citizen could be punished or kept in prison without a fair trial. Under the Magna Carta, the king agreed that certain taxes could not be levied without popular consent.

Although the Magna Carta was originally intended to protect aristocracy and not the ordinary citizens, it came in time to be regarded as a cornerstone of British liberties. It is one of the oldest written constitutional papers.

### **1.5.1 Answer the following questions to the text above:**

1. What were the two basic principles of the English system of government at the beginning of the 13<sup>th</sup> century?
2. What political situation necessitated the granting of the Magna Carta?
3. What provisions did the Magna Carta contain?
4. Who enjoyed the rights granted by the Magna Carta?

### **1.5.2 Render the text into English**

Велика хартія вольностей" 1215 р. (Магна Карта) — перша "неписана" конституція Англії. Велика хартія вольностей традиційно вважається першим правовим документом, в якому закладено основи концепції прав людини,

створено передумови для подальшого утвердження свободи і панування закону в житті суспільства.

15 червня 1215 під натиском повсталих проти нього баронів, до яких згодом приєдналися також лицарі та городяни, англійський король Іоанн Безземельний скріпив своєю печаткою Велику хартію вольностей, 63 статті якої гарантували права і привілеї феодалної знаті, надання свободи дій церкві і зобов'язували короля дотримуватися державних законів. Ця хартія, поряд із привілеями феодалів, закріпила основні, хоча й елементарні, права людини.

Напевне, коли англійський король Іоанн Безземельний ще в 1215 році підписував під тиском бунтівних баронів Велику хартію вольностей, він і не здогадувався, що це стане могутнім поштовхом до утворення й розвитку органу, якому протягом усієї подальшої історії випаде честь відігравати роль рушійної сили в процесі розвитку не лише британської, а й усієї західної цивілізації.

Для контролю за дотриманням Хартії король створив раду з 25 баронів. Пізніше на її основі було створено парламент Англії.

Отже, початок парламентаризму в Англії було покладено підписанням королем Іанном Безземельним саме Великої Хартії вольностей 1215 року.

**1.5.3 Watch the video Magna Carta (<https://www.bl.uk/magna-carta/videos/what-is-magna-carta>).**

**Pre-watching activities: before watching the video find out the meaning of these word combinations:**

medieval

captured London

starved his opponents to death

was forced to negotiate

imposed heavy taxes

a powerful symbol of liberty

seized their property

unfree peasants

obey the law

was plunged into civil war

took to the throne

most important legacy

#### **1.5.4 Read and be ready to translate the text**

##### **Habeas Corpus Act**

In the Britain, United States and many other English-speaking countries, the law of Habeas Corpus guarantees that nobody can be held in prisoner without trial. Habeas Corpus became a law because of a wild party held in 1621 at the London home of a notoriously rowdy lady, Alice Robinson. When a constable appeared and asked her and her guests to quiet down, Mrs. Robinson allegedly swore at him so violently that he arrested her and a local justice of the peace committed her to jail.

When she was finally brought to trial, Mrs. Robinson's story of her treatment in prison caused an outcry. She had been put on a punishment diet of bread and water, forced to sleep on the bare earth, stripped, and given 50 lashes. Such treatment was barbaric even by the harsh standards of the time; what made it worse was that Mrs. Robinson was pregnant.

Public anger was so great that she was acquitted, the constable who had arrested her without a warrant was himself sent to prison and the justice of the peace was severely reprimanded and the case, along with other similar cases, led to the passing of the Habeas Corpus Act in Britain in 1679. The law is still on the British statute books. A version of it is used in the United States, where the law was regarded as such an important guarantee of liberty that Article 1 (section 9) of the Constitution declares: "The Privilege of the writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public safety may require it".

"Habeas Corpus" is a part of a Latin phrase – Habeas Corpus ad subjiciendum – that means "Let the body be brought before the judge". In effect, a writ of Habeas Corpus is an order in the name of the people (or, in Britain, of the sovereign) to produce an imprisoned person in court at once.



### **1.6.1 Find in the text the English equivalents for the following words and expressions**

мировий суддя, ордер на арешт, варварське відношення, бунт, повстання, навала, вторгнення, незадоволення громади, ув'язнити, визвати гнівний протест, привести до прийняття закону, одержати сувору догану, стати перед судом, бути виправданим, від імені народу.

### **1.6.2 Render the following into English**

#### **Хабеас Корпус**

Згідно з цим актом будь-яка особа, заарештована за будь-який кримінальний злочин, мала право звернутись особисто або через свого представника до корони з проханням видати наказ “Хабеас Корпус” голові в'язниці. Одержавши цей наказ, голова в'язниці був зобов'язаний відвести заарештованого до судді, який перевіряв законність арешту.

Хабеас Корпус – це сама важлива гарантія громадських прав і свобод в Англії: жодна людина не може бути арештована без достатніх причин.

## **FOCUS ON GRAMMAR**

### **We use the Past Continuous:**

**a) for an action which was in progress at a stated time in the past. We do not mention when the action started or finished.**

*At seven o'clock yesterday evening they **were having** dinner. (We do not know when they started or finished their dinner.)*

**b) for an action which was in progress when another action interrupted it. We use the past continuous for the action in progress (longer action) and the past simple for the action which interrupted it (shorter action).**

*He was walking down the street when he **ran into** an old friend.*

**c) for two or more simultaneous past actions.**

*She was talking on her mobile phone while she was **driving** to work.*

**d) to describe the atmosphere, setting, etc. in the introduction to a story before we describe the main events.**

*One beautiful autumn afternoon, Ben was **strolling** down a quiet country lane. The birds were **singing** and the leaves were **rustling** in the breeze.*

**The past continuous is used with the following time expressions: *while, when, as, all morning / evening / day / night, etc.***

### **1.7.1 Put the verbs in brackets into the Past Continuous**

A: What 1) was happening (happen) at the time of the robbery?

B: Well, I 2) .....(sit) in my office. I 3) .....(talk) to an employee. Some of the staff 4) .....(put) food onto the shelves. Several customers 5).....(do) their shopping and a cashier 6) ..... (stand) behind the till.

A: Can you tell me anything about the robbers?

B: Yes. They 7) .....(wear) black masks and they 8) .....(hold) guns. They 9) .....(shout).

A: How did they get away?

B: They drove off in a car which 10) .....(wait) outside.

### **1.7.2 Underline the correct option in these sentences**

1. I *saw/was seeing* a very good programme on TV last night.

2. While I *shopped/was shopping* this morning, I *lost/was losing* my money. I don't know how.
3. Last week the police *stopped/were stopping* Alan in his car because he *travelled/was travelling* at over eighty miles an hour.
4. 'How *did you cut/were you cutting* your finger?' 'I *cooked/was cooking* and I dropped the knife.'
5. I *met/was meeting* a friend while I *walked/was walking* in the park.
6. He *stood/was standing* up, *walked/was walking* across the room, and *closed/was closing* the window.
7. A strange man *walked/was walking* into the room. He *wore/was wearing* red trousers and a pink shirt.
8. As soon as I *walked/was walking* into the room, he *handed/was handing* me the letter.
9. As he *passed/was passing* the bank, a man in a mask *knocked/was knocking* him onto the ground.
10. What *did you write/were you writing* when your computer *crashed/was crashing*?
11. While he *rode/was riding* in the forest he *lost/was losing* his wig.
12. When I *arrived/was arriving* the party was in full swing. Paul *danced/was dancing* with Mary, and Pat and Peter *drank/were drinking* champagne.
13. When I *finished/was finishing* the ironing, I *cooked/ was cooking* dinner.
14. How fast *did they travel/were they travelling* when their car *had/was having* a puncture?
15. A police car *passed/was passing* us on the motorway when we *did/were doing* 80 miles per hour.
16. I *took/was taking* a photograph of him while he *ate/was eating* an ice-cream.
17. He *didn't like/wasn't liking* the photo when he *saw/was seeing* it.

18. I'm sorry I *woke/ was waking* you. What *were you dreaming/did you dream* about?

**1.7.3 Put the verb in brackets in the correct form Past Simple or Past Continuous**

1. I .....(not want) to get up this morning. It .....(rain) and it was cold, and my bed was so warm.
2. I .....(listen) to the news on the radio when the phone .....(ring).
3. I said 'Hello' to the children, but they didn't say anything because they .....(watch) television.
4. Simon .....(dance) when he fell and hurt his leg.
5. Todd often .....(ride) horses when he was a boy.
6. It .....(rain) while I was waiting for the bus.
7. I .....(play) the guitar when I was young, but I don't any more.

**1.7.4 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.

## Unit 2. The European Law in the 19th Century: Napoleon's Code

What do you know about the topic?	What do you want to know?	What did you learn?	How can we find out?	How can I share the information I find?	What will I do next?	How can I apply what I have learnt?

### 2.1 Read the text and be ready to translate it:



### Napoleon's Law

The laws of much of continental Europe (particularly France), of Quebec in Canada, and of much of Latin America — along with the civil laws of Louisiana — owe their modern form largely to the work of a man who never even studied law. Napoleon Bonaparte, the Corsican soldier who became emperor of France after the French Revolution, established in 1800 five commissions to refine and organize the diverse legal systems of France. The result, enacted in 1804, was the Napoleon's Code.

Some of its original 2,281 articles were drafted by Napoleon himself, and all

were affected by his thinking, even though he was completely self-taught in legal matters. The code was a triumphant attempt to create a legal system that treated all citizens as equals without regard to their rank or previous privileges. It was also so clearly written that it could be read and understood by ordinary people at a time when only Latin scholars could make sense of the earlier laws handed down since Roman times. The code was adopted intact in most of the areas of Europe that Napoleon dominated and spread from there across the Atlantic, taking root particularly in French-speaking American communities. Many of its principles are still in force today.

### **2.1.1 Answer the following questions to the text above:**

1. What efforts did Napoleon make to reorganize the diverse legal systems of France?
2. Did Napoleon draw up the whole code himself?
3. What was so remarkable about Napoleon's new code?
4. What were the benefits of Napoleon's code for the ordinary people?
5. What countries still use the elements of Napoleon's code?

### **2.2 Render the text into English**

Кодекс Наполеона, офіційно Цивільний кодекс Франції — масштабний кодекс цивільного права Франції, розроблений групою юристів під час правління першого консула французької республіки (потім імператора) Наполеона Бонапарта.

Введений указом Наполеона 21 березня 1804 року. З подальшими поправками діє у Франції, незважаючи на чисельні зміни політичного устрою, досі й ніколи не переглядався повністю. При розробці особлива увага зверталася на чіткість і несуперечність формулювань. Містить фундаментальні

положення про право приватної власності, відшкодування збитків, договірне право та інше. Значна кількість статей Кодексу за 200 років жодного разу не піддавалися поправці (аби адаптувати кодекс до змін часу у Франції було ухвалено чотириста законів, але при цьому кількість статей в ньому збільшилося всього на дві (до 2283)).

### **2.3 Read the excerpts from the Napoleonic Code.**

#### **Napoleonic Code**

The civil code has fulfilled the expectations of the public; all citizens are acquainted with it; it serves as their guide in their various transactions, and is everywhere lauded as a benefaction.

- The exercise of civil rights is independent of the quality of citizen, which is only acquired and preserved conformably to the constitutional law.
- Every Frenchman shall enjoy civil rights.
- The husband owes protection to his wife, the wife obedience to her husband.
- The wife is obliged to live with her husband, and to follow him to every place where he may judge it convenient to reside: the husband is obliged to receive her, and to furnish her with every necessity for the wants of life, according to his means and station.
- After the first interrogatory, the court shall, if there be ground, appoint a provisional administrator, to take care of the person and goods of the defendant.

### **2.4 Read the text again and answer these questions.**

1. What were some of the laws that were passed under the Napoleonic Code?
2. Do you think that Napoleon was influenced by the Enlightenment? Why/Why not?
3. How did women's rights change?

### **2.5 Read the text and answer the questions after the text.**

#### **Reforms in Education:**

Napoleon built many new schools for boys aged from 10 to 16. He recognized the importance of education in producing citizens capable of filling positions in his bureaucracy and military.

*“Of all our institutions public education is the most important. It is essential that the morals and political ideas of the generation which is now growing up should no longer be dependent upon the news of the day or the circumstances of the moment. Above all we must secure unity: we must be able to cast a whole generation in the same mould. New schools are being opened, and inspectors have been appointed to see that the instruction does not degenerate into vain and sterile examinations. The lycees and the secondary schools are filling with youth eager for instruction. The polytechnic school is peopling our arsenals, ports, and factories with useful citizens. Prizes have been established in various branches of science, letters, and arts, and in the period of ten years fixed by his Majesty for the award of these prizes there can be no doubt that French genius will produce works of distinction.”*

### **Religious Reforms:**

Napoleon entered into an agreement with the Catholic Church called the Concordat of 1801.

*“The people must have religion, and religion must be in the hands of the government. Religion has resumed its sway, but exhibits itself only in acts of humanity. Adhering to a wise policy of toleration, the ministers of different sects who worship the same God do themselves honor by their mutual respect; and their rivalry confines itself to emulation in virtue. Such is our situation at home.”*

### **Other Reforms:**

*“The emperor's decrees have reestablished commerce on the left bank of the Rhine. Our manufacturers are improving, although the mercenaries subsidized by the British government vaunt, in their empty declamations, her foreign trade and her precarious resources scattered about the seas and in the Indies, while they describe*



*our shops as deserted and our artisans as dying of hunger. In spite of this, our industries are striking root in our own soil and are driving English commerce far from our shores.”*

Answer the following questions to the text above:

1. How did Napoleon reform education? How did he feel about education?
2. How did Napoleon reform religion within France?
3. How does the quote represent his feelings about religion?
4. What other reforms were made under Napoleon?

**2.6.1 Below are two personal views of Napoleon, the French general who conquered most of Europe (Selection A is taken from the writings of Madame de Remusat, a close friend and lady-in-waiting to Napoleon's first wife, Josephine. Selection B was written by Prince Metternich, the Austrian ambassador to Napoleon's court from 1806 to 1809. Read both passages.**

### **Napoleon As Others Saw Him**

**A** To describe Bonaparte, it is necessary to separate his soul, his heart, and his mind, for none of these ever blended completely with the others. No man ever had a meaner soul. I have never known him to appreciate a kind action. He regarded every sign of good feeling with suspicion. He did not value honesty, and he said that he judged a man by his skill in the art of lying. I speak next of Bonaparte's heart. But, if a being could exist without that part of the body that makes one desire to love and to be loved, I should say that in Napoleon's case the heart was left out. Perhaps, however, he had just suppressed it completely. He was always too concerned with himself to have any love for others. He hated women and considered them inferior. He felt restricted in their company, which annoyed him, so he was awkward in their presence and never knew how to talk to them. The mind of Bonaparte was most remarkable. It would be hard to find a more powerful mind among men. He had no

education. He read little-and that in a hurry-but he quickly seized upon the little he had learned, and with his imagination developed it so greatly that he might easily have passed for a well-educated man.

**B** In private life, without being overly friendly, he was good-natured, and [even indulged his favorites] to the point of weakness. His sisters, in particular, got everything from him that they wanted. Neither of his wives [ever had] anything to complain of from Napoleon's personal manners. [The Empress Marie Louise, Napoleon's second wife, said to me some time after her marriage], "I am sure that they think a great deal about me in Vienna [the Austrian capital and her home], and that the general opinion is that I live a life of daily suffering. [In truth,] I have no fear of Napoleon, but I begin to think that he is afraid of me [and will do whatever I ask]." Simple and even [easygoing] as he was in private life, he showed himself [poorly] in the great world. The pains which he took to correct the faults of his nature and [lack of] education only served to make his deficiencies more evident. [He never spoke easily] to a woman, although the effort to make one was often expressed on his face and in the sound of his voice.

### **2.6.2 Answer the following questions to the text above:**

1. (a) According to Remusat, how did Napoleon react to kindness?  
(b) What ability did she say Napoleon judged others by?
2. According to Remusat, why did Napoleon have no love for others?
3. (a) What aspect of Napoleon's personality did Remusat admire?  
(b) What made Napoleon seem well educated?
4. According to Metternich, how did Napoleon treat his sisters and his wives?

### **2.6.3 Compare sources.**

- (a) How did the two writers agree in their opinions of Napoleon's behavior toward women?
- (b) What did each writer say caused Napoleon to behave as he did?

#### 2.6.4 Identify a viewpoint.

Which writer probably thought more highly of Napoleon? Explain your answer.

#### 2.7 Choose one of the following topics and prepare a presentation:

1. The great victories of Napoleon Bonaparte.
2. The legal system of France at the time of Napoleon.

#### 2.8.1 Watch the video «History vs. Napoleon Bonaparte - Alex Gendler» (URL: [https://www.youtube.com/watch?v=8aq\\_gRfmjgY](https://www.youtube.com/watch?v=8aq_gRfmjgY)) and choose the right variant:

1. Why did neighboring countries attack France following the 1789 revolution?

- A To resolve outstanding border disputes
- B As part of a holy war
- C To stop the revolution from spreading beyond France

2. Who of the following did NOT support the ideals of the Revolution?

- A Robespierre
- B Louis XVI
- C The Directory

3. How did Napoleon actually come to power?

- A Granted extraordinary powers by the Consulate
- B Elected by popular vote among the people
- C Inherited position from his father

4. Which of the following is NOT a legacy attributed to Napoleon?

- A Formation of modern standing armies
- B Rise of secular nation-states
- C Diplomatic resolution of international conflicts

5. What was Napoleon's final military campaign?

- A Naval blockade of Britain
- B Failed invasion of Russia
- C Escaping from exile and raising another army in France

### 2.8.2 Watch the video again and be ready to answer the questions

1. What were the factors that enabled Napoleon to rise to power and explained his popularity?
2. In what ways did Napoleon uphold the ideals of the French Revolution, and how did he subvert them?
3. Why was Napoleon so often at war?

### FOCUS ON GRAMMAR

*People used to dress differently in the past.*

*Women used to wear long dresses.*

*Did they use to carry parasols with them? Yes. they did.*

*They didn't use to go out alone at night.*

«Used to» is used to talk about past habits or things that do not happen any more. It has the same form in all persons, singular and plural. It is followed by infinitive.

e.g. *Peter used to eat a lot of sweets. (=Peter doesn't eat many sweets any more.)*

We form questions and negations with auxiliary verb did/did not (didn't), the subject and the verb «use» without -d

e.g. *Did Peter use to eat many sweets?*

*Mary didn't use to stay out late.*

• We can use the past simple instead of «use to» with no difference in meaning.

e.g. *She used to live in the countryside = She lived in the countryside.*

### 2.4.1 Complete the sentences with the correct form of used to and the verb in brackets.

1. I \_\_\_\_\_ (not/watch) the news but now I watch it every day.
2. My aunt \_\_\_\_\_ (drink) a lot of coffee, but now she prefers to drink tea.
3. We \_\_\_\_\_ (live) in a flat, but we live in a big house now.

4. \_\_\_\_\_ (you /go) to school on foot?
5. We \_\_\_\_\_ (not/like) each other, but now we're good friends.
6. I \_\_\_\_\_ (no eat) vegetables. Now I eat them every day.
7. My sister \_\_\_\_\_ (play) the piano, but now she doesn't.
8. They \_\_\_\_\_ (spend) their weekends in the countryside. They don't any more.

**2.4.2 In pairs, ask and answer questions using the prompts as in the example.**

SA: *Did you use to play with your friends when you were five?*

SB: *Yes, I did. / No, I didn't.*

- 1) play with your friends?
- 2) watch many cartoons?
- 3) go to bed late?
- 4) cry a lot?
- 5) make your bed?
- 6) listen to fairy tales?
- 7) have a bath every day?
- 8) drink milk?
- 9) dress yourself?
- 10) get pocket money?

**2.4.3 Choose the correct answer.**

1. Jacques Cousteau \_\_\_\_\_ the oceans.

A explores            B explored            C is exploring

2. Toby \_\_\_\_\_ a bicycle, but now he drives a car.

A is riding            B used to ride            C rides

3. I \_\_\_\_\_ an interesting book at the moment.

A don't read            B read            C am reading

4. He \_\_\_\_\_ home early yesterday because he felt ill.

A went                    B is going                    C used to go

5. Mr. Jones \_\_\_\_\_, but he does now.

A used to travel    B didn't use to travel    C travelled

6. I \_\_\_\_\_ a noise, so I went to see what it was.

A heard                    B hear                    C am hearing

7. Bobby \_\_\_\_\_ how to use a computer at present.

A learnt                    B is learning                    C learns

8. My parents \_\_\_\_\_ to a party tonight

A used to go    B goes                    C are going

9. The ferry boat \_\_\_\_\_ every day at quarter past two.

A leaves                    B leave                    C is leaving

10. I \_\_\_\_\_ getting up early in the morning.

A likes                    B don't like                    C doesn't like

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