

Министерство внутренних дел Российской Федерации
Барнаулский юридический институт МВД России

**Принципы и закономерности формирования
профессионально ориентированной терминологии
у обучающихся в образовательных организациях
МВД России на материале темы
«Классификация отраслей права»**

Учебное пособие



Барнаул
2024

Об издании – [1](#), [2](#)

УДК 811.111:378(075.8)

ББК 81.432.1я73

П 767

Рецензенты:

заведующий кафедрой иностранных языков Уральского юридического института
МВД России канд. филол. наук, доцент *Т.Г. Букина*;
заведующий кафедрой иностранных языков Ростовского юридического института
МВД России канд. филол. наук *В.В. Посиделова*.

Составители:

Морковин А.М. – канд. пед. наук, доцент, заведующий кафедрой иностранных языков;
Пестова Е.В. – канд. пед. наук, доцент, доцент кафедры иностранных языков;
Калашникова С.В. – канд. пед. наук, доцент, доцент кафедры иностранных языков;
Менщикова Г.А. – канд. филос. наук, доцент, доцент кафедры иностранных языков;
Малиновская Т.Н. – канд. филол. наук, доцент, доцент кафедры иностранных языков;
Гнездилова Е.В. – канд. пед. наук, доцент, доцент кафедры иностранных языков;
Солдатова О.Б. – канд. филол. наук, старший научный сотрудник отделения организации
научно-исследовательской работы НИиРИО.

П 767 **Принципы** и закономерности формирования профессионально ориентированной терминологии у обучающихся в образовательных организациях МВД России на материале темы «Классификация отраслей права» : учебное пособие / сост.: А.М. Морковин, Е.В. Пестова, С.В. Калашникова [и др.]. – Барнаул : Барнаульский юридический институт МВД России, 2024. – 91 с.

Учебное электронное издание

Цель издания состоит в формировании профессионально ориентированных знаний, умений и навыков в устной и письменной речи сотрудников ОВД с использованием аутентичного иллюстративного материала дискуссионного характера.

Электронное учебное пособие предназначено для курсантов и слушателей образовательных организаций системы МВД России, а также для сотрудников органов внутренних дел Российской Федерации.

ISBN 978-5-94552-567-2

Текстовое (символьное) электронное издание. Объем 20,3 Мб.

Дата подписания к использованию: 29.03.2024.

Системные требования:

PC, Intel 1 ГГц; 512 Мб опер. памяти; 30 Мб свобод. диск. пространства;

DVD-привод; ОС Windows 7 и выше, ПО для чтения pdf-файлов.

Адрес: 656038, Барнаул, ул. Чкалова, 49.

ISBN 978-5-94552-567-2

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институт МВД России, 2024

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Составители:

Морковин Андрей Михайлович

Пестова Елена Владимировна

Калашникова Светлана Викторовна

Менщикова Галина Анатольевна

Малиновская Татьяна Николаевна

Гнездилова Евгения Владимировна

Солдатова Олеся Борисовна

(Барнаульский юридический институт МВД России)

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Учебное пособие

Редактор

Ю.С. Жолобова

Корректурa,

компьютерная верстка

М.В. Егерь

Дата подписания к использованию:

29.03.2024

Объем издания: 20,3 Мб

Комплектация издания: 1 электрон. опт. диск (DVD)

Тираж: 8 дисков

ФГКОУ ВО «Барнаульский юридический институт
Министерства внутренних дел Российской Федерации»
656038, Барнаул, ул. Чкалова, 49

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1. Принципы терминологической работы как основы формирования языка специальности и коммуникативных компетенций обучающихся на занятиях по иностранному языку

В связи со значительными социально-экономическими и геополитическими изменениями нашего общества происходит процесс смены требований, предъявляемых к образованию, в общем, и, в частности, к подготовке по иностранным языкам сотрудников ОВД. В профессиональном обучении все большее внимание отводится формированию у будущих специалистов профессиональной картины мира, в которую органично вписываются научные знания о различных явлениях и процессах, непосредственно связанных с их профессиональной деятельностью. По мнению ряда исследователей, основой профессиональной картины мира служит терминология, в связи с чем обучение терминологии будущих специалистов любой сферы деятельности рассматривается как одно из условий преемственности научного знания.

Усвоенный терминологический минимум позволяет обучающимся читать и извлекать информацию из специальных текстов, расширять свой кругозор. Термины – это слова и словосочетания, призванные точно обозначить понятие и его соотношение с другими понятиями в пределах специальной сферы.

В процессе работы со специальными текстами выделяются несколько этапов. На первом, подготовительном, этапе осуществляется отбор учебного материала по таким критериям, как аутентичность текста, актуальность информации и соответствие изучаемой теме, авторитетность источников материала. С позиции лингводидактики необходимо, чтобы учебный текст, с одной стороны, по своим языковым и стилистическим характеристикам являлся образцом научной прозы, а с другой стороны, соответствовал этапу обучения, уровню владения иностранным языком, программам по профилирующим дисциплинам и методической цели.

На втором, формирующе-развивающем, этапе осуществляется основной объем работы по введению и практическому овладению предварительно выделенными для освоения лексическими единицами. При работе со специальными текстами расширяется активный и пассивный словарный запас обучающихся, а также закрепляются грамматические навыки, приобретенные на более раннем этапе обучения базовому курсу иностранного языка. Кроме этого, происходит расширение потенциального словаря в результате самостоятельной семантизации неизученной лексики, которая включает слова, состоящие из знакомых словообразовательных элементов, слова, образованные по конверсии, интернациональной лексики, выведения смысла на основе контекстуальной языковой догадки. Формирование лексического аспекта коммуникативной компетенции обучающихся опирается на развитие навыков узнавания и понимания специальной лексики профильных текстов, интернациональной лексики. Не менее важная роль в этом процессе отводится

развитию умений распознавать разные значения многозначных слов, синонимы, лексическую сочетаемость и стилистические различия слов. Выработка четкого представления о словообразовательных моделях изучаемого иностранного языка дает возможность обучающимся ориентироваться в соотношении компонентного состава слова с его семантикой.

В методической литературе в качестве основных аспектов содержания обучения лексике выделены лингвистический и методологический аспекты. Лингвистический аспект охватывает процесс формирования корпуса лексических единиц английского языка для решения речевых задач на конкретном этапе обучения. Обеспечение постоянной актуализации изученной лексики и ее максимальное повторение является одним из ведущих факторов, который обеспечивает обогащение лексического запаса.

Методологический компонент содержания обучения лексике включает необходимые разъяснения и инструкции по использованию словарей, форме ведения индивидуальных словарей и карточек с новой лексикой, о способах систематизации изученной лексики. Это те знания и умения, которые позволяют обучающемуся самостоятельно работать над лексикой.

При обучении определенной специальности изучаемый курс иностранного языка должен быть соотнесен с особенностями профессии будущих специалистов. Профессиональные языковые потребности обуславливают необходимость приобретения в процессе вузовского обучения определенного объема терминологической лексики, наиболее подходящей для конкретных ситуаций профессионального общения.

Таким образом, сочетание лингвистического и методологического принципов решения вопросов формирования профессиональных лексических навыков требует системного и комплексного подхода к выбору методов, способов и средств обучения.

CIVIL LAW

TEXT 1. The common law and civil law traditions

VOCABULARY

consideration – 1) рассмотрение; обсуждение; 2) встречное удовлетворение

implied – подразумеваемый; вытекающий из обстоятельств

expressed – выраженный; прямо оговорённый

intention – намерение

to set forth – излагать, формулировать

term – условие

unilateral – односторонний

bilateral – двусторонний

offer – предложение

advertisement – объявление; реклама

agreed – согласованный; установленный, решенный (по обоюдному согласию)

terms and conditions – постановления и условия (договора)

tit for tat – отплата; услуга за услугу

quid pro quo – услуга за услугу; компенсация

Most nations today follow one of two major legal traditions: common law or civil law. The common law tradition emerged in England during the Middle Ages and was applied within British colonies across continents. The civil law tradition developed in continental Europe at the same time and was applied in the colonies of European imperial powers such as Spain and Portugal. Civil law was also adopted in the nineteenth and twentieth centuries by countries formerly possessing distinctive legal traditions, such as Russia and Japan that sought to reform their legal systems in order to gain economic and political power comparable to that of Western European nation-states.

To an American familiar with the terminology and process of our legal system, which is based on English common law, civil law systems can be unfamiliar and confusing. Even though England had many profound cultural ties to the rest of Europe in the Middle Ages, its legal tradition developed differently from that of the continent for a number of historical reasons, and one of the most fundamental ways in which they diverged was in the establishment of judicial decisions as the basis of common law and legislative decisions as the basis of civil law. Before looking at the history, let's examine briefly what this means.

Common law is generally uncodified. This means that there is no comprehensive compilation of legal rules and statutes. While common law does rely on some scattered statutes, which are legislative decisions, it is largely based on precedent, meaning the judicial decisions that have already been made in similar cases. These precedents are maintained over time through the records of the courts as well as historically documented in collections of case law known as yearbooks and reports. The precedents to be applied in the decision of each new case are determined

by the presiding judge. As a result, judges have an enormous role in shaping American and British law. Common law functions as an adversarial system, a contest between two opposing parties before a judge who moderates. A jury of ordinary people without legal training decides on the facts of the case. The judge then determines the appropriate sentence based on the jury's verdict.

Civil Law, in contrast, is codified. Countries with civil law systems have comprehensive, continuously updated legal codes that specify all matters capable of being brought before a court, the applicable procedure, and the appropriate punishment for each offense. Such codes distinguish between different categories of law: substantive law establishes which acts are subject to criminal or civil prosecution, procedural law establishes how to determine whether a particular action constitutes a criminal act, and penal law establishes the appropriate penalty. In a civil law system, the judge's role is to establish the facts of the case and to apply the provisions of the applicable code. Though the judge often brings the formal charges, investigates the matter, and decides on the case, he or she works within a framework established by a comprehensive, codified set of laws. The judge's decision is consequently less crucial in shaping civil law than the decisions of legislators and legal scholars who draft and interpret the codes.

TEXT 2. Contracts

A contract is an agreement between two persons to either do something or not to do something in exchange for some form of consideration. An agreement may come in several different forms. The agreement may be implied as a result of the conduct of the parties. On the other hand, the agreement may be expressed, meaning that the parties have expressly stated what their intentions are and what they wish to obtain as a result of the agreement. An expressed contract may be in writing or it may be oral. Either type of contract is equally enforceable in most instances, although a written contract is always preferable because it clearly sets forth the terms of the agreement. An oral contract is always subject to dispute, because the parties may have different recollections of exactly what they agreed to.

Sometimes people classify contracts as unilateral or bilateral. A unilateral contract might be easily thought of as one in which the offer can be accepted only by doing some act. A bilateral contract, on the other hand, is one where the giving of a promise is the expected consideration. Most contracts are bilateral.

The way that an agreement comes about is generally through an offer being made by one party and then that offer being accepted by the other party. The offer may come in two different forms – written or oral form. The more precise the terms of the offer, the better off the parties will be in establishing the certainty of their agreement. A common example of an offer is an advertisement that may appear in the newspaper by a car dealer offering to sell a used Toyota Camry for \$17,500.

Suppose you were to see that advertisement and go to the dealership prepared to pay \$17,500. If the dealer then told you that there were other terms that were not stated in the advertisement (handling charges, processing fees and other such fees), you could rightfully tell the dealer that it made an offer to sell this vehicle for

\$17,500 and you are prepared to pay it. The dealer is obliged to sell the vehicle to you for that amount. (Of course on top of that \$17,500 would be any taxes that are mandated by law.) The advertisement constituted an offer and you accepted the offer for the agreed upon consideration of \$17,500.

If, on the other hand, you had come into the dealership and rather than offering \$17,500, you offered to pay \$17,000 for the vehicle, then that would be a counter offer. A counter offer is, by its very terms, a rejection of the original offer. The dealership would be free to reject your counter offer.

There are several different ways that an offer may be framed. The person making the offer may state certain terms and conditions that have to be met in order for the offer to be accepted. If those terms and conditions are not met, then there cannot be a valid acceptance of the offer. Consideration is a very elusive, but important concept. An easy way to think of it is as the tit for tat, the quid pro quo or to put it another way, it is simply the meat of the agreement. If there is no consideration, then there is no contract.

TASKS

Exercise 1. Read the texts above and answer the question: What is the difference between Common Law and Civil Law?

Exercise 2. Find the meaning of the following terms in the text: unilateral contract, bilateral contract, implied agreement, expressed agreement, offer, consideration.

Exercise 3. Answer the questions:

1. What forms may an agreement come from?
2. Is an oral contract enforceable?
3. Why is an oral contract always subject to dispute?
4. Why is a written contract preferable?
5. What way does an agreement come about in the example given in the text?
6. Is the dealer obliged to sell the car for \$17,500? Why?
7. What is a counter offer? Is it possible to reject a counter offer?
8. What should be done for a valid acceptance of the offer?

Exercise 4. Rephrase the following sentences taking away the words which are not very important:

1. A unilateral contract might be easily thought of as one in which the offer can be accepted only by doing some act.
2. A bilateral contract, on the other hand, is one where the giving of a promise is the expected consideration.
3. An easy way to think of consideration is as the tit for tat, the quid pro quo or to put it another way, it is simply the meat of the agreement.

TEXT 3. Law of torts

VOCABULARY

negligence – небрежность; неосторожность, халатность

tort – деликт, гражданское правонарушение

failure to exercise – невыполнение

owe – быть должным; быть обязанным

breach – нарушение

injury – 1) вред; ущерб; 2) телесное повреждение

tort claim – деликтный иск

plaintiff – истец

proximate cause – непосредственная причина

reasonably foreseeable – обоснованно предвидимый

chain of causation – причинная связь, цепь причинности

submit – представлять; передавать на рассмотрение

claim of damages – иск о возмещении убытков

incurred – нанесенный (ущерб)

recovery – возмещение

A tort is a wrongful act committed by an individual against another individual's person, property or reputation. The concept of tort is used in most English-speaking common law traditions. It is a civil wrong. Torts often help those who are not in contractual relationship. Contractual liability is based on agreement between parties. Tort liability is based on the duty one person owes to another. It is imposed by law regardless of whether or not there is an agreement between the parties. Although a tort and a crime appear to be the same in many cases, the parties, burden of proof, and punishment are different. In a tortious action the injured party is the plaintiff and the person charged with committing the tort is the defendant. The plaintiff has to prove the elements of his case. He is entitled to damages to compensate him for his injury. Crimes usually involve public law and order. Thus in a criminal action the plaintiff is the state, represented by the prosecutor. The person charged with committing a crime is the defendant. The injured party is merely a complaining witness. The state has to prove its case. The convicted defendant either pays a fine, or goes to prison. The injured party receives nothing. Sometimes a crime is also a tort and the injured party may try to get damages in a civil court. The most common torts are the tort of conversion, the tort of trespass, the tort of nuisance, the tort of negligence and the tort of defamation. The tort of conversion covers taking, destroying or selling someone else's goods. It resembles the crime of theft. The tort of trespass covers entering someone's land without the owner's permission. The tort of nuisance covers an unreasonable interference with a person's use or enjoyment of land. It can be used in many situations. An individual can sue in the tort of nuisance when his neighbor creates too much noise or keeps rubbish that causes unpleasant smells. The tort of negligence covers a breach of a legal duty of care. An individual may sue in the tort of negligence if he is injured by broken glass falling from a window or if someone has damaged his car while parking. The tort of defamation

covers attacks against someone's reputation through the written or spoken word. Vicarious liability (liability on behalf of someone else) is an important concept in the law of torts. It gives the right to sue the employer of a person who commits a tort in the normal course of his employment. The concept is useful when high damages are sought and the defendant does not have the money to pay them. Not every wrong committed in the society is remediable in tort. The plaintiff has to show that he has suffered an action recognized as a tortious one and he has to show that his relation to the tortfeasor (committer of a tort) gives him the legal capacity to sue. Some torts are known as statutory torts. The breach of duty that must be proved is defined in a statute. For example, injury suffered because of defective equipment may lead to a negligence action regulated by the 1969 Employers Liability Act.

TASKS

Exercise 1. Read the text above and answer the question: What law system uses the concept of tort?

Exercise 2. Find the meaning of the following terms in the text: individual, contractual relationship, the parties, burden of proof, punishment.

Exercise 3. Translate the sentences, compose several simple extended sentences out of the complex ones:

1. Although a tort and a crime appear to be the same in many cases, the parties, burden of proof, and punishment are different.

2. The most common torts are the tort of conversion, the tort of trespass, the tort of nuisance, the tort of negligence and the tort of defamation.

3. Vicarious liability (liability on behalf of someone else) is an important concept in the law of torts.

TEXT 3. Civil law

Civil law is a body of rules that defines and protects the private rights of citizens, offers legal remedies that may be sought in a dispute, and covers areas of law such as contracts, torts, property and family law. Civil law is derived from the laws of ancient Rome. Emperor Justinian I ruled ancient Rome from 527 A.D. to 565 A.D. One of his lasting legacies is his rewriting of Roman law in “Corpus Juris Civilis,” (“Body of Civil Law”) which still serves as a basis for modern civil law systems worldwide. In the United States, civil law has a couple of different meanings. In most parts of the U.S., civil law is synonymous with “common law,” or “judge-made law” which relies on prior court decisions to determine the outcome of cases. Civil law cases are divided into four main categories, each covering a range of issues. Contract Law deals with agreements between two or more parties, each of which is obligated to hold up their portion of the agreement. Generally speaking, contracts may be oral or written, however there are certain types of contracts that must be put in writing. Tort law is a branch of civil law that is concerned with personal injury and civil wrongdoing. A tort is a civil wrong, done by one person or entity to another

which results in injury or property damage, and frequently involves monetary compensation to the injured party. Property law covers both personal property and real property. Personal property can be tangible, such as jewelry, animals, and merchandise, or intangible such as patents, copyrights, stocks, and bonds. Real property refers to land and anything built on it that cannot be easily removed, as well as anything under the surface of the land, such as oil and minerals. There are two types of property law torts: trespass and conversion. Family law is the branch of civil law that deals with marriage, divorce, annulment, child custody, adoption, birth, child support, and any other issues affecting families. This branch of civil law is unique in that there is not necessarily a person who committed a civil wrong. This is particularly true in states that have no-fault divorces. The family court gets involved with dividing up property and finances after a divorce, establishing child custody, child support, and spousal support among other things.

TASKS

Exercise 1. Answer the questions.

1. What is Civil Law? 2. What four main categories are civil law cases divided into? 3. What does Contract Law deal with? 4. What is Tort law concerned with? 5. What does Property law cover?

Exercise 2. Find in the text the equivalents of the following words and expressions.

Деликтное право; охватывать круг вопросов; средство судебной защиты; договорное право; исход судебных дел; имущественный ущерб; совершать правонарушение; материальные ценности; нарушать чужое право владения; вопросы, затрагивающие семью.

Exercise 3. Write down sentences with the following idioms:

1. There is no smoke without fire. Нет дыма без огня.
2. It is never too late to mend. Исправиться никогда не поздно.

TEST

1. Almost everything we do is governed by ...
 - a) rules imposed by morality.
 - b) the courts.
 - c) some set of rules.
2. If we didn't live in a structured society with other people ...
 - a) we would simply do as we please.
 - b) we would simply do with little regard for others.
 - c) laws would not be necessary.

3. Слово, имеющее наиболее общее значение:

- a) investigator
- b) police officer
- c) operative
- d) detective

4. Laws against criminal conduct help ...

- a) to protect our property.
- b) to take advantage of other individuals.
- c) to safeguard our personal property and our lives.

5. We turn to the law ...

- a) to resolve disputes peacefully.
- b) to decide who is the real owner.
- c) to force people to keep their promises.

6. Слово, не соответствующее логическому ряду:

- a) freshman
- b) sophomore
- c) police officer
- d) trainee

7. The news about the tort ... unexpected.

- a) is
- b) were
- c) are
- d) be

8. Слово, являющееся существительным:

- a) preventive
- b) property
- c) detect
- d) investigational

9. Правильное неопределенное местоимение: Tell us (несколько) words about civil law.

- a) many
- b) few
- c) a little
- d) a few

10. Правильное неопределенное местоимение: We have (много) evidence.

- a) many
- b) some
- c) no
- d) much

11. I ... civil law last year.

- a) studied
- b) have studied
- c) did study
- d) study

12. The police safeguard the interests of

- a) citizens
- b) persons in office
- c) the government
- d) criminals

13. Антоним фразы «to violate the civil law»:

- a) to be expert in laws
- b) to break the law
- c) to abide the law
- d) to abuse police power

14. Слово, являющееся прилагательным:

- a) protection
- b) detect
- c) powerful
- d) legality

ENVIRONMENTAL LAW



TEXT 1. Environmental pollution

VOCABULARY

industrialization – промышленное производство

poverty – бедность

population explosion – прирост населения

urbanization – рост городов

overexploitation of resources – чрезмерное использование ресурсов

contamination – загрязнение

deforestation – вырубка лесов

emission – выбросы

urban planning – городское планирование

hearing impairment – нарушение слуха

injurious effect – вредное воздействие

chemical fertilizers – химические удобрения

The term 'pollution' refers to unfavorable alteration to our surroundings, wholly or largely as a by-product of human's action through direct and indirect effects of changes in energy pattern, chemical and physical construction and abundance of organisms. Thus, it is the addition of any foreign material to water, air or soil, which may change immediately or after some time, the natural properties of these basic constituents further causing some unfavorable change by making them unfit and injurious. Industrialization, poverty, population explosion, urbanization, over-exploitation of resources, etc. are some of the factors which have contributed to environmental deterioration.

Water Pollution

Water pollution is the contamination of water bodies (e.g. lakes, rivers, oceans, aquifers and groundwater). Water pollution occurs when pollutants are discharged.

Air Pollution

Air contains a mixture of various gases like oxygen, nitrogen, carbon dioxide, argon etc. Air pollution is the introduction into the atmosphere of chemicals, particles, or biological materials that cause discomfort, disease, or death to humans, damage to other living organisms such as food crops, natural environment or built environment.

The major sources of air pollution are:



- Industrial emissions
- Vehicular emissions
- Domestic emissions

The most common air pollutants in urban areas include Sulphur dioxide (SO₂), Nitrogen oxides (NO & NO₂), Carbon monoxide (CO), etc. Apart from this, the gases discharged from refrigerators, air conditioners etc. are responsible for depletion of the Ozone layer.

Noise Pollution

The word 'noise' originated from the Latin word 'nausea' meaning sea-sickness. 'Noise' is any unwanted sound that disrupts environmental equilibrium. Noise is measured in decibels. A major source of 'noise' is by motor vehicles, aircrafts, fire-crackers, sirens, loud speakers and machinery. According to a survey conducted by the National Physical Laboratory, Delhi, Mumbai and Kolkata are amongst the noisiest cities in the world. Noise pollution has harmful effects on the environment, humans and animals. Some adverse effects of noise pollution on human health are:

- Hearing loss or hearing impairment;
- Rise in blood pressure;
 - Cardio-vascular health effects;
 - Increase in stress level;
 - Decrease in efficiency and concentration.

Noise pollution is excessively displeasing to humans, animals, or we can say that machine-created environmental noise disrupts the activity or balance of human or animal life. The source of most outdoor noise worldwide is mainly construction and transportation systems, including noise from motor vehicles, noise from aircrafts, and noise from trains and engines. Poor urban planning may give rise to noise pollution, since industrial and residential buildings constructed side-by-side can result in noise pollution in the residential areas.



Land Pollution

Deforestation, release of toxic substances on the land, throwing of unhygienic waste on earth, dumping of garbage, biomedical waste etc. causes land pollution. Excessive use of pesticides is also a source of land pollution as this affects the portability of water.

Food Pollution (Food Adulteration)

All living beings require food to obtain energy from which they carry on their daily activities. If the food consumed is polluted or adulterated, it will have injurious effects on the consumer's health. The pollution of food begins by use of chemical fertilizers and various pesticides at different stages of plant growth. These chemicals directly or indirectly affect the quality of food and affects health of the consumer. Food also gets polluted during processing, storage, packaging and transportation.

Thermal Pollution

Temperature plays an important role in determining the conditions in which living organisms can survive. Any undesirable, harmful change in natural temperature disturbing the natural heat balance of the surroundings is called 'Thermal Pollution'.



TASKS

Exercise 1. Make a list of sources of air pollution, water pollution and noise pollution:

air pollution	water pollution	noise pollution

Exercise 2. Define the following terms:

water pollution

air pollution

noise pollution

Exercise 3. Find out some adverse effects of different kinds of pollution on human health.

TEXT 2. Nature protection

VOCABULARY

acid –	кислота
alarming –	тревожный, пугающий
Crucial –	критический, решающий
depletion –	истощение
diversity –	разнообразие
flood –	затоплять
Impact –	влияние, воздействие

Computers project that between now and the year of 2030 we are going to have an increase of the average temperature between 1,5–4,5 degrees C Sea levels would rise by several meters, flooding coastal areas and ruining vast tracts of farmland. Huge areas would be infertile and become uninhabitable. Water contamination could lead to shortages of safe drinking water. It looks like the end of civilization on the Earth.

For hundreds of thousands of years the human race has thrived in Earth's environment. But now, at the end of the 20th century, we are at a crucial turning point. We have upset nature's sensitive equilibrium releasing harmful substances into the air, polluting rivers and oceans with industrial waste and tearing up the countryside to accommodate our rubbish. These are the consequences of the development of civilization. We are to stop it by joint efforts of all the people of the world.

The range of environmental problems is wide. But the matters of people's great concern nowadays are atmosphere and climate changes, depletion of the ozone layer, freshwater resources, oceans and coastal areas, deforestation and desertification, biological diversity, biotechnology, health and chemical safety. United Nations Environment Programme (UNEP) concentrates its activities on these issues.

Acid Rains

One of the most alarming forms of air pollution is acid rain. It results from the release into the atmosphere of sulphur and nitrogen oxides that react with water droplets and return to earth in the form of acid rain, mist or snow. Acid rain is killing forests in Canada, the USA, and central and northern Europe. (Nearly every species of tree is affected.) It has acidified lakes and streams and they can't support fish, wildlife, plants or insects. (In the USA 1 in 5 lakes suffer from this type of pollution).

Depletion of the Ozone Layer

The protective layer of the Earth, the ozone layer, which protects the Earth from the sun's destructive UV (ultraviolet) rays is being damaged by CFCs (chlorofluorocarbons). They are released by the daily use of industrial and household products: refrigerators, air conditioners, foam insulation, cleaning chemicals, food packaging. In the ozone layer they attack the ozone molecules making a «hole». This «hole» allows more UV rays to penetrate to the Earth. It increases the risk of skin cancer, weakens the immune system of people. Besides, UV rays influence the oceans, the growth of plankton, an essential part of the marine-life food chain in the negative way, reduce economically important crops (rice, cotton, soybeans). The life cycle is going to be undermined by the ozone.

Destruction of the Tropical Forest

It's generally agreed that the destruction of the tropical forest has a major impact on the world climate. The tropical rain forest is a natural recycler, provider and protector for our planet. It recycles carbon, nitrogen and oxygen, helps determine temperature, rainfall and other climatic conditions and supports the most diverse ecosystem in the world. Forests in Amazonia, South-East Asia and West and Central Africa are being destroyed at an alarming rate of 42 million acres per year.

Measures to Be Taken

We have only a few years to attempt to turn things around. We must review our wasteful, careless ways, we must consume less, recycle more, conserve wildlife and nature, act according to the dictum «think locally, think globally, act locally». To my mind, we are obliged to remove factories and plants from cities, use modern technologies, redesign and modify purifying systems for cleaning and trapping harmful substances, protect and increase the greenery and broaden ecological education. These are the main practical measures, which must be taken in order to improve the ecological situation.

Some progress has been already made in this direction. 159 countries-members of the UNO have set up environmental protection agencies. They hold conferences discussing ecological problems, set up environmental research centers and take practical urgent measures to avoid ecological catastrophe. There are numerous public organizations such as Greenpeace that are doing much to preserve environment.

The 5th of June is proclaimed the World Environmental Day by the UNO and is celebrated every year.

TASKS

Exercise 1. Arrange the points of the plan according to the logics of the text:

1. Acid rains.
2. The ozone «hole».
3. People upset nature's equilibrium.
4. The increase of the average temperature.
5. The main practical measures to improve the ecological situation.
6. The tropical forest.

Exercise 2. Answer the following questions:

1. What are the matters of people's great concern nowadays?
2. What damage do acid rains bring?
3. Why are the ozone «holes» dangerous for the life on the Earth?
4. Why is tropical rain forest a natural recycler, provider and protector for our planet?
5. What could lead to shortages of safe drinking water?
6. What are the main practical measures which must be taken in order to improve the ecological situation?

Exercise 3. Complete the sentences choosing the right variant:

1. Environmental changes are the consequences of the...

- a) development of sport.
- b) development of civilization.
- c) protection of the environment.

2. Acid rains are killing...

- a) forests in Canada, the USA, central and northern Europe.
- b) towns in Africa.
- c) animals all over the world.

3. In the ozone layer CFCs attack...

- a) spaceships and satellites, making holes.
- b) birds, killing them.
- c) the ozone molecules, making a «hole».

4. Tropical rain forests recycle carbon, nitrogen, oxygen and help determine...

- a) temperature, rainfall and other climatic conditions.
- b) level of the world ocean.
- c) the development of science.

5. Huge areas would be...

- a) conserved and recycled.

- b) infertile and become uninhabitable.
- c) destroyed by UV rays.

6. Practical measures must be taken to...

- a) flood coastal areas and vast tracts of farmland.
- b) improve the ecological situation.
- c) protect animals.

TEXT 3. Migrating birds

VOCABULARY

migrating birds – перелетные птицы

navigate – ориентироваться

turn off – выключать

peak season – пик сезона

announce – объявлять

collision – столкновение

The state of New York is to turn off non-essential lights in state-run buildings to help birds navigate their migratory routes in spring and autumn.

Migrating birds are believed to use stars to navigate but they can be disorientated by electric lights, causing them to crash into buildings.

The phenomenon, known as "fatal light attraction", is estimated to kill up to one billion birds a year in the US. Millions of birds migrate through New York along the Atlantic Flyway route.

New York Governor Andrew Cuomo said on Monday that bright outdoor lights will be turned off between 23:00 and dawn during peak migration seasons in spring and autumn.

"This is a simple step to help protect these migrating birds that make their home in New York's forests, lakes and rivers," Mr. Cuomo said in a statement.

He also announced the new "I Love NY Birding" website, which will provide information on bird watching and how to participate in the Lights Out initiative.

Fatal light attraction appears to affect migratory songbirds such as warblers, thrushes and sparrows more than local birds, who learn where they can fly safely.

Writing in the «[New Yorker](#)» earlier this month, US novelist and bird-lover Jonathan Franzen criticized the developers of a Minnesota stadium for neglecting to use a specially patterned glass that may reduce collisions.

TASKS

Exercise 1. Find English equivalents in the text:

Выключать, государственные учреждения, маршруты миграции, ориентироваться по звездам, потерять ориентир, ударяться о здания, яркие уличные огни, с 11 вечера до рассвета, активный сезон миграции, простой шаг к, защищать перелетных птиц, сообщить, предоставлять информацию,

участвовать, летать безопасно, любитель птиц, разработчика стадиона в Миннесоте, специальное стекло, уменьшить столкновения.

Exercise 2. Answer the questions:

1. When do birds migrate?
2. What is their migratory route in America? Do they fly to the South?
3. How do birds navigate?
4. What hampers their migrating?
5. How many birds crash into buildings in big cities annually according to the estimations?
6. What did the Governor of NY decide to do to protect birds?
7. What did he announce?
8. What is the difference between local and strange birds?
9. What is wrong with a Minnesota stadium?
10. How else can people protect birds' migratory routes?

Exercise 3. Prepare a convincing speech on protecting birds on behalf of the Governor of NY. Work in small groups.

TEST

1. Choose the correct word translation «an environment»:
 - a) окружающая среда
 - b) разрушение
 - c) свалка
 - d) загрязнение
2. Translate to English «выбрасывать на свалку»:
 - a) a dump
 - b) to dump
 - c) to poison
 - d) to cause
3. Complete the sentence right «The gradual rise in the Earth's temperature is known as ...»
 - a) acid rain
 - b) ozone layer
 - c) global warming
 - d) greenhouse effect
4. Complete the sentence right «Rain mixed with toxic chemicals from factories is known as ...»
 - a) greenhouse effect
 - b) ozone layer
 - c) acid rain
 - d) global warming

5. Choose an adjective, antonym of the word “dangerous”:

- a) poison
- b) waste
- c) safe
- d) destruction

6. Translate into English «Разрушение, уничтожение живой природы»:

- a) to endanger people’s lives
- b) to test nuclear waste
- c) to solve the environmental problems
- d) Destruction of wildlife and countryside beauty

7. Choose the correct answer:

Animals and birds live in their natural

- a) enclosure
- b) habitat
- c) station

8. Every zoo has its ... programme

- a) conservation
- b) emission
- c) oxygen

9. We should try to save (спасти) endangered ... of animals and plants.

- a) certificate
- b) effort
- c) species

10. Global ... is one of the most actual problems today.

- a) lifestyle
- b) warming
- c) electricity

11. Politicians must think of the ways how to ... our life.

- a) improve
- b) decrease
- c) donate

12. People cut ... trees to produce paper.

- a) in
- b) for
- c) down

13. «Ecology» comes from the Greek words «oikos» and «logos». What is the literal translation of them?

- a) science of the world
- b) natural life
- c) nature study
- d) household science

14. Which of the following is not a renewable resource?

- a) gold
- b) fish
- c) timber
- d) wild mushrooms

15. The greatest danger facing most endangered species is which of these?

- a) capture for the pet trade
- b) hunting
- c) habitat loss
- d) disease

VIDEO AND LISTENING LINKS

1. **Watch the video** <https://youtu.be/KR3vXHdPUQ8> **and answer the questions on it:**

- 1) What is the first country to import garbage?
- 2) Why has the amount of garbage to Malaysia tripled over last few years?
- 3) Why do residents complain about?
- 4) What did the Philippines decide to ship back?
- 5) What is the key problem of the row between Canada and the Philippines?
- 6) When did that row arise and why?
- 7) Have all 100 containers been disposed of? Why?
- 8) What kind of garbage was intended to be transported by Canada?

2. **Watch the video** <https://www.youtube.com/watch?v=HQTUWK7CM-Y> **and answer the questions on it:**

- 1) How many tons of plastic trash enter to the sea from land every year?
- 2) What is the equivalent of it?
- 3) Is the ocean trash dispersed everywhere due to its circulation?
- 4) Why is the marine life tremendously endangered?
- 5) How to solve plastic packaging problem effectively?
- 6) How to reduce urban, industrial and agricultural waste dumped into the oceans?

2. Критерии отбора лексических единиц для формирования профессионально ориентированной терминосистемы при изучении темы «Классификация отраслей права»

Профессиональная коммуникация требует овладения лексикой, формирующей профессионально ориентированную терминосистему. Профессиональная лексика (профессионализмы) – это лексика, свойственная данной профессиональной группе, используемая в речи людей, объединенных общей профессией.

Под терминосистемой понимают сложную устойчивую систему, включающую отобранные по определенным принципам лексические единицы. Основными признаками терминосистемы являются:

- системность, предполагающая упорядоченную совокупность терминов с зафиксированными отношениями между ними ;
- полнота охвата понятий какой-либо области знаний или деятельности;
- непротиворечивость, подразумевающая, что определенному понятию в рамках данной отрасли знаний должен соответствовать один термин, трактуемый однозначно;
- относительная устойчивость, состоящая в том, что терминосистема отражает систему научного знания, сформированную и стабильно функционирующую в определенный достаточно длительный временной период;
- открытость, предусматривающая способность принимать новые термины в рамках данной отрасли знаний по мере ее развития;
- динамичность, предполагающая, что дефиниции терминов могут дополняться и уточняться в результате развития данной сферы знаний.

Совокупность профессионально ориентированных лексических единиц может быть структурирована:

- 1) с позиции этимологии (исконные и заимствованные лексические единицы в рамках изучаемой темы);
- 2) с позиции вида усвоения лексики (активный и пассивный лексический запас по изучаемой теме);
- 3) с позиции структуры лексической единицы (помимо односложных терминов, в составе терминосистемы присутствуют термины-словосочетания по изучаемой тематике).

Терминосистема как особый принцип кодирования, хранения и передачи коллективного научно-практического знания включает группы лексических единиц, отобранные в соответствии со следующими основными критериями:

- 1) критерий функциональности, в соответствии с которым приоритетом при выборе лексических единиц является максимальное соответствие определенной тематике (в данном случае – теме «Классификация отраслей права»): базовая терминология по теме «Классификация отраслей права», а также профессионально ориентированные термины из других тем дисциплины «Иностранный язык (английский)», с которыми пересекается тема «Классификация отраслей права»;

2) критерий семантической ценности, подразумевающий отбор профессионально ориентированных лексических единиц, наиболее точно и полно описывающих понятия в рамках изучаемой темы «Классификация отраслей права»;

3) критерий частотности, предполагающий выбор наиболее часто употребляемых в рамках изучаемой темы профессионально ориентированных лексических единиц;

4) критерий сочетаемости, согласно которому должны отбираться лексические единицы, наиболее способные сочетаться с другими словами в рамках изучаемой темы, а также должны учитываться правила сочетаемости лексических единиц, наиболее частотно употребляемых при изучении темы «Классификация отраслей права»;

5) критерий аутентичности, в соответствии с которым профессионально ориентированные лексические единицы отбираются из актуальных и профессионально значимых аутентичных учебных материалов;

6) критерий словообразовательной ценности, подразумевающий учет словообразовательного потенциала лексических единиц по изучаемой тематике;

7) критерий языковой догадки, предполагающий подбор лексики в рамках изучаемой темы, позволяющий осуществлять самостоятельную семантизацию неизученной лексики, которая включает слова, состоящие из знакомых словообразовательных элементов, слова, образованные по конверсии, интернациональной лексики, выведения смысла на основе контекстуальной языковой догадки;

8) критерий доступности и посильности, основанный на том, чтобы в процессе усвоения учебного материала у обучающихся не возникали непреодолимые трудности. Доступность дидактического материала обеспечивается не только дозированностью самого учебного материала, но и строгим отбором языкового и речевого материала, а также степенью продуманности организации учебного занятия с учетом объема и реальных возможностей усвоения предлагаемого материала обучающимися.

TEXT 1. What is Constitutional law?

VOCABULARY

Constitutional law – конституционное право

determine the main functions – определять основные функции

written constitution – писаная конституция

emphasis is placed on – особое внимание уделяется

resolution of disputes – решение споров

code – кодекс

European Convention on Human Rights – Европейская конвенция по правам человека

civil liberty issues – вопросы гражданских свобод

clash between public and private interests – конфликт (противоречие) между общественными и частными интересами

comprehend the whole of the legal system – охватывать всю законодательную систему

be of direct concern to constitutional law – непосредственно подпадать под действие конституционного права

There is no hard and fast definition of constitutional law. According to one very wide definition, constitutional law is that part of the law which relates to the system of government of the country. It is more useful to define constitutional law as meaning those laws which regulate the structure of the principal organs of government and their relationship to each other and to the citizen, and determine their main functions. Where there is a written constitution, emphasis is placed on the rules which it contains and on the way in which they have been interpreted by the highest court with constitutional jurisdiction. It is increasingly recognized that in most branches of law the purpose and operation of legal rules can be understood only with a knowledge of the social background against which the legal rules operate: legal procedures for the resolution of disputes arising within a family, a trade union or a limited company are an incomplete guide to the role of these institutions in society.

A further problem of definition is that, unlike legal system in which law is divided up into a series of codes, there is no hard and fast demarcation in Britain between constitutional law and other branches of law. For example, in the field of family law, important protection for family life is given by the European Convention on Human Rights, and family status is an important basis for many rules of immigration control. Numerous civil liberty issues arise out of criminal law and procedure. In property law, Public control of private rights is a fertile field for the emergence of disputes involving a clash between public and private interests. These examples are not meant to suggest that constitutional law comprehends the whole of the legal system, but that the functioning of the legal system is of direct concern to constitutional law.

TASKS

Exercise 1. Match the words given on the left with their definitions given on the right:

- | | |
|---------------|---|
| 1. resolution | a. special attention given to something because it is important |
| 2. peculiar | b. to find out or make certain (facts or information) |
| 3. emphasis | c. a formal statement of decision or opinion |
| 4. concern | d. unusual and strange |
| 5. clash | e. disagreement, conflict |
| 6. determine | f. a worried feeling or a state of anxiety |

Exercise 2. Compose sentences using the following words: definition; principal organs; relationship; to be interrupted by; legal rules; to be divided into.

Exercise 3. Agree or disagree with the statements:

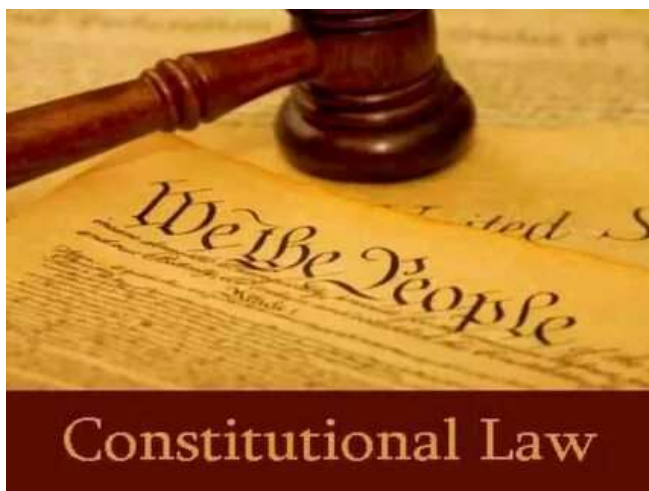
1. Constitutional law relates to the system of economic relations.
2. Important protection of family life is given by the European convention on Human Rights.
3. The functioning of the legal system is of no concern to Constitutional law.

Exercise 4. Answer the questions:

1. How is it possible to define Constitutional Law?
2. Which problems occur while defining Constitutional Law in the UK?
3. In which way is family protection given?
4. Which liberty issues arise out of criminal law and procedure?

TEXT 2. Constitutional law

VOCABULARY



offspring – продукт, результат
fundamental rights of the individual – основополагающие права личности
body of constitutional law – свод норм конституционного права
originate from – возникать из, происходить из
non-national sources – международные источники
bylaws – внутренние, локальные нормативные акты
customs – традиции, обычаи

proposal – предложение

provision – положение, постановление

implicit in the concept of a constitution – концепция конституции подразумевает
take precedence – иметь преимущественное значение
body of rules – свод правил
conceivable alternative – вероятная, возможная альтернатива
governing the community – управление обществом
respective powers – соответствующие полномочия
sovereign powers – верховная власть
distribution of powers – распределение власти, полномочий
distinct agencies – отдельные органы власти
run the community – управлять обществом
endowed with powers – наделенный полномочиями
delimit powers – ограничивать; разграничивать полномочия
positive law – позитивное право, действующее право
natural law – естественное право
constitutional charter – основной закон, конституция
core – суть, сущность

Constitutional law is the body of rules, doctrines, and practices that govern the operation of political communities. In modern times by far the most important political community has been the national state.

Modern constitutional law is the offspring of nationalism as well as of the idea that the state must protect certain fundamental rights of the individual. As national states have multiplied in number, so have constitutions and with them the body of constitutional law. But constitutional law originates today sometimes from non-national sources too, while the protection of individual rights has become the concern also of supranational institutions.

In the broadest sense a constitution is a body of rules governing the affairs of an organized group. A parliament, a church congregation, a social club, or a trade union may operate under the terms of a formal written document labelled constitution. This does not mean that all of the rules of the organization are in the constitution, for usually there are many other rules such as bylaws and customs. Invariably, by definition, the rules spelled out in the constitution are considered to be basic, in the sense that, until they are modified according to an appropriate procedure, all other rules must conform with them. Thus the presiding officer of a club is obliged to rule that a proposal is out of order if it is contrary to a provision of its constitution. Implicit in the concept of a constitution is that of a higher law that takes precedence.

Every political community, and thus every national state, has a constitution, at least in the sense that it operates its important institutions according to some fundamental body of rules. In this sense of the term the only conceivable alternative to a constitution is a condition of anarchy. Constitutions may be written or unwritten; they may be complex or simple; they may provide for vastly different patterns of governance. Even if the only rule that matters is the whim of an absolute dictator, that may be said to be the constitution.

The constitution of a political community is therefore composed, in the first place, of the principles determining the agencies to which the task of governing the

community is entrusted and their respective powers. In absolute monarchies, such as the Oriental kingdoms and the Roman Empire in antiquity and the French monarchy between the 16th and 18th centuries, all sovereign powers were concentrated in one person, the king or emperor, who exercised them directly or through subordinate agencies that had to act according to his instructions. In ancient republics, such as Athens and Rome, the constitution provided, as do the constitutions of most modern states, for a distribution of powers among distinct agencies. But whether it concentrates or distributes these powers, a constitution always contains at least the rules that define the structures and operations of the government that runs the community.

The constitution of a political community may contain more, however, than the definition of the authorities endowed with powers to command. It may also include principles that delimit those powers in order to secure against them fundamental rights of persons or groups.

The idea that political sovereignty is not unlimited stems from an old tradition in Western philosophy. Well before the advent of Christianity, Greek philosophers thought that positive law – i.e., the law actually enforced in a community in order to be just must reflect the principles of a superior, ideal law: natural law. Similar conceptions were propagated in Rome by Cicero and by the Stoics. Later the Church Fathers and the Scholastics held that positive law was binding only if it did not conflict with the precepts of divine law. These considerations did not remain abstract speculations of philosophers and theologians; to a measure, they found reception in fundamental rules of positive legal systems. In Europe, for example, the authority of political rulers throughout the Middle Ages did not extend to religious matters, which were strictly reserved to the jurisdiction of the church. The powers of political rulers, moreover, were limited by the rights of at least some classes of subjects. Quarrels and fights over the extent of such rights were not infrequent; and they were sometimes settled through solemn, legal «pacts» among the contenders, the prominent example being Magna Carta (1215). In the modern age, even the powers of an absolute monarch such as the king of France were not truly absolute: acting alone, he could not alter the fundamental laws of the kingdom or disestablish the Roman Catholic Church.

The theory of the rights of the individual was a potent factor in reshaping the constitutions of Western states in the 17th, 18th, and 19th centuries. The first step was made by England at the time of the Glorious Revolution (1688). All of these principles concerning the distinction of governmental functions and their appropriate relations were incorporated in constitutional law. England also soon changed some of its laws so as to give more adequate legal force to the newly discovered individual freedoms. It was in the United States, however, that the theory scored its most complete success. Once the English colonies became independent states (1776), they faced the problem of giving themselves a fresh political organization. They seized the opportunity to spell out in special legal documents, which could be amended only through a special procedure, all the main principles providing for the distribution of governmental functions among distinct state agencies as required by the theory, as well as the main principles concerning the rights of the individual the theory wanted

to be respected by all state powers. The federal Constitution (1788) and its Bill of Rights (Amendments 15X, 1791) did the same, shortly thereafter, at the national level. By giving through this device a formal, higher status to rules defining the essential organization of government, as well as the essential limitations of its legislative and executive powers, U.S. constitutionalism put in full evidence the character that belongs, in essence, to all constitutional law: the fact of its being «basic» with respect to all other laws of the legal system. This also made it possible to set up institutional controls over the conformity even of legislation with the group of rules considered, within the system, to be of supreme importance.

Today, almost all states have constitutional documents describing the fundamental organs of the state, the ways they should operate, and, usually, the rights they must respect and even sometimes the goals they ought to pursue. Notwithstanding great differences among themselves, the constitutional charters of contemporary states are all similar at least in one respect: they are meant to express the core of the constitutional law governing their respective countries.

TASKS

Exercise 1. Mark these statements T (true) or F (false) according to the text:

1. Not every national state but every political community has a constitution, at least in the sense that it operates its important institutions according to some fundamental body of rules.
2. The constitution of a political community is composed of the principles determining the agencies to which the task of governing the community is entrusted and their respective powers.
3. Once the American colonies became independent states, they faced the problem of giving themselves a fresh political organization.
4. Since the end of the 19th century scores of states, in Europe and elsewhere, have followed the United States' example.
5. Positive law from the Greek philosophers' point of view is the law actually enforced in a community in order to be just must reflect the principles of a superior, ideal law: natural law.

Exercise 2. Answer the questions on the text above:

1. By what means constitutional law as the body can govern the operation of political communities?
2. What is a constitution in the broadest sense?
3. What kind of organizations may operate under the terms of a formal written document labelled constitution?
4. What types of constitutions may be?
5. What is the composition of the constitution of a political community?
6. Can you describe the conceptions which were propagated in Rome and by whom?
7. Can you explain the rules of positive legal systems in the Middle Ages?

8. What doctrine was the banner of the Enlightenment? What did it assume?
9. What is the role of USA in the forming of constitutional law?

Exercise 3. Find the meaning in which the word «constitution» is used in the text:

1. System of government; laws and principles according to which a state is governed.
2. General physical structure and condition of a person's body.
3. General structure of a thing; act or manner of constituting.
4. Pick out from the text all the word combinations with the following.

Exercise 4. Complete the sentences with the given words: *unwritten trade union essentials govern individual affair:*

1. Constitutional law is the body of rules, doctrines, and practices that _____ the operation of political communities.
2. In the broadest sense a constitution is a body of rules governing the of an organized group.
3. A parliament, a church congregation, a social club, or a _____ may operate under the terms of a formal written document labelled constitution.
4. Constitutions may be written or _____; they may be complex or simple; they may provide for vastly different patterns of governance.
5. The theory of the rights of the _____ was a potent factor in reshaping the constitutions of Western states in the 17th, 18th, and 19th centuries.
6. The American idea of stating in an orderly, comprehensive document the _____ of the rules that must guide the operations of government became popular very quickly.

TEXT 3. Constitutions



VOCABULARY

- private citizen** – частное лицо
ordained – узаконенный
enacted – установленный, предписанный, принятый
written constitution – писаная конституция
unwritten constitution – неписаная конституция

Bill of Rights – Билль о правах

Act of Settlement – закон о престолонаследии в Англии

statute – статут, устав

rigid constitution – жесткая конституция

flexible constitution – гибкая конституция

majority vote – большинство голосов

legislatures – органы законодательной власти

sovereign power – верховная власть

plenary power – неограниченные, широкие полномочия

ruler – правитель

restrict – ограничивать

prohibit – запрещать

“The word “Constitution” is used in two different senses, the abstract and the concrete. The Constitution of a State in the former sense is the system of laws, customs and conventions, which define the composition and powers of organs of the State and regulate the relations of the various State organs to one another and to the private citizen. A “Constitution” in the latter sense is the document in which the most important laws of the country are authoritatively ordained.”

Great Britain, for example, has no Constitution in the concrete sense of the word. But more often we use the term “Constitution” in the concrete sense. A “Constitution” in this sense is the law of the laws. It cannot be modified in the ordinary legislative way. A Constitution is “written” when most important constitutional laws are specially enacted. The American Constitution is a “written” one. “The British Constitution is “unwritten” because it is not embodied in any enactments or formally related series of enactments.” In fact, however, many parts of the British Constitution exist in written form. The British Constitution includes the Bill of Rights (1689), the Act of Settlement (1700-01), the Parliament Act of 1911, etc., but these statutes are not codified within the structure of a single orderly document. However, on the other hand, some important aspects of the American Constitution are wholly unwritten, e.g. such institutions as presidential cabinet, the system of political parties, etc. “Written” Constitutions cannot cover the whole constitutional law of a state, that is why they are usually supplemented by different statutes, judicial doctrines, etc. Constitutions, “written” or “unwritten”, can be divided into “rigid” and “flexible”. The aim of the “rigid” Constitutions is to guarantee their stability. “Flexible” Constitutions can be modified through the simple procedure by which statutes are enacted. To modify the “rigid” Constitution of the U.S.A. the proposal to amend it must be approved by a two-thirds majority vote in each house of Congress or be made by a convention called by two-thirds of the States, with subsequent ratification by the legislatures or specially elected convention of three-fourths. The Constitution of Great Britain is “flexible” because its rules can be modified by an act of Parliament. There are also Constitutions of a “mixed” type. Different parts of such Constitutions are amended in different ways. Constitutions may be established by sovereign power: a) either by a free sovereign people (the Constitution of the U.S.A.) or b) by a plenary power of the head of the state (monarch). Constitutions of the latter type are called octroyees, from the French word octroyer, which means “to grant” (e.g. the Japanese Constitution of 1889). Constitutions may be formed as a contract between the future ruler and the people. Some Constitutions are compacts between several sovereign powers. Such was the Constitution of the German Empire.

Constitutions may be classified according to political principles, e.g.: democratic and authoritarian. The former guarantee certain rights and freedoms,

formation and activity of different political parties, etc. The latter restrict or prohibit the activity of political parties, or formalize the leading role of one political party, restrict the rights and freedoms, which it is compelled to proclaim. Aristocratic Constitutions are those, which establish privileged classes, e.g.: nobility and clergy. Such at one time, were the Constitutions of Swiss cantons, e.g. Bern. There also exist some other classifications of Constitutions.

TASKS

Exercise 1. Answer the following questions:

1. What is the abstract sense of the word “Constitution”? 2. What is the concrete sense of the word “Constitution”? 3. Is the word “Constitution” typically used in the abstract sense? 4. What countries have written constitution? 5. How many documents does the British Constitution include? 6. The aim of a flexible constitution is to guarantee its stability, isn't it? 7. How may the rigid Constitution of the USA be modified? 8. How was the Constitution of the German Empire called?

Exercise 2. Give the Russian for:

in the former sense, in the latter sense, authoritatively ordained, in the ordinary legislative way, embodied in enactments, Bill of Rights, rigid constitution, a proposal to amend, establish a constitution, plenary power, guarantee certain rights and freedoms, restrict activity, compel to proclaim

Exercise 3. Give the English for:

значение слова, неписаная конституция, Закон о престолонаследии, кабинет президента, «гибкая» конституция, издавать статуты, одобрять квалифицированным большинством голосов, глава государства, будущий правитель, деятельность политических партий, запрещать деятельность

Exercise 4. Complete the following sentences using the words given below each sentence (a, b, c, or d):

1. Great Britain has no Constitution in the concrete _____ of the word. a) idea; b) sense; c) object; d) aspect. 2. It is impossible _____ the Constitution in the ordinary legislative way. a) to enact; b) to enforce; c) to embody; d) to modify. 3. Any Constitution is unwritten, if it is not embodied in any _____. a) enactments; b) laws; c) conventions; d) compact. 4. Constitutions of a _____ type may be amended in different ways. a) mixed; b) traditional; c) unwritten; d) democratic. 5. Japanese Constitution of 1889 was established by a _____ power of the monarch. a) citizen; b) plenary; c) sovereign; d) anarchical.

Exercise 5. Translate the following sentences into Russian:

to embody

1. It is irrational to embody strange laws. 2. When the principles of Constitution are written down into a single document or set of legal documents, those documents embody a written Constitution. 3. If the principles of Constitution are

written down in a single comprehensive document, it embodies a codified Constitution.

to restrict

1. The presidential powers are restricted according to the Constitution.
2. Local governments are authorized to restrict suspicious activity.
3. Certain information is restricted to government officials.

to prohibit

1. If the provisions to a written constitution are inconsistent with society, they should be prohibited. 2. Cheating is not prohibited by law. 3. It is useless to prohibit selling alcohol.

to amend

1. Constitutional provisions are usually amended after experience with their use. 2. It is a complicated procedure to amend constitutional provisions. 3. To amend means to improve, to change for the better.

Exercise 6. Make up word-combinations. Use them in sentences of your own.

to embody, to restrict, to prohibit, adoption, to amend, idea, rights of the statute, in enactment, freedom, activity, article, provision of the document, ratification, principle, constitution.

Exercise 7. Enumerate the types of the constitutions the text deals with.

TEXT 4. Human rights

VOCABLURY



human rights – права человека
violate human rights – нарушать права человека
entitle – давать право
be entitled to – иметь право на
meet the standards – придерживаться норм
escape – бежать из, спастись
depend (on) – зависеть
adopt (a law, a declaration) – принимать (закон, декларацию)
torture – пытать

Everybody knows that many of the rights of citizens are considered human rights. For example, a constitutional right is one which a state guarantees to its own citizens and sometimes even to foreigners who are within its jurisdiction. Still a question comes: What are human rights? Not everyone agrees that being born a human being entitles someone to certain freedoms and certain treatment. And those who agree have different opinions as to what these rights are. A human right is one to

which people all over the world are entitled, whatever their nationality and wherever they live.

Most of the law in the world is made by governments for their own people. But human rights are independent of any political divisions. They are basic minimum standards of freedom and security for all people. When governments do not meet these standards, they are criticized by their own citizens and even by foreign governments. Sometimes some countries impose economic sanction against those countries where human rights are violated. For example, many countries have limited trade to South Africa because of the policy of apartheid.

As a rule, human rights are violated when governments violate their own constitutions, and very often their policies make citizens to escape to another countries. But legally, most countries of the world have signed international agreements concerning the treatment of individuals. The most important agreement is the Universal Declaration of Human Rights (UDHR) adopted by UN General Assembly in 1948. Article 1 of UDHR declares that all human beings are born free and equal in dignity and rights, and Article 2 states that it does not depend upon race, color, sex, language, religion or any other difference among people.

TASKS

Exercise 1. Fill in the blanks with the words given in brackets:

1. This... with... to racial equality but he strongly protest... sexual equality (against, politician, the right, agrees)
2. ... suffer economic and social... when they... paid... for... the same work as men. (inequality, doing, are, women, less).

Exercise 2. Translate the text in writing:

The European Convention on Human Rights (ECHR) was first adopted in 1950 and has now been signed by every country of Western Europe. Individual citizens of these countries have the rights to bring a complaint before the European Commission if they think their government has broken the Convention. If the Commission agrees, it may try to persuade the country in question to rectify the breach, or it may refer the matter to the European Court of Human Rights, which has the right to order a change of law in that country. Covering countries with similar cultures and economic conditions, the ECHR is more practical than many international human rights agreements.

Exercise 3. Scan the text and retell it:

The European Court of Human Rights was established by the European Convention for the Protection of Human Rights and Fundamental Freedoms and was set up in Strasbourg in 1959. The Convention was inspired by the UN Universal Declaration of Human Rights of 1948 and protects many essential (важный) rights such as the right to life, freedom from torture and slavery (рабство) of thought, conscience (совесть) and religion, the right to marry and found a family, freedom of peaceable assembly and association and the right to a fair (справедливый) trial. Only

states which are parties to the Convention and the EC of Human Rights have the right to bring a case before the Court.

Exercise 4. Answer the questions:

1. Did you have any idea about human right problem before reading this article?
2. Are there any facts in the article that are quite new to you? What are they?
3. Are there any facts you find the most surprising? What are they?
4. What is your opinion of the things described?
5. Do you have any observations about violation of human right either in your country or in any other?



TEXT 5. Classification of human rights

VOCABULARY

inherent – присущий, неотъемлемый
interrelated – взаимосвязанный
interdependent – взаимозависимый
indivisible – неделимый
cornerstone – краеугольный камень, основа
inalienable – неотъемлемый, неотчуждаемый
state interference – государственное вмешательство

controversial – спорный, дискуссионный

respect human rights – уважать права человека

protect human rights – защищать права человека

fulfil human rights – соблюдать права человека

abuse of human rights – нарушение прав человека

United Nations General Assembly – Генеральная Ассамблея Организации Объединенных Наций

Universal Declaration of Human Rights – Всеобщая декларация прав человека

human dignity – человеческое достоинство, достоинство личности

Human rights are rights inherent to all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, color of skin, religion, language, or any other status. People all over the world in any faraway country are equally entitled to their human rights without discrimination. These rights are all interrelated, interdependent and indivisible.

Human rights include civil and political rights, such as the right to life, liberty and freedom of expression; and social, cultural and economic rights including the right to participate in culture, the right to food, and the right to work and receive an education.

Human rights are protected by international and national laws, treaties and other sources of international law. The principle of universality of human rights is the cornerstone of international human rights law. This principle, as first emphasized in the Universal Declaration of Human Rights in 1948, has been used in numerous international human rights conventions, declarations, and resolutions.

Human rights are inalienable. They should not be taken away, except in specific situations and according to due process. For example, the right to liberty may be restricted, if a person is found guilty of a crime by a court of law.

There are different classifications of human rights. At an international level, the most common classification of human rights has been to divide them into civil and political rights on the one hand, and economic, social and cultural rights on the other hand. Another classification is based on the assumption that there are three generations of human rights.

The first-generation are civil and political rights, which date back to the 18th Century. They were designed to protect the individual against state interference. They include the right to vote, the right to assemble, the right to free speech, the right to a fair trial, the right to freedom from torture and abuse, the right to protection of the law.

The second-generation of rights includes economic, social and cultural rights, which date back to the 19th century. The reason of their emergence was to improve overall social situation under the conditions of the widespread poverty. They include the right to education, the right to housing, the right to health, the right to employment, the right to an adequate income, the right to social security.

The third-generation collective rights of the 20th century (the right to peace, the right to clean environment, the right to prosperity, the right to economic development, the right to social harmony) are controversial and lack both legal and political recognition.

Human rights are closely connected with obligations. States have obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must not restrict or prohibit the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against the abuses of human rights. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights. At the individual level, while individuals are entitled to human rights, it is necessary to respect the human rights of other individuals.

Human rights protection is celebrated on International Human Rights Day. It was introduced by the United Nations General Assembly on December 10th, 1948 (together with passing of the Universal Declaration of Human Rights). This day is celebrated annually. It is a vision for human dignity that transcends political boundaries and authority, committing governments to protect the fundamental rights of each person.

TASKS

Exercise 1. Read the following international words and give their Russian equivalents: nationality, human, culture, discrimination, convention, declaration, resolution, situation, process, individual, adequate, positive, collective, action, political, authority, person.

Exercise 2. Say if the sentences correspond to the text or not:

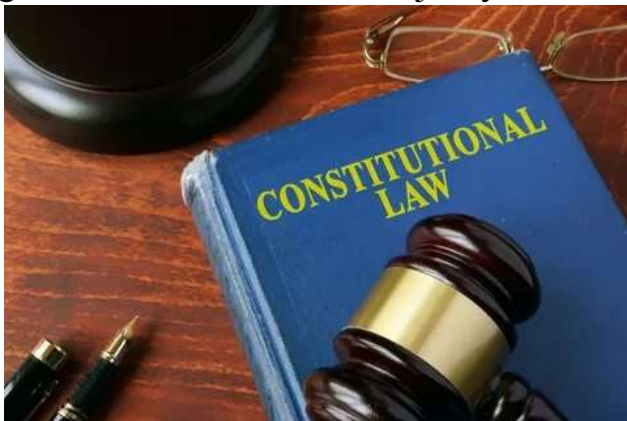
1. Human rights depend on physical characteristics of a person. 2. Human rights may be classified according to two groups. 3. The Universal Declaration of Human Rights is based on the principle of universality of human rights. 4. Sometimes human rights may be taken away. 5. The right to education belongs to the third generation of human rights. 6. Governments must not restrict or prohibit the enjoyment of human rights. 7. Every person should respect the rights of other individuals. 8. International Human Rights Day is celebrated on the 10th of December.

Exercise 3. Say what you have learned from the text about:

a) civil and political rights; b) cultural and economic rights; c) classifications of human rights; d) rights and obligations of states concerning human rights.

Exercise 4. Read the text and insert the missing words given below:

A constitution is a set of rules and principles that define the nature of government. It ... basic information about relationship between the legislature, the executive and the judiciary. Thus legal decisions, which empower, restrict or ... any legal activity should conform to constitutional provisions. There are different classifications and types of constitutions. British Constitution is It can be modified easily through ... statutes. The Constitution of the USA is rigid. It can be amended through a complex procedure including approval by majority ... of Congress. The USA constitution is the first bourgeois constitution in the world. It was worked out and created by Philadelphia Convention in 1787. The ... consisted of 55 representatives of 11 states of Confederation. One of the distinguishing features of the USA Constitution is its stability. There have been introduced about 5 000 proposals to change the Constitution but there exist only 27 Procedures of constitutional amendments vary between States. In a nation with a federal system of government the ... of a majority of State or provincial legislation may be required.



Alternatively, a national referendum may be held. Detailed information concerning the procedures may be found in the articles of the Constitution of the State. Constitutions may express respect for ... Constitutions of democratic states support different rights and freedoms like right to life, right to education, freedom of assembly, Freedom of speech means free communication of one's

opinion or ideas without fear of government. Today it is recognized in international human rights law for a number of reasons. The basic one is that it is through speech that people can influence their government's choice of policies and get ... about candidates during ...

Prompts: *amendments, enacted, vote, human rights, embodies, information, prohibit, elections, approval, Convention, flexible, freedom of speech.*

TEST

1. ... or civil liberties form a crucial part of a country's constitution and govern the rights of the individual against the state.

- a) Individual rights
- b) Personal rights
- c) Independent rights
- d) Human rights

2. Most modern constitutions have adopted the principle of ... of powers.

- a) charging
- b) separation
- c) unification
- d) incorporation

3. The Constitution is ... law of the land.

- a) the federal
- b) the supreme
- c) the extraordinary
- d) the national

4. The US Congress can ... amendments.

- a) prescribe
- b) propose
- c) restrict
- d) prohibit

5. The principle of ... of human rights is the cornerstone of international human rights law.

- a) universality
- b) superiority
- c) domination
- d) centrality

6. The Bill of Rights stated ...

- a) the first 12 Constitutional Amendments.
- b) the first 10 Constitutional Amendments.
- c) the first 15 Constitutional Amendments.
- d) the first 20 Constitutional Amendments.

7. Every person should ... the rights of other individuals.

- a) prohibit
- b) respect
- c) prescribe
- d) restrict

8. If the principles of Constitution are written down in a single comprehensive document, it embodies a ... Constitution.

- a) written
- b) unwritten
- c) uncodified
- d) codified

9. ... nation states have codified constitutions.

- a) All
- b) Not all
- c) Every
- d) Each

10. Human rights are

- a) inalienable
- b) international
- c) interrelated
- d) interdependent

11. The Constitution of the USA is

- a) flexible
- b) enacted
- c) rigid
- d) embodied

12. The British Constitution is “ ...” because it is not embodied in any enactments or formally related series of enactments.

- a) flexible
- b) written
- c) rigid
- d) unwritten

13. The term “ ... ” is used to describe a constitution that is entirely written, that is codified in one single document.

- a) flexible constitution
- b) written constitution
- c) rigid constitution
- d) unwritten constitution

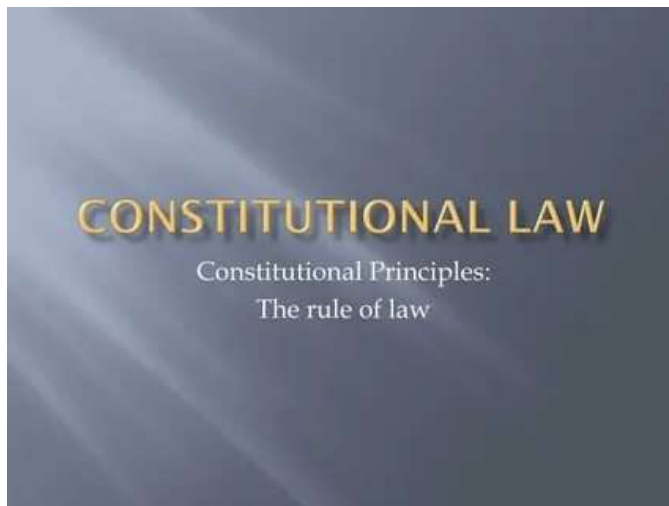
14. The right to liberty may be ... , if a person is found guilty of a crime by a court of law.

- a) prohibited
- b) respected
- c) enacted
- d) restricted

15. “ ... ” Constitutions can be modified through the simple procedure by which statutes are enacted.

- a) Flexible
- b) Written
- c) Rigid
- d) Unwritten

VIDEO AND LISTENING LINKS



1. Watch the video “Constitutional Law explained Montesquieu separation of powers” https://www.youtube.com/watch?v=TL8HyxlL_8c and answer the questions:

- 1. When and where did the idea of separation of powers appear?
- 2. Who argued the monarch’s power to be shifted to the people while volte called for a separation of church and state?
- 3. Who introduced the idea of

the separation of the government powers?

- 4. What is the executive branch responsible for?
- 5. What is the legislative power responsible for?
- 6. What is the judiciary responsible for?
- 7. What does the separation of powers ensure?

2. Watch the video “What is the Separation of Powers” <https://www.youtube.com/watch?v=882Xztbh5Q> and answer the questions:

- 1. What is the separation of powers?
- 2. What are the branches of power?
- 3. What does the system of “checks and balances” mean?
- 4. What is the main purpose of the separation of powers?
- 5. Does the design of the separation of powers differ from country to country?
- 6. What branch of power must be strictly separated from other branches? Why?

3. Watch the video “Introduction to the Rule of Law – Constitutional Law”

<https://www.youtube.com/watch?v=fMIat-WhKFs> and answer the questions:

1. What is the most fundamental doctrine in the UK Constitution?
2. Why is it difficult to give a definition to the rule of law?
3. What is the cornerstone of western liberal democracies?
4. What countries are western liberal democracies?
5. Who gave the following definition of the rule of law: “In the light of Guantanamo Bay and the other horrors of the Iraq war, and the continuing revelations about the so-called extraordinary rendition – a fancy phrase for kidnapping – the Muslim world may not be over impressed with protestations about the rule of law”?
6. What are the principles of the rule of law?

4. Watch the video “Comparing the US and UK Constitutions”

<https://www.youtube.com/watch?v=MsUhU-wRf7g> and answer the questions:

1. Compare the origins of the US and UK Constitutions.
2. What are cultural differences between the US and UK Constitutions?
3. What is the nature of the Constitution in the USA and in the UK?
4. What are democratic differences between the US and UK Constitutions?
5. How is sovereignty explained in the USA and in the UK?
6. Is the separation of powers fixed in the US and UK Constitutions?
7. What is the difference concerning the second chamber of the Parliament/Congress?
8. What is the Supreme Court according to the US and UK Constitutions?
9. Is the principle of checks and balances presented in the US and UK Constitutions?
10. There are differences and similarities between the US and UK Constitutions, aren't there?

FAMILY LAW

TEXT 1. Marriage

VOCABULARY

adoption – усыновление, удочерение

alimony – 1) алименты (регулярные платежи, производимые одним из бывших супругов в пользу другого бывшего супруга во время раздельного проживания или после официального развода); 2) содержание, помощь

annulment – постановление о признании брака недействительным

child custody – попечение, забота о ребенке

decree of divorce – судебное решение о разводе супругов

divorce – расторжение брака, развод / расторгать брак;

разводиться

family relationships – семейные отношения

file for divorce – подавать документа на развод

guardian = custodian – опекун (назначается судом для малолетних или неспособных управлять имуществом)

guardianship – опека и попечительство

infant – малолетний, есовершеннолетний

inheritance – 1)наследование; 2) наследство, наследие

legal capacity – правоспособность, дееспособность

legal relationship – 1) родство, признанное законом; 2) правовые отношения

legitimation – усыновление, узаконивание; легитимация

marriage – брак, супружество; замужество, женитьба; бракосочетание, свадьба; вступление в брак, заключение брака

natural relationship – кровное родство; фактическое родство

parent – родитель, отец, мать

paternity – отцовство, происхождение по отцу

spouse – один из супругов

succession – преемственность; наследование, порядок наследования, наследственное право

will – завещание

Family law is the term applied to the laws and rules regarding family relationships. Family law rules define not only the relationships between members of a family but also between a family and society as a whole. More than any other area of the law, family law reflects the values society shares regarding how people who are related should treat each other.

Family law rules see the family as a special social institution and clarify such issues as marriage and relationship planning, divorce, paternity, adoption, custody of and responsibility for children; protection from violence in the home. Norms of family law also prescribe the rights of succession to the property of a family member when they die.

Under Family law “marriage” is a social institution uniting men and women in special forms of mutual dependence, often for the purpose of founding and maintaining families. As far as children need undergo a long period of development before attaining maturity, the care of children during their years of relative helplessness is the chief incentive for the spouses. Marriage as a contract between a man and a woman has existed since ancient times. As a social practice it reflects the



purposes, character, and customs of the society in which it is found.

Basically, there are three requirements of a valid marriage:

(i) that the requisite formalities are complied with: whether a religious or a civil ceremony is necessary;

(ii) that the parties have legal capacity to marry each other; for instance, one or both may be under

lawful age, or be already married to a third person, or they may be within the prohibited degrees of relationship, thus such individuals are prevented from wedding;

(iii) that the parties freely and knowingly consent to do so.

If a marriage has been imperfectly constituted in law, it may be annulled; grounds for annulment include lack of capacity, no reality of consent by the parties, a vitiating defect in the marriage ceremony, or the subsequent discovery of such a “defect”.

If married people wish to terminate their marriage relationship they both or any one of them should file for divorce. This can be accomplished through an uncontested divorce or a contested divorce. The last one may be of two kinds: no-fault divorce or a fault based divorce.

With “a no-fault divorce”, the termination does not require proof of fault to be shown. Reasons for this type of divorce include incompatibility or irremediable breakdown of the marriage. The application can be made by either party. With the support of a court system, the other spouse may be divorced against his or her will in this case.



In “a fault based divorce”, the grounds (reasons) for divorce are specific such as: adultery, habitual drunkenness, conviction of a felony, unreasonable behavior, cruel and inhuman treatment, insanity, desertion of at least two years, two years' separation where the divorce is by consent, and five years' separation.

The procedure is usually for one party to petition for divorce. A judge considers the evidence and, if the grounds for divorce are proven, the judge pronounces a decree nisi which is a provisional measure. Six weeks later the petitioner can apply for a decree absolute, which is the final measure. The decree absolute has to be issued by the court before either party can re-marry. A decree of divorce must be pronounced in open court.

Alimony is amount of money ordered by a court to be paid by one spouse to the other – usually by the husband to the wife – for some period, limited or indefinite, after a divorce. The traditional legal standard governing the amount of alimony was that which would allow the wife to live in the style to which she had become accustomed during the marriage. Under these circumstances, permanent support for the dependent spouse made sense – especially in a traditional society in which the husband earned the income and owned all family wealth and the wife was responsible for maintaining the home and rearing the children.

TASKS

Exercise 1. Answer the questions:

- 1) Does family law deal only with relations within a family?
- 2) What are the grounds for "a fault divorce"?
- 3) Is alimony always amount of money paid to the wife by her husband?
- 4) When should people file for divorce?

- 5) What are the requirements of a valid marriage?
- 6) What do family law rules call a family?

Exercise 2. Agree or disagree, prove your answer:

- 1) Family law rules define only the relationships between members of a family.
- 2) Family law rules clarify only such issues as marriage, divorce and adoption.
- 3) If married people wish to terminate their marriage relationship they both or any one of them should file for divorce.
- 4) Norms of family law also prescribe the rights of succession to the property of a family member when they die.
- 5) Divorce may be of three kinds: a no-fault divorce, an agreed divorce or a fault based divorce.
- 6) There are ten requirements of a valid marriage.
- 7) In “a fault based divorce”, the grounds (reasons) for divorce include adultery, habitual drunkenness, conviction of a felony.

Exercise 3. Say what you know about:

- 1) the rules of family law;
- 2) requirements of a valid marriage;
- 3) kinds of divorce;
- 4) the procedure of divorce;
- 5) alimony.

TEXT 2. Adoption

VOCABULARY

legal ties – юридические связи

inherit – наследовать

natural offspring – естественное потомство

amended birth certificate – измененное свидетельство о рождении

require – требовать

statutory requirements – нормативные требования

nurturing – воспитание

confer – даровать

relinquish – отказаться

attorney – адвокат

afford – предоставлять

well-being – благополучие

adoption decree – декрет об усыновлении

home environment – домашняя обстановка

hurdle – препятствие



Adoption law provides a means for parents to voluntarily assume the legal rights and responsibilities of a child not born to them. Following an adoption, all legal ties between the child and the birth parents are permanently severed. The new adoptive parents and the child are treated just like a natural family in the eyes of the law. The adoptive parents decide important matters involving medical treatment, education, and religion, as well as ordinary day-to-day issues that arise in the child's life. Adopted children can inherit from their new parents the same as natural offspring. Some jurisdictions even provide for the issuance of an amended birth certificate displaying the new parents' names.

State statutes govern adoption proceedings, and the substantive and procedural rules vary across the country. Most statutes require the local department of family services to perform a home study to ensure a stable environment free of dangers and bad influences. Those interested in adoption must also meet age and income requirements. Criminal background checks will be completed, and first-time parents may be asked to attend instructional classes. Statutory requirements like these are meant to help judges, case workers, and prospective parents create a safe and nurturing home environment.

Before an adoption decree can be entered, the parental rights of the birth mother and father must be terminated. This allows those same rights to be conferred upon the adoptive parents, and it prevents the birth parents from attempting to exercise control over the child at a later time. In some cases, the birth mother and father will agree to relinquish their rights, making the process as simple as collecting their signatures on a legal document and filing it with the court. Other times, obtaining a termination of parental rights can be a difficult hurdle for the adoptive parents and their attorney.



When termination of the birth parents' rights is contested, the matter must be heard before the family law court. Both natural parents must be afforded due notice of the hearing and an opportunity to object. The hearing itself will be conducted much like a trial. The adoptive parents must present "clear and convincing" evidence that the birth parents are unfit to care for the child.

Evidence presented at a termination hearing will typically demonstrate the birth parents' lack of interest in the child's well-being, their failure to pay child support, and any history of domestic violence or substance abuse. Each case is different, and an adoption lawyer will be helpful in determining the best types of evidence to use in a particular case. The goal is to prove to the judge that terminating parental rights and approving the adoption decree is in the child's best interests.

TASKS

Exercise 1. Find the equivalents:

1) natural family	a) the action of signing something
2) adoptive parents	b) rights involving or provided to parents
3) signature	c) violence that takes home between family, especially adults
4) parental rights	d) something that makes you believe that it is true or persuades you to do something
5) termination hearing	e) the field law that deals issues relating to family matters such as marriages, divorces, and adoption
6) domestic violence	f) parents relating to fostering child
7) evidence	g) a lawyer
8) convincing	h) facts or physical signs that help to prove
9) family law	j) natural parents are the ones you were born to
10) attorney	k) final hearing

Exercise 2. Agree or disagree, prove your answer:

- 1) Following an adoption, all legal ties between the child and the birth parents are saved.
- 2) Adopted children can inherit from their new parents the same as natural offspring.
- 3) State statutes govern adoption proceedings are the same in every country.
- 4) Those interested in adoption can fail to meet age and income requirements.
- 5) Parents with criminal background can adopt children.
- 6) Both natural parents must be afforded due notice of the hearing and an opportunity to object.
- 7) Before an adoption decree can be entered, the parental rights of the birth mother and father must be terminated.
- 8) When termination of the birth parents' rights is contested, the matter is settled.
- 9) All cases of adoption are the same.
- 10) The only thing which is needed to adopt a child is a will.

Exercise 3. Answer the questions:

- 1) Are all legal ties between the child and the birth parents permanently severed?
- 2) Can adopted children inherit the property of the adoptive parents?
- 3) Do adopted children have a new birth certificate?
- 4) Are there any requirements to the parents if they want adopt a child?
- 5) Is it an easy procedure to adopt a child?
- 6) Are natural parents contacted if their child is considered to be adopted?
- 7) What is an adoption decree?

TEXT 3. Divorce

VOCABULARY

estranged couple – разлученная пара

failure – отказ

out-of-court arrangement – внесудебная договоренность

award certain privileges – предоставлять определенные привилегии

to file a divorce petitioner – подать заявление на развод

out of the courtroom – из зала суда

custody of the children – опека над детьми

resolving financial issues – решение финансовых вопросов

acquire a solicitor – заручиться помощью адвоката

consequence – следствие

divorced background – основание для развода

to the benefit of both parties – в интересах обеих сторон

behavioural problems – поведенческие проблемы

permanent separation from their spouse – постоянная разлука с супругом

Divorce is the ugly word that can traumatize so many lives in the UK. A costly process, both emotionally and financially, this should be the last course of action for an estranged couple. However, the reality is that approaching 1 in 2 marriages are doomed to failure, meaning that advice is required on the divorce or separation procedure.



The parties entering into the process can occasionally underestimate the effects of what a divorce will have on their lives. If the relationship has remained amicable and they are able to come to an out-of-court arrangement, then no further action need be taken. However, if there is a source of disagreement, then a court or judge may be instructed to award certain privileges to either party. This can include division of

property, sale of major assets or dividing up remaining debt. This can often become a torturous process and is why divorce is listed as one of the most stressful experiences that a human can undergo.

Divorce Procedure. In the UK divorce is serious business and you will need to find yourself a solicitor as soon as possible. There is no substitute for the experience, help and moral support that these seasoned professionals can offer you in this difficult time. They can then gather information from you regarding which assets or requirements are keys to you during the forthcoming process.

The first step in the divorce procedure is for one of the two parties to file a divorce petitioner. This is a document that details who you are looking to separate from and on what grounds you are doing so. This is always a tricky scenario, as no

one wants to be served with a divorce petitioner and can often motivate the recipient to act out of anger or revenge in the following months.

Alternatively, this can be a very refrained affair, with both parties agreeing to cover the cost of the divorce and settling personal disputes out of the courtroom. In the majority of cases a dispute will arise to the demands of the individual who has filed for the divorce. This can be any number of conditions such as, custody of the children, costs of the divorce, division of property or resolving financial issues (debt). At this point, assuming the disagreement cannot be resolved they will ask a judge to settle their differences for them. If this situation arises during a divorce procedure, it is imperative that the persons involved acquire a solicitor. These are trained professionals who are experts in dealing with family law.

Effects on the family. The unparalleled impact that a divorce is likely to have is the separation of a family. Overnight, children used to a two parents under the same roof are stripped of that privilege. This can be hugely traumatizing, especially if the kids in question are at an important juncture in their lives. The other effect on the family is financial. All assets and debts will have to be divided up, usually resulting in either the sale of the family home, or a major shift in lifestyle.

Divorce's effects on a family are not just confined to the home. The split will act as a huge event in any child's life and will provoke a number of unwelcome consequences. Recent research has shown that children from separated families are more likely to, suffer from behavioral problems, fall behind at school and become involved in unfavorable practices. These emotions can also effect the victims in later life too, with adults from a divorced background more likely to be subject to poverty and experience depression.

Division of property. In many cases children will not be involved in the Divorce, which is to the benefit of both parties as if there are children then things can get a lot more complicated. The only things that then are left to be divided are material (unless you have pets of course). Believe us when we say that if at all possible, then this should aim to be settled outside the courtroom. Solicitors cost an absolute fortune and can cripple both parties when all there is at stake is pride. In this process there has to be room for negotiation and nothing is ever settled without compromise from both husband and wife. However if you do feel like you are being unfairly cheated and stand to lose a lot of money or valuable possessions then you may be forced to seek legal advice. See the article about the distribution of family assets after divorce.



The last thing to mention is that for anyone seeking a permanent separation from their spouse, be sure that divorce is the only option available left to you. Take time to consider whether or not there are any steps you can take either individually or as a couple to repair the damage caused.

TASKS

Exercise 1. Match the synonyms:

1) property	a) reason
2) division	b) financial obligation
3) background	c) request
4) compromise	d) belongings
5) debt	e) after or before a trial
6) condition	f) refusal
7) settle	g) care
8) demand	h) breaking up
9) disagreement	j) estate
10) out-of-court	k) accessible
11) custody	l) harm
12) failure	m) deal
13) asset	n) debate
14) available	o) sort out
15) damage	p) circumstances

Exercise 2. Match the antonyms:

1) divorce	a) reunion
2) division	b) quarrel
3) require	c) in the court
4) compromise	d) agreement
5) stressful	e) success
6) hugely	f) unavailable
7) settle	g) impossible
8) suffer	h) damage
9) disagreement	j) marriage
10) out-of-court	k) adults
11) valuable	l) be happy
12) failure	m) give
13) children	n) worthless
14) available	o) harmonious
15) possible	p) little

Exercise 3. Make up your own sentences with the following words and word combinations: divorce, disagreement, custody, out of the courtroom, acquire a solicitor, to the benefit of both parties, behavioral problems, estranged couple, available, award certain privileges, to file a divorce petitioner.

TEST

1. Family law is the term applied to the laws and rules regarding...
 - a) adoption of children
 - b) divorce
 - c) any family relationships
 - d) assets

2. Family law rules see the family as a special social institution and clarify such issues as ...
 - a) marriage and relationship planning, divorce, paternity.
 - b) protection from violence in the home.
 - c) adoption, custody of and responsibility for children.
 - d) every point mentioned above.

3. How many requirements of a valid marriage are there?
 - a) none
 - b) two
 - c) three
 - d) seven

4. There are two kinds of divorce, name them.
 - a) no-fault divorce or a fault based divorce
 - b) fault divorce or a faultless divorce
 - c) faultful divorce or a faultless divorce
 - d) none-fault divorce or a fault based divorce

5. Alimony is amount of money ordered by a court to be paid...
 - a) by a wife to the children.
 - b) by a husband to a wife.
 - c) by one spouse to the other.
 - d) by children to parents.

6. Adoption law provides a means for parents to...
 - a) decide important matters involving medical treatment, education, and religion.
 - b) voluntarily assume the legal rights and responsibilities of a child not born to them.
 - c) meet age and income requirements.
 - d) ensure a stable environment free of dangers and bad influences.

7. Following an adoption, all legal ties between the child and the birth parents are...
 - a) kept a secret.
 - b) permanently severed.

- c) preserved.
- d) announced to the child after they are 18.

8. The new adoptive parents and the child are treated...

- a) like good citizens.
- b) like generous people.
- c) like adoptive citizens.
- d) just like a natural family in the eyes of the law.

9. Adopted children can inherit from their new parents...

- a) the same as natural offspring.
- b) half as much as natural offspring.
- c) less than natural offspring.
- d) more than natural offspring.

10. Adoption proceedings are governed by...

- a) private companies.
- b) state statutes.
- c) the police.
- d) the major.

11. The matter of adoption must be heard before...

- a) the family law court.
- b) the criminal court.
- c) the police officer.
- d) the local government.

12. If the relationship between an estranged couple has remained amicable and they are able to come to an out-of-court arrangement...

- a) then no further action need be taken.
- b) they have to sue each other.
- c) they have to hire a solicitor.
- d) they should necessarily argue.

13. What are the actions of a solicitor in a divorce procedure?

- a) They help and morally support their clients.
- b) They can gather information from you regarding which assets or requirements are key to you during the forthcoming process.
- c) They file a divorce petition.
- d) They motivate the recipient to act out of anger or revenge in the following months.

14. In the majority of divorce cases...

- a) both parties agreeing to cover the cost of the divorce and settling personal disputes out of the courtroom.

- b) a dispute will arise to the demands of the individual who has filed for the divorce.
- c) solicitors help and morally support their clients.
- d) couples make scandals in the court.

15. Recent research has shown that children from separated families are more likely to...

- a) suffer from behavioral problems, fall behind at school and become involved in unfavourable practices.
- b) be as happy as it may be.
- c) have positive emotions.
- d) want to live with one of the parents.

VIDEO AND LISTENING LINKS

1. Listen to the audio and say how adopted people feel about their status:

<https://www.bbc.co.uk/sounds/play/b08pdfhg>

2. Listen to the audio and dwell on the frequency of divorces:

<https://listenaminute.com/d/divorce.html>

3. Watch the video and describe the ceremony of wedding:

<https://youtu.be/WAe-8xoiDEk>

4. Watch the video and say how children feel when their children get divorced: <https://youtu.be/dbHm2TJE2XY>

5. Watch the video and describe the words mentioned, dwell on the difference of the statuses “married” and “engaged”. Do we have the same?

<https://youtu.be/5zkfXG4pOEo>

6. Watch the video and say if you agree that we are falling out of love with marriage? <https://youtu.be/Zho2dPAiZ74>

7. Watch the video and retell the story of adoption:

<https://youtu.be/9dxkv4ItMjw>

8. Watch the video and describe the history of marriage:

<https://youtu.be/WAe-8xoiDEk>

3. Подходы к составлению терминологических кластеров для систематизации лексических единиц при изучении темы «Классификации отраслей права»

В связи со значительными социально-экономическими и геополитическими изменениями нашего общества происходит процесс смены требований, предъявляемых к образованию в общем и, в частности, к подготовке по иностранным языкам сотрудников ОВД. В профессиональном обучении все большее внимание отводится формированию у будущих специалистов профессиональной картины мира, в которую органично вписываются научные знания о различных явлениях и процессах, непосредственно связанных с их профессиональной деятельностью. По мнению ряда исследователей, основой профессиональной картины мира служит терминология, в связи с чем обучение терминологии будущих специалистов любой сферы деятельности рассматривается как одно из условий преемственности научного знания.

Проблема терминологической подготовки будущих сотрудников ОВД особенно актуальна в профессиональном обучении при реализации программы по иностранному языку. Более того, обучение терминологии как системе необходимо для создания межпредметных связей в сфере терминологических полей различных учебных дисциплин и преодоления диссонанса в преподавании гуманитарных и профильных предметов, что служит одним из условий формирования целостной профессиональной картины мира.

При обучении иностранному языку (ИЯ) как средству профессионального общения необходимо формировать терминологические кластеры, на основе которых ведется становление терминологической культуры сотрудников ОВД. В процессе усвоения терминологической лексики у обучающихся формируется как активный, так и пассивный словарный запас, который впоследствии используется при обучении основным видам речевой деятельности. Основой для формирования профессионально ориентированной лексической компетенции служит терминологический кластер с лексикой высокой степени специализации.

Разработка терминологических кластеров как словарей активного типа в настоящее время остается актуальной задачей лексикографии. Новые направления в обучении языкам и в развитии лингвистики дают основания для поисков в практике создания словарей, которые, по сути, являются учебно-функциональными. Словарь активного типа оказывает серьезную помощь преподавателям в формировании способности к межкультурной коммуникации в процессе изучения языков, т.к. способствует усвоению языковой и внеязыковой информации, формированию у обучающихся коммуникативно-познавательных потребностей.

Процесс создания учебно-функциональных словарей происходит на основе функционально-когнитивного подхода к систематизации словарного материала.

Функциональный подход является ключевым в систематизации лексического материала. Он лежит в основе организации всей лексики, уровней ее иерархии и предполагает представление в словаре речеобразующих свойств языковых единиц, которые выражаются в их комбинированных свойствах.

Когнитивный подход основан на базовой категории семантики – понятии, реализующем ментальные сущности разного объема и выступающем в качестве основной единицы обработки, хранения и передачи знаний – концепте.

Наряду с традиционными функциями любого отраслевого словаря – информирующей, нормативно-стандартизирующей, систематизирующей – учебный терминологический кластер должен выполнять роль учебно-дидактического средства при изучении профессионально ориентированных тем. Необходимо аккумулировать наиболее важные с точки зрения функциональной значимости слова и словосочетания, которые помогут обучающимся в освоении той или иной темы. Терминологический кластер – это одно из дидактических средств формирования лексического запаса у обучающихся как основы для осуществления профессиональной коммуникации.

В процессе проектирования концептуальной модели кластера выделяется очередность этапов его разработки, а именно:

1) аналитический (включает изучение и анализ теоретических основ построения и специфики содержания учебного словаря);

2) концептуальный (предполагает осмысление терминологического континуума и построение его логико-понятийной схемы, с помощью которой выделяют базовые термины-понятия и описывающие их терминологические единицы, а также термины второго порядка, построенные на основе деривации, словосложения, аббревиации, синтагматических и семантических отношений);

3) технологический (заключается в методологии составления глоссария с учетом критериев отбора лексики, приемов составления терминологических кластеров с ведущим термином, приемы семантического описания терминов).

Разрабатываемые на кафедре иностранных языков кластеры определены темой «Классификация отраслей права». Принцип представления терминов подразумевает тематическую рубрикацию, соответствующую наиболее значимым разделам изучаемого материала.

INTERNATIONAL LAW

TEXT I. What is International Law?

VOCABULARY

international law – международное право
body of rules – свод правил
to govern – управлять, руководить
sovereign states – суверенные государства
to emanate – происходить
convention – конвенция
co-existing – сосуществующие
community – общность, общество
to deem – считать что-л. необходимым
contemporary – современный
notable – значительный, важный
signing – подписание
embryonic – зарождающийся
to retard – замедлять
acknowledge – подтверждать, признавать
dominion – господство, власть
whilst – пока; в то время, как

International law constitutes that **body of rules** which **governs** the relationships between **sovereign states**. These rules of law **emanate** from the free wills of states as expressed in **conventions** or by usages which are generally accepted as expressing principles of law. The object of these rules is to regulate the relations between these **co-existing** independent **communities** as means of achieving common aims **deemed** important in the collective opinion of the international community. See the Lotus Case (1927). Since international law is the product of forces within international society, in order to understand the nature of the international legal system, it is necessary to analyze the structure and processes which function within the global society.

Historically, although several systems of international law have existed since antiquity, **contemporary** international law has its origins in Medieval Europe. Arguably, the most **notable** historic development was the **signing** of the Peace of Westphalia 1648 which established an **embryonic** sovereign state system in Europe. Prior to this agreement, the creation of a sovereign state system had been **retarded** by the transnational authority of the Pope in spiritual matters and the control of the Holy Roman Emperor in political concerns. In the signature of the Peace of Westphalia the Emperor **acknowledged** restrictions on his **dominion** in favour of the territorial autonomy of the various nation states which had previously composed the Empire, **whilst** simultaneously the treaty recognized the limits of the authority of the Pope.

International society since then has remained a pluralistic structure of sovereign states. Sovereignty in the relations between states is synonymous with independence. This independence allows states to regulate the internal constitutions of their territories and to enter into international relations with other sovereign states.

TASKS

Exercise 1. Match the words given on the left with their definitions given on the right:

- | | |
|--------------------|-----------------------|
| 1. to emanate from | a. noteworthy |
| 2. deem | b. to make slow |
| 3. arguable | c. to consider |
| 4. notable | d. open to discussion |
| 5. to retard | e. inside, domestic |
| 6. internal | f. to come from |

Exercise 2. Find English equivalents for the following:

1) средство достижения общих целей; 2) международное сообщество; 3) подписание договора; 4) признать ограничения; 5) в пользу территориальной автономии.

Exercise 3. Answer the questions:

1. How can you define international law?
2. What is necessary to do to understand the nature of the international legal system?
3. What is the origin of contemporary international law?
4. In what case can we say that sovereignty is synonymous with independence?
5. What is the relationship between law and society?
6. What is the structure of global society?

TEXT 2. Sources of International law

VOCABULARY

to constitute – составлять

authoritative rules and principles – авторитетные права и принципы

to refer to – ссылаться на что-л.

to ascertain – выяснять, устанавливать

content of the law – содержание права

to deduce – выводить, делать вывод

to substantiate legal opinion – обосновать юридическое решение

cogency [kəʊdʒ(ə)nsɪ] – убедительность

consistency – последовательность, согласованность, непротиворечивость

familiarity – знакомство, знание

utmost – максимальный, огромный
as authority – в качестве авторитетных (источников)
for particular propositions – для конкретных предложение
constitutional processes – конституционные процедуры
to authorize – давать разрешение, уполномочивать
binding legal rules – обязательные юридические правила
applicable – применительный
to derive – черпать
to recognize – признавать
contesting states – конкурирующие, спорящие государства
judicial decisions – судебные решения
subsidiary means – вспомогательные средства

A. Collectively the 'sources' of international law **constitute** that reservoir of **authoritative rules and principles** to which the international lawyer must refer in order to **ascertain the content of the law**. An international lawyer must be able to **deduce** rules of international law in order to **substantiate legal opinions** supporting particular courses of action. The **cogency** and **consistency** of a legal argument will stand or fall depending on the **familiarity** of the lawyer with these sources of law. It is therefore of the **utmost** importance that each student understands the nature of these sources and their interaction with each other and is accustomed to the methodology involved in citing these sources as **authority for particular propositions**.

B. Formal and Material Sources of Law

A distinction is frequently made by commentators between formal and material sources of law:

1. Formal sources of law establish constitutional processes and methods which **authorize** the creation of **binding legal rules** which are generally applicable to the subjects of the legal system.

2. Material sources of law provide evidence of particular or specific rules of law which, when proven, are **applicable** to a particular dispute.

A formal source is that from which a rule of law **derives** its force and validity. A material source is that from which the content, not the validity of the law, is derived. The material source provides the substance of the rule to which the formal source gives force and authority.

The International Court of Justice (ICJ) shall apply the following sources of law to any disputes submitted for settlement:

1. International convention whether general or particular, establishing rules expressly **recognized** by the **contesting states**;

2. International custom, as evidence of a general practice accepted as law;

3. The general principles of law recognized by civilized nations;

4. The **judicial decisions** and the teachings of the most highly qualified publicists of the various nations, as **subsidiary means** for the determination of the rules of law.

TASKS

Exercise 1. Find the equivalents in the text:

- A. 1. источники международного права;
2. авторитетные правила;
3. содержание закона;
4. выводить правила (из чего-л.);
5. последовательность;
6. взаимодействие друг с другом;
7. цитировать (ссылаться на) источники.
- B. 1. применимый;
2. спор (разногласие);
3. признавать правила;
4. вспомогательное средство;
5. особые или специфичные нормы права;
6. закон обретает силу и действенность;
7. международный суд.

Exercise 2. Compose word-combinations using the following :

- | | |
|-----------------|-----------------------------|
| 1. refer to | a. evidence |
| 2. to deduce | b. importance |
| 3. the utmost | c. principles |
| 4. to establish | d. force and validity |
| 5. to provide | e. rules |
| 6. to derive | f. constitutional processes |

Exercise 3. Answer the questions:

1. What are the sources of International law?
2. What is the difference between formal and material sources of law?
3. What are the responsibilities of the International Court of Justice?

TEXT 3 The European Community

VOCABULARY

the European Community – Европейское сообщество

ordinary international treaty – обычный международный договор

impinge on the sovereignty of – посягать на суверенитет

failure [feɪljə] – неспособность, провал, отказ

comply with – подчиняться чему-л.

breach of – нарушение

to treat – относиться, рассматривать, считать

criminal charges – уголовные дела

civil proceedings – гражданское судопроизводство

to bring proceedings – подать в суд

to challenge – оспаривать, обжаловать
discrepancy – несоответствие
the European Court – Европейский Суд
to govern – управлять, руководить
common foreign policy – общая внешняя политика
eventually – в итоге, с течением времени
monetary union – единая денежная система

Many people, including most politicians and lawyers, thought in 1972 that joining **the European Community** was not very different from joining many other international organizations (like the United Nations, for example). An **ordinary international treaty** does not **impinge on the sovereignty of** Parliament in the legal sense, because the only effect of **failure to comply with** such a treaty is to put the country in **breach of** international law. That is no doubt a matter of some seriousness, and indeed the UK government probably **treats** a breach of international law more seriously than most other governments in the world, but at the same time, it is in a sense less serious than a breach of our own national law. The reason for this is that courts in the UK must observe and apply the law of England (or Scotland, or Northern Ireland as the case may be); every court in the country must do this, so if **criminal charges** or **civil proceedings** are brought in England, the court must as a matter of course apply English law. Equally, any person can **bring proceedings** in those courts, so if the government acts illegally it can usually be **challenged** quickly and easily in our own national courts.

There is today widespread **discrepancy** in use of the terms 'European Community' and 'European Union'. This discrepancy comes from the Treaties themselves. The Community is still the correct legal term for those matters which are subject to the control of **the European Court** in respect of which the law itself **governs** the relationships between members. The further matters such as the attempt to have a **common foreign policy**, and **eventually monetary union**, are matters in respect of which "European Union" is the correct term.

TASKS

Exercise 1. Match the words given on the left with their definitions given on the right:

- | | |
|-------------------|---------------------------------|
| 1. to impinge | a. to obey |
| 2. a breach of | b. lack of agreement |
| 3. discrepancy | c. total power, self-government |
| 4. to comply with | d. breaking of |
| 5. sovereignty | e. to affect |

Exercise 2. Agree or disagree with the statements:

1. Joining the European Community was not very different from joining many other international organizations.

2. An ordinary international treaty does not impinge on the sovereignty of Parliament in the legal sense.

3. The UK government treats a breach of international law less seriously than most other governments.

TEST

1. International law regulates the relations between ...

- a) sovereign states
- b) dependent states
- c) sovereign cities
- d) independent governments

2. International rules don't emanate from:

- a) free wills of states
- b) forced wills of states
- c) generally accepted usages
- d) conventions

3. Contemporary international law exists since:

- a) antiquity
- b) Ancient Greece
- c) Medieval Europe
- d) Modern Europe

4. The creation of a sovereign state system had been retarded by the ...

- a) transnational authority of the King
- b) control of the Holy Russian Emperor in political concerns
- c) control of the Holy Roman Emperor in spiritual concerns
- d) transnational authority of the Pope in spiritual matters and the control of the Holy Roman Emperor in political concerns

5. The content of the law is derived from:

- a) formal source
- b) material source
- c) both formal and material source
- d) disputes

6. An ordinary international treaty does not impinge on the sovereignty of:

- a) Parliament
- b) the United Nations Organization
- c) the European Community
- d) the government

7. ... treats a breach of international law more seriously than most other governments in the world.

- a) the world government
- b) the United Nations Organization
- c) the UK government
- d) the European Community

8. The discrepancy in use of the terms 'European Community' and 'European Union' comes from:

- a) an act of Parliament
- b) an act of the UNO
- c) the Treaties
- d) the European Court

9. The term "community" is the correct legal term for the matters which are subject to the control of:

- a) the United Nations Organization
- b) Parliament
- c) the world Government
- d) the European Court

10. "European Union" is the correct term in respect of:

- a) independent foreign policy
- b) common monetary union
- c) independent monetary policy
- d) common government policy

11. An ordinary international treaty ... impinge on the sovereignty of Parliament in the legal sense.

- a) often
- b) sometimes
- c) does
- d) does not

12. The UK government treats a breach of international law ... seriously than most other governments.

- a) less
- b) more
- c) rather
- d) very

13. What are the sources of International Law?

- a) formal and material
- b) formal and informal
- c) material and informal
- d) formal and circumstantial

14. The International Court of Justice (ICJ) doesn't apply one source of law to any disputes submitted for settlement:

- a) international convention
- b) international custom
- c) the judicial decisions
- d) national principles of law

15. In what case can we say that sovereignty is synonymous with independence?

- a) in the relations between the United States
- b) in the relations between citizens
- c) in the relations between states
- d) in the relations between state organizations

VIDEO AND LISTENING LINKS

I. Watch the video and follow the tasks:

1. Fill in the gaps:

1) Since the Russian intervention we've been mobilizing international community to condemn this

2) This morning I signed the order that authorizes sanctions on individuals responsible for violation of ... or for ...

3) These decisions continue our efforts to impose a cost on Russia and those who are responsible for ...

4) We are ready with move together to announce ...

5) I'm confident we are moving forward together united in our determinations to oppose ... and to support ...

6) The proposed ... on the future of Crimea would violate ...

7) Any discussion about the future of Ukraine must include the ...

8) In 2014 we are well beyond the days when ... can be redrawn over the heads of democratic leaders.

9) There is also a way to resolve the crisis that ... as well as ...

10) If this violation of international law continues the resolve of the USA and of international community ...

2. Do you have an idea whom it was said about?

"A thief can steal property, but that does not confer the right of ownership on the thief."

VIDEO AND LISTENING LINKS

1. Watch the video and answer the questions:

<https://www.youtube.com/watch?v=waHxGcLMGtM/>

- a) What categories of force are available to states under International Law?
- b) Can you describe the categories and give examples mentioned in the video?

2. Watch the video and answer the questions:

<https://www.youtube.com/watch?v=cq9tX630MtY/>

- a) Is it allowed to use military force to resolve disputes in any state?
- b) What is self-defense regulated by?
- c) In what countries was military force used to resolve the disputes?

3. Watch the video and answer the questions:

<https://www.youtube.com/watch?v=-29jcnBpxIE/>

- a) What is persona non-grata?
- b) What are the reasons for banishing a foreign envoy?
- c) What does it mean – “tit for tat exchange”?

CRIMINAL LAW

TEXT 1. What is criminal law?

VOCABULARY

Criminal law –	уголовное право
Punish –	наказывать
legal rules –	правовые нормы
criminal responsibility –	уголовная ответственность
encroachment –	посягательство
to combat crime –	бороться с преступлениями
corpus delicti –	состав преступления
criminal code –	уголовный кодекс
Harmful –	губительный, опасный



Criminal law is concerned with conduct which the State considers should be punished, whereas civil law is concerned with private rights. A crime may be regarded as a public wrong; but conduct which is harmful to the public is not necessarily criminal. Criminal law is a system of legal rules approved by higher organs of state power and defining the general principles of criminal responsibility, individual types of crimes and the punishment applied to criminals.

The task of criminal law is to protect the social and state system, existing law and order against criminal encroachments. The state combats crime and other antisocial acts above all by persuasion and by extensive educational work. Combating crime, criminal law helps to strengthen the state and maintain law and order. Criminal laws, like all other laws of the state, are obligatory for all citizens.

Criminal laws determine general principles of combating crime as well as the corpus delicti of crimes and the punishment persons who have committed these crimes. Only the highest organ of state power may enact criminal laws. No other organ has the right to approve or amend criminal laws. Criminal law usually takes the form of a criminal code, which consists of a general and a special part. The General Part determines the general principles of criminal responsibility for each crime. It defines the grounds for criminal responsibility, the scope of criminal law, the general (main) elements of a crime, the responsibility for a completed or incompleted crime; it sets forth the purposes of punishment, lists penalties, establishes the procedure of their application, release from punishment and so on. The Special Part defines the types of crime and prescribes the penalties.

TASKS

Exercise 1. Read and translate the text:

Exercise 2. Answer the questions:

1. What is criminal law? 2. What is the task of criminal law? 3. What are the ways of combating crime? 4. What organs may enact laws? 5. What form does criminal law take?

Exercise 3. Find in the text the equivalents of the following words and expressions:

Бороться с преступностью, посягательство, состав преступления, обязательный, совершать преступление, применяемое наказание, внести поправку в закон, соучастие, выдвигать, освобождение.

Exercise 4. Write down sentences with the following idioms:

1. To judge by deeds and not by words. О человеке судят по делам, а не по словам. 2. A lean compromise is better than a fat lawsuit. Худой мир лучше доброй ссоры.

TEXT 2. The history of serial murders

VOCABULARY

to afflict –	мучить, причинять боль
Alienation –	отчуждение, безумие
decay –	разрушение, расстройство
rampant –	безумный, неистовый
savage –	жестокий, беспощадный
atrocities –	жестокость, зверство
mayhem –	нанесение увечья
vulnerable –	уязвимый
gratuitous –	не имеющий оправдания, незаконный
torture –	пытка

perversion –	извращение
unholy –	порочный, жуткий
lust –	вожделение, похоть
ferocity –	дикость, жестокость
depredation –	разрушительное действие
rampage –	неистовство, ярость
hot-rodged –	вооруженный
smack –	признак



Reviewing the history of serial murder is a tricky proposition, since it's hard to know exactly where to begin. On the one hand, serial killing seems like a uniquely modern phenomenon, a symptom of the various ills afflicting late-twentieth-century America – alienation, social decay, sexual violence, rampant crime, etc. On the other hand, the savage, sadistic impulses that underlie

serial murder are undoubtedly as old as human kind.

Indeed, recent scientific evidence suggests that a taste for savage cruelty is encoded in our DNA, an evolutionary inheritance from our earliest primate ancestors. In his text *Demonic Males*, Harvard anthropologist Richard Wrangham demonstrates that chimpanzees (who are “genetically closer to us than they are even to gorillas”) routinely commit acts of torture and mayhem as appalling as anything recorded in *Psychopathia Sexualis*. Not only do they prey upon vulnerable members of their own species, but their assaults “are marked by a gratuitous cruelty-tearing off pieces of skin, for example, twisting limbs until they break, or drinking a victim’s blood-reminiscent of acts that among humans are regarded as unspeakable crimes during peace time and atrocities during war.”

Any historical survey of serial murder would have to begin at least as far back as ancient Rome, when the Emperor Caligula was busily indulging his taste for torture and perversion. During the Middle Ages, depraved Aristocrats like Gilles de Rais (the original “Bluebeard”) and Elizabeth Bathory (the “Blood Countess”) fed their unholy lusts on the blood of hundreds of victims, while psychopathic peasants like Gilles Ganier and Peter Stubbe butchered their victims with such bestial ferocity that they were believed to be literal werewolves. Other homicidal monsters of the premodern era include the Scottish cannibal Sawney Beane and Vlad the Impaler, the real-life Dracula.

The first serial sex-killer of the modern era was Jack The Ripper, whose crime – the ghastly slaughter of five London streetwalkers – sent shock waves throughout Victorian England.

Though it was a violent and lawless decade, the Roaring Twenties produced only two authentic serial killers: Earle Leonard Nelson – the serial strangler nicknamed the “Gorilla Murderer” – and the viciously depraved Carl Panzram. Serial killers were equally few and far between in the 1930s and 1940s. The cannibalistic pedophile Albert Fish, and the anonymous psycho known as the “Mad Butcher of Kingsbury Run” (the “Cleveland Torso Killer”) are the only known serial killers of Depression-era America.

The 1950s witnessed the depredations of Wisconsin ghoul Ed Gein; the voyeuristic horrors of Californian Harvey Murray Glatman (who photographed his bound, terrorized victims before murdering them); the crimes of homicidal scam artists Martha Beck and Raymond Fernandez (the “Lonely Hearts Killers”); and the bloody rampage of Charles Starkweather, who slaughtered a string of victims as he hot-rodged across the Nebraska badlands.

The situation became even grimmer during the 1960s, a period that produced such infamous figures as Melvin “Sex Beast” Rees, Albert “Boston Strangler” DeSalvo, Richard Speck, Charles Manson, and the still-unknown Zodiac. By the time the 1970s rolled around, the problem had become so dire that, for the first time, law enforcement officials felt the need to define this burgeoning phenomenon as a major category of crime.

By the 1980s some criminologists were bandying words like plague and epidemic to characterize the problem. Though these terms smack of hysteria, it is nevertheless true that serial homicide has become so common in the United States that most of its perpetrators stir up only local interest. Only the most ghastly of these killers, the ones who seem more like mythic monsters than criminals – Jeffrey Dahmer, for example – capture the attention of the entire nation and end up as creepy household names.

TASKS

Exercise 1. Find the English equivalents in the text:

1. Serial killing seems like a uniquely modern phenomenon, a symptom of the various ills (мучивших) late-twentieth-century America – (безумие), (социальное отчуждение), sexual violence, (жестокие преступления), etc. 2. Recent scientific evidence suggests that a taste for (безумная жестокость) is encoded in our DNA. 3. Richard Wrangham demonstrates that chimpanzees routinely commit acts of torture and (нанесение увечий). 4. The Emperor Caligula was busily indulging his taste for (пытка и извращение). 5. Aristocrats like Gilles de Rais and Elizabeth Bathory fed their (порочная похоть) on the blood of hundreds of victims. 6. Gilles Ganier and Peter Stubbe butchered their victims with such bestial (жестокость) that they were believed to be literal werewolves. 7. Though these terms (признаки истерии), it is nevertheless true that serial homicide has become so common in the United States that most of its perpetrators stir up only local interest.

Exercise 2. Name the word or word-combination in English corresponding to the lexical definitions:

alienation, atrocity, mayhem, torture, perversion, lust, ferocity

1. Infliction of violent injury on a person or thing. 2. An emotion or feeling of intense desire in the body. The lust can take any form such as the lust for knowledge, the lust for sex or the lust for power. It can take such mundane forms as the lust for food as distinct from the need for food. 3. The quality or state of being enormous wickedness; extreme criminality or cruelty. 4. A type of human behavior that deviates from that which is understood to be orthodox or normal. 5. Emotional isolation or dissociation. 6. Savage wildness or fury, cruelty. 7. The act of deliberately inflicting severe physical or psychological pain and possibly injury to an organism.

Exercise 3. Answer the questions:

1. Does serial killing seem like a uniquely modern phenomenon or the savage, sadistic impulses that underlie serial murder are as old as human kind? 2. Does recent scientific evidence suggest that a taste for savage cruelty is an evolutionary inheritance from our earliest primate ancestors? 3. What does Richard Wrangham demonstrate in his book? 4. Where would historical survey of serial murder have to begin? 5. Was Jack The Ripper or Melvin “Sex Beast” Rees the first serial sex-killer of the modern era? 6. What period in American history can be characterized as relatively calm from serial killers? 7. What serial killers appeared during the 1960s?

Exercise 4. Form question (to the underlined word of the sentence) and negative forms of the following sentences:

1. A symptom of the various ills afflicting late-twentieth-century America – alienation, social decay, sexual violence, rampant crime, etc. 2. Chimpanzees routinely commit acts of torture and mayhem. 3. Two more homicidal monsters of the premodern era include the Scottish cannibal Sawney Beane and Vlad the Impaler, the real-life Dracula. 4. The 1950s witnessed the depredations of Wisconsin ghoul Ed Gein, the voyeuristic horrors of Californian Harvey Murray Glatman, the crimes of homicidal scam artists Martha Beck and Raymond Fernandez, and the bloody rampage of Charles Starkweather. 5. By the time the 1970s rolled around, the problem had become so dire that law enforcement officials felt the need to define this burgeoning phenomenon as a major category of crime. 6. Only the most ghastly of these killers, the ones who seem more like mythic monsters than criminals – Jeffrey Dahmer. 7. By the 1980s some criminologists were bandying words like plague and epidemic to characterize the problem.

TEST

1. Criminal law is concerned with conduct which the State considers should be punished, whereas ... law is concerned with private rights.

- a) criminal
- b) civil
- c) ecological
- d) administrative

2. The task of criminal law is to protect ..., existing law and order against criminal encroachments.

- a) criminals
- b) fugitives
- c) social and state system
- d) animals

3. Only the ... may enact criminal laws.

- a) highest organ of state power
- b) people
- c) President
- d) local government

4. Criminal law usually takes the form of ..., which consists of a general and a special part.

- a) Constitution
- b) agreements
- c) a criminal code
- d) corpus delicti

5. The General Part of the criminal code determines the general principles of ... for each crime.

- a) Constitution
- b) criminal responsibility
- c) scientific research
- d) Financial law

6. On the one hand, serial killing seems like a...

- a) uniquely modern phenomenon
- b) pretty guys
- c) policemen
- d) family

7. They demonstrate that ... (who are “genetically closer to us than they are even to gorillas”) routinely commit acts of torture.

- a) pretty girls
- b) worms
- c) chimpanzees
- d) criminals

8. Any historical survey of serial murder would have to begin at least as far back as ...

- a) ancient Greece
- b) ancient Russia
- c) ancient America
- d) ancient Rome

9. During the Middle Ages, Aristocrats like Gilles de Rais and Elizabeth Bathory fed their unholy lusts on the ... of hundreds of victims.

- a) blood
- b) water
- c) hair
- d) slobber

10. What was the nickname of Elizabeth Bathory?

- a) lustful snout
- b) the "Blood Countess"
- c) "Bluebeard"
- d) wild pig

11. Other homicidal monsters of the premodern era include ... and

- a) the Scottish cannibal Sawney Beane and Alice Kiteker
- b) Vlad the Impaler, the real-life Dracula and Mr. Bean
- c) the Scottish cannibal Sawney Beane and Vlad the Impaler, the real-life Dracula
- d) Alice Kiteker and Mr. Bean.

12. The first serial sex-killer of the modern era was...

- a) Scottish Impaler
- b) Jack the Ripper
- c) Thomas Greede
- d) Fizz Kiteker

13. The Roaring Twenties produced only two authentic serial killers: Earle Leonard Nelson – the serial strangler nicknamed the ... and Carl Panzram.

- a) "Gorilla Murderer"
- b) "Mad Butcher of Kingsbury Run"
- c) "Cleveland Torso Killer"
- d) "Crazy Frog"

14. Albert Fish and the "Mad Butcher of Kingsbury Run" are the only known serial killers of Depression-era.

- a) Europe
- b) America
- c) Romania
- d) Africa

15. By the 1980s some criminologists were bandying words like to characterize the problem.

- a) ferocity and lust
- b) alienation and decay
- c) atrocity and rampage
- d) plague and epidemic

VIDEO AND LISTENING LINKS

1. Watch the video <https://youtu.be/WFKnpstVtLU>

After watching this video some Americans say: “Use death penalty, please! Being humane to criminals is inhumane to the law abiding citizens”. What do you think about?

2. Watch the video <https://youtu.be/9nUT5HiO8pA>

New York City Mayor Eric Adams discusses what he thinks it will take to turn the city’s crime numbers around. Watch the video and answer the question: What ways does he propose to reduce the crime rate?

3. Watch the video <https://youtu.be/q3YLKduwPQ8> **and answer the question: How NYC Mayor Eric Adams plans to turn the city around.**

ADMINISTRATIVE LAW

TEXT 1. Administrative Law

VOCABULARY

legislature – законодательная власть

proper standards – соответствующие стандарты

to substitute – заменить

to confer – обсуждать

to promulgate – провозглашать

to safeguard – защищать

Administrative Law is the body of law applicable to the operations of agencies established by the legislature to carry out the functions of the executive branch of government. The Interstate Commerce Commission and the Federal Communications Commission are examples of such agencies in the U.S.

Origins Although the term administrative law was not used until the 20th century, the concern with maintaining controls over the power of government goes back in English law as far as the Magna Carta. By the 19th century, courts on the European continent had recognized a separate administrative law, which was often known by the French term ‘droit administratif’. In the U.S. it was the New Deal of the 1930s, with its accompanying proliferation of government agencies, that led the courts to apply a distinctive body of law to the operation of these agencies.

Administrative law in the USA

Administrative bodies are created and given power by federal or state legislation. It is the function of administrative law to set forth the extent of this power, the limitations on it, and its applications to private individuals and groups. The law is basically concerned with whether proper standards are applied by administrative agencies in exercising their powers and in making and enforcing regulations. If an agency does not apply the proper standards, its failure may be redressed by application to the courts. Although a court may not substitute its own judgment for that of the agency in determining whether a given regulation is desirable, the court

may declare the regulation a nullity if the agency, by promulgating such a regulation, has exceeded the authority conferred by the legislature. In determining that a regulation has been violated, substantial proof is required, but the agency is not bound by the laws of evidence that apply in court trials. With the multiplication of federal administrative agencies in the U.S. during the 1930s, a means of making administrative regulations reasonably accessible to the public became necessary.

The Federal Register Act (1935) provides that all federal regulations must be published in the Federal Register; a regulation that is not published in this manner is not binding upon persons who are unaware of its existence. Periodically, all federal regulations still in force must be codified and published in a compilation called the Code of Federal Regulations.

The Administrative Procedures Act (1946) provides that before a federal agency promulgates a general regulation, interested parties must be afforded an opportunity to present their views. Another safeguard is that the investigation and prosecution of alleged violations may not be undertaken by the same persons who will render the judgment.

TASKS

Exercise 1. Find the sentences in the text containing the word combinations and phrases given below. Translate them into Russian. Make up sentences with these word combinations:

To carry out the functions, the power of government, function of administrative law, render the judgment, proper standards, private individuals, federal regulations, safeguard, investigation and prosecution.

Exercise 2. Choose the appropriate word:

1. We go to court when we cannot settle disputes in formal / informal ways.
2. The decision was fair / unfair and everybody agreed with it.
3. We went to court. It was possible / impossible to settle the dispute out of court.
4. It is important / unimportant to internationalize legal standards.
5. People who come to live in another country without official permission are called legal / illegal immigrants.
6. We've had a few agreements / disagreements, but we are still good friends.
7. It is necessary / unnecessary to discuss the dispute with your neighbour before you go to the police.
8. He was respected as he was a just / unjust ruler.

Exercise 3. Determine if the sentences are true or false, according to the text:

1. Administrative Law is body of law applicable to the operations of agencies established by the legislature to carry out the functions of the legislative branch of government. a) true b) false.

2. The term administrative law was used until the 20th century, the concern with maintaining controls over the power of government goes back in English law. a) true b) false.

3. Administrative bodies are created and given power by federal or state legislation. a) true b) false.

4. If an agency apply the proper standards, its failure may be redressed by application to the courts. a) true b) false.

5. The Federal Register Act (1938) provides that all federal regulations must be published in the Federal Register. a) true b) false.

6. The federal regulations must be codified and published in a compilation called the Code of Regulations. a) true b) false.

7. Safeguard is that the investigation and prosecution of alleged violations may be undertaken by the same persons who will render the judgment. a) true b) false.

Exercise 4. Answer the questions:

1. What is Administrative Law?
2. When was the term administrative law used?
3. Administrative bodies are created and given power by federal or state legislation, are not they?
4. What does the Federal Register Act (1935) provide?
5. What are examples of administrative agencies in the U.S.?

TEXT 2. Administrative authorities

VOCABULARY

public administration – общественное управление

interstate commerce – международная торговля

social welfare – общественное благосостояние

to revoke licenses – отзывать лицензии

unemployment insurance – пособие по безработице

to acquire – приобретать

Administrative law is the law regulating the powers, procedures, and acts of public administration. It applies to the organization, powers, duties, and functions of public officials and public agencies of all kinds. Administrative law centers on the operations of government agencies. Administrative law ranks as one of the fastest-growing and most complicated branches of law. Administrative law concerns such spheres as communications and telecommunications, consumer protection, currency, environmental protection, interstate commerce, public safety, social welfare, taxation, worker's wages and hours. The aim of administrative law is to attain a synthesis of public and private interests in terms of the social and economic circumstances and ideals of the age.

Of the powers delegated to administrative authorities by modern regulatory statutes, four types may be mentioned: 1) the rulemaking power, or the power to issue

general rules and regulations having the force of law; 2) the licensing power, or the power to grant or refuse, to renew and to revoke licenses or permits; 3) the investigatory power, or the power to require witnesses to testify and produce books, papers, and records for the purpose of acquiring the information needed for effective regulation; 4) the directing power, or the power to issue administrative orders.

National, state or provincial and local governments set up many administrative agencies to do the work of government. Some of these agencies regulate such activities as banking, communication, trade, and transportation. Others deal with such matters as education, public health and taxation. Still other agencies administer social-welfare programs, such as old-age and unemployment insurance. In most cases, the agencies are established in the executive branch of government under powers granted by the legislature.

Administrative law consists chiefly of 1) the legal powers that are granted to administrative agencies by the legislature and 2) the rules that the agencies make to carry out their powers. Administrative law also includes court rulings in cases between the agencies and private citizens.

TASKS

Exercise 1. Find the sentences in the text containing the word combinations and phrases given below. Translate them into Russian. Make up sentences with these word combinations:

To center on the operations, old-age insurance, complicated branch of law granted by legislature, to set up administrative agencies, legal powers, to regulate activities, court rulings, to deal with such matters, to carry out powers

Exercise 2. Read the text to complete the sentences:

- 1) Administrative law is the law regulating ...
- 2) Administrative law ranks as one ...
- 3) The rulemaking power is ...
- 4) The directing power is ...
- 5) Administrative law consists chiefly of ...

Exercise 3. Determine if the sentences are true or false, according to the text:

1. Administrative law is the law regulating the powers, procedures, and acts of public administration. a) true b) false.

2. Administrative law concerns such spheres as communications, commerce, social welfare and transfers of ownership. a) true b) false.

3. Four types of powers delegated to administrative authorities by modern regulatory statutes may be mentioned: the rulemaking power, the licensing power, the legislative power, the directing power. a) true b) false.

4. The aim of administrative law is to regulate activities of private citizens. a) true b) false.

5. Administrative law consists of the legal powers that are granted to administrative agencies by the legislature. a) true b) false.

Exercise 4. Answer the questions:

1. What does administrative law regulate?
2. What does administrative law apply to?
3. What does administrative law center on?
4. What spheres does administrative law concern?
5. What activities do administrative agencies regulate?
6. What powers are delegated to administrative authorities by modern regulatory statutes?

TEXT 3. Administrative law

VOCABULARY

private law – частное право

the settlement of disputes – урегулирование споров

to prescribe – предписывать

to exceed – превышать

to administer the punishment – применить наказание

to be determined – определиться

Administrative law is the law relating to the Administration. It determines the organization, powers, and duties of administrative authorities. Looking at the subject from the functional instead of the institutional point of view, we may say that it includes the law relating to public health, the law of highways, the law of social insurance, the law of education, and the law relating to the provision of gas, water, and electricity. These are examples only, for a list of the powers of the administrative authorities would occupy a long catalogue.

Administrative law differs from the private law in its essence. The services provided by the state may be divided into two categories, according as they are administered by administrative authorities or by the judicial ones. The courts administer the punishment of the criminals, the settlement of disputes between individuals, the granting of divorces, decrees of nullity, the dissolution of and the extension of the powers of companies. Thus the courts deal with every case in which private law has to be applied.

On the other hand, courts do not deal with the cases to which administrative law applies. To begin with, the administrative organization is, within the limits of the statutes, a matter for an administrative authority. The organization of the civil service is entirely outside the jurisdiction of the courts. Statutes commonly prescribe the number and powers of members of independent statutory authorities. Though the method of selecting members of local councils is prescribed by law, the number of members, the areas of election, the area of administration, and the methods of administration are left to be determined by the Home Office, the Ministry of the Health, the county councils, or the local authority itself. Similarly the application of

the poor law to an individual poor person, of the Education Acts to an individual child, the Public Health Acts to an individual plot of land, and so on, is primarily a matter for the local authority, though sometimes with an appeal to a court.

Nevertheless, administrative law is not entirely withdrawn from the cognizance of the courts. For they have three functions to fulfill. In the first place, they frequently hear appeals from the decisions of administrative authorities. Thus, the High Court hears appeals on the points of law from the General and Special Commissioners in income tax matters.

In the second place, the courts prevent administrative authorities from exceeding their powers and compel them to carry out their statutory duties.

In the third place, the courts provide remedies for any person who suffer injury as a result of a wrongful act on the part of an administrative authority or its officers. (Abridged from "The Law and the Constitution" by W.J.Jennings)

TASKS

Exercise 1. Find the sentences in the text containing the word combinations and phrases given below. Translate them into Russian. Make up sentences with these word combinations:

Duties of administrative authorities, functional point of view, to differ in its essence, area of election, the county council, to appeal to court, to provide remedies, to suffer injury.

Exercise 2. Find the sentences in the text containing the word combinations and phrases given below. Translate them into English. Make up sentences with these word combinations:

Административное право, частное право, административное руководство, отличаться по существу, Министерство внутренних дел, советы графств, участок земли в частном владении, компетенция судов.

Exercise 3. Read the text to complete the sentences:

- 1) Administrative law is the law relating to the ...
- 2) Administrative law differs from ...
- 3) The administrative organization is, within the limits of the statutes, a matter for ...
- 4) The method of selecting members of local councils is ...
- 5) The courts prevent administrative authorities from ...

Exercise 4 Answer the questions:

- 1) What is the sphere of the competence of the administrative law?
- 2) What is the sphere of the competence of any body of the power?
- 3) What is also in the cognizance of the courts?
- 4) What is the role of the courts in the execution of the administrative law?

TEST

1. Administrative law centers on ...
 - a) the operations of trade unions
 - b) the operations of government agencies
 - c) the operations of public organizations

2. Administrative agencies regulate such activities as ...
 - a) education, taxation, torts, and child support
 - b) old-age insurance, unemployment insurance and adoption
 - c) banking, communications, trade and transportation

3. The directing power is ...
 - a) to issue administrative orders
 - b) to produce books, papers and records
 - c) to issue general rules and regulations having the force of law

4. Administrative law also includes court rulings in cases between ...
 - a) business corporations
 - b) the agencies and private citizens
 - c) husbands and wives

5. Administrative agencies are established ...
 - a) in the judicial branch of power
 - b) in the legislative branch of power
 - c) in the executive branch of government

6. An official decision in court that person is not guilty of a crime.
 - a) verdict
 - b) acquittal
 - c) ruling

7. A lawyer who prepares legal papers for the court.
 - a) barrister
 - b) attorney
 - c) solicitor

8. Dishonest or illegal behavior, especially of people in authority.
 - a) extortion
 - b) blackmail
 - c) corruption

9. Law is the whole set of ... that are supported by the power of government and that controls the behavior of members of any society.
 - a) obligations
 - b) rights
 - c) rules

10. Law ... the rights of individuals, regulates their dealings with others.
- a) violates
 - b) ignores
 - c) safeguards
11. Some laws are ... – they simply describe how people usually behave.
- a) legislative
 - b) descriptive
 - c) executive
12. Other laws are prescriptive – they ..., for example, how fast we should drive.
- a) prescribe
 - b) prohibit
 - c) allow
13. Some of laws are ... – that is informal rules of social and moral behavior.
- a) customs
 - b) proverbs
 - c) articles
14. Sometimes, we can break these rules without any ...
- a) fines
 - b) penalty
 - c) imprisonment
15. An administrative regulation:
- a) is a guideline that may be voluntarily followed
 - b) has the same strength as laws
 - c) is a suggestion of what will protect the environment
16. An administrative agency can be created to perform:
- a) only one of the three functions of government (executive, legislative, or judicial)
 - b) any two of the three functions of government
 - c) all three of the functions of government
17. Agency law is governed primarily by what type of law?
- a) State law
 - b) Federal law
 - c) Licensing law
18. What is an administrative agency?
- a) a governmental body charged with civil legislation
 - b) a governmental body charged with criminal legislation
 - c) a governmental body charged with administering and implementing legislation

19. What type of Law governs administrative agencies?

- a) Administrative Law
- b) Private Law
- c) Common Law

20. How do administrative agencies exercise executive power?

- a) federal law that establishes the operating rules for administrative agencies
- b) Administrative Law
- c) by policing companies with those regulations

21. Before an agency can begin ... proceedings it must be given jurisdiction in the form of a statute

- a) rulemaking
- b) legislative
- c) executive

22. What are the two major functions of administrative agencies?

- a) rulemaking and enforcement (adjudication).
- b) protection of the environment and nature
- c) regulation of the rights and freedoms of the individuals

23. What are the powers of administrative agencies?

- a) Administrative agencies have the executive power.
- b) Administrative agencies have the power and authority to direct, supervise, and implement certain legislative acts or statutes.
- c) Administrative agencies have the legislative power

24. Administrative law is considered a branch of ...

- a) Private Law
- b) Common Law
- c) Public Law

VIDEO AND LISTENING LINKS

1. Watch the video <https://youtu.be/sXpp3igzNWI> and tell about Administrative law.

2. Watch the video <https://youtu.be/oO5lcTOA4ss> and classify different kinds of administrative agencies.

Терминологические двуязычные кластеры

ENVIRONMENTAL LAW

1. <i>environmental protection</i>	защита окружающей среды
2. <i>ice age</i>	ледниковый период
3. <i>ecology</i>	экология
4. <i>environment</i>	окружающая среда
5. <i>flora and fauna</i>	растительный и животный мир
6. <i>ecology problems/issues</i>	проблемы экологии
7. <i>harmful/damaging effect</i>	вредное влияние
8. <i>ecologist</i>	эколог
9. <i>pollution</i>	загрязнение
10. <i>to destroy</i>	разрушать
11. <i>human activity</i>	деятельность человека
12. <i>industrial waste</i>	промышленные отходы
13. <i>household garbage</i>	бытовой мусор
14. <i>construction waste</i>	строительный мусор
15. <i>product packaging</i>	упаковка от еды
16. <i>aerosol can</i>	аэрозольный баллон
17. <i>overpopulated</i>	густонаселенный
18. <i>heavily industrialised</i>	промышленно развитый
19. <i>exhaust fumes</i>	выхлопные газы
20. <i>chemicals</i>	химикаты
21. <i>waste disposal</i>	уборка мусора
22. <i>ecosystem</i>	экосистема
23. <i>pollutant/contaminant</i>	загрязнитель
24. <i>to burn fuel</i>	сжигать топливо
25. <i>poisonous gases</i>	ядовитые газы
26. <i>excessive light</i>	чрезмерное количество света
27. <i>water pollution</i>	загрязнение воды
28. <i>soil/land pollution</i>	загрязнение почвы
29. <i>air pollution</i>	загрязнение воздуха
30. <i>thermal/heat pollution</i>	тепловое загрязнение
31. <i>noise pollution</i>	шумовое загрязнение
32. <i>light pollution</i>	световое загрязнение
33. <i>radioactive pollution</i>	радиоактивное загрязнение

34. <i>Natural disaster</i>	стихийное бедствие
35. <i>volcanic eruption</i>	извержение вулкана
36. <i>avalanching</i>	сход лавины
37. <i>earthquake</i>	землетрясение
38. <i>snowstorm</i>	снежная буря
39. <i>flood</i>	наводнение
40. <i>hurricane/typhoon</i>	ураган
41. <i>drought</i>	засуха
42. <i>famine</i>	голод
43. <i>epidemic</i>	эпидемия
44. <i>man-made disasters</i>	техногенные катастрофы
45. <i>irreversible changes</i>	необратимые последствия
46. <i>cutting down forests</i>	вырубка лесов
47. <i>burning of discarded plastic/rubber/wood</i>	сжигание отработанного пластика/резины/дерева
48. <i>burning of fossil/liquid fuel</i>	сжигание твердого/жидкого топлива
49. <i>emission of dangerous gases into the atmosphere</i>	выброс опасных газов в атмосферу
50. <i>overfishing</i>	чрезмерный отлов рыбы
51. <i>dumping the waste into rivers</i>	выбрасывание мусора в реки
52. <i>improper waste disposal</i>	неправильная переработка отходов
53. <i>nuclear accident</i>	ядерная авария
54. <i>oil/radiation spill</i>	утечка нефти/радиоактивных веществ
55. <i>environmental degradation</i>	разрушение окружающей среды
56. <i>acid rains</i>	кислотные дожди
57. <i>ozone layer depletion</i>	истощение озонового слоя
58. <i>greenhouse effect</i>	парниковый эффект
59. <i>climate change</i>	изменение климата
60. <i>global Warming</i>	глобальное потепление
61. <i>infertile soil/land</i>	неплодородная земля
62. <i>soil erosion</i>	эрозия почвы
63. <i>melting of glaciers</i>	таяние ледников
64. <i>sea level rise</i>	повышение уровня моря
65. <i>extinction of species</i>	исчезновение видов
66. <i>to go green</i>	вносить вклад в защиту окружающей среды
67. <i>to cycling</i>	переработка мусора
68. <i>to plant</i>	высаживать

69. <i>do not waste natural resources</i>	экономить природные ресурсы
70. <i>cut forests</i>	вырубать леса

CRIMINAL LAW

1. <i>actus reus</i>	противоправное действие; объективная сторона преступления
2. <i>administration of justice</i>	отправление правосудия
3. <i>attempt</i>	покушение (на преступление)
4. <i>be charged with criminal responsibility</i>	привлекаться к уголовной ответственности
5. <i>chain of causation</i>	причинно-следственная связь
6. <i>commission of crime</i>	совершение преступления
7. <i>corpus delicti</i>	состав преступления
8. <i>criminal = delinquent = first offender = culprit = wrongdoer = perpetrator</i>	злоумышленник, правонарушитель, преступник
9. <i>criminal offence = crime</i>	преступное посягательство, нарушение (какого-л. права)
10. <i>criminal punishment</i>	наказание за уголовное преступление
11. <i>felony</i>	тяжкое уголовное преступление (фелония);
12. <i>indictment</i>	обвинительный акт, официальное предъявление обвинения
13. <i>mens rea = guilt</i>	вина; субъективная сторона преступления
14. <i>misdemeanor</i>	проступок
15. <i>object of crime</i>	объект преступления
16. <i>offence</i>	правонарушение, посягательство, преступление
17. <i>omission</i>	бездействие
18. <i>preparation of a crime</i>	приготовление к преступлению
19. <i>sentence of court</i>	приговор суда
20. <i>subject of crime</i>	субъект преступления
21. <i>corrupt</i>	коррупцированный, продажный
22. <i>crime of violence</i>	насильственное преступление
23. <i>vandalism</i>	умышленная порча имущества
24. <i>mugging</i>	ограбление прохожего, бандитское нападение на человека на улице
25. <i>kidnapping</i>	похищение человека с целью выкупа

26. <i>hijacking</i>	захват транспортного средства
27. <i>assassination</i>	заказное убийство
28. <i>treason</i>	государственная измена
29. <i>possession of drugs</i>	хранение наркотиков
30. <i>drug traffic</i>	торговля наркотиками
31. <i>office holder</i>	государственный служащий
32. <i>white-collar crime</i>	беловоротничковое преступление
33. <i>bribery</i>	взяточничество; подкуп
34. <i>money laundering</i>	отмывание «грязных» денег
35. <i>perjury</i>	лжесвидетельство
36. <i>joy riding</i>	угон автомобиля с целью покататься
37. <i>drink driving</i>	вождение в нетрезвом виде
38. <i>gravity</i>	серьёзность, тяжесть
39. <i>fix</i>	устанавливать, фиксировать
40. <i>prevent</i>	предотвращать, предупреждать
41. <i>investigate</i>	расследовать
42. <i>police force</i>	полицейские силы
43. <i>penal institution</i>	исправительное учреждение
44. <i>beyond reasonable doubt</i>	при отсутствии обоснован. сомнения
45. <i>criminal punishment</i>	уголовное наказание
46. <i>sentence</i>	приговор суда
47. <i>state of intoxication</i>	состояние наркотической или алкогольной интоксикации
48. <i>defence</i>	защита
49. <i>lack of age</i>	несовершеннолетие
50. <i>self-defence</i>	самозащита, самооборона
51. <i>injury</i>	увечье; травма; вред, ущерб
52. <i>punish</i>	налагать наказание, наказывать
53. <i>victim</i>	потерпевший
54. <i>sane</i>	вменяемый
55. <i>insanity</i>	невменяемость, душевн. расстройство
56. <i>duress by threats</i>	принуждение путём запугивания
57. <i>duress of circumstances</i>	принуждение под влиянием обстоятельств

CONSTITUTIONAL LAW

1. <i>abuse of human rights</i>	нарушение прав человека
2. <i>abuse of human rights</i>	нарушение прав человека
3. <i>amend / amendment</i>	вносить поправки / поправка
4. <i>article</i>	статья
5. <i>be entitled to</i>	иметь право на
6. <i>Bill of Rights</i>	Билль о правах
7. <i>bylaws</i>	внутренние, локальные нормативные акты
8. <i>code</i>	кодекс
9. <i>amend / amendment</i>	вносить поправки / поправка
10. <i>carry out laws</i>	выполнять законы
11. <i>constitution</i>	конституция
12. <i>constitutional law</i>	конституционное право
13. <i>contradict</i>	противоречить
14. <i>customs</i>	традиции, обычаи
15. <i>convention</i>	конвенция
16. <i>declaration</i>	декларация
17. <i>distribution of powers</i>	распределение полномочий
18. <i>embody</i>	содержать, реализовывать
19. <i>enacted</i>	установленный, предписанный, принятый
20. <i>entitle</i>	озаглавливать, называть, давать право на
21. <i>European Convention on Human Rights</i>	Европейская конвенция по правам человека
22. <i>executive branch</i>	исполнительная власть
23. <i>flexible constitution</i>	гибкая конституция
24. <i>fulfil human rights</i>	соблюдать права человека
25. <i>have the authority</i>	иметь полномочия
26. <i>human rights</i>	права человека
27. <i>inalienable</i>	неотъемлемый, неотчуждаемый
28. <i>judicial branch</i>	судебная власть
29. <i>legislative branch</i>	законодательная власть
30. <i>non-national sources</i>	международные источники
31. <i>ordained</i>	предписанный
32. <i>originate from</i>	происходить, возникать из

33. <i>plenary power</i>	неограниченные, широкие полномочия
34. <i>private citizen</i>	частное лицо
35. <i>prohibit</i>	запрещать
36. <i>protect human rights</i>	защищать права человека
37. <i>provision</i>	положение, постановление
38. <i>respect human rights</i>	уважать права человека
39. <i>restrict</i>	ограничивать
40. <i>rigid constitution</i>	жесткая конституция
41. <i>sign</i>	подписывать
42. <i>source</i>	источник
43. <i>sovereign power</i>	верховная власть
44. <i>state</i>	государство
45. <i>statute</i>	статут, устав
46. <i>treaty</i>	договор
47. <i>United Nations General Assembly</i>	Генеральная Ассамблея Организации Объединенных Наций
48. <i>Universal Declaration of Human Rights</i>	Всеобщая декларация прав человека
49. <i>unwritten constitution</i>	неписаная конституция
50. <i>violate human rights</i>	нарушать права человека

FAMILY LAW

1. <i>acquire a solicitor</i>	заручиться помощью адвоката
2. <i>adoption</i>	усыновление, удочерение
3. <i>adoption decree</i>	декрет об усыновлении
4. <i>adultery</i>	супружеская неверность
5. <i>alimony</i>	1) алименты (регулярные платежи, производимые одним из бывших супругов в пользу другого бывшего супруга во время раздельного проживания или после официального развода); 2) содержание, помощь
6. <i>amended birth certificate</i>	измененное свидетельство о рождении
7. <i>annulment</i>	постановление о признании брака недействительным
8. <i>award certain privileges</i>	предоставлять определенные привилегии
9. <i>behavioural problems</i>	поведенческие проблемы

10. <i>child custody</i>	1) попечение; 2) забота о ребенке
11. <i>confer</i>	даровать
12. <i>consequence</i>	последствие
13. <i>to deal with</i>	иметь дело, заниматься
14. <i>decree of divorce</i>	судебное решение о разводе супругов
15. <i>divorce</i>	1) расторжение брака, развод; 2) расторгать брак; разводиться
16. <i>divorced background</i>	основание для развода
17. <i>estranged couple</i>	разлученная пара
18. <i>family relationships</i>	семейные отношения
19. <i>file for divorce</i>	подавать документа на развод
20. <i>guardian = custodian</i>	опекун (назначается судом для малолетних или неспособных управлять имуществом)
21. <i>guardianship</i>	опека и попечительство
22. <i>home environment</i>	домашняя обстановка
23. <i>infant</i>	малолетний, несовершеннолетний
24. <i>inheritance</i>	1) наследование; 2) наследство, наследие
25. <i>legal capacity</i>	правоспособность, дееспособность
26. <i>legal relationship</i>	1) родство, признанное законом; 2) правовые отношения
27. <i>legal ties</i>	юридические связи
28. <i>legitimate</i>	законный
29. <i>legitimation</i>	усыновление, узаконивание; легитимация
30. <i>marriage</i>	брак, супружество; замужество, женитьба; бракосочетание, свадьба; вступление в брак, заключение брака
31. <i>natural relationship</i>	кровное родство; фактическое родство
32. <i>natural offspring</i>	естественное потомство
33. <i>nurturing</i>	воспитание
34. <i>out-of-court arrangement</i>	внесудебная договоренность
35. <i>parent</i>	родитель, отец, мать
36. <i>paternity</i>	отцовство, происхождение по отцу
37. <i>permanent separation from their spouse</i>	постоянная разлука с супругом
38. <i>petitioner</i>	истец
39. <i>proceedings</i>	судебное разбирательство

40. <i>register</i>	Регистр, реестр, ведомость, регистрировать, регистрироваться
41. <i>resolving financial issues</i>	решение финансовых вопросов
42. <i>respondent</i>	ответчик
43. <i>right to property</i>	право на собственность
44. <i>spouse</i>	один из супругов
45. <i>statutory requirements</i>	нормативные требования
46. <i>succession</i>	преемственность; наследование, порядок наследования, наследственное право
47. <i>to the benefit of both parties</i>	в интересах обеих сторон
48. <i>welfare payment</i>	выплата социального обеспечения
49. <i>well-being</i>	благополучие
50. <i>will</i>	завещание

ADMINISTRATIVE LAW

1. <i>administrative unit</i>	административная единица
2. <i>to impose punishment</i>	назначить наказание
3. <i>an offence against the public</i>	преступление против общества
4. <i>rulemaking</i>	установление правовой нормы
5. <i>adjudication</i>	признание; установление
6. <i>regulatory</i>	инструктивный, распорядительный
7. <i>judicial review</i>	судебный пересмотр
8. <i>non-profit</i>	некоммерческий
9. <i>to lay down minimum standard</i>	установить прожиточный минимум
10. <i>complaints</i>	жалобы
11. <i>administering agency</i>	административный орган
12. <i>to affect</i>	воздействовать
13. <i>a complex body of rules</i>	сложный свод правил (норм)
14. <i>to prohibit (to ban)</i>	запрещать
15. <i>to comprise</i>	охватывать, включать
16. <i>ultra vires (Lat)</i>	вне компетенции; принцип специальной правоспособности корпорации
17. <i>due process</i>	надлежащая правовая процедура
18. <i>fairness</i>	справедливость

19. <i>legitimate expectation</i>	ожидание справедливого правового решения
20. <i>prerogative writ</i>	приказ, имеющий исключительное значение
21. <i>mandamus (Lat)</i>	судебный приказ должностному лицу о выполнении требования суда
22. <i>certiorari (lat)</i>	истребование дела (из производства в вышестоящий суд)
23. <i>binding</i> (document, decision)	обязательный к исполнению (документ, решение)
24. <i>to encompass</i>	охватывать
25. <i>to perform their constitutional responsibilities</i>	выполнять свои конституционные обязанности
26. <i>extent of the power</i>	степень власти
27. <i>adjudicate</i>	признавать, устанавливать, решать, объявлять в судебном порядке
28. <i>to be justified</i>	быть оправданным, правомерным
29. <i>to be liable</i>	нести ответственность
30. <i>interpretive rule</i>	правило толкования
31. <i>administrative process</i>	административный процесс
32. <i>types of rulemaking</i>	типы нормотворчества
33. <i>to prosecute smb. for smth.</i>	преследовать кого-либо в судебном порядке
34. <i>to develop defenses</i>	разрабатывать систему правовой защиты
35. <i>to sue smb. for damages</i>	предъявлять кому-либо иск с целью возмещения убытков
36. <i>acquittal</i>	оправдательное решение суда.
37. <i>execution of judgment</i>	исполнение судебного решения.
38. <i>legal practitioner</i>	практикующий юрист, адвокат
39. <i>unambiguous</i>	недвусмысленный, точно выраженный
40. <i>processing</i>	обработка (информационная)
41. <i>personal privacy</i>	неприкосновенность личной жизни
42. <i>procedural safeguard</i>	процессуальная гарантия
43. <i>to be equal before the law</i>	быть равным перед законом
44. <i>to take the form of a code</i>	принять форму кодекса
45. <i>public administration</i>	государственное управление
46. <i>public official</i>	государственный служащий
47. <i>directing power</i>	направляющая сила

48. <i>managerial operations</i>	управленческие операции
49. <i>administrative oppression</i>	административное притеснение
50. <i>public administration</i>	общественное управление

CIVIL LAW

1. <i>obligations</i>	обязательства
2. <i>to arise (between)</i>	возникать (между)
3. <i>remedy the wrong (that has been suffered)</i>	возместить нанесенный ущерб
4. <i>plaintiff</i>	истец
5. <i>enforcement</i>	принудительное применение; правоприменение
6. <i>defendant</i>	ответчик
7. <i>on the balance of probabilities</i>	на основе представления доказательств
8. <i>evidence</i>	доказательство; свидетельство
9. <i>in favour of</i>	в пользу
10. <i>to win the action</i>	выиграть дело
11. <i>to be liable</i>	быть ответственным
12. <i>to sue a defendant</i>	судиться с ответчиком
13. <i>to be not liable</i>	не нести ответственности
14. <i>to order an appropriate remedy</i>	назначить подходящее средство
15. <i>damages (financial compensation)</i>	убытки (финансовая компенсация)
16. <i>injunction</i>	1) судебный запрет; 2) запретительная норма
17. <i>to affect</i>	воздействовать
18. <i>tort</i>	деликт; гражданское правонарушение
19. <i>property law</i>	1) право собственности; 2) закон о собственности
20. <i>distinction</i>	различие
21. <i>the nature of wrongful act</i>	вид противоправного действия
22. <i>to give rise</i>	вызывать
23. <i>motor accident</i>	дорожное происшествие
24. <i>the scene of the accident</i>	место происшествия
25. <i>to sustain</i>	перенести
26. <i>to breathalyse</i>	взять пробу на алкоголь
27. <i>to be charged with a criminal offence</i>	обвиняться в уголовном преступлении

28. <i>driving with excess alcohol</i>	вождение автомобиля с превышенной дозой алкоголя
29. <i>to convict</i>	обвинять
30. <i>to disqualify from driving</i>	запретить вождение автомобиля
31. <i>to compensate the victim</i>	выплатить компенсацию жертве (пострадавшему)
32. <i>personal injury, loss or damage</i>	личное телесное повреждение, утрата (здоровья, дееспособности, моральный ущерб)
33. <i>to cause to the victim</i>	нанести (причинить) жертве (пострадавшему)
34. <i>the tort of negligence</i>	деликт о небрежности (гражданское правонарушение)
35. <i>to pursue a separate civil action</i>	возбудить (вести) отдельный гражданский иск
36. <i>to remedy the personal wrong</i>	принять меры в связи с причиненным личным вредом
37. <i>to hear a case</i>	слушать дело
38. <i>to pay the winner's costs</i>	платить судебные издержки
39. <i>costs in bringing the action</i>	издержки по возбуждению дела (иска)
40. <i>to preserve order</i>	сохранить порядок
41. <i>offender</i>	нарушитель
42. <i>to deter</i>	удерживать от совершения чего-либо (с помощью средств устрашения)
43. <i>innocent</i>	невиновный
44. <i>theft</i>	кража

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