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**PRACTICAL COURSE OF ENGLISH
FOR LAWYERS**

Одеса
2010

На базі неадаптованих текстів, що являють собою теоретичний матеріал з основних теоретичних положень права, розроблено систему репродуктивних та репродуктивно-творчих вправ, які мають сприяти закріпленню фахової лексики та удосконаленню навичок ведення бесіди на спеціальні теми.

Посібник містить у собі словник суто юридичних термінів.

Даний посібник призначено для студентів старших курсів, що вивчають право на факультетах університетів, інститутів та академій і складено згідно до програм з англійської мови Міністерства освіти і науки України.

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ВСТУП

Вивчення іноземної мови є невід'ємним елементом підготовки висококваліфікованого спеціаліста, для якого іноземна мова є знаряддям одержання додаткової інформації за фахом і формою спілкування з метою розширення інформації по спеціальності. Тому продовжуючи розвивати та удосконалювати базові елементи мови, які були закладені школою, вивчення іноземної мови в вузах на юридичних відділеннях повинно набувати професійного спрямування і повинно поширювати глосарій студентів для ведення розмови та читання літератури на фахові теми.

В посібнику надано неадаптовані тексти, що являють собою теоретичний матеріал з основних положень юриспруденції, і тісно пов'язані з фаховими дисциплінами: порівняльно правознавство, реформа цивільного та сімейного законодавства, міжнародне приватне право, кримінальне право, судова влада, криміналістичні засоби та методи розкриття злочинів. На базі текстів розроблено систему репродуктивних та репродуктивно-творчих вправ, які мають сприяти закріпленню фахової лексики та удосконаленню навичок ведення бесіди на спеціальні теми (наприклад, конституція – взірць законності, права людини, тяжкі злочини, тощо).

Укладачі також пропонують словник суто юридичних термінів, що в значній мірі полегшує студентам роботу над матеріалом та підвищує значення посібника. Реєстрові слова розміщені за алфавітом і надаються у вихідній формі без зазначення наголосу: іменники – в називному відмінку однини (за винятком тих, що вживаються тільки в множині), прикметники та дієприкметники (в українському глосарії) – у формі називного відмінка однини чоловічого роду, дієслова – у формі інфінітива. Словник містить 400 англійських слів і їх українські та російські відповідники.

До реєстру словника увійшла лексика, що використовується в текстах посібника. Слід мати на увазі, що невнесення до реєстру якогось слова не є свідченням того, що воно в сучасному фаховому мовленні не вживане: адже в короткому словнику практично неможливо вичерпно представити префіксовані, складноскорочені чи складні слова, зворотні дієслова, які творяться майже від усіх прямих форм.

Пропонований словник стане довідником під час відтворення українською або англійською мовою термінів, термінологічних сполучень і слів, слугуватиме джерелом інформації про особливості граматичних форм написання відповідно до чинного українського правопису.

Треба особливо виділити, що в посібнику надається також практичний матеріал що до вживання англійських синонімів і антонімів, які характерні для фахових текстів.

Структура навчального посібника дозволяє його використовувати як на практичних заняттях під керівництвом викладача, так і в процесі самостійної роботи студентів. По закінченню роботи над посібником студенти повинні:

1. володіти основною фаховою лексикою по базовим темам своєї спеціальності
2. вміти формулювати основні положення за темами, що пророблено, і провести компаративний аналіз основних положень зарубіжних країн і України, як
 - а) Конституція США – Конституція України
 - б) Права людини в нашій країні (за статуту ООН)

Укладачі підкреслюють, що запропонований навчальний посібник – це продовження створення дидактичного матеріалу для викладання англійської мови юристам в Одеському юридичному інституті Національного університету внутрішніх справ.

Навчальний посібник призначено для студентів і магістрів і складено згідно до програм з англійської мови Міністерства освіти і науки України.

Укладачі висловлюють щире подяку рецензентам: професору Мізецькій В.Я.; доценту Г.Г. Єрьомкіній.

II. Основний текст

Unit I: «A Constitution – the Standart of Legitimacy»

Exercise 1. Read and remember the following words and word combinations

legitimacy законність
body кодекс, зведення
statute статут, закон
to govern правити
customary звичайний
standing становище
virtually фактично
to claim претендувати
to conduct oneself поводити себе
whereby за допомогою якої
to venerate шанувати
compass межі
convention угода, умовність
deliberately умисно
to adopt приймати
essentials основи
to enact запроваджувати
to devise винаходити, розробляти
amendment поправка
safeguard гарантія
to insert вміщати
to ensure гарантувати, забезпечувати
provision положення
unalterable незмінний
distinction відмінність
Alexis de Tocqueville А. Токвіль (1805-59)

Magna Carta Велика хартія вільностей (1215)
The Petition of Right Act Закон про права громадян звертатися до суду
The Habeas Corpus Act Закон про процесуальні права громадян, правила арешту та притягнення до суду (1679)
The Bill of Rights Біль про права
The Act of Settlement Закон про престолонаслідування
enactment закон, указ
host безліч
scores безліч
mass безліч
unworkable незастосовний
volume том
Hansard офіційний звіт про засідання англійського парламенту
minutiae дрібниці, деталі
record запис, протокол
similarly так само
flexible гнучкий
rigid негнучкий
to abolish скасовувати
to forbid забороняти
to legislate видавати закони

Exercise 2. Read the following fluently.

the fundamental organizing principle, a specific written document, as governing political matters, a consistently constitutional manner, the leading legal rules, in essential unchanged, certain provisions are inserted, the leading enactments, without a host of judicial decision, formally enacted, a rigid constitution.

Text

A Constitution – the Standart of Legitimacy

Constitution is the body of doctrines and practices that form the fundamental organizing principle of a political state. In some states, such as the United States, the constitution is a specific written document; in others such as the United Kingdom, it is a collection of documents, statutes, and traditional practices that are generally accepted as governing political matters. States that have written constitutions may also have a body of traditional or customary practices that may or may not be considered to be of constitutional standing. Virtually every state claims to have a constitution, but not every government conducts itself in a consistently constitutional manner.

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

In its narrower sense, the term 'constitution' means the leading legal rules, usually collected into some document that comes to be almost venerated as "The Constitution". But no country's constitution can be compressed within the compass of one document, and even where the attempt has been made, it is necessary to consider the extralegal rules, customs, and conventions that grow up around the formal document.

Written constitutions. In most Western countries the constitution, using the term in the narrower sense, is a scheme of government that has been deliberately adopted by the people; examples are the Constitution of the United States, drawn up in 1787 and ratified in 1789 and still in essentials unchanged; the constitution of the Weimar Republic or that of the Federal Republic of Germany, brought into force in 1949; and the constitutions that France has had since the Revolution. The constitution in these countries is the basis of public law; it is

usually enacted or adopted with special formalities; special processes are devised for its amendment and sometimes safeguards are inserted to ensure that certain provisions are unalterable.

The English constitution. In England there is no one document or fundamental body of law that can be described as a “constitution” in the sense that has been discussed above. The absence of any such document or of any distinction between public and private law has led to the suggestion (perhaps first made by Alexis de Tocqueville) that there is in England no constitution. Certainly the English constitution has no existence apart from the ordinary law; it is indeed part of that very law. Magna Carta, the Petition of Right act, the Habeas Corpus Act, the Bill of Rights, and the Act of Settlement are the leading enactments; but they are in no sense a constitutional code; and, without a host of judicial decisions, scores of other statutes of much less importance, and a mass of custom and convention, these statutes would be unworkable. The sources of English constitutional law are diffuse – statutes, judicial precedent, textbooks, lawbooks, the writings of historians and political theorists, the biographies and autobiographies of statesmen, the columns of every serious newspaper, the volumes of Hansard, the minutiae of every type of government record and publication. This is what is meant by saying the English constitution is “unwritten”: it is not formally enacted; its rules have to be sought out in a dozen fields, not in any one code. Similarly, it is flexible, and here the contrast is with a rigid constitution. There are no special safeguards for constitutional rules; constitutional law can be changed, amended, or abolished just like any rule of private law; there is no field in which Parliament is forbidden to legislate.

From «Britannica».

Exercise 3. Answer the questions.

1. What is constitution?
2. What does a constitution form?
3. Is a body of traditional or customary practices considered to be of constitutional standard?
4. What does the term “constitution” mean (in its wider and narrower senses)?
5. Can a constitution be compressed within the compass of one document?
6. What other documents is it necessary to consider except constitution?
7. Why are special processes devised for the amendment?
8. Is there any document or fundamental body of law in England?
9. What did the absence of constitution lead to in England?
10. What are the leading enactments in England?
11. What are the sources of English constitutional law?
12. What is meant by saying that the English constitution is “unwritten”?

Exercise 4. Find out whether these statements are true, false or you can't tell from reading if it is true or false

1. Constitution forms the fundamental organizing principle of a political state.
2. Constitution may be a specific written document or a collection of governing political matters.
3. A body of traditional practices may never be considered to be of constitutional standing.
4. Every state claims to have a constitution.
5. Any constitution can be compressed within the compass of one document.
6. Constitution is a scheme of government adopted by the people.
7. France has had the constitution since the Revolution.
8. Safeguards are inserted to ensure that certain provisions are unalterable.
9. There is no constitution in England.
10. The English constitution has no existence apart from the ordinary law.
11. Alexis de Tocqueville was a French lawyer.
12. There are no special safeguards for constitutional rules.

Exercise 5. Write out from the text words and word combinations for the following

зведення (кодекс) теоретичних положень, звичайний (юр.), особливий документ, за допомогою якої, які розроблені для порядку внесення поправок, вміщати, шанувати, Біль про права, Закон про престолонаслідування, офіційний звіт про засідання англійського парламенту, скасовувати, в значенні, закон про права громадян звертатись до суду, закон (указ), видавати закони, протокол, незмінний, гнучкий.

Exercise 6. Open the brackets choosing a suitable word or words.

Translate the sentences into Ukrainian

1. In its (wider, narrower) sense, the term “constitution” means the leading rules.
2. In the United Kingdom the constitution is a collection of (documents, statutes) and traditional practices.
3. A body of (traditional or customary) practices may be of constitutional standing.
4. Every state claims to have (a constitution, a body of laws).
5. Not every government (conducts, behaves) itself in a constitutional manner.
6. It is necessary to con-

sider the extralegal (rules, customs) and conventions that grow up around a constitution. 7. The Constitution of the USA was (draw up, ratified) in 1789. 8. No country's constitution can be compressed within the compass of one (law, statute, document). 9. The constitution may be (written, unwritten). 10. The English constitution has no (power, existence) apart from the ordinary law. 11. The sources of English constitutional law are (statutes, judicial precedents, textbooks), lawbooks and soon. 12. There are no special (safeguards, amendments) for constitutional rules.

Exercise 7. Find the words having similar sound forms and the same meaning both in English and Ukrainian

Constitution, safeguards, to conduct, to govern, principle, legitimacy, statute, to consider, essential, provision, to collect, collection, country, various, to compress, term, republic, revolution, country, document, to consider, virtually, attempt, to adopt, to be.

Exercise 8. Finish the sentences

1. Constitution is the body ...
2. In the USA the constitution is a ...
3. In England the constitution is ...
4. Not every government conducts itself in ...
5. In its wider sense, the term constitution means ...
6. In its narrower sense, the term constitution means ...
7. No constitution can be compressed within ...
8. Special processes are devised for ...
9. Sometimes safeguards are inserted to ensure that ...
10. The English Constitution has no existence apart from ...
11. The source of English constitutional law are ...
12. There is no field in which English Parliament is forbidden ...

Exercise 9.

A) Read and translate the following. Use glossary after the text.

Alexis de Tocqueville and His Book

A. de Toqueville is a French count, publicist, statesman and historian. In 1831 he came to the USA to study the American form of democracy and what it might mean to the rest of the world. After a visit of only nine months he wrote a remarkable book called "Democracy in America", which is a classic study of the American way of life.

Toqueville had powers of observation. He described not only the democratic system of government and how it operated, but also its effect on how Americans think, feel and act. Many scholars believe that he had a deeper understanding of basic Americans beliefs and values than anyone else who has ever written about the United States. What is so interesting is that many of the traits of the American character which he observed over 150 years ago are still visible and meaningful today.

Another reason why Toqueville's observations of the American character are important is the time when he visited the United States. He came in the 1830s, before America was industrialized. This was the era of the small farmer, the small businessman, and the setting of the western frontier. The qualities and character traits Toqueville describes are the same ones that Americans take pride in today. He, however, was a neutral observe and saw both the good and the bad sides of these qualities.

Glossary

count	граф	граф
statesman	государственный деятель	державний діяч
effect	действие, влияние	дія, вплив
to act	действовать, вести себя	діяти
scholar	ученый	вчений
belief	вера	віра
value	ценность	цінність
trait	черта, штрих	риса, штрих
visible	видимый, очевидный, явный	видимий, явний
settling	поселение	селища, колонія
quality	характерная черта	характерна риса

B) Answer the questions.

1. What was A. de Toqueville?
2. Why did he come to the USA?
3. How long did he stay in the country?
4. What does his book study?
5. What is remarkable about his book?
6. What do scholars think about his book?
7. Why are his observations of the American character so important?
8. Can he be described as a neutral observer?
9. Have you ever come across his name in books, movies or elsewhere?

C) Combine the elements from A and B. Use your knowledge of the text.

A	B
French	book
the American form	of observation
remarkable	study
Democracy	beliefs and values
classic	trait
remarkable powers	of democracy
basic Americans	in America
small	count
the western	frontier
character	sides
bad	farmer
deep	understanding

Exercise 10. Enrich your vocabulary

I. Synonyms. Match each word in column A with the word of similar meaning in column B.

A	B
effect	political
scholar	settlement
trait	to do
settling	special
statesman	a lot of
to make	influence
specific	feature
body	control work
test	scientist
mass	unchangeable
essentials	code
unalterable	bases

II. Antonyms. Match each word in column A with the word of opposite meaning in column B.

A	B
Unchangeable	variable
Settling	Page
to build	invisible
Count	illegitimate
Body	Changeable
legitimate	to ruin
Unalterable	Part
distinction	citizen
scholar	metropolis
to adopt	Similarity
visible,	to reject
volume	Ignorant

III. Definitions. Match each word in column A with the definition of a word in column B.

A. Prime minister, count, flexible, statute, republic, statesman, democracy, politician, to abolish, standart, legitimacy, kingdom.

B 1. Accordance with law .

2. A written law .

3. Easily bend .

4. An established measure or model .

5. A state in which the sovereign power is vested in representatives chosen by the people .

6. A land ruled by a king .

7. To do away with entirely .

8. One who is skilled or experienced in the management of governmental affairs .

9. One skilled in government or actively engaged in some branch of it; a person closely affiliated with a political party .

10. Rule by the people .

11. European nobleman of a certain rank .

12. The designation of the chief executive of several governments .

Exercise 11. Make questions. Here are answers.

Constitution forms the fundamental organizing principle of a political state.

In the United Kingdom a collection of documents, statutes and traditional practices are generally accepted as governing political matters.

In its wider sense the term constitution means the whole scheme the country is governed.

Around a constitution the extralegal rules, customs and conventions are grown up.

The basis of public law is the constitution.

He was a count, a statesman and a writer.

Any document or fundamental body of law in the United Kingdom can be described as a constitution.

Leading enactments are in no sense a constitutional code.

In England the sources of constitutional law are diffuse.

He was in the USA in 1831.

It is called "Democracy in America".

It is a classic study of the American way of life.

Exercise 12. Read and translate the text. Use the glossary after the text.

The Wiemar Republic Constitution

The Weimar Republic Constitution was adopted in 1919 and ratified in 1919. It was in force till 1933.

The constitution included democratic features: freedom of speech and religion, compulsory education for children, freedom of association that protected labor unions.

However, the president of the Weimar Republic was given certain emergency powers. These made it possible for a dictator to take over the government by legal means.

One of its less happy features, however, was proportional representation, which contributed greatly to political instability. During the fourteen years of its existence, the Weimar Republic saw more than twenty different cabinets. The heavy legacy of war required a government that had the full support of its citizens. Throughout most of its brief life, the Weimar Republic failed to win such support.

Glossary

to include - охоплювати

compulsory - обов'язковий

to protect - захищати

emergency - критичне становище

legacy - спадщина

throughout - від початку до кінця

brief - короткий

Exercise 13. Insert preposition (where necessary)

1. States may have a written constitution and a body ... traditional practices.
2. Not every government conducts itself ... a consistently constitutional manner.
3. The leading legal rules are collected ... document venerated as "The Constitution".
4. No one constitution can ever be compressed ... the compass ... one document.
5. The Constitution of the USA was drawn ... in 1787 and ratified in 1789 and is still ... essentials unchanged.

6. The constitution of the Federal Republic of Germany was brought ... force in 1949. 7. The leading enactments of the United Kingdom are ... no sense a constitutional code. 8. There are no special safeguards ... constitutional rules. 9. Toqueville had remarkable powers ... observation. 10. Toqueville observed American life ... 150 years ago. 11. The Weimar Republic Constitution was ... force for 14 years. 12. Proportional representation contributed greatly ... political instability.

Exercise 14.

Read the text and write down Ukrainian equivalent for the words and expressions in bold type.

The Magna Carta

At the Heart of the English system are two principles of government – limited government and representative government. The idea that government was not all-powerful first appeared in the Magna Carta, or Great Charter, that King John (1199-1216) signed in 1215 under the threat of civil war.

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

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

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

B. Remember the following meanings of the noun “government” in Ukrainian.

1. уряд, державний апарат
puppet (sovereign) government
Liberal (Labor, Conservative) government
invisible government – сили, які стоять за спиною офіційного уряду
her (his) Majesty's Government – уряд її (його) величності
to form the government – сформувати уряд
 2. форма керування
democratic (republican, centralized, parliamentary) government
 3. керівництво
the local government – місцеве самоврядування
the government of a state – керівництво держави
a system of government
organs of government
- Use the expressions above to make sentences of your own.

C. Render the passage below into English.

Велика Хартія Вільностей

Велика Хартія Вільностей – це грамота, яка була підписана в 1215 році англійським королем Іоаном I. Вона написана латиницею і складається з 63 статей. Цей документ з'явився в результаті незадоволення баронів посиленням королівської влади, податковим тягарем і невдалою зовнішньою політикою короля. Більшість статей захищало інтереси аристократії, але й інші групи населення одержали значні права.

Велика Хартія Вільностей гарантувала виконання королем певних обов'язків по відношенню до баронів і забороняла королю збирати податки без згоди підлеглих. Хартія поклала початок свободі людини. Ніхто не міг бути арештованим і ув'язненим, позбавленим майна або захисту закону, висланий або покараний якимось іншим чином без суду рівних людей і відповідно до законів держави.

Хартія – це перший в історії Англії документ, який обмежив владу корони і декларував права і свободи підлеглих. Хартія стала основою англійських свобод. Багато з її статей одержали подальший розвиток в Акті Хабеас Корпус і Білі про права.

Велика Хартія Вільностей і зараз входить до складу діючих актів Великої Британії.

Exercise 15. Read and translate the text.

Habeas Corpus Act

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

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

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

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

B. Find in the text the English equivalents for the following words and expressions.

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

C. Render the following text into English.

Хабеас Корпус

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

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

Exercise 16.

A. Complete the text using the words:

financial control, more resistance, royal requests, Stuart succession, raising taxes, prevent, restricted, forced.

The Petition of Rights

Parliament began to show ... to the monarchy under the ... from 1603 by using its gradually acquired weapon of ... It was influenced by the gentry and began to refuse ... for money. It eventually ... Charles I to sign the Petition of Rights in 1628, which further ... the monarch's powers and was intended to ... him from ... without Parliament's consent.

B. Translate the text below into English using the information and vocabulary from the text in part A.

Закон про права громадян звертатись до суду

Конституційне протистояння в XVII ст. виявилось в прийнятті в 1628 році документа, який відомий як Закон про права громадян звертатись до суду. Потребуючи гроші король Карл I намагався одержати їх від своїх підлеглих без втручання Парламенту. Але в 1628 році парламент примусив короля прийняти цей закон, який дозволяв збирати податки тільки зі згоди парламенту. Цей документ гарантував англійським підлеглим і інші права.

Exercise 17. Read the text and write down Ukrainian equivalents for the underlined words and expressions.

The Bill of Rights

The Bill of Rights (1689) is one of the basic instruments of the British constitution, the result of the long 17th – century struggle between the Stuart kings and the English people and Parliament. The Bill of Rights provided

the foundation on which the government rested after the Revolution of 1688. The Revolution settlement made monarchy clearly conditional on the will of Parliament and provided a freedom from arbitrary government of which most Englishmen were notably proud during the 18th century.

The main purpose of the act was unequivocally to declare illegal various practices of James II. Among such practices proscribed were the royal prerogative of dispensing with the law in certain cases, the complete suspension of laws without the consent of Parliament, and the levying of taxes and the maintenance of a standing army in peacetime without specific parliamentary authorization. A number of clauses sought to eliminate royal interference in parliamentary matters, stressing that elections must be free and that members of Parliament must have complete freedom of speech. Certain forms of interference in the course of justice were also proscribed. The act also dealt with the proximate succession to the throne, provided the heirs were Protestants. It is the constitutional paper of great importance, which prevented the sovereign from abusing his authority.

Exercise 18. Answer the questions using the information from the texts in exercises 15-17.

1. What were the two basic principles of the English system of government at the beginning of the 17th century? How do you understand these principles?
2. What political situation necessitated the granting of the Magna Carta?
3. What provisions did the Magna Carta contain?
4. Who enjoyed the rights granted by the Magna Carta?
5. What events preceded Habeas Corpus Act?
6. What is the main idea of the Petition of Rights?
7. What events preceded the Bill of Rights?
8. Why did king James have to leave the country?
9. What document regulates succession since 1688?
10. How were the rights of the monarch limited by the Bill of Rights?
11. What civil rights were protected by this document?
12. What was the influence of the Bill of Rights on political thinking in America and in your country?

Unit II: «The Constitution of the USA»

Exercise 1. A. Translate and remember the meanings of the following words and word combinations.

to appeal	pursuit	to repeal	to set up
restriction on	unified nation	consent	to handle
demand for	authority	mutiny	to design
secession	to balance order	to set forth	the need for security
to endow	tidy results		

Translate and learn the given word combinations, then read them fluently.

the restrictions on trade and industry, without their consent, with a demand for the complete submission, certain unalienable rights, the pursuit of happiness, the source of authority, all the ideas and ideals it embraced, which expresses peoples' yearning to be free, with checks and balances, a clash of views in debate, on bargain and compromise.

Text

In 1774 the American colonies sent their delegates to a congress held in Philadelphia, which was one of the largest towns in the colonies. This congress appealed to the king to repeal the restrictions on trade and industry and not to tax them without their consent. The king replied with a demand for the complete submission of the colonies, declared their action a mutiny, and ordered his troops to put it down.

It was the beginning of the War of Independence (1775-1783).

Congress appointed George Washington Commander-in-Chief of the colonial forces. One colony after another proclaimed their secession from England.

On July 4, 1776 the Continental Congress issued Declaration of Independence, primarily written by Thomas Jefferson, a farmer and a lawyer from Virginia. This document declared that from that time "the United colonies" were "free and independent states" and named them the United States of America.

The Declaration of Independence set forth some of the principles of American democracy. The document says: "that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and Pursuit of Happiness." It affirmed the peoples' right to set up their government and give it appropriate powers, thereby advancing the principle that the people itself is the source of authority, i. e. the concept of democracy.

After the War of Independence was over (1783) the United States was not one unified nation as it is today. Each new state had its own government and was organized very much like an independent nation.

Each made its own laws and handled all of its internal affairs. During the war the states had agreed to work together by sending representatives to a national congress. But this Congress had been given no authority to force any state to do anything. It could not tax any citizen. Only the state in which a citizen lived could do it.

Many Americans worried about the future. They believed that the Congress needed more power.

The Congress asked each state to send delegates to a convention in Philadelphia, the city where the Declaration of Independence had been signed, to discuss the changes which would be necessary to strengthen the Articles of Confederation.

In the course of the Convention the delegates designed a new form of government for the United States. The plan for the government was written in a very simple language in a document called the *Constitution of the United States*.

The Constitution set up a federal system with a strong government (See Ex. 7). They say the Declaration of Independence was the promise; the Constitution was the fulfillment.

Another basic foundation of representative democracy in the USA is the Bill of Rights adopted in 1791 (See Ex. 8).

Much can be said about the importance of the Constitution, but the following is the best. It was written by the Chairman of the Commission of the Bicentennial of the United States Constitution, Chief Justice of the United States (1969-1986):

«Ever since people began living in tribes and villages, they have had to balance order with liberty. Individual freedom had to be weighed against the need for security of all.

The delegates who wrote this Constitution in Philadelphia in 1787 did not invent all the ideas and ideals it embraced, but drew on the wisdom of the ages to combine the best of the past in a conception of government of rule by "We the People" with limits on government to protect freedom.

This Constitution was not perfect; it is not perfect today even with amendments, but it has continued longer than any other written form of government. It sought to fulfill the promises of the Declaration of Independence of 1776, which expressed peoples' yearning to be free and to develop the talents given them by their Creator.

This Constitution creates three separate, independent branches of government, with checks and balances that keep the power of government within the boundaries set by law. This system does not always provide tidy results; it depends on a clash of views in debate and on bargain and compromise. For 200 years this Constitution's ordered liberty has unleashed the energies and talents of people to create a good life».

Exercise 2. Answer the following questions.

1. Why did the Continental Congress meet?
2. What did the Congress want the King to repeal?
3. How did the King reply the appeal of the Congress?
4. What was Thomas Jefferson?
5. When and why was the Declaration of Independence issued?
6. What was the main principle advanced in the Declaration?
7. What was the political organization of the USA after 1783?
8. Why was it necessary to design a new form of government for the USA?
9. In what document is a federal system with a strong government set up?
10. How many and what basic foundations of representative democracy in the USA do you know?
11. How old is the Constitution of the USA?
12. Does the Constitution always provide tidy results?

Exercise 3. Find out whether these statements are true, false or you can't tell from the reading if it is true or false.

1. Before the war of Independence there were thirteen colonies in the North America.
2. The War of Independence was a revolt against England.
3. In 1774 Philadelphia was one of the largest towns in the colonies.
4. From the 4th of July 1776 colonies were proclaimed to be "free and independent states".
5. After 1783 the United States was one unified nation.
6. The Congress of 1783 had enough authority to force any state to do anything.
7. The Constitution of the USA is a new form of government designed by the delegates of the Convention.
8. The Declaration of Independence was the fulfillment, and the Constitution was the promise.
9. The Constitution is 202 years old.
10. People always had to balance order with liberty.
11. The delegates who wrote the Constitution invented new ideas and ideals.
12. The Constitution of the USA is perfect.

Exercise 4. Open the brackets choosing a suitable word or words.

Translate the sentences into Ukrainian.

1) The Congress (appealed, replied to) the King not to tax them without their consent. 2) Philadelphia was a large (city, town). 3) The King (welcomed, declared) their action a mutiny. 4) The Continental Congress (declared, issued) a Declaration of Independence. 5) After 1783 each state was organized like (a separated, an independent) nation. 6) The delegates of the Convention (formulated, designed, described) a new form of government. 7) The delegates of the Congress did not (invent, write, keep) ideas and ideals. 8) The constitution (creates, designs, formulates) three separate branches of government. 9) The Declaration of Independence (shows, expresses) peoples' yearning to be free. 10) In 1774 the American «state, colonies» sent their delegates to a congress held in «Philadelphia, Oxford». 11) Each «state, republic» handled all of its internal affairs after the War of independence. 12) This Constitution creates three «separate, dependent» branches of government.

Exercise 5. Make up sentences from the following words and word combinations

of democracy, Athens, forms, had, and, other city-states, of, Greece, ancient.
 said, and for the people, of the people, by the people, Abraham Lincoln, the United States, that, a government, had.
 freedom, individual, to all, guarantees, the Constitution.
 not, any citizen, the Congress, tax, could.
 of the colonies, the king, England, of, demanded, complete submission, the
 an independent, like, of, thirteen states, nation, each, was organized.
 to set up, appropriate, the Declaration, the peoples', their government, affirmed, right, form, give it, and.
 of Independence, a farmer, a lawyer, was written, Thomas Jefferson, the Declaration, by.

to a national Congress, the states, during, agreed, the war, by sending, to work, together, representatives.

Exercise 6. Insert preposition (where necessary)

1) Abraham Lincoln called the United States “a nation conceived ... liberty and dedicated ... the preposition that all men are created equal. 2) No one has formulated a better way ... describing the principles ... the American political system as Americans understanding it. 3) The Constitution laws and traditions ... the United States give... the people right to determine ... who will be the leader of their nation, who will make ... laws and what the laws will be. 4) The people have the power to change ... the system. 5) The Constitution guarantees ... individual freedom to all. 6) The idea that the citizens of a nation should elect ... their officials or have a voice ... making laws was not a new one when the United States came ... being. 7) Democracy as a form of government appeared ... ancient Greece. 8) Over the centuries the transformation ... the principles and ideals of democracy ... practice has been very rare throughout the world. 9) Some of the principles of American democracy were set ... by the Declaration of Independence. 10) The United States wasn't one unified nation after the War of Independence was ...

Exercise 7. A. Read and translate the text.

Federal Government

By the Constitution the Government of the United States is composed of three coordinate branches: the executive one, the legislative one and the judicial one.

The executive power is vested in a President. He holds office for 4 years and is elected together with vice-president chosen for the same term by electors from each state. The President must be a native-born citizen, resident in the country for 14 years, and at least 35 years old. The presidential election is held every fourth (leap) year on the Tuesday after the first Monday in November.

The executive power is responsible for administering and executing the laws.

The legislative power is vested in a Congress, consisting of the Senate and the House of Representatives. The Senate consists of 2 members from each state, chosen for 6 years, one third retiring or seeking re-election every 2 years. The House of Representatives is elected every other year. The number of each state's representatives depends on the number of people in this particular state.

The function of the legislative branch of government is to make laws and to finance the operation of government through gathering taxes and appropriating money requested by the executive branch of the government.

The judicial branch of the federal government consists of the Supreme Court of the United States and the system of federal courts. It has the responsibility for judging the constitutionality of acts of law.

Finish the following sentences.

1. The government of the USA is composed according to...
2. Three branches of the USA government are...
3. The executive power is vested in...
4. The President must be...
5. The presidential election is held...
6. The executive power is responsible...
7. The President is elected together...
8. The legislative power is vested...
9. The legislative power consists of...
10. The legislative power is responsible...
11. The judicial branch consists of...
12. The judicial branch is responsible for...

Retell about the federal government of the USA.

You may use Part B as a plan.

Retell about the government of Ukraine. Use your professional knowledge and active vocabulary of this exercise. Compare the structure of the government in Ukraine and the USA. Define which one you consider to be the best and why.

Describe the composition of the ideal government (from your point of view) either in Ukraine or in any never-being country.

Exercise 8. A. Read and translate the text. Use glossary after the text.

Amendments to the Constitution of the USA

Today there are 26 Amendments to the Constitution.

The first ten Amendments were ratified effective December 15, 1791 and they are known as the Bill of Rights.

This consists of 10 very short paragraphs, which guarantee freedom and individual rights and forbid interference with the lives of individuals by the government. Each paragraph is an Amendment to the original Constitution.

In the Bill of Rights Americans are guaranteed freedom of religion, of speech and of the press. They have the right to assemble in public places, to protect government action and to demand change. They have the right to own weapons if they wish. Because of the Bill of Rights neither police nor soldiers can stop and search a person without good reason. They also cannot search a person's home without legal permission from a court to do so.

The Bill of Rights guarantees Americans the right to a speedy trial if accused of a crime. The trial must be by a jury and the accused person must be able to call in witness to speak for him or her and must be allowed representation by a lawyer.

Cruel and unusual punishment is forbidden.

There are 16 amendments to the Constitution as of 1991. That is not many changes considering that the Constitution was written in 1787.

Glossary

amendment	- поправка	- поправка
to ratify	- ратифицировать	- затверджувати
effective	- действующий	- що набуває сили
to forbid	- запрещать	- забороняти
to demand	- требовать	- вимагати
to search	- обыскивать	- обшукувати
speedy	- быстрый	- швидкий
to consider	- считать	- вважати

B. Answer the following.

1. What is an amendment?
2. Is there such a phenomenon as an amendment to the Constitution in Ukraine?
3. What is the Bill of Rights and what does it guarantee?
4. How many paragraphs does the Bill of Rights consist of?
5. Does the Constitution of the USA have any other amendments?
6. When was the Constitution written?
7. Is it right to add amendments to any constitution?

Match the words from columns 1 and 2.

1	2
the Constitution	punishment
the Bill	of a lawyer
representation	witness
to short	person
guarantee	rights
unusual	interference
individual	to assemble
forbid	changes
freedom	place
rights	of religion, of speech and of the press
public	government actions
to protest	of Rights
to demand	paragraphs
right	freedom
search	was written in 1787
without	to own weapon
legal	a person
a speedy	good reason
accused	permission
to call in	trail
accused	of a crime

Exercise 9. Fill in the blanks with the words given below. Use your professional knowledge.

the Senate, the authority, departments, occur, executive branch, cabinet, federal, armed forces, confirmation, are headed by, are selected, appoints.

The President has ... to appoint federal judges as vacancies ... including members of the Supreme Court. All such court appointments are subjected to ... by the Senate. Within the ... the President has broad powers to issue regulations and directives regarding the work of the ... government's many departments and agencies. He also is commander in chief of the ...

The president ... the heads and senior officials of the executive branch agencies; the large majority of federal workers however ... through a non-political civil service system.

The major departments of the government ... appointed secretaries who collectively make up the President's ...

Each appointment must be confirmed by a vote of ...

Today these 13 ... are: State, Treasury, Defense, Justice, Interior, Agriculture, Commerce, Labor, Health and Human Service, Housing, Transportation, Energy and Education.

Exercise 10. Provide Ukrainian equivalents to fit the English expressions.

1. All men are created equal.
2. People have the power to change the system.
3. To make laws.
4. To come into being.
5. The translation of principle into practice.
6. To set up a system.
7. To tax the people without their consent.

Exercise 11. Enrich your vocabulary.

I. Synonyms. Match each word in column A with the word of similar meaning in column B.

A	B
particular, specific	proper, suitable
to amend	Document
Appropriate	Special
Bill	to improve
Design	to prohibit
to forbid	Liberty
Freedom	Purpose
Authority	to approve
to ratify	to abolish
to repeal	Separation
Secession	Power

II. Antonyms. Match each word in column A with the word of opposite meaning in column B.

A	B
to amend	Unsuitable
Appropriate	Slavery
Freedom	Hatred
Love	To unite
to separate	To spoil

III. Definitions. Match each word in part A with the definition of a word in part B.

A. constitution, amendment, authority, love, to sign, secession, concept, appropriate, citizen, freedom, to issue, mutiny.

B. 1) The removal of faults; the altering of a bill, act or other formal papers.

2) Suitable to the occasion.

3) One owing allegiance to a state.

4) A thought or idea.

5) The system of fundamental laws of a nation or society.

6) The state of being free.

7) To put into circulation.

8) A strong and deep feeling of attachment, great affection.

9) Insurrection against or forcible resistance to constituted authority.

- 10) The right or power to decide and command.
- 11) The act of separating.
- 12) To affix one's name to.

Exercise 12. This paragraph summarizes the unit. Fill in each blank with a word or words that makes sense.

The American Constitution is the world's oldest ... constitution in force. Although the Constitution has changed in many aspects since it was first ..., its basic ... remain the same as in 1789.

The three main ... of government are ... and distinct from one another. The powers given to each are delicately ... by the power of the two other. Each ... serves as a check on potential excesses of the others.

The constitution ... all other laws, executive ... and regulations.

All ... are equal before the law and are equally entitled to its ... All states are ..., and none can receive special treatment from the ... Each state must recognize and ... the laws of the others. State government, like the federal government, must be ... in form, with final authority resting with the people.

The constitution has been ... 26 times since 1789, and it is likely to be ... in the future. The most sweeping changes were made within two years of its ... In that period, the first ten amendments, known collectively as ... , were added. They were approved as a block by ... in September 1789, and ... by 11 states by the end of 1791.

Exercise 13. Read and translate the text.

Try to understand who is spoken about.

This question is about a person who started life as a rebellious student. In his first year at college he became a student leader and organized a successful strike against the college authorities. After leaving college he got a job as a sports commentator on the radio and from there he moved into films. He went to Hollywood where he became, in his own words, the 'Errol Flynn of the B movies', meaning that he wasn't a very good actor. But despite his luxurious Hollywood life he had not lost his interest in politics. He played such a big role in Hollywood politics that in 1945 his first wife divorced him because of his 'political obsessions'. In 1950s his film career went into decline; the lowest point came in 1951 when he co-starred in a film with a chimpanzee. At the same time his political stance was moving to the right. He became a Republican and in 1967 was elected governor of California, with Walt Disney organizing his inauguration ceremonies. In 1980, at the age of seventy, he was elected the oldest president ever of the United States. What was his name?

Exercise 14. Read and translate the text. Prepare information about the analogous organization in your country.

The Federal Bureau of Investigation

Charles Bonaparte was an American and a descendent of Napoleon Bonaparte. In the early years of the twentieth century Charles Bonaparte was the Attorney General of the United States, and in the year 1908 he established a new federal government agency. Based in Washington, it was designed to collect information and report to the Attorney General, but for the first years of its existence it was not very effective. In 1924, however, J. Edgar Hoover was appointed director, and he held the job for the next fifty years. He recruited lawyers and accountants rather than ordinary policemen, and built up the world's largest collection of fingerprints – about two hundred million. The organization led the fight against the gangsters of the 1920s and 1930s. The regular police were jealous of Hoover's FBI agents, who they called "the college cops". Today it helps the police in each of the fifty states and also conducts operations against foreign spies. It is the only form of national police force in the United States.

UNIT III. “The Constitution of Ukraine”

Exercise 1. Read and remember the following.

governed by керуючись	judicial судовий
on behalf of від імені	Supreme Court Верховний Суд
adopt приймати	Suffrage виборче право
assure гарантувати, забезпечувати	law drafting work законопроектна робота
sovereign суверенний	voter виборець
single єдине громадянство	accountable дізвітний
exercise дійснювати, виконувати	fulfill здійснювати
body орган, звід, кодекс	dwelling житло
anthem гімн	medical care медична допомога
banner стяг	insurance страхування
stripe смуга	in compliance with відповідно до
obligation обов'язок	taxes and duties податки і збори
full development всебічний розвиток	
restriction обмеження	
gender статъ	
origin походження	
ownership майновий стан	
guarantee гарантувати	
inviolability недоторканість	

Exercise 2. Read the word combination fluently and translate them.

On behalf of the Ukrainian people a unitarain state, the right to the free development, the Sign of the State, territorial integrity of Ukraine, in the order and amount, on the basis of universal, equal and direct suffrage, law drafting work, is exercised entirely by courts, courts of general jurisdiction, the territorial structure, consists of, a state holiday.

The Constitution of Ukraine

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

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

It asserts that Ukraine is a sovereign and independent, democratic, social, legal state. It is an unitarain state with single citizenship.

Ukraine is a republic. The people are the only source of power which is exercised directly and through the bodies of state power and local self-government.

The land, mineral raw materials, air space, water and other natural resources which are on the territory of Ukraine are objects of the property right of Ukrainian people.

The state language in Ukraine is Ukrainian.

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

The capital of Ukraine is Kyiv.

The Constitution states that every person has the right to the free development of his/her personally, and has obligations before society where free and full development of the personality is assured. Citizens have equal Constitutional rights and freedoms and are equal before the law. There are no privileges or restrictions based upon face, color of skin, political and other beliefs, gender, ethnic and social origin, property, ownership, position, place of residence, language, religion.

The articles of the Constitution guarantee the rights to life, personal inviolability and the inviolability of dwelling, noninterference in private and family life, free choice of residence, work, rest, education, social security, housing, health protection, medical care and medical insurance, legal assistance, a safe and healthy environment.

Defence of the Motherland and territorial integrity of Ukraine, and respect for the state's symbols are the duty of citizens. Citizens of Ukraine perform military services in compliance with the law. No person may damage

the environment, cultural heritage. Every person shall pay taxes and duties in the order and amount determined by law.

The Constitution outlines the structure of the national government and specifies its powers and duties. Under the Constitution the powers of the government are divided into three branches – the legislative which consists of the Verkhovna Rada, the executive, headed by the President, and the judicial, which is led by the Supreme Court.

The parliament – the Verkhovna Rada is the only body of the legislative power in Ukraine. There are 450 people's deputies who are elected for a term of four years on the basis of universal, equal and direct suffrage by secret ballot.

The Verkhovna Rada's main function is making laws. Law drafting work is performed by its Committees.

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

The president of Ukraine is the head of the state and speaks on behalf of it. He is elected by the voters for a term of five years with no more than two full terms.

The highest body of the executive power is the Cabinet of Ministers. It is responsible to the President and is accountable to the Verkhovna Rada. It carries out domestic and foreign policy of the State, the fulfillment of the Constitution, as well as the acts of the President, develops and fulfills national programs on the economic, scientific and technological, social and cultural development of Ukraine.

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

The Constitution defines the territorial structure of Ukraine. It is composed of the Autonomous Republic of Crimea, 24 oblasts, rayons, cities, rayons in cities, settlements and villages. Cities of Kyiv and Sevastopol possess a special status determined by law.

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

The day of its adoption is a state holiday – the Day of the Constitution of Ukraine.

Exercise 3. Answer the questions.

When did the Verkhovna Rada of Ukraine adopt the Constitution?

What reason did the Verkhovna Rada have to adopt the Constitution?

What does the Constitution establish?

How is power exercised in Ukraine?

What are objects of the property right of Ukrainian people?

What obligations does personality have before society?

Are there any privileges or restrictions for any personality (according to the Constitution)?

What do the articles of the Constitution guarantee?

What duties of citizens do you remember?

How does the Constitution specify the national government's powers and duties?

Who speaks on behalf of the state?

Who is justice administered by in Ukraine?

Exercise 4. Find out whether these statements are true, false or you cannot tell from the reading if it is true or false.

The Verkhovna Rada adopted the Constitution on behalf of the Ukrainian people.

The Constitution establishes the country's political system.

Ukraine is a republic.

Like Ireland Ukraine is a religious state.

The Constitution of Ukraine is nine years old.

The state symbols of Ukraine are the State Flag and the State Emblem.

The main element of the Great State Emblem of Ukraine is the Sign of the State of Prince Volodimir the Great.

The powers of the government are divided into branches.

The executive power is vested in a President.

The highest body of the executive power is the Verkhovna Rada.

The legislative power in Ukraine is vested in the Cabinet of Ministers.

Justice in Ukraine is exercised entirely by courts.

Exercise 5. Insert prepositions (where necessary).

The Constitution ... Ukraine was adopted ... June 28, 1996. By the Constitution the government is composed ... there branches. The executive power is vested ... a President and the Cabinet of Ministers. A President holds office ... five years and he speaks ... behalf of the state. He is elected directly ... the voters (with no more than two full terms). The executive power is responsible ... administering and executing the laws. The legislative power is vested ... the Verkhovna Rada. Deputies are elected ... a term of four years by secret ballot. The function of the legislative branch is to make ... laws and to finance the operations of the government through gathering taxes. The judicial branch of the government consists ... courts. The Constitutional Court has the responsibility ... judging the constitutionality of acts of law.

The Constitution of Ukraine consists ... 15 chapters. The day ... its adoption is a state holiday – the Day ... the Constitution of Ukraine.

Exercise 6. Open the brackets choosing a suitable word.

Translate the sentences into Ukrainian.

1. Ukraine has a (democratic, federal) political system. 2. A President can (make, issue) orders without the (approval, adoption) of the Verkhovna Rada in some matters. 3. The people elects a president to a (four-year, five-year) term. 4. Ukrainian (16,18) years old or older may vote. 5. Ukraine is divided into (24,25) regions and the Crimea. 6. Rukh was established in (1989, 1990) and includes (several, two) political parties. 7. Citizens of Ukraine (perform, are free of) military services. 8. The amount of taxes and duties are determined by the (law, courts of general jurisdiction). 9. Citizens are equal before (the law, regional courts). 10. A president is elected (directly, secretly). 11. A president is elected by (the votes, the people's deputies). 12. The constitution of Ukraine consists of 161 (chapters, articles).

Exercise 7. Make up sentences from the following words and word combinations.

republic, Ukraine, is, a.

sovereign, independent, democratic, social, legal, Ukraine, is, a, and, state.

the Ukrainian National Republic, was adopted, fundamental law, the, 1918, April, 29, on.

of the state, the mutual relations, basic laws, the structure, citizens, the state, a constitution, are called, prescribing, and, between, and.

Ukraine, courts, justice, entirely, in, is exercised, by.

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

the only body, the legislative power, the parliament, Ukraine, is of, in.

the government, branches, is composed, of, of, Ukraine, three.

president, office, five years, a, holds, for.

is, the executive power, the laws, responsible for, executing, administering, and.

structure, Ukraine, the Constitution, the, of, by, territorial, is defined.

Ukraine, the legislative branch, vested, the Verkhovna Rada, power, in, of, is, in.

Exercise 8. Read, translate and retell the following. Use glossary after the text.

Ukrainian Anthem

The Ukrainian anthem "Shche ne umerla Ukraina" (Ukraine Has Not Yet Perished) is of quite recent origin. In Western Ukraine after 1848 there were usually two songs which enjoyed popularity at national celebrations and patriotic demonstrations. One was by the Basilian Father Julian Dobrylovsky (1760-1825) – Grant, O Lord, in Good Time – and the others, the verse of Ivan Hushalevych (1825-1903) – We Bring You Peace, Brothers. In 1848 the latter was recognized by the Supreme Ruthenian Council in Lviv as the national anthem of the Galician Ukrainians. The Carpatho-Ukrainians, on occasions of popular celebration, sang the song by Alexander Dukhnovych (1803-65) – I Was, Am and Will be a Rusyn (Ruthenian). In the central and eastern Ukrainian lands the Testament of Taras Shevchenko was used for many years as a national anthem at manifestations and demonstrations. It was called, not inappropriately, the Ukrainian *Marseillaise*.

In 1863 the Lviv journal *Meta* (The Goal) published the poem of Paul Chubynsky (1839-84), *Shche ne umerla Ukraina*, which was mistakenly ascribed to Taras Shevchenko. In the same year it was set to music by the Galician composer Michael Verbytsky (1815-70), first for solo and later choral performance.

This song as a result of its catchy melody and patriotic text, rapidly became popular and gained broad acceptance among the Galician population as well as among the Ukrainians within the Russian empire. In 1917 it was officially adopted as the anthem of the Ukrainian state.

Glossary

to bear (bore, borne) носити
gules червоний колір

knightly рицарський
shield щит

head of spear наконечник списа
 staff древяко
 self-determination самовизначення
 to seek inspiration шукати натхнення
 glorious славетний
 to revive відроджувати
 rampant що стоїть на задніх лапах
 simultaneously одночасно
 armorial геральдичний
 charged with із зображенням
 striped смугастий
 escutcheon щит герба
 to hoist піднімати
 provisionally тимчасово

exile вигнання
 anthem гімн
 recent недавній
 verse вірш
 testament заповіт
 inappropriately без підстав
 to ascribe приписувати
 choral хоровий
 rapidly швидко
 acceptance визнання
 empire імперія
 Galicia Галіція
 to establish запроваджувати
 unity єдність

Exercise 9. Finish the following sentences.

The Fundamental Law of Ukraine was adopted...
 The Constitution establishes ...
 Ukraine is a sovereign ...
 The power is exercised directly ...
 The state symbols of Ukraine are ...
 Every person has the right to ...
 There are no privileges of ...
 The Constitution guarantees the rights ...
 Every person shall pay ...
 The only body of the legislative power in Ukraine is ...
 The highest body of the executive power is ...
 The territorial structure of Ukraine is composed of ...

Exercise 10. Fill in the blanks with the words given below. You must use your professional knowledge and active vocabulary of the Unit.

standards, yellow, the trident, coat of arms, century, a symbol, a visible symbol, the national flag, Ukrainian National Republic, is found.

Coat of Arms

The oldest ... of Ukraine is It was the coat of arms of the land of Prince Volodymyr the Great and his dynasty and it was undoubtedly used as early as 10th The classic form of the Ukrainian trident ... on the gold and silver coins of Volodymyr the Great (979-1015). The coat of arms of the Halych princes – the lion – is known to have been used as early as 1316.

In the middle of the nineteenth century the national revolutions marked the course of European history. The necessity arose for ... of the self-determination of the Ukrainian nation. Seeking inspiration in the glorious historical past, the Supreme Ruthenian Rada in Lviv, reviving in 1848 the coat of arms of the former kingdom accepted the armorial tinctures as the combination of national colors of Ukraine. Both the light blue flag with the golden crowned lion and the horizontally striped flag were used at that time and the latter soon became ... in Galicia as well as all over Ukraine.

The composition of national colors was decreed by a law of the independent ... on March 22, 1918.

The light blue above ... flag was established for the Western Ukrainian National Republic on November 13, 1918, and for the Carpatho-Ukrainian Republic on March 15, 1939, as ... of the all-Ukrainian unity.

Both the yellow above light blue flag and the light blue above yellow flag were hoisted until 1949, and borne as military ... and colors during the War of Liberation of 1917-20. The light blue above yellow flag was provisionally confirmed by the Ukrainian National Rada in exile on June 27, 1949.

Glossary

undoubtedly безсумнівно
 to revive відроджувати
 armorial геральдичний
 tincture відтінок
 to hoist підіймати
 to bear нести

Exercise 11. Match each word in part A with the definition of a word in column B.

- A.** republic, term, anthem, to elect banner, coat of arms, yellow, capital, deputy, emblem, water, to develop.
B. 1. A visual symbol designed according to the rules of heraldry that belongs to a state, city, or family, and is passed on from generation to generation.
 The official song of a state or a nation.
 A light elementary color between green and orange in the spectrum.
 A standart, or a flag of a country or organization.
 A chief city.
 To advance to a more complete or complex form.
 A transparent liquid without color or odor, composed of hydrogen and oxygen.
 A symbol.
 A state in which the sovereign power is vested in representatives chosen by the people.
 10. One appointed to act for another.
 11. To choose.
 12. A limit or boundary, a fixed period of time.

Exercise 12. Translate into English.

Акт проголошення незалежності України проголошує незалежність України та створення самостійної української держави – України.
 Територія України є неподільною і недоторканою.
 Віднині на території України мають чинність виключно Конституція і закони України.
 Цей акт набирає чинності з моменту його схвалення.
 24 серпня 1991 року Верховна Рада України

Exercise 13. Read, translate and learn the given bellow information.

Use glossary after the text.

Types of government

Monarchy: a state ruled by a king or queen. There are also countries that have a monarchy, but the monarch is not the ruler, e.g. The United Kingdom.

Republic: a state governed by **representatives** (= men or women chosen by the people) and a president, e.g. USA or France. People who believe in this system are **republicans**.

Democracy: a system of government in which leaders are chosen by the people, e.g. France or the UK. People who believe in this system are **democrats**.

Dictatorship: a system of government in which one person rules the country (= one person has total power). This person is called a **dictator**.

Political beliefs

Abstract noun

conservatism

socialism

social democracy

liberalism

communism

fascism

Personal noun/ adjective

conservative

socialist

social democrat

liberal

communist

fascist

Use abstract nouns in the sentences of the following model: People who believe in **social democracy** are **social democrats**.

Political positions

What does it mean to be a socialist or a conservative? Often, it means different things in different countries, but in Britain we often talk about someone's political position like this:

left-wing/on the left
 (=socialist)

middle of the road/ in the center
 (=liberal)

right-wing/on the right
 (=conservative)

Elections

In a democracy, people **vote for** (= they choose in a formal way/ **elect**) the **political party** (e.g. conservatives, liberals or socialists) that they want **to form** (= make) the government. They do this in an **election**, and in many countries election **take place / are held** (= they happen) every four or five years.
 42% voted for the socialists in the last **election** (= the socialists got 42% of the votes).

The president was elected two years ago.

Government

Political systems are different all over the world. In the UK, when a political party **wins a majority** (= 51% or more) of seats (= official positions in parliament) in an election, they become the government of the country, their **leader** (= the head of the party/ person in control) becomes **Prime Minister** and they are **in power**.

The government must have **policies** (= programmes of action) **to run** (= manage) the country. This means, for example, an **economic policy** (for the economy), and a **foreign policy** (for actions taken by the country in other parts of the world).

Glossary

government - уряд
monarchy - монархія
state - держава
rule - правити
representative - представник
believe - вірити, довіряти
democracy - демократія
total power - повна влада
belief - переконання, вірування
conservative - консерватор
left-wing - що належить до лівого крила політичної партії
middle-of-the-road - поміркований, центристський
right-wing - що належить до правого крила політичної партії
election - вибори
vote - голосувати, голос (виборчий)
hold (held /held/) - проводити
happen - відбуватися
win (won) - перемогати
majority - більшість
seat - в парламенті
person in control - керівник
power - влада

policy - політика
run - керувати
manage - керувати
foreign - зовнішній (про політику)
gap - пробіл, пропуск (у тексті)
area - регіон
constituency - виборчий округ
on one's own - самостійно
unfair - несправедливий
reason - причина
justify - виправдовувати, підтримувати
support - підтримувати
compare - порівнювати
suggest - пропонувати
agree - погоджуватися
view - погляд
major - головний, основний
increase - збільшувати
quite - досить
underline - підкреслювати
guess - здогадатися
bilingual - двомовний
monolingual - одномовний
stable - стабільний

Exercise 14. Use information given in Exercise 13 to do the following text.

Complete this world-building table. Use a dictionary to help you if necessary.

Abstract noun	Person	Adjective
politics		
democracy		
dictatorship		
socialism		
conservatism		
liberalism		

Fill the gaps to complete this text about the political system in the United Kingdom. One word in each gap.

Words: Prime, system, form, power, majority, parliament, elections, votes, party.

In the UK _____ are held every five years. (The _____ Minister may decide to hold one after four years, but five years is the maximum.)

Some countries have a system of proportional representation: this means in theory, that a political party with 30% of the winner takes all. This means that the person with the most votes in each political area (called a constituency) wins the seat; and the political _____ which wins a _____ of the seats will _____ the government of their own. As a result of this system, it is possible for a party to be in _____ with only 40% of the total vote. Some people think this system is unfair.

What do you think? What possible reasons could there be to justify (= support) this system? Think about your answer, then compare it with the ideas suggested in the key.

Possible reasons to justify this system are: one single party has power, so there is little compromise which produces a strong government; there is a single set of policies; the government has a majority and so is relatively stable and does not need to call elections often.

Answer these questions about your own country. If possible, ask someone else the same questions.

Which party is in power at the moment?

When were they elected?

Who is the leader of this party?

Is this person the President or Prime Minister of your country?

Do you agree with most of their policies?

Would you describe yourself as left-wing, right-wing, or in the center?

Do you think your political views have changed much during your lifetime?

How many major (= important) political parties are there?

Who did you vote for in the last election?

Do you think this party will win the next election? Will you vote for them again?

You can increase your English vocabulary in politics quite easily:

Buy three newspapers (in English if you are an English speaking country, or your own language if you are in your own country), and find the same political story in each one. Read the articles and underline any words that appear in all of them, and any other words you think are important. If you are reading a newspaper in English, try to guess the meaning of these words and then use a dictionary to check.

This exercise is equally useful if you read articles in your own language. You use a bilingual dictionary to find the English translation / explanation for your underlined words, and you can then look up these words in a monolingual dictionary as well.

Unit IV: "Human Rights"

Exercise 1. Read, translate and remember the words.

Commitment, to enshrine, to demand, to educate, to lobby, to uphold, universality, Inalienability, indivisibility, decent, dignity, equality, to exist, distinction, to assert, to deny, to space, to sacrifice

Exercise 2. Read the following fluently.

the Universal Declaration of Human Rights, fundamental human rights and freedoms, government's responsibility, without distinction, to be upheld and protected, should assert human rights principles, to deny anyone's basic human rights, are related to each other, can be sacrificed for another.

Human Rights Principles of Universality, Inalienability and Indivisibility

The concept of "Human Rights" is a powerful tool. One hundred eighty-nine countries are members of the United Nations. As such, these governments have made a commitment to the human rights principles enshrined in the United Nations Charter and the Universal Declaration of Human Rights (UDHR, 1948). The UDHR establishes the principle that fundamental human rights and basic freedoms are guaranteed to all persons. Civil society needs to understand the nature of human rights and governments' responsibility to protect these rights. This knowledge provides civil society with a base upon which to demand governments take actions to protect the human rights of all persons.

All of us can educate and lobby our governments on how to fulfill their responsibility to uphold and make real the UDHR principles for all people.

Human rights are universal, inalienable and indivisible. Human rights exist in the civil, political, economic, social and cultural spheres. Examples of human rights are the right to life, the right to work and a decent living, the right to freedom from discrimination and the right to education. They are based on fundamental principles of respect for human dignity, equality and non-discrimination.

Universality means that human rights belong to everyone, everywhere, and they are the same for all people. Rights exist without distinction, for example, without regard to nationality, race, sex, religion, class, ethnicity, language or age. All people have the same basic needs and rights, which need to be upheld and protected at all times.

Inalienability means all rights belong to all persons from the moment of birth. We are born with rights and governments should assert human rights principles. No government or person has the right to deny anyone's basic human rights.

Indivisibility means all human rights are related to each other; consequently rights are interrelated and interdependent. Civil, political, economic, social and cultural rights cannot be viewed as unconnected. They complement each other. One right is not more important than another, and person's rights are not more important than another person's rights. The right to speak, or the right to choose the number and spacing of your children, is interdependent with other rights, for example, on the ability to obtain information, and equal rights within the family. No one set of rights can be sacrificed for another.

Exercise 3. Answer the questions.

1. How many countries are member of the UN?
2. In what document are the human rights principles enshrined?
3. When was the UDHR adopted?
4. What does civil society need to understand?
5. What does the UDHR establish?
6. Where do human rights exist?
7. What are human rights based on?
8. What does universality mean?
9. How do rights exist?
10. Are we born with rights?
11. Does any government or person have the right to deny anyone's basic human rights?
12. What set of rights can be sacrificed for another?

Exercise 4. Find out whether the following statements are true, false or you can't tell from the reading if it is true or false.

1. The UN is a worldwide organization made up of 199 governments.
2. The headquarter of the UN is in New York.
3. The Universal Declaration of Human Rights was adopted in 1949.

4. Governments are responsible for the protection of human rights.
5. Fundamental human rights and basic freedoms are guaranteed to all persons.
6. Human rights exist in all sphere of life.
7. Rights exist with regard to nationality, race and sex.
8. All rights belong to person from the moment of birth.
9. Human rights are related to each other in the sphere of politics and economics.
10. Rights are interrelated and interdependent.
11. The right to education can be sacrificed for the right to life.

Exercise 5. Match the words according to the text.

Powerful, Universal Declaration, fundamental, basic, decent, human, regard to, basic, human rights, equal, the UDHR, fox rights, example, principles, principles, human right, living dignity, nationality, tool, Human Rights, freedoms, needs and rights

Exercise 6. Choose the correct word from the two given in these sentences.

1. The theory/concept of Human Rights is a powerful tool. 2. 189 governments/countries are members of the United Nations. 3. Fundamental human rights are guaranteed to / accepted by all people. 4. Governments take actions to establish / to protect the human rights of all persons. 5. We can teach / educate our governments to make real the UDHR principles for all people. 6. Human rights are established/exist in all spheres of life. 7. Right to well being / decent living is among human rights. 8. Human rights are based on fundamental principles / understanding of respect for human dignity, equality and non-discrimination. 9. Universality/indivisibility means that human rights belong to everyone. 10. Universality/inalienability means all rights belong to all persons / men from the moment of birth. 11. All people have the same basic responsibilities / needs and rights. 12. No one set /code of rights can be sacrificed for another.

Exercise 7. Make up sentences from the following words and word combinations.

1. universality, inalienability, indivisibility, principles, human rights, main, and, are, the.
2. human rights, people, are, for, the, all, same.
3. rights, persons, birth, of birth, belong, to, all, from, the moment.
4. principles, the human rights, made, to, a commitment, the UN, countries-members, of.
5. persons, freedoms, basic, all, are guaranteed, to.
6. are responsible for, human rights, of the protection, governments.
7. complement, other, all, rights, human, each.
8. another, right, not, is, than, one, more important.
9. basic needs and rights, people, all, the same, have.
10. of, Human Rights, adopted, 1948, in, the Universal Declaration, was.
11. society, nature, human rights, civil, the, needs, of, to understand.
12. the rights, responsible, governments are, for, protection, the, of.

Exercise 8. Explain how you understand the following.

1. Universal human rights.
2. Inalienable human rights.
3. Indivisible human rights.

Exercise 9. How do you account for the fact that:

1. fundamental human rights are guaranteed to all persons.
2. civil society needs to understand the nature of human rights.
3. governments are responsible for the protection of human rights.
4. all of us can educate our government.
5. human rights are universal.
6. human rights are the same for all people.
7. all people have the same needs.
8. governments should assert human rights principles.
9. rights are interrelated.
10. rights complement each other.
11. one right is not more important than another.
12. needs are to be protected at all times.

Exercise 10. Fill in the blanks with the words given below.

commitments, Universal, governments, international, responsibility, organization, headquarters, nature, to fulfill.

What the United Nations is

The United Nations (UN) is a worldwide ... made up of 189 ... of recognized countries of the world. Its ... are in New York and Geneva. It is the formal ... system that monitors human rights implementation and violation worldwide. By understanding the ... of human rights and the governments' ... to protect human rights. We can pressure governments ... their ... under ... Declaration of Human Rights.

Exercise 11. Find words in the text related to the words given below.

Category of the needed word is marked.

to govern – (noun)...
to be able – (noun)...
understanding – (verb)...
responsible – (noun)...
to distinct – (noun)...
protection – (verb)...
to inform – (noun)...
to educate – (noun)...
to declare – (noun)...
to know – (noun)...
complementary – (verb)...

Exercise 12. A. Read and translate the following.

Use the glossary after the text.

Women's and Children's Rights are Human Rights

"The human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights. The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women". This statement, from the 1993 Vienna Declaration on Human Rights, represents the first official recognition that women's rights are human rights by the international community.

Saying 'women's rights are human rights' is not claiming 'special rights' for women. On the contrary, it is a call to recognize that women have the same basic human rights as men.

The traditional debate on, and interpretation of, human rights, has focused on men's actions in the public sphere, such as repression of political speech and political participation.

Women's rights have been largely ignored in this debate, because women are typically seen as actors in the private sphere. As a result, their participation in the public sphere has been largely curtailed, and in the private sphere, controlled.

To ensure that women enjoy all the rights they have, a good starting point is to examine the particular obstacles faced by women. For instance, although the right to education is an universal right for all human beings, girls are more likely than boys to be uneducated. In times of poverty, parents tend to send boys to school rather than girls.

Children have human rights in the same way that adults do. Children's rights are of equal value to adults' rights. However, some human rights have a special application to children, reflecting their need for special care and attention, their vulnerability and the difference between childhood and adulthood. Childhood in itself has a value. To recognize this, when we talk about human rights of children, the best interest of the child should be a primary consideration in all actions concerning children, over the interest of a parent or a state.

The human rights of children are set out completely in the Convention on the Rights of the Child.

Glossary

promotion - висування, сприяння
to claim - вимагати
repression - придушення
to curtail - скорочувати
obstacle - перешкода, завада
to face - зустрічати лицем до лиця
to tend - мати тенденцію до
adult - дорослі
vulnerability - уразливість

B. Finish the sentences.

1. The human rights of women should form ...
2. Human rights activities of the UN includes the promotion ...
3. The 1993 Vienna Declaration on Human Rights represents the first official ...
4. Women have the same basic ...
5. Women's rights have been ignored because ...
6. Children have rights in the same way that ...
7. Children's human rights reflect their need for ...
8. Childhood in itself has ...
9. Interests of the child should be ...
10. The human rights of children are set out ...

Exercise 13. Match each word in part A with the definition of a word in part B.

A. to sacrifice, obstacle, principle, freedom, birth, child, promotion, declaration, government, organization, concept, consequently.

B. 1. A rule or law of action or conduct.

2. Act or process of bringing together or arranging related parts into a whole.

3. A thought or idea.

4. The state of being free; independence; liberty.

5. The administrative body.

6. Therefore.

7. The act of being born or coming into existence.

8. A young person between babyhood and youth.

9. Advancement to a higher standing or stage of development.

10. The act of giving up something one has or wants for the good of others.

11. The act of declaring.

12. That which stands in the way.

Exercise 14. Summarize information about human rights in no more than 15 sentences.**Exercise 15. A. Read the text and answer the questions after it.****Prisoners' Rights**

The idea that a prisoner has rights that may be protected by actions in the courts has been developed in Europe and the United States. In England, in the absence of a written constitution, prisoners restoring to the courts have relied on the general principles of administrative law, which, require procedures by disciplinary bodies. Although many actions brought by prisoners have been unsuccessful, prison disciplinary procedures have been improved as a result of such litigation.

In U.S. actions brought under the provisions of the U.S. Constitution (notably the England and the Fourteenth amendments) establish that prisoners are entitled to the protection of the Constitution. Early U.S. court decisions ruled that prisoners had forfeited all of the rights enjoyed by free citizens. Eventually, the courts recognized certain rights and legal remedies available to prisoners, who may now file their own suits, have direct access to the federal courts, and file writs of Habeas Corpus and mandamus. Under Habeas Corpus the prisoner may request release, transfer, or another remedy for some aspect of confinement. Mandamus is a command issue by a court directing a prison administrator to carry out a legal responsibility – to provide a sick prisoner with medical care, for example – or to restore to the prisoner rights that have been illegally denied. Prisoners have sought remedies for many problems, including relief from unreasonable searches, release from solitary confinement, and the procuring of withheld mail. Recent decisions have indicated, however, that the courts are now willing to limit legal writs by prisoners in deference to the security requirements of the prison.

AMENDMENT 8

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual and usual punishments inflicted.

AMENDMENT 14

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; not shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

What rights do prisoners enjoy in Europe and the United States?

What principles have prisoners resorting to the courts relied on in England?

What do you know about Habeas Corpus and mandamus?

Why are the courts now willing to limit prisoners' access to the federal courts in the USA?

B. Explain the meaning of the following words and expressions:

to resort the courts; to forfeit a right; release from solitary confinement; procuring of withheld mail; prison security requirements.

C. Write down a list of measures necessary to improve the present prisoners' rights. Consider the information from the text above and your professional knowledge.

D. Make list of rights that that prisoners enjoy in this country.

Unit V: "Types of Law"

Exercise 1. Read, translate and remember the following words and word combinations.

Dealing, obligation, estate, wrong, injury, tort, offender, apparent, assign, bound, coherent, consistency, enforce, equity, failing, fair, fine, handle, intervene, loss, proper, operation, practitioner, prior.

Exercise 2. Translate the following word combinations and read them fluently.

regulations governing business dealing and personal obligations, real estate laws, private wrongs, financial loss, drunk driving accidents, to establish guilt and assign punishment, guilt beyond a reasonable doubt, rough and relatively recent, apparent failings, rationally organized society, demand for logical consistency, specific situations.

Types of Law

In the United States there are two types of law – civil and criminal.

Civil law consists of regulations governing business and personal obligations. It includes contract and **real estate laws**. It is primarily concerned with the control of property.

Tort law is a sub-type of civil law concerned with private wrongs that result in injury of financial loss. Many crimes (e.g., drunk driving accidents) can also be defined as torts so offenders can be sued by the victim in civil court as well as prosecuted by the government in criminal court. Civil suits fix the level of loss and compensate the victim. Criminal trials are intended to establish guilt and assign punishment.

Criminal laws define and punish public wrongs. The operation of criminal law is different from civil law in three major ways. First, criminal law requires more proof for conviction than does civil law (i.e., guilt beyond a reasonable doubt). The rules that determine what evidence may be introduced in court are much stricter in criminal trials than in civil ones for this reason also. Second, the state brings criminal charges and receives monetary payments (fines) from the guilty person. In civil cases the injured person or business performs this role. Finally, civil penalties almost always center on the distribution of money or other property. Most crimes are punished with a loss of freedom or life. Because life and freedom are considered to be more valuable than property by American culture, the stakes are higher in criminal trial than in a civil one. This fact is frequently used to justify the higher standard of proof required in criminal cases. The division between criminal and civil law is rough and relatively recent. There are several other divisions in the sources of legal rules. Examination of these can help link the idea of law to that of justice as well as explain many of its apparent failings.

Virtually all humans recognize some sort of **natural law**. Natural law is any philosophy concerning the nature of proper behavior and justice that is felt to be suitable in a rationally organized society. It is usually attributed to powers superior to man or society (e.g., God, nature) and stresses morality and logic. **Common law** often arises from natural law. It is a body of customs, traditions and prior decisions that are recognized as binding on a specific group of people and uses group traditions (e.g., religion) as its philosophical basis. It serves to unify tribal beliefs into a coherent legal system and provides more stability and consistency than does natural law. **Equity** is concerned with the equal and fair treatment of persons. It is an appeal to social concepts of fairness that was used by the Romans and early Britons. Equity began as a supplement to common law principles that allowed royalty to intervene in legal disputes. It relies almost entirely on intuition and is not bound by prior decisions or a demand for logical consistency and is thus much less predictable than common law.

Neither Common law nor equity principles need to be written down (i.e., codified) in order to be effective. However, to meet the criteria for effective modern law, government authorities need to provide a logically organized, easily distributed and consistently worded set of rules for legal decision-making. The written decrees that fill this need are generally referred to as **statutory laws**. Statutory laws include both substantive criminal law and procedural law. Statutory law refers to the rules that are created by acts of legislatures and other governmental bodies. **Substantive law** is that part of the law which defines and regulates the rights and duties of persons. It includes not only criminal law, but also civil contract law, tort law, law of wills (i.e., probate law), etc. **Procedural law**, on the other hand, describes the proper methods of enforcing persons' rights or correcting their violation. It governs the behavior of the agencies and practitioners that carry out legal actions dealing with crime. **Case law** is used to fill in the gaps between the formal principle (written law) and the specific circumstances of concrete cases brought before a court by using court decisions to interpret and apply specific laws and principles. It consists of judicial interpretations of law supplied by appellate courts in written decisions. Contradictions between laws are also handled through case law decisions. Case Law is guided by the principle of *stare decisis* which translates

as *let the decision stand* and encourages judges to use prior decisions to guide their application of laws and legal principles to the specific situations brought before them.

Exercise 3. Answer the questions.

What basic types of law do you know?

How can you define “civil law”?

Why can offenders be sued by the victim in civil courts as well as prosecuted by the government in criminal court?

How does the operation of criminal law differ from that of civil law?

What rules are much stricter: in criminal trial or in civil ones?

Why are the stakes higher in a criminal trial than in a civil one?

Do all humans recognize some sort of natural law?

What law serves to unify tribal beliefs into a coherent legal system?

What is equity concerned with?

What kind of law do statutory laws include?

Why is case law used for?

How are contradictions between laws handled?

Exercise 4. Choose the correct word or words from the two given in these sentences. If you choose two words, use “and” to connect them.

1. (Substantive, case) law fills in the gaps between the written law and the specific circumstances of concrete cases. 2. (Common law, equity principles) don't need to be written down. 3. Statutory laws include (substantive criminal law, procedural law). 4. All humans recognize some sort of (natural law, common law). 5. There are two types of law in (Ukraine, the United States) – civil and criminal. 6. Social concept of fairness was used by (the Romans, the Greeks, the Britons). 7. Equity is less predictable than (case law, common law). 8. (Case law, procedural law) is guided by the principle of *stare decisis*. 9. Equity began as a supplement to (common law, statutory law) principles. 10. (The connection, the division) between criminal and civil law is rough. 11. In (criminal cases, civil cases) the state brings charges and receives fines. 12. (Common law, natural law) is usually attributed to man or society.

Exercise 5. Fill in the blanks with the words given below. You must use your professional knowledge and active vocabulary of the unit.

A. a great deal of attention, provides, the behavior of individuals, a set of rules, public inspection, changes, to protect, stable, other types of social rules, precise, intuition.

B. Law is ... created by a government to maintain social order so that life is reasonably safe and predictable. Law ... slowly but follows society's needs and circumstances in an attempt to reflect current ideas of justice. In modern societies, law governs the..., businesses, government agencies and other bodies. It strives ... both the safety and the rights of individual citizens and social organizations. It thus ... stability and order in many areas of life. Modern law differs from ... in four crucial ways. To properly serve modern society law must be: 1) highly specific; 2) formally legitimate; 3) ... and 4) logically consistent. Laws must describe forbidden behaviors and legal duties in the most ... way possible. It is for this reason that ... is given to the precise wording of each law proposed in a legislature. Very little can be left to ... or even common sense when legal issues are involved. In democracies it must also be open for....

Exercise 6. Translate the words in brackets into English.

1. (Юридична дія) of criminal law (відрізняється від) civil law in three major ways. 2. Criminal law requires (більше доказів для звинувачення) than does civil law. 3. The state brings criminal charges (і одержує грошову виплату) from the guilty person. 4. (Життя і свобода вважаються) to be more valuable than property by American culture. 5. (Цей факт часто використовується) to justify the higher standard of proof required (в кримінальних справах). 6. (Фактично всі люди визнають) some sort of natural law. 7. Natural law is usually attributed to power superior to man (або суспільство) and stresses (мораль і логіку). 8. Equity is an appeal to social concepts of fairness that (користувались римляни та британці). 9. Neither Common law nor equity principles (не потребують того, щоб їх записували) in order to be effective. 10. Statutory law refers to the rules that are created (законодавчими актами) and other governmental bodies. 11. Case law (складається з) judicial interpretations of law supplied by appellate courts (в рішеннях, що написанні). 12. Case law (керується принципом) let the decision stand.

Exercise 7. How do you account for the fact that:

1. the stakes are higher in a criminal law than in a civil one in the USA;
2. all humans recognize some sort of natural law;

3. equity relies almost entirely on intuition and is not bound by prior decisions or a demand for logical consistency.

Exercise 8. Match the words according to the text.

A	B
proper	dealings
a reasonable	obligations
criminal	estate laws
drunk	wrongs
real	of property
business	loss
personal	driving accident
private	trials
the control	wrongs
financial	doubt
public	payments
monetary	behavior

Exercise 9. Complete the definitions.

- The part of the law which defines and regulates the rights and duties of persons is called...
- ... describes the proper methods of enforcing persons' rights or correcting their violation.
- ... uses court decisions to interpret and apply specific laws and principles.
- The written decrees that fill the need to provide a logically organized, easily distributed and consistently worded set of rules for legal decision – making are generally referred to as ...
- A body of customs, traditions and prior decisions that uses group traditions or its philosophical basis is ...
- Any philosophy concerning the nature of proper behavior and justice that is felt to be suitable in a rationally organized society is ...
- ... is concerned with the equal and fair treatment of persons.
- Public wrongs are defined and punished according to ...
- A sub-type of civil law concerned with private wrongs that result in injury or financial loss is called ...
- ... consists of regulations governing business dealings and personal obligations.

Exercise 10. Make up sentences from the following words and word combinations.

- contradictions, decisions, case law, between laws, handle.
- are, of, by, appellate courts, in, law written decision, judicial interpretations, supplied.
- enforcing persons' rights, their violations, the proper methods, described, of, or, are, by, procedural law, correcting.
- all humans, recognized, natural law, virtually, is, by.
- natural law, common law, consistency, more stability, provides, than, and, does.
- the Romans, fairness, social concepts, by, used, and, was, the Britons, of.
- a logically organized, early distributed, consistently worded, provided, set of rules, government authorities, and.
- decision-making, the written decrees, statutory laws, for, are, legal.
- regulates, defines, of, the rights, the duties, substantive law, and, and, persons.
- unified, a coherent legal system, tribal beliefs, common law, into.
- morality, logic, natural law, stresses.
- punishment, guilt, criminal trials, intended, to establish, assign, and, are.

Exercise 11.

I. Synonyms and antonyms. Match each word in column A with word or words with similar meaning in column B. Then match seven words in column C with the word of opposite meaning in column A.

A	B	C
Apparent	trust	unjust
to assign	honest	unusual
to bound	fairness, justice	hidden
coherent	logical consistency	unbelief

common	to appoint, to mark out	secondary
equity	clear, evident	incoherent
failing	to enclose, to limit	injustice
fair	customary, usual	
law	main, essential	
belief	statute	
principal	a fault	

II. Definitions. Match each word in part A with the definition of a word in part B.

A. to defend, authority, court, to injury, dealing, consistency, fine, law, sin, criminal, tribe, belief.

B. 1. Logical agreement, as between precept and practice or between two or more statements.

2. Management of business.

3. Money paid as a penalty.

4. That which causes harm or damage.

5. A rule of action sustained by authority.

6. Intellectual acceptance of anything as true.

7. An act that violates the law.

8. One who commits crime.

9. A hall of justice where accused persons are tried.

10. The right or power to decide and command.

11. A community of primitive people under one chief.

12. To state the meaning.

Exercise 12. Make questions. Here are answers.

- Common law doesn't need to be written down.
- Set of rules for legal decision-making are provided by the government.
- Statutory laws consist of substantive criminal law and procedural law.
- It is defined by substantive law.
- It differs from civil law in there major ways.
- Yes, drunk driving accident can be defined as torts.
- They are civil and criminal types of law.
- The state receives monetary payments.
- The higher standard of proof is required in criminal cases.
- This division is rough and relatively recent.
- Government authorities do it to meet the criteria for effective modern law.
- It serves to unify tribal beliefs into a coherent legal system.

Exercise 13. Finish the following sentences. Then use these sentences as point of the plan and retell the text "Types of law"

- In the USA there are two ...
- Civil law consists of ...
- Civil law includes ...
- Criminal law ...
- The operation of criminal law is different ...
- There are several other divisions in the sources of ...
- Natural law is ...
- Common law is ...
- Equity is concerned with ...
- Statutory laws are ...
- Substantive law is that part of the law ...
- Procedural law describes ...
- Case law is used ...
- Case law is guided by the principle ...

Exercise 14. Match words in column A with the translation in column B. Give Ukrainian equivalent to them, make up sentences of your own with the English words and word combinations.

A	B
law breaker	міжнародне право
law court	кодекс честі
law enforcement	природне право
law in force	закони держави
law making	судові витрати
law of contract	чинний закон
law of equity	звичаєве право
law of honour	втялення законів у життя
law of nations	Суд
law enforcement official	цивільне право
law expenses	прецедентне право
law of nature	судовий виконавець
law of the realm	закон про неповнолітніх
case law	закон про шлюб
child welfare law	матеріальне право
civil law	закон про дотримання інтересів дитини
customary law	самосуд
juvenile law	Правопорядок
marital law	поважаючи закони
mob law	закон, право
substantial law	Правопорушник
to administer a law	включати в закон
to break a law	застосовувати закон
to enact a law	обходити закон
to evade a law	порушувати закон
to incorporate into a law	вводить закон в дію
to infringe a law	переслідувати по закону
to sue at law	порушувати закон

Unit VI: «Misdemeanors and Felonies»

Exercise 1. Read, translate and learn the words of the text.

adequate	incarceration
aggravate	inflict
assault	homicide
capital	improper
caution	mandate
code	mandatory
confinement	manslaughter
culpable	misdemeanor
enhance	offense
enhancement	sentence
gross	stockade
harsh	willful

Misdemeanors and felonies

Punishments for specific criminal acts vary somewhat from state to state but most states recognize misdemeanors and felonies. Misdemeanor offenses are distinguished from felonies by 1) the seriousness of the offense, and 2) the possible length of the imprisonment and 3) where the confinement is to occur. **Misdemeanors** are typically minor offenses ranging from traffic and health code violations to petty theft and assaults that are punishable by a fine and/or confinement in a city or county jail for up to one year in most states. Persons convicted of these offenses may be referred to as **misdemeanants**. Misdemeanors are further divided into classes, again on the basis of the seriousness of the act and the severity of the punishment. The most serious offenses are often classified as A and the least serious ones as C.

Principle differences between felonies and misdemeanors

	<u>Misdemeanors</u>	<u>Felonies</u>
Seriousness	Minor	Major
Length of Confinement	Usually less than 1 year	Usually over 1 year
Place of Confinement	County Jail or Stockade	State/Federal Prison

In most states, **felonies** are criminal offenses punishable by incarceration in a state prison for a year or more. Any crime for which a death sentence can be imposed is also a felony. Persons convicted of these offenses are known as **felons**. Like misdemeanors, felonies are divided into classes, which in some states are referred to as degrees (i.e. First, Second, Third degree). Again, the distinction between classes refers primarily to the seriousness of the crime and the severity of punishment. **Capital felonies** are those for which the death penalty may be imposed. Class A felonies carry the maximum sentence of imprisonment that can be imposed which is often from twenty years to life. Class B's are usually limited to twenty years or less, class C's up to 10 years, and class D's to five years. Different states may use variations on this scheme. The class to which a particular felony offense is assigned depends largely on the severity of harm inflicted and/or the level of danger posed by the crime. When applied to a crime, the term **aggravated**, indicates especially serious circumstances such as the degree of injury done (or threatened), the age of the victim or the use of a lethal weapon. Killing someone, with or without specific intent, while committing some other felony (e.g., rape, robbery) is known as **felony murder**. All persons involved in the original crime may be held equally culpable for the death as well. Non-capital homicides include: *murder* – the willful killing of one human being by another without extreme provocation or legal justification; *non-negligent (or voluntary) manslaughter* – causing the death of another out of sudden passion arising from an adequate cause (e.g., rage, terror, etc.); *involuntary manslaughter* – recklessly causing the death of another due to improper caution; and *negligent manslaughter* – causing the death of another by gross negligence.

Forty-three states also have laws that recognize *repeat and habitual felons*. Persons convicted under these laws receive harsher penalties than usual for their offenses because of their prior convictions. **Repeat felony charges** are generally applied to those convicted of a felony who have previously been convicted of a first-degree or aggravated felony. The **habitual felon sentence** may be used against persons convicted of a felony who have previously been convicted of at least two other felony offenses. Most of these laws provide for **sentence enhancement** (adding a year or more to the sentence) for offenders with two or more prior convictions.

Mandatory life-without-parole sentences may be given for those convicted of a fourth felony regardless of the severity of the criminal behavior in some states. Habitual offender acts are based on the belief that a relatively small number of habitual criminals are responsible for a vast number of serious crimes.

Exercise 2. Find answers in the text for the following questions.

1. What are misdemeanors and felonies?
2. Why do punishments for specific criminal acts vary from state to state?
3. How are misdemeanor offenses distinguished from felonies?
4. How may a person convicted of a petty theft be referred to?
5. Are felonies criminal offenses in most states?
6. Can a death sentence be imposed in the USA?
7. What is the maximum sentence of imprisonment that can be imposed?
8. How many years are class A felonies usually limited to?
9. What does the class to which a particular felony offense is assigned depend on?
10. Who are felons?
11. What does the seriousness of the crime and the severity of punishment influence upon?
12. Against who may the habitual felon sentence be used ?
13. Is robbery a felony or a misdemeanor?
14. What do persons convicted under repeat and habitual felons receive?
15. How many states have laws that recognize repeat and habitual felons?

Exercise 3. Match the words according to the text.

lethal	enhancement
death	weapon
severity of	sentence
death	injury done
state	felony changes
degree of	felony
felony	farm
aggravated	penalty
habitual	prison
sentence	circumstances
mandatory	felonies
criminal	behavior
capital	life-without-parole sentence
serious	felon sentence
repeat	murder

Exercise 4. Finish the sentences.

1. Punishments for specific criminal acts vary ...
2. Misdemeanors are ...
3. Misdemeanors rang from ...
4. Misdemeanants are persons convicted of ...
5. Misdemeanors are divided into classes on the basis of ...
6. The most serious offences are classified as ...
7. Felonies are criminal offenses punishable by ...
8. The distinction between felonies refers to the ...
9. Capital felonies are those for ...
10. Class A felonies carry the maximum sentence of imprisonment that can be ...
11. The term aggravated indicates ...
12. Felony murder is ...
13. Non-capital homicides include ...
14. Murder is ...
15. Non-negligent manslaughter is ...
16. Involuntary manslaughter is a reckless cause of the death ...
17. Negligent manslaughter is cause of the death of another due to...
18. Habitual offender acts are based on ...

Exercise 5. Complete these sentences inserting the prepositions (if necessary).

1. Misdemeanors and felonies are ... specific criminal acts. 2. Misdemeanors offences are distinguished ... felonies. 3. Misdemeanors rang ... traffic and health code violations ... petty theft and assaults. 4. Misdemeanors are punishable ... a fine. 5. Felonies are punishable ... incarceration in a state prison ... a year. 6. Misdemeanors and felonies are divided ... classes. 7. The destination between classed refers ... the seriousness of the crime and the severity ... punishment. 8. Forty-three states have laws that recognize repeat and habitual felons. 9. Persons convicted ... these laws receive harsher penalties than usual ... their offenses because ... their prior convictions.

Exercise 6. Find out whether these statements are true false or you cannot tell from the reading if it is true or false.

Punishments for specific criminal acts are the same from state to state.
Felonies rang from traffic and health code violation to assaults.
Assaults are punishable by a fine only.
Persons convicted of health code violations may be referred to as misdemeanants.
Misdemeanors are divided on the basis of the seriousness of the act only.
Felonies are punishable by incarceration in a state prison for a year and no more.
Felony murders are those for which the death penalty may be imposed.
Killing someone while committing some other felony is known as felony murder.
Laws of forty-two states recognize repeat and habitual felons.
Because of prior convictions persons receive harsher penalties than usual for their offenses.
Offenders with two or more prior convictions receive sentence enhancement (adding a year or more to the sentence).
Law originates in natural law concepts of right, wrong and justice.

Exercise 7. Find in the text equivalents for the following and use them in sentences of your own.

відповідний, каторжна в'язниця, кодекс, тяжкий злочин, грубий, заточення у в'язниці, завдавати, вбивство, просте вбивство, найменш тяжкий злочин, недбалість, злочин, викладати, вирок, напад, обережність, невідповідний, смертельний, мандат, обов'язковий.

Exercise 8. Retell about misdemeanors and felonies using giving below words and phrases.

specific criminal acts, typically minor offenses, divided into classes, punishable, crime, the distinction, the seriousness, the severity, capital felonies, aggravated, felony murder, rape, repeat and habitual felons, repeat felony charges, the habitual felon sentence, sentence enhancement, a relatively small number of habitual criminals, a vast number of serious crimes.

Exercise 9. How do you account for the fact that:

1. Only forty-three states have laws that recognize repeat and habitual felons.
2. Persons receive harsher penalties than usual for their offences because of their prior convictions.
3. There is the belief that a relatively small number of habitual criminals are responsible for a vast number of serious crimes.

Exercise 10. A. Fill in the blanks with the words given below. You must use your professional knowledge and active vocabulary of the unit.

Law is ... for making a society safe, stable and predictable. It originates in natural law ... of right, wrong and justice but is often formalized by political bodies through ... and court decisions. Criminal law thus ... from the combined influences of a society's religion, morality and ... and is then further developed by political enactments and judicial decisions. Criminal law is primarily ... with the control of individual behavior and reflects the mores of the society at the time. It is enforced by the state and is usually ... by loss of freedom or life although ... fines may also be imposed. Criminal law is mainly ... enforcing mores or norms vital to the protection of society and its citizens.

Criminal laws can be divided into to ... on the basis of 1) the seriousness of the offense and 2) the type of punishment imposed on those convicted. Serious crimes for which the penalty may exceed one year of confinement in a state facility are referred to as felonies. Less serious acts for which minor punishments are assigned ... as misdemeanors. Felonies and misdemeanors are further subdivided into categories, again on the basis of the act's seriousness and ... of possible penalties. This division of crimes results in a graduated continuum ... and penalties which range from capital felonies, the most serious, to class C ... which are very minor violations. Different state and national legal codes are fairly similar in how they define the seriousness of a particular act but precise terminology and definitions vary across jurisdictions.

Words: are defined, misdemeanors, monetary, concerned, written statutes, a method, concepts, punished, basic categories, offenses, the penalty, originates, concerned with, the severity, the seriousness, traditions.

B. Match the words according to the text.

1

loss of
the severity of
law is
society's
one year of
criminal
national legal
a state
a graduated
monetary
basic
the protection of

2

finer
categories
codes
society
confinement
continuum
religion
possible penalties
a method
freedom
facility
law

C. Finish the sentences.

1. Law is a method ...
2. Felonies are ...
3. Criminal law originates from ...
4. Criminal law is further developed by ...
5. Criminal law is primarily concerned with...
6. Criminal law is mainly concerned with ...
7. Misdemeanors are ...
8. The division of crimes resulted in ...
9. Law originates in natural law concepts ...

Exercise 11. Match the words according to the sense. Give Ukrainian equivalents to the following. Make up sentences with English words and word combinations.

A

Felon, felon of himself, felonious, felonious enterprise, felonious injury, felonious intent, felonious wounding, felony, felony, attempted felony.

Offense, offense against morality, offense against the person, offense aided and abetted, offense in a person, offense triable on indictment, alleged offense, arrestable offense, indictable offense, minor offense, petty offense, serious offense, statutory offense.

B.

Преступные элементы, преступный, фелония (тяжелые преступления), преступное нанесение ранения, покушение на совершение тяжкого уголовного преступления, лицо, совершившее фелонию, самоубийца, деятельность по совершению фелонии, нанесение повреждений, являющихся фелонией, преступное намерение, преступление со стороны какого-либо лица, преступление, предусмотренное законом, посягательство, правонарушение, преступление, преступление против личности, преступление, преследуемое по обвинительному акту, преступление против морали, малозначительное преступление, тяжкое преступление, преступление, совершению которого оказано пособничество, преступление, за которое виновный подлежит аресту, мелкое правонарушение.

C. Define what punishments are recognized for listed in B offenses in this country.

**Exercise 12. Match each word in part A with the definition of
a word in part B.**

A. prison, inter agency relations, law enforcement, felony, criminal justice system, assault corrections, criminology, jail, criminal justice, social, construction, system.

- B.** 1. Prison, especially one for those guilty of lesser offenses and sentenced to comparatively short terms.
2. A sudden and violent attack; attempt to hurt, or threat (as by gesture) of violence.
3. A crime more serious than a misdemeanor.
4. A public building in which criminals are confined.
5. The study of why crime occurs, who is affected by it and why it occurs in certain patterns.
6. The study of law enforcement, courts, and corrections, as well as the nature of crime and punishment.
7. The system consists of prisons, probation offices and parole departments that are responsible for punishing, controlling and/or reforming offenders.
8. The methods by which different agencies relate to one another both directly and indirectly.
9. A term used to indicate that a set of components or parts, such as law enforcement, courts, and corrections, are connected in a rational way so as to form a complex whole.
10. A human creation, such as a law or agency, that reflects the needs and power structure of the society at a particular point in time.
11. A set of agencies responsible for enforcing laws and dealing with offenders.
12. Police agencies that are responsible for investigating alleged crimes, gathering evidence and apprehending suspected offenders.

Unit VII: "Legal Definitions of Crime"

Exercise 1. Read, translate and learn the following words and word combinations.

act	command
omission	negligence
criminal omission	culpability
to occur	culpable
conspiracy	transfer
solicitation	relocate
incomplete	goal
offence	liability
inchoate	recklessness
failure	blameworthiness
contractual	insanity
exclusion	consent

Exercise 2. Translate the words and word combinations then read them fluently.

omissions that constitute criminality, a particular legal relationships, the basic goal, is prohibited by the law, strict liability crimes, driving while intoxicated, a legal defense, self-defense, a justification is accepted, affirmative defense.

Legal Definitions of Crime

Before any behavior can be declared criminal, five specific conditions must be present. First, an *act or omission* must have actually occurred. The criminal act is referred to as *actus reus*. Crimes such as conspiracy, solicitation and attempts to commit crimes (e. g., attempted murder) are incomplete crimes but real criminal intent is apparent in them. They are known as **inchoate offences**. An **omission** is the failure to act when there is a legal duty to do so. Omissions that constitute criminality can arise from at least four types of situations: 1) where a law mandates a duty to care of another; 2) where one has particular legal relationship to another that carries specific duties; 3) where one has accepted a contractual duty to care for another and; 4) where one has voluntarily accepted the care of another, to the exclusion of others. A second condition that must be present before a crime can be said to have occurred is that a law forbidding or commanding the act must also exist. Criminal intent (*mens rea*) or negligence must be also be present before a crime can occur in a legal sense. **Mens rea** literally means guilty mind and is used to specify the character of the intent or negligence. Intent must not be confused with motive. Motive is what drives or prompts a person to commit an act (i.e., the reason or rationale). Intent refers to the person's state of mind at the time when the act was committed. The term **culpability** is a legal reference to the blameworthiness of a person who was committed a criminal act. It refers to both the action and the mental state of the person performing it. Culpable actions are motivated by intent, knowledge, recklessness, or negligence. The exception to this general rule occurs in cases of strict or absolute liability.

American criminal codes recognize several types of criminal intent. **General intent** is present when the person's actions show that the basic goal of the act is prohibited by law (e.g., to do someone bodily harm). **Specific intent** refers to acts with the purpose of accomplishing a particular goal which the law prohibits (e.g., shooting a particular person). Intent can also be transferred from the intended victim to the person actually harmed. **Transferred intent** relocates the original intent of the act from the intended victim to those who actually suffered the consequences of the unlawful act.

Some crimes are defined in a way that does not require criminal intent. These are known as **strict liability crimes**. The formal definitions of such unlawful acts do not contain the need for criminal intent to be considered culpable conduct. Most strict liability crimes are acts that endanger the public welfare. They are described in the statutes so that a lack of intent to commit them is not a legal defense. Thus, (voluntary) intoxication is no defense for driving while intoxicated.

A fourth condition for a behavior to constitute a crime is that the act or omission must occur at the same time as the criminal intent or negligence is present. The fifth, and final, condition required for an act or omission to be defined as a crime is that the law must provide punishment for the act or omission.

Crimes are acts and omissions that meet all of these criteria and cannot be excused by a legally recognized defense. The most commonly recognized defenses for criminal conduct are insanity and self-defense. Other

defenses recognized in common law are necessity and duress, mistake of law or fact, provocation, involuntary intoxication, consent, entrapment, double jeopardy, and compulsion.

Legal defenses consist of justifications and excuses for acts that would otherwise be defined as criminal. Under criminal law, **justifications** are just or lawful reasons for committing criminal acts that relieve persons from guilt for having committed them. **Excuses** lessen or remove their culpability for the act. Self-defense, defense of others and defense of property are generally defined as justifications. The need to prevent immediate harm of self or others justifies the use of force by police officers in certain situations. If a justification is accepted, then no crime has occurred. If an excuse is used successfully, then a crime has occurred but culpability for the act is not attached to the person who committed it. Excuses consist of involuntary intoxication, ignorance, entrapment and consent. Each of these defense is very specifically defined by statutory and case law that varies from one state to the next. The person accused of the crime must prove that one or more of these defenses is applicable to the case. It is for this reason that excuses and justifications are sometimes called **affirmative defenses**.

Exercise 3. Answer the questions.

1. How behavior can be declared criminal?
2. What crimes are called incomplete crimes?
3. How do we call the failure to act?
4. What drives or prompts a person to commit an act?
5. What are culpable actions motivated by?
6. How many types of criminal intent do American criminal codes recognize?
7. In what cases a lack to commit crimes is not a legal defense?
8. Can crimes be excused by a legally recognized defense?
9. What defenses recognized in common law do you know?
10. What do legal defenses consist of?
11. What justifies the use of force by police officers in certain situations?
12. Why are excuses and justifications sometimes called affirmative defenses?

Exercise 4. Match the words from A with these from B.

A

strict
transferred
legal
the intended
to accomplish
culpable
state of
to commit
criminal
legal
lawful
affirmative

B

defense
sense
a criminal act
actions
duty
intent
mind
liability crimes
victim
goal
intend
reason

Exercise 5. Choose the correct word from the two given in these sentences.

1. (Legal defense/ excuses) consist of involuntary intoxication, ignorance, entrapment and consent.
2. (General / specific) intent refers to acts with the purpose of accomplishing a particular goal which the law prohibits.
3. Some crimes are defined in a way that does not require (transferred / criminal intent).
4. Every action which does injury to others, either individually or collectively, is (a crime / an offense).
5. Crime consists in a violation of (human laws / moral law).
6. The most commonly recognized defenses for criminal conduct are insanity and (excuses / self defense).
7. If (a justification / excuses) is accepted, then no crime has occurred.
8. Punishment is a penalty for (a crime/an intent) or fault.
9. Intoxication is no (defense / justification) for driving while intoxicated.
10. Culpable actions are motivated by intent, knowledge (recklessness / insanity), or negligence.
11. The act of omission must occur at the same time as the criminal intent or negligence is (absent / present).
12. Self- defense, defense of others and defense of property are generally defined as (blameworthiness / justification).

Exercise 6. Give Ukrainian and Russian words with the similar meaning to each of the following English words.

behavior, conspiracy, criminal act, situation, statute, sense, motive, intoxication, penalty, criteria, literally, specific, original, term, legal.

Exercise 7. Complete the following definitions.

1. Justifications are just ...
2. General intent is present when ...
3. An omission is the failure to act when ...
4. Motive is what drives or ...
5. The term culpability is a legal reference ...
6. Specific intent refers to acts with ...
7. Strict liability crimes are crimes that are defined in a way ...
8. Transferred intent relocates the original intent of the act from ...
9. Excuses lessen or remove ...
10. The term culpability is a ...

Exercise 8. Make up sentences from the given below words and word combinations.

1. is said, on, the concepts, order and compulsion, law, to be based, of.
2. lectures, legal topics, a good form, legal education, on, of, are.
3. to decide, kind of behavior, be discouraged, through law, every, has, society, what, shall, by appeal, other sanctions, what, kinds, through.
4. by authority, law, a rule, action, is, of, sustained.
5. divided, are also, offences, nonarrestable offences, and, arrestable, crimes, into.
6. divided, indictable offences, summary offences, are, customarily, crimes, into, and.
7. consists of, accompanied by, an actus reus, mens rea, specified, every crime, a.
8. a moral nature, wrongs, crimes, are, some, serious, of, (murder or rape).
9. public order, the smooth running, orderly society, against, offences, affect, of.
10. as a whole, the state, offences, the state, of, affect, against, the security.
11. are actionable, have caused, if, only, most, they, torts, damage.
12. damages, an action, remedy, a tort, for, the main, is, for.

Exercise 9. How you account for the fact that:

- a. The most commonly recognized defenses for criminal conduct are insanity and self-defense.
- b. Involuntary intoxication and provocation are recognized defenses in common law.
- c. The use of force by police officers in certain situations is justified.

Exercise 10. Match the words. Use your professional glossary. Then compose sentences of your own with the words given in part A. Give Ukrainian equivalent for word combinations in part B.

- A.** duress, duress of goods, duress of imprisonment, duress by menaces, to do something under duress
B. принуждение под угрозой смерти, физическое принуждение, делать по принуждению, незаконный арест имущества, незаконное лишение свободы

Exercise 11. Fill in the blanks with the words given below. You must use your professional knowledge and active vocabulary of the unit.

justification, retributive, an offender, penalty, authority, the value, descriptive, prescriptive, potential, wrongdoers, criminal law, five specific conditions, prescriptive law.

Law is a rule of action sustained by ... Some laws are ... - they describe people's usual behavior. Other laws are ... - they prescribe how people must behave. In any society relations between people are regulated by ...

If people break these rules or customs they do not suffer any ..., but they may be spoken about and criticized by the members of the society. Sometimes they may be remained in isolation.

The person who breaks the law is called But before any behavior can be declared criminal, ... must be present.

Punishment is probably the most controversial aspect of As the legal price for violations of society's mandate, it is both vengeful and As a protection to the public, it is intended to be a deterrent to In essence it represents ... that society places on the turpitude of the offense and its interest in the offender. The

theoretical ... for criminal punishment is based on several factors, including: 1. Retribution, 2. Correction. 3. Deterrence, and 4. Incapacitation.

Exercise 12. A. Read and translate the text. Use the glossary.

The purposes of law

Many writers have argued that law developed as a substitute for individual or family vengeance. Others explain that law evolved as method for solving social problems and/or resolving group conflicts. Many believe that law developed out of the folkways and mores of traditional societies. Each of these positions probably has much truth to it. By relating law to folkways and mores the variety of purposes that it serves can be made clear. To explore the purpose of criminal law means that we must examine social norms. **Norms** are rules developed by all societies in order to guide or control the behavior of their members. They are commonly divided into two types – **folkways** are the norms that describe socially approved behavior in common situations and are usually prescriptive in nature; **mores** are norms that serve to protect individuals and social institutions from harm. They define the culture's morality and are usually *proscriptive* in nature. Violations of mores are often met with formal punishments such as fines, prison terms or other legal penalties. There are five basic purposes for which laws can be enacted. To govern behavior in such a society, laws may: 1) restate mores; 2) reinforce folkways and mores; 3) formalize folkways; 4) deter or promote social change; and 5) promote morality. *Laws restating mores* prohibit acts which are considered **mala in se**, which literally means evil in themselves. These laws deal with acts that are seen as fundamentally wrong by most social groups. *Laws reinforcing mores and folkways* deal with acts that are considered **malum prohibitum** or wrong because they are forbidden by law. Because there is less agreement within society that these acts are wrong, there is less public support for them than for laws restating mores. *Laws formalizing folkways* are aimed at specific sub-groups or industries and often deal with technical practices and procedures so there is often little public interest in them but they may be the subject of intense political controversy among the particular interest groups that they affect. *Laws enacted to deter social change* are designed to maintain the status-quo by encouraging conformity to old customs. *Laws enacted to promote social change* are intended to bring about some type of change in the folkways or mores of society.

to argue – спорить - сперечатися

vengeance – месть - помста

to guide – руководить - керувати

prescriptive – предписывающий - наказующий

proscriptive – запрещающий - забороняющий

to restate - подтверждать - підтверджувати

to reinforce – усиливать - підсилювати

to deter – удерживать - утримувати

B. Find the answers in the text.

1. How did law develop?
2. Do you agree that law is a substitute for individual or family vengeance?
3. How is it possible to make clear the variety of purposes that law serves?
4. Why do we examine social norms?
5. What are norms and what do they define?
6. How are norms divided?
7. What legal penalties do you know?
8. What kind of laws deal with acts which are seen as fundamentally wrong by most social groups?
9. Why is there less public support for acts that are considered malum prohibitum?
10. What are laws formalizing folkways aimed at?
11. What are laws enacted to promote social change intended to?
12. Why are some laws intended to bring some type of change in the folkways or mores of society?

C. Complete the definitions.

1. Norms are rules developed ...
2. Folkways are the norms that describe ...
3. Mores are the norms that serve ...
4. Mores are usually ... in nature.
5. Laws restating mores prohibit ...
6. Mala in se means ...

7. Laws reinforcing mores and folkways deal with ...
8. Laws formalizing folkways are aimed at ...
9. Laws enacted to deter social change are designed to ...
10. Laws enacted to promote social change are intended to ...

D. How do you account for the fact that:

- a) law is a substructure for individual or family vegeance;
- b) law is a method for solving social problems and / or resolving group conflicts,
- c) some acts have less public support that others,
- d) laws can be enacted.

Exercise 13. Match each word in part A with the definition of a word in part B.

A. person, police, code, defence mechanisms, omission, justification, officer, intoxication, to intend, definition, ignorance, punishment.

- B.**
1. A system of rules.
 2. The action whereby man is justified or freed from the penalty of sin.
 3. The act of leaving out of account or neglecting to do.
 4. An action or attitude adopted by a person, consciously or otherwise, to rationalize or conceal the true state of matters affecting himself or his opinions.
 5. An organized force of civil officers to preserve order in a municipality.
 6. A person commissioned to perform stated public duties.
 7. The action of poisoning, state of being drunk.
 8. The state of being without knowledge.
 9. A penalty for a crime or a fault.
 10. To have in mind, to plan.
 11. An individual human being.
 12. The act of defining.

Exercise 14. Speak on the purposes of law as it is understood in Ukraine. Define what are norms from the point of view of our law. Give legal definitions of crime in Ukraine.

Is general intent recognized in our law?

Exercise 15. Give equivalent Ukrainian word combinations for the following in Latin.

Actus reus, male in se, malum prohibitum.

Unit VIII: "Criminal Justice"

Exercise 1. Read, translate and remember the following key words.

to draw	goal
discipline	orderly
enforcement	practitioner
correction	encounter
impact	loosely
insight	network
tension	suggest
operation	misleading
strictly	assert

Exercise 2. Read, translate and remember the following word combinations, mind the stress.

that draws its ideas from disciplines; law enforcement; scientific insights; science is more oriented to efficiency; to help control crime by identifying; processing and supervising criminals; is both united and divided; the unique personal liberties; loosely organized; it is fragmented and under organized; ignoring the effects of its actions on other agencies; the reader's personal judgment.

Criminal Justice

Criminal justice is a very broad field of study that draws its ideas from disciplines such as management, political science, law criminology, psychology and sociology. Criminal justice is the study of law enforcement, the courts, and corrections. It deals with 1) the organization of the agencies that perform these tasks; 2) the people employed by those agencies; and 3) the impact of these efforts on crime and offenders. These agencies

must base their efforts on laws written by independent government bodies. These laws are often constructed on the basis of what is known of the causes of criminal behavior. Legal issues are therefore of critical interest. So also are the scientific insights into why crime occurs in particular patterns and what motivates some people to commit offenses.

For this reason **criminology**, the study of 1) why crime occurs and 2) the patterns in which it occurs, is critical to understanding criminal justice. Criminology uses scientific logic to link the motives for crime to methods of controlling it. Justice processes are usually based on legal logic but often employ criminological concepts and theories as well. Law stresses the need for fairness and equal treatment while science is more oriented to efficiency. The tension between the logic of science and that of law sometimes results in problems for agency operations.

Criminal justice agencies are designed to help control crime by identifying, processing and supervising criminals. Each agency carries out a particular part of this process, usually within a strictly limited geographical area. From a legal perspective the **criminal process** is separated into three stages: 1) pre-trial; 2) trial; 3) post-trial. The process of justice in the USA is both united and divided by two central goals. An orderly and safe society is of great importance to most citizens. So also are the unique personal liberties guaranteed by the Constitution. All criminal justice agencies and practitioners must balance these goals of public safety and personal freedom in their daily operations. For this reason the activities of agencies and practitioners are under the control of other organs of government and frequently encounter criticism from the media. The activities of these agencies are of great legal and ethical concern because of their power to affect the lives of individual citizens. Justice practitioners enjoy much freedom in how they interpret the legal requirements of their job roles. This freedom brings with it the need for 1) a strong sense of ethics to guide decision-making; and 2) constant observation by social “watchdogs” such as the press and civic groups.

Although they are very loosely organized, all justice agencies share a basic concern with the law and those who violate it. This common concern also acts to bring both agencies and practitioners together in a variety of relationships.

The term **criminal justice system** is often used to describe this network of agencies that enforce criminal laws, judge the accused, and handle offenders. The network of agencies that deal with criminals is often defined as a system composed of **law enforcement, courts, and corrections**. Use of the term system indicates that a set of things, in this case government agencies responsible for dealing with crime, are connected in a rational way so as to form a complex whole. Some suggest that the term “criminal justice system” is misleading because it implies a unity that is not really present in the operation of justice in modern America. This view of American criminal justice asserts that it is fragmented or underorganized – a non-system.

Fragmentation means that each agency operates within a sort of vacuum, ignoring the effects of its actions on other agencies. A proper understanding of the justice process requires explicit recognition of the relationships between the various criminal justice agencies. Whether or not these relationships are well enough organized to be called a system is left to the reader’s personal judgment.

Exercise 3. Answer the questions.

1. Where does criminal justice draw its ideas?
2. What does criminal justice study?
3. Who writes laws for the agencies?
4. Why is criminology the study of why crime occurs and the patterns in which it occurs?
5. What does law stress and what is science oriented to?
6. How do criminal justice agencies help to control crime?
7. What stages is the criminal process separated into?
8. Why are the activities of agencies and practitioners of legal and ethical concern?
9. Where do justice practitioners enjoy much freedom?
10. How are these agencies organized?
11. What does fragmentation mean?
12. What does a proper understanding of the justice require?
13. What does use of the term “system” indicate?
14. Why is the term “criminal justice system” used?

Exercise 4. Find out whether these statements are true, false or you cannot tell from the reading if it is true or false.

1. Criminology uses scientific logic to link the motives for crime to methods of controlling it.
2. Criminal justice agencies control crime by identifying, processing and supervising criminals.

3. Criminology is the study of why crime occurs.
4. Virtually all social agencies are mandated to perform one of two basic types of work.
5. Personal liberties are guaranteed by the Constitution.
6. All justice agencies are loosely organized.
7. All criminal justice agencies are bureaucratic organizations.
8. Laws are constructed on the basis of what is known of the causes of criminal behavior.
9. The central goal of people-changing agencies is to alter the nature of people's behavior.
10. Justice processes are always based on legal logic only.
11. Criminology is critical to understanding criminal justice.
12. The tension between the logic of science and that of law sometimes results in problems for agency operators.

Exercise 5. Match the words according to the sense.

A

criminal
proper understanding
criminal justice
unique
civic
legal
strictly limited
legal
public

B

system
groups
geographic areas
requirements
safety
justice
of the justice process
personal liberties
logic

Exercise 6. Read and translate the passage. Look at the word “them” (it is underlined) and define the word or phrase in bold text to which it refers.

Many people find the study of English grammar intimidating. There are so many rules to follow. A good reference book, such as REA's Handbook of English: Grammar. Style and writing can make some sense of them, but there is no substitute for daily reading. Newspaper and magazine articles are a great place to start. Novelist Joseph Conrad, whose first language was Polish, learned English by reading literature some of its finest works.

Exercise 7. Complete the definitions.

1. Criminal justice is the study of ...
2. Criminal justice deals with...
3. Criminology is the study of...
4. The criminal process is separated into...
5. The term criminal justice system describes...
6. A system composed of law enforcement is...
7. The term system indicates a set of things that...
8. Fragmentation means that...
9. A proper understanding of the justice process requires...
10. The term “system” indicates...
11. A system composed of law enforcement is the network...
12. Freedom of justice practitioners brings with the need for...

Exercise 8. Enrich your vocabulary: match the words from part A, B and C according to the sense and make up sentences with English word combinations on the basis of criminal justice of Ukraine.

A. Criminal; criminal act (action); criminal addict; criminal assault; criminal behavior; criminal case; criminal code; criminal design; criminal history; criminal intend; criminal investigation; criminal investigation technique; Criminal Investigation Department; criminal justice; criminal receiver.

В. Преступное поведение; уголовное дело; уголовный розыск; уголовное расследование; преступное намерение; уголовное правосудие; скупщик, укрыватель награбленного имущества; преступный, уголовный; преступное деяние; криминалистическая, уголовная техника; уголовный кодекс; преступник, ставший наркоманом; преступное нападение; преступный замысел; история преступления.

С. Кримінальний кодекс; злочинна поведінка; злочинний напад; історія злочинності; кримінальна справа; кримінальний розшук; злочинний намір; кримінальне розслідування; злочини, кримінальний;

криміналістична кримінальна техніка; кримінальне правосуддя; злочинний напад; злочинець, який став наркоманом; той, хто скупає награвлене (вкрадене); злочинна дія.

Exercise 9. A. Fill in the gaps using the words and word combinations given below.

Types of Criminal Justice Agencies

Virtually all social agencies are mandated ... one or two basic types of work. Some ... are mainly concerned with collecting information about particular people, sorting them into categories and assigning them particular statuses that indicate how ... are to be treated by society and government agencies. These organizations are known as **people-processing** They are guided more by law than by science because they must treat each person in a fair manner. Other agencies are more concerned with changing the perceptions and ... of particular individuals. These agencies are ... as **people-changing organizations**. These agencies are more likely to use ... to guide their activities. Most of the work done by criminal justice agencies falls into the first, ..., type. The people-changing orientation is critical to the long-term effectiveness of the justice process but ... by educational, welfare or mental health agencies. Individual practitioners will also tend to be oriented more toward one or the other of these ... of work. The practitioner's orientation does not always match ... of the agency, however. A police officer may strive to help neighborhood children avoid ... even though she/he works in a people-processing agency.

Words: is usually performed, crime, to perform, behaviors, these individuals, agencies, law, two types, the legally mandated role, scientific principles, organizations, referred to, people-processing.

B. Read, translate and learn the text.

People Processing Agencies

People processing agencies are organized for purpose of efficiently sorting people into categories. These categories are the basis for decisions on how to handle individuals in a way that will help society. These agencies exist mainly to change the status of certain people through some type of deliberate effort. The transition from "citizen" to "convict" is typical of such a process. Because this change in status injures the person's social and maternal welfare, many safeguards must be used to assure that this power is not misused.

The Role of Bureaucracy

All criminal justice agencies are bureaucratic organizations. Bureaucracy allows a relatively small number of practitioners to handle a rather large number of offenders with minimum expense. It also allows agencies to assure that each practitioner will handle cases in the same way. Bureaucracies are defined by the following traits: 1) hierarchical organization; 2) specialized divisions of labor; 3) rules and procedures guide decision making; 4) employees see their jobs as life-long careers; and 5) record keeping is of paramount importance. Hierarchical organization provides practitioners with a clear **chain of command** or organization of job roles into different levels of power that forms a coherent system. Commands flow down from the top and information flows upward. Bureaucrats make decisions based on agency rules and/or various laws. In the justice process, however, much is left to the discretion of the practitioner. **Discretion** in the use of professional judgement to decide which rule applies to a case. This hurts the efficiency of agency activities and leaves practitioners open to charges of bias but is an essential part of the justice process because people-processing consists of efforts to apply general rules to unique situations. Discretion can sometimes humanize the process by taking the uniqueness of individuals and situations into account, however. Because bureaucrats view their jobs as careers and want to be promoted their concern is often focused upon how superiors will react to their decisions. The effects of their decisions on the client or society may thus be neglected. Personal ambition and agency goals may therefore be given more attention than those of the overall process. Reliance on rules and records means that one practitioner can easily be substituted for another. Good recordkeeping also provides a consistent record to justify each decision and is needed to keep track of changes in each offender's legal status. The records basically indicate why and how the rules were applied to a particular case. Bureaucracies evaluate their employees on the basis of their record-keeping. Bureaucrats are therefore more likely to be familiar with the files and statuses of their clients than with the client as a unique individual. It is for this reason that bureaucracies are often seen as cold and impersonal.

People Changing Agencies

The central goal of **people-changing agencies** is to alter the nature of people's behavior. Educational and mental health agencies are excellent examples of people-changing agencies. Education, counseling and punishment are the principal methods by which we attempt to change offenders into law-abiding citizens. Most counseling and educational services for offenders are provided by agencies outside of the justice process. Justice agencies provide a collection point for individuals whose statuses have been legally altered. Practitioners must make decisions as to what sorts of changes in status are needed for each offender.

Status changes are sometimes undesirable because they can have negative effects on a person's future behavior. The practice of allowing minor first offenders to avoid having their status lowered by the justice process is known as **diversion**. The decision to divert an offender to a non-criminal justice agency may be left to practitioner judgment but may sometimes be a matter of agency policy or legal mandate.

C. Find in the text given above answers for the following.

1. What types of work are all social agencies mandated to perform?
2. What is the purpose of people processing agencies?
3. What traits are bureaucracies defined by?
4. How do bureaucrats view their job?
5. Why may the effects of their decisions on the client or society be neglected?
6. What is the central goal of people-changing agencies?
7. Why are status changes sometimes undesirable?

Exercise 10. Enrich your vocabulary.

I Synonyms. Match each word in column A with the word of similar meaning in column B.

crime	to find guilty
to enforce	difference
Goal	a thought
to criminate	judgment
a concept	to accuse
to convict	to compel
discretion	sin

II Definitions. Match each word in part A with the definition of a word in part B.

A. suspect, practitioner, jury, stage, career, discretion, statute, criminology, to mandate, bureaucracy, convict, citizen.

B.

1. A group of persons, usually 12, sworn to listen to the evidence at a trial and pronounce a true verdict.
2. Scientific study and investigation of crime and criminals.
3. A period of phase in the development of anything.
4. One owing allegiance to a state.
5. To control or to assign by a mandate.
6. A person thought to be guilty, under suspicion.
7. A system of government with many subdivisions and a large staff of bureau chiefs.
8. One who has been adjudged guilty of crime and sentenced.
9. One engaged in the practice of a profession.
10. Free, individual judgment.
11. A written, law; a permanent rule adopted officially by a university.
12. A life's work and achievement.

Exercise 11. Find in the text of this unit all word combinations with the following words:

crime

act

punish

Reproduce the contexts in which they were used. Make up your own sentences with these words.

Exercise 12. Point out the main ideas of the texts of this unit. Make a list of them.

Exercise 13. Brainstorm: how do you understand the purpose of criminal justice agencies? In your opinion, how should Criminal Justice agencies be organized in this country?

Exercise 14. A. Read and translate the text. Match the following headings with the sections of the text: History. Application. Techniques. Subject. Objectives.

Criminology

(1) Criminology is a social science dealing with the nature, extent, and causes of crime; the characteristics of criminals and their organizations; the problems of apprehending and convicting offenders; the operation of prisons and other correctional institutions; the rehabilitation of convicts both in and out of prison; and the prevention of crime.

(2) The science of criminology has two basic objectives: to determine the causes, whether personal or social, of criminal behavior and to evolve valid principles for the social control of crime. In pursuing these objectives, criminology draws on the findings of biology, psychology, psychiatry, sociology, anthropology, and related fields.

(3) Criminology originated in the late 18th century when various movements began to question the humanity and efficiency of using punishment for retribution rather than deterrence and reform. There arose as a consequence what is called the classical school of criminology, which aimed to mitigate legal penalties and humanize penal institutions. During 19th century the positivist school attempted to extend scientific neutrality to the understanding of crime. Because they held that criminals were shaped by their environment, positivists emphasized case studies and rehabilitative measures. A later school, the 'social defence' movement, stressed the importance of balance between the rights of criminals and the rights of society.

(4) Criminologists commonly use several research techniques. The collection and interpretation of statistics is generally the initial step in research. The case study, often used by psychologists, concentrates on an individual or a group. The typological method involves classifying offences, criminals, or criminal areas according to various criteria. Sociological research, which may involve many different techniques, is used in criminology to study groups, subcultures, and gangs as well as rates and kinds of crime within geographic areas.

(5) Criminology has many practical applications. Its findings can give lawyer, judges, and prison officials a better understanding of criminals, which may lead to more effective treatment. Criminological research can be used by legislators and the reform of laws and of penal institutions.

B. Find in the text the English equivalents for the following:

Кримінологія розглядає природу і причини злочинів; вивчення обставин правопорушення за матеріалами справи; кримінологія спирається на досягнення інших наук; проблеми затримання злочинців; виробити діючі принципи; встановити причини злочинності; проблеми запобігання злочинності; використання на практиці; виправні установи; пом'якшувати покарання; перший крок; наголошувати.

C. Brainstorms.

- 1.
2. Misdeed, misconduct.
3. Crime, offend, wrongdoing.
4. Unlawful act, violation of the law, lawbreaking.
5. Harm, sin.

What is your understanding of these words? Give examples.

III. Питання, тести для самоконтролю

1. CHOOSE TRUE OR FALSE ITEMS

1. Law is a set of rules created by a government to maintain social order so that life is reasonably safe and predictable.

ANSWER: True

2. Law changes slowly but follows society's needs and circumstances in an attempt to reflect current ideas of justice.

ANSWER: True

3. Much can be left to intuition or even common sense when legal issues are involved.

ANSWER: False

4. Tort law is usually applied in cases where someone is injured or loses money due to another's failure to live up to their legal obligations.

ANSWER: True

5. Crimes can not also be defined as civil law violations because of the constitution's protection against double jeopardy.

ANSWER: False

6. In criminal law the victim is the wronged party and controls the prosecution of the case.

ANSWER: False

7. In criminal law the state is the wronged party and controls the prosecution of the case.

ANSWER: True

8. Criminal law requires more proof for conviction than does civil law. ANSWER: True
9. The rules that determine what evidence may be introduced in court are much the same in criminal trials as in civil ones.
ANSWER: False
10. The rules that determine what evidence may be introduced in court are much stricter in criminal trials than in civil ones.
ANSWER: True
11. Natural law is any philosophy concerning the nature of proper behavior and justice that is felt to be suitable in a rationally organized society.
ANSWER: True
12. Case law is usually attributed to powers superior to man or society (e.g., God, nature) and stresses morality and logic.
ANSWER: False
13. Common law is a body of customs, traditions and prior decisions that are recognized as binding on a specific group of people.
ANSWER: True
14. Natural law serves to unify tribal beliefs into a coherent legal system that provides more stability and consistency than does common law.
ANSWER: False
15. Statutory law consists of written rules that are created by acts of legislatures and other governmental bodies.
ANSWER: True
16. Substantive law is that part of the law which defines and regulates the rights and duties of persons. It includes not only criminal law, but also civil contract law, tort law, law of wills (i.e., probate law), etc.
ANSWER: True
17. Procedural law describes the proper methods of enforcing persons' rights or correcting their violation. It governs the behavior of the agencies and practitioners that carry out legal actions dealing with crime.
ANSWER: True
18. Case law uses court decisions to interpret and apply specific laws and principles.
ANSWER: True
19. Case Law is guided by the principle of *stare decisis* which translates as let the decision stand.
ANSWER: True
20. Common Law is guided by the principle of *lex talionis* which translates as let the decision stand.
ANSWER: False
21. The principle of *lex talionis* is well-illustrated in the Bible's reference to an eye for an eye, a tooth for a tooth.
ANSWER: True
22. English Common Law is unique in the history of Western civilization because it was based on Anglo-Saxon traditions more than on Roman law.
ANSWER: True
23. Restitution to the victim was the preferred method of resolving disputes under Anglo-Saxon tradition.
ANSWER: True
24. The Wergild system was democratic in that it ignored the status and power of the victim and offender.
ANSWER: False
25. Lex talionis allowed each family to extract its own penalty from an offender whereas the *wergild* established government control over the process of punishing offenders.
ANSWER: True
26. Early English Common Law was both formal and rational.
ANSWER: False
27. A formal legal code is one that is independent of other influences such as religion, kinship or personality.
ANSWER: True
28. Folkways are norms that describe socially approved behavior in common situations and are usually *prescriptive* in nature.
ANSWER: True
29. Mores are norms that serve to protect individuals and social institutions from harm. They define the culture's morality and are usually *prescriptive* in nature.
ANSWER: True

30. Laws against pornography, gambling, prostitution, drug abuse, and many white-collar crimes serve to restate mores.
ANSWER: False
31. It is legal to think about selling or transporting drugs but once concrete plans are made to do so, a crime has occurred.
ANSWER: True
32. *Mens rea* literally means guilty mind. This concept is used to specify the character of the intent or negligence.
ANSWER: True
33. Intent and motive refer to the same basic idea in law.
ANSWER: False
34. Motive is what drives or prompts a person to commit an act (i.e. the reason or rationale). Intent refers to the person's state of mind at the time of the act.
ANSWER: True
35. Legally culpable actions are those motivated by intent, knowledge, recklessness, or negligence.
ANSWER: True
36. In *assault with the intent to kill* the general intent to commit a crime is contained within the specific intent to commit the particular crime of murder.
ANSWER: True
37. Self-Defense, defense of others and defense of property are generally defined as excuses.
ANSWER: False
38. Misdemeanors are offenses that are not punishable by death or incarceration in a state prison.
ANSWER: True
39. Felonies are criminal offenses punishable by death or incarceration in a state prison for a year or more.
ANSWER: True
40. Capital felonies are crimes for which the death penalty may be imposed.
ANSWER: True
41. Nonnegligent (or voluntary) manslaughter means causing the death of another out of *sudden passion arising from an adequate cause* (e.g., rage, terror, etc), whereas involuntary manslaughter refers to recklessly causing the death of another due to improper caution.
ANSWER: True
42. Negligent manslaughter means causing the death of another through gross negligence.
ANSWER: True
43. Between 15 and 20% of all known criminals can be classified as habitual felons.
ANSWER: True
44. Habitual offender acts are based on the belief that a relatively small number of habitual criminals are responsible for a vast number of serious crimes.
ANSWER: True
45. Robbery, which involves the use or threat of force to take possession of someone else's property while in their presence and is a crime against both a person and property.
ANSWER: True
46. The field of criminal justice draws upon management, political science, law, criminology, psychology and sociology.
ANSWER: True
47. Criminology uses scientific logic to link the motives for crime to methods of controlling it.
ANSWER: True
48. The courts use scientific logic to link the motives for crime to methods of controlling it.
ANSWER: False
49. Criminal justice agencies are linked to one another by a series of social, legal and political relationships.
ANSWER: True
50. Use of the term *system* indicates that a set of things, in this case government agencies responsible for dealing with crime, are connected in a rational way so as to form a complex whole.
ANSWER: True
51. The activities of each criminal justice agency have an effect on the duties of others.
ANSWER: True
52. Each justice agency is dependent upon others to some degree because their powers are restricted by law and they lack resources to carry out some functions.

ANSWER: True

53. Inter-agency relations involve the methods by which agencies deal with one another.

ANSWER: True

54. The term *jurisdiction* can refer to either the geographic area in which particular agencies have legal authority to operate or the type of activity with which an agency is concerned.

ANSWER: True

55. Most geographical jurisdictions are based on political subdivisions of territory.

ANSWER: True

56. Relationships between agencies are usually motivated by the need for resources or the unique legal powers of certain agencies.

ANSWER: True

57. An agency's resources consist of the manpower, money, equipment, information, and legal powers that the agency requires in order to function.

ANSWER: True

58. Power dependency relationships rarely involve criminal justice agencies with other governmental bodies.

ANSWER: False

59. Criminal justice agencies possess fairly equal amounts and types of power.

ANSWER: False

60. The division of power across different agencies is designed to assure that no single agency or branch or government becomes so powerful that democracy is threatened.

ANSWER: True

61. In this country the task of defining crime is performed by legislatures.

ANSWER: True

62. The social power of the audience, and the degree to which it feels threatened by a particular type of crime, predicts how much attention that crime will receive from justice agencies.

ANSWER: True

63. More than any other factor, the amount of danger posed by an act determines how much attention that crime will receive from justice agencies.

ANSWER: False

64. Subcultural norms are often more important to significant other audiences than is the law.

ANSWER: True

65. Bureaucracy is a very effective method of discouraging looping by justice practitioners.

ANSWER: False

2. FILL IN THE BLANK ITEMS

1. A _____ is best defined as a civil wrong that causes injury or loss of mater wealth.

ANSWER: tort

2. _____ law requires more proof for conviction than does civil law because liberty or life, rather than property, is at stake.

ANSWER: Criminal

3. In criminal law, the _____ is the wronged party and controls the prosecution of the case.

ANSWER: state

4. The term _____ refers to the set of principles a person uses to distinguish right from wrong.

ANSWER: natural law

5. _____ law is a body of customs, traditions and prior decisions that are recognized as binding on a specific group of people even though it has never been written down or voted upon by a legislature.

ANSWER: Common

6. Laws that have been enacted by a legislature and written down are referred to as _____ laws.

ANSWER: statutory

7. _____ law is that part of the law which defines and regulates the rights and duties of persons. It includes not only criminal law, but also civil contract law, tort law, and the law of wills.

ANSWER: Substantive

8. _____ law describes the proper methods of enforcing persons' rights or correcting their violation and governs the behavior of the agencies and practitioners that carry out legal actions dealing with crime.

ANSWER: Procedural

9. _____ law is results from court interpretations of statutory law.

ANSWER: Case

10. _____ to the victim was the preferred method of resolving disputes under Anglo-Saxon tradition.

ANSWER: Restitution

11. The English system of monetary compensation for crime was known as the

ANSWER: wergild.

12. The victim's needs were displaced in favour of those of the _____ in medieval England.

ANSWER: state, king

13. _____ are norms describing what behaviors are acceptable or preferable in everyday life.

ANSWER: Folkways

14. _____ are norms that describe socially approved behavior in common situations and are usually *prescriptive* in nature.

ANSWER: Folkways

15. _____ are norms that serve to protect individuals and social institutions from harm. They define the culture's morality and are usually *prescriptive* in nature.

ANSWER: Mores

16. The criminal act is referred to as

ANSWER: actus reus

17. Crimes such as conspiracy, solicitation and attempts to commit crimes (e.g., attempted murder) which are incomplete crimes but demonstrate the presence of real criminal intent are known as _____ offenses.

ANSWER: inchoate

18. A _____ legal code is one that is independent of other influences such as religion, kinship or personality.

ANSWER: formal

19. A _____ legal code is one that is based on predetermined rules, rather than the intuition of a judge or ruler.

ANSWER: rational

20. The American legal system, taken as a whole, is basically _____

ANSWER: formal & rational

21. _____ refers to criminal intent.

ANSWER: Mens rea

22. _____ literally means guilty mind. This concept is used to specify the character of the intent or negligence.

ANSWER: Mens rea

23. The _____ for a crime is what drives or prompts a person to commit an act; it is the reason or rationale for the act.

ANSWER: motive

24. _____ refers to the person's state of mind when the act was committed.

ANSWER: Intent

25. The term _____ is a legal reference to the blameworthiness of a person who has committed a criminal act that refers to both the action and the mental state of the person performing it.

ANSWER: culpability

26. _____ intent is present when the person's actions show that the basic goal of the act is prohibited by law (e.g., to do someone bodily harm).

ANSWER: General

27. _____ intent refers to acts with the purpose of accomplishing a particular goal which the law prohibits (e.g., shooting a particular person).

ANSWER: Specific

28. A crime that is defined in a way that does not require criminal intent is known as a(n) _____ crime.

ANSWER: strict liability

29. _____ are just or lawful reasons for committing criminal acts that relieve persons from guilt for having committed them.

ANSWER: Justifications

30. Self-Defense, defense of others and defense of property are generally defined as _____ for crime.

ANSWER: justifications

31. _____ lessen or remove culpability for an act that is otherwise illegal.

ANSWER: Excuses

32. A(n) _____ defense is one in which the accused person must prove that a legally accepted defense is applicable to the case.

ANSWER: affirmative

33. _____ are typically minor offenses ranging from traffic and health code violations to petty theft and assaults for which one may be sentenced to jail or a fine.

ANSWER: Misdemeanors

34. Crimes that are punishable by a fine and/or confinement in a city or county jail for up to one year in most states are referred to as _____.

ANSWER: misdemeanors

35. Serious offenses punishable by death or incarceration in a state prison for a year or more are known as _____.

ANSWER: felonies

36. _____ are those for which the death penalty may be imposed.

ANSWER: Capital felonies

37. When applied to a crime, the term _____, indicates especially serious circumstances such as the degree of injury done (or threatened), the age of the victim or the use of a lethal weapon.

ANSWER: aggravated

38. The legal idea that all persons involved in a crime that results in a death are equally guilty of murder, regardless of their intentions, is known as

ANSWER: felony murder

39. Homicides are defined as murder if there is malice aforesight and as _____ if malice aforesight is not present.

ANSWER: manslaughter

40. _____ is defined as the use or threat of force to take possession of someone else's property while in their presence and is a crime against both a person and property.

ANSWER: Robbery

41. _____ is the study of the agencies, people and practices used to control crime.

ANSWER: Criminal justice

42. The study of _____ examines the reasons why crime occurs, the patterns in which it occurs and uses of scientific logic to link the motives for crime to methods of controlling it.

ANSWER: Criminology

43. Use of the term _____ indicates that a set of things, such as the government agencies responsible for dealing with crime, are connected in a rational way so as to form a complex whole.

ANSWER: system

44. _____ means that each agency operates within a sort of vacuum and tends to ignore the effects of its actions on other agencies.

ANSWER: Fragmentation

45. A _____ is concerned with the activities that guide the processing of a person by an agency and the relationships between the activities of various agencies.

ANSWER: process approach

46. The _____ approach to criminal justice forces us to examine agencies in the context of the broader environment in which they operate.

ANSWER: process

47. A geographically limited area in which a police agency will routinely exercise its powers is most commonly referred to as its _____.

ANSWER: jurisdiction

48. The geographically limited area from which a court draws its cases is most accurately referred to as its _____.

ANSWER: venue

49. The concept of _____ is used to establish the limits of an organization's powers and responsibilities.

ANSWER: jurisdiction

50. The term _____ refers to both the geographic area in which particular agencies have legal authority to operate and the type of activity with which an agency is concerned.

ANSWER: jurisdiction

51. The manpower, money, equipment, information, and legal powers that an agency requires in order to function are referred to as _____.

ANSWER: resources

52. The arrangement of various types of authority across agencies with similar concerns and/or jurisdictions is referred to as a _____.

ANSWER: power structure

53. It is the _____ that are designed to guide and change the behavior of individuals.

ANSWER: law or legal codes

54. _____ is an efficient way of organizing justice agencies because it allows a relatively small number of practitioners to handle a rather large number of offenders with minimum expense.

ANSWER: Bureaucracy

55. The term _____ refers to the organization of job roles into different levels of power that forms a coherent system in which commands flow down from the top and information flows upward.

ANSWER: chain of command

56. The term _____ refers to the use of personal judgement to decide which rule applies to a case.

ANSWER: discretion

57. Human creations that reflect the needs and power structure of the society at a particular point in time are referred to as _____.

ANSWER: social constructions

58. In the U.S., the task of defining crime is performed by _____.

ANSWER: legislatures.

59. People with the ability to assign labels to actions and persons are commonly referred to as _____.

ANSWER: control agents.

60. _____ audiences are made up of groups that are concerned with crime because of their involvement in politics.

ANSWER: Society-at-large

61. The term _____ refers to the use of a labeled person's attempts to disprove the validity of the label to reinforce the label.

ANSWER: looping

3. TEST BANK

Multiple Choice Items

1. Modern law differs from other types of social rules in that it must be:

- A. highly specific.
- B. formally legitimate.
- C. stable.
- D. logically consistent.
- E. all of the above.

ANSWER: E

2. Tort law is concerned with:

- A. properly crimes.
- B. violent crimes.
- C. private wrongs.
- D. public wrongs.

ANSWER: C

3. Laws that have been enacted by a legislature and written down are referred to as _____ laws.

- A. case
- B. statutory
- C. tort
- D. natural

ANSWER: B

5. _____ law is that part of the law which defines and regulates the rights and duties of persons. It includes not only criminal law, but also civil contract law, tort law, and the law of wills.

- A. Case
- B. Substantive
- C. Natural
- D. Procedural

ANSWER: B

6. The criminal act is referred to as:

- A. actus reus.
- B. mens rea
- C. stare decisis.
- D. lex talionis.

ANSWER: A

7. Inchoate offenses are:

- A. Crimes like murder and rape in which there is bodily harm without monetary profit.
- B. Crimes such as conspiracy, solicitation and attempts to commit crimes (e.g., attempted murder) are incomplete crimes but real criminal intent is apparent in them.
- C. Violations of civil or procedural codes.
- D. Offenses against a group rather than a single individual.

ANSWER: B

8. The basis of Roman law was known as:

- A. the Mosaic code.
- B. the Code of Hammurabi.
- C. the Draconian system.
- D. the Laws of the Twelve Tables.

ANSWER: D

9. The first civilization to hold citizens responsible for law enforcement duties was:

- A. Greece.
- B. Egypt.
- C. Babylonia.
- D. Rome.

ANSWER: D

10. Which of the following most closely resembled a police force?

- A. the Praetorian Guard
- B. the Vigiles of Rome
- C. the kin police
- D. the knights of Hammurabi

ANSWER: B

11. The important principle(s) that evolved from the merger of Anglo-Saxon and Roman law was/were:

- A. the King's Peace.
- B. the idea that the king was entitled to compensation for any death or injury done to a free man,
- C. both of the above.
- D. neither of the above.

ANSWER: C

12. The concept of ____ was used to justify the monarch's power because the king promised peace, security and order to his subjects in return for their loyalty.

- A. the King's Peace
- B. tithings
- C. lex talionis
- D. all of the above

ANSWER: A

13. _____ is the study of the agencies, people and practices used to control crime.

- A. Criminal justice
- B. Criminology
- C. Sociology
- D. Political Science

ANSWER: A

14. Which of the following is NOT a criminal justice agency:

- A. the courts
- B. the police
- C. prisons
- D. schools
- E. probation

ANSWER: D

15. Which of the following areas of study are important to Criminal Justice?

- A. law
- B. sociology
- C. criminology
- D. management
- E. all of the above

ANSWER: E

16. Criminology is:

- A. the study of why crime occurs
- B. the study of the patterns in which crime occurs.
- C. the use of scientific logic to link the motives for crime to methods of controlling it.
- D. all of the above

ANSWER: D

17. Decisions made by the courts are based on:

- A. criminological studies
- B. scientific logic
- C. the logic and traditions of law.
- D. all of the above

ANSWER: C

18. Which of the following is crucial to the American justice process:

- A. preserving the unique personal liberties guaranteed by the U.S. Constitution.
- B. assuring an orderly and safe society.
- C. both of the above.
- D. neither of the above.

ANSWER: C

19. Media criticisms and control of justice agencies by other organs of government are important to:

- A. the preservation of liberty and democracy.
- B. the efficiency of the justice process.
- C. the comfort of practitioners.
- D. all of the above.

ANSWER: A

20. The idea that criminal justice agencies form a system is based on each of the following beliefs except:

- A. the effects of each agency on others.
- B. the efficiency of these agencies
- C. the common goals of these agencies.
- D. the coherent organization of these agencies.

ANSWER: B

21. From a legal perspective, which of the following are important parts of the criminal process:

- A. pre-trial
- B. trial
- C. post-trial
- D. all of the above.

ANSWER: D

22. Criminal justice agencies are linked to one another by a series of _____ relationships.

- A. social
- B. legal
- C. political
- D. all of the above

ANSWER: D

23. The relationships that unite justice agencies are based on:

- A. the guidelines of criminal law.
- B. the need to identify, control, change and/or punish offenders.
- C. the political party membership of the agency head.
- D. all of the above.
- E. a & b only.

ANSWER: E

24. A process approach is concerned with:

- A. the activities that guide the processing of a person by an agency.
- B. relationships between the activities of various agencies.
- C. the transfer of control of suspects/offenders from one agency to another.
- D. all of the above.

ANSWER: D

25. Which of the following is a type of geographical jurisdiction in which a justice agency might operate?

- A. the nation
- B. the state
- C. the county
- D. a city
- E. all of the above

ANSWER: E

26. Offenders being processed by the police are most often referred to as suspects while those handled by probation are more often called:

- A. defendants.
- B. criminals.
- C. clients.
- D. releasees.

ANSWER: C

27. The two basic types of jurisdiction are best described as:

- A. legal and moral.
- B. geographical and subject-matter.
- C. utilitarian and ethical.
- D. comparative and operational.

ANSWER: B

28. The manpower, money, equipment, information, and legal powers that an agency requires in order to function are referred to as:

- A. mandates.
- B. resources.
- C. jurisdiction.
- D. functions.

ANSWER: B

29. When an agency lacks the resources to fulfill its mission, it must usually:

- A. petition the government for redress.
- B. turn to other agencies for help.
- C. cease operation.
- D. file a lawsuit.

ANSWER: B

30. Criminal justice is mainly concerned with _____ power structures.

- A. legal
- B. social
- C. political
- D. all of the above

ANSWER: D

31. A power dependency approach:

- A. focuses attention on the amount and type of power each agency possesses relative to the others with which it works.
- B. infers that a network of agencies is united to some degree by ongoing relationships.
- C. examines agencies in the context of their legal, social and political relations with other agencies.
- D. all of the above.

ANSWER: D

32. Most criminal justice agencies are designed primarily to:

- A. process people and cases.
- B. change individual behavior patterns.
- C. obtain sufficient resources.
- D. survive symmetrical power linkages.

ANSWER: A

33. Justice agencies exist primarily to:

- A. change offenders into law-abiding citizens.
- B. document exceptions to the guidance of the law.
- C. determine what sorts of behavior should be permitted in society.
- D. all of the above.

ANSWER: B

34. Which of the following is characteristic of a bureaucracy?

- A. They are hierarchically organized.
- B. Their division of labor is specialized.
- C. Rules and procedures guide decision making.
- D. Record-keeping is of paramount importance.
- E. all of the above.

ANSWER: E

35. Which of the following is not typical of a bureaucracy?

- A. hierarchial organization of authority
- B. specialized division of labor
- C. use of rules to guide all decision-making
- D. consistent focus on the needs of those being served
- E. all of the above are typical of a bureaucracy

ANSWER: D

36. Advantages of bureaucratic organization include:

- A. emphasis on methods rather than goals & detachment from those being served.
- B. equal treatment of cases & a high level of efficiency.
- C. professional rather than political criteria in hiring, promotion and disciplinary decisions.
- D. all of the above
- E. b & c only.

ANSWER: E

37. Which of the following is the best example of a people-changing agency?

- A. a trial court
- B. a police academy
- C. a probation department
- D. a prosecutor

ANSWER: B

38. In this country the task of defining crime is performed by:

- A. legislatures.
- B. the courts.
- C. the voters.
- D. the governor or president.

ANSWER: A

39. How serious an act is thought to be is determined by a person's:

- A. culture and ethics.
- B. race and heredity.
- C. wealth and gender.
- D. all of the above.

ANSWER: A

40. The ___ of each society influence the ways in which it attempts to control crime.

- A. political organization
- B. geography and history
- C. economic needs
- D. cultural heritage
- E. all of the above

ANSWER: E

41. _____ are made up of groups that are concerned with crime because of their involvement in politics.

- A. criminogenic
- B. control agent audiences
- C. significant other audiences

D. society-at-large audiences

ANSWER: D

72. The term looping refers to:

A. the cycle of ever-increasing violence in which many offenders become involved.

B. the use of a labeled person's attempts to disprove the validity of the label to reinforce the label.

C. the rate of recidivism for inmates released from a particular facility.

D. none of the above

ANSWER: B

VI. KEY TERMS

Actus Reus refers to the criminal act

Affirmative Defenses are legally recognized excuses and justifications for acts that are normally defined as criminal. This term is used to indicate that the burden of proof lies with the defense rather than the state or prosecutor.

An Act for improving the Police in and near the Metropolis, of 1829 consolidated the administration of the police of metropolitan London under a central authority. This resulted in the creation of the first really modern police force. It is also known as the "Metropolitan Police Act,"

Capital felonies are crimes for which the death penalty may be imposed. They generally involve especially heinous homicides.

Case law refers to judicial interpretations of statutory and constitutional law, usually rendered at the appellate level in written decisions. It functions to bridge the gap between abstract rules (laws) and concrete situations or cases by instructing judges as to how codes are to be interpreted and applied.

Civil law is a set of rules that assign financial responsibility to various parties and allow for disputes between individuals and/or businesses to be settled in court with the state (judiciary) acting as an impartial referee.

Class A felonies are second in seriousness only to capital offenses. They usually consist of crimes involving serious bodily injury, which create a risk of death or that causes death.

Class B felonies are crimes which involve some kind of bodily injury of a non-life threatening nature. They are less serious than class A offenses.

Class C felonies includes an assortment of crimes which in general usually involve serious threats to public order or attempts to deprive someone of their property. They are the least serious category of felonies.

Code of Hammurabi is named after the king of Babylon, who ruled from 1792 B.C. to 1750 B.C. This Mesopotamian code was the first standardized set of written laws known. It contained laws concerning sex, violence, and sorcery. It also provided specific punishments for various crimes.

Common law is a body of customs, traditions and prior decisions that originates among, and is recognized as binding on, a specific group of people.

Contes were geographical districts in France during the middle ages that were approximately equivalent to counties in the United States or shires in England.

Criminal Law is a set of rules established by a political authority to govern behavior and punish rule violators, usually through loss of freedom or the death penalty. Representatives of the executive branch of government prosecute accused individuals.

Culpability refers to a person's legal blameworthiness. Except in cases of strict or absolute liability the state is required to demonstrate that the person acted intentionally, knowingly, recklessly or negligently.

Due Process Revolution occurred in the 1960s as a result of the Escobedo, Mapp and Miranda rulings by the U.S. Supreme Court. These rulings demanded that courts enforce the rights of suspects and placed many controls on the behavior of the police. Many see these rulings as favoring criminals over police but many police executives argue that they helped to professionalize American law enforcement.

Equity refers to concern with equal treatment of persons. It is an appeal to societal concepts of fairness that originated as a supplement to common law principles and could be used to override them by feudal monarchs.

Excuses are a type of legal defense that reduce or remove a person's culpability for a criminal act. If an excuse is used successfully, then a crime has occurred but no liability for the act is attached to the person who committed it.

Felons are persons who have been convicted of a felony offense.

Felonies are serious criminal offenses punishable by confinement in a state or federal prison, usually for more than a year, or death.

Felony murder refers to any situation in which someone dies while being victimized in a felony crime (e.g., rape, robbery). All persons involved in the original crime may be held equally culpable for the death as well.

Folkways are norms that describe socially acceptable behavior in routine social interactions.

Frankpledge system is a term used to denote the obligatory avocational policing systems in England, such as the tithing, during the middle ages.

General intent is present when the purpose of an act is prohibited by law.

Habitual felon sentence is a felony charge that may be used against persons convicted of a felony who have previously been convicted of two felony offenses.

Harrison Narcotics Act required all persons dealing in narcotics to register with the Director of Internal Revenue so as to limit trafficking in narcotics to what was medically needed.

Heliaea were juries in ancient Athens whose members were chosen from local Greek tribes.

Homicide refers to the killing of one person by another whether or not the act is legally justified or excusable.

Hue and cry was a term used in England in the middle ages to describe the duty of the tithingman to run through the streets announcing that a crime had been committed.

Hundred was a term used during the middle ages in England for a grouping of ten neighboring tithings. Hundreds were later renamed Judicials.

Inchoate offenses are crimes such as conspiracy, solicitation (of prostitution or murder) *and* criminal attempts (e.g., attempted murder or burglary) in which the act was not completed but real criminal intent is apparent.

Justice of the Peace was an office created under the mutual pledge system in England by Edward II in 1326. Initially the primary function of the office was to assist the Sheriff. Over time the Justice of the Peace became the chief magistrate for whom the constable worked.

Justifications are affirmative legal defenses that relieve a person who has committed an otherwise criminal act from guilt. If a justification is accepted, then no crime has occurred.

Kefauver committee was a U.S. Senate committee that conducted a nationwide investigation into organized crime in the early 1950s.

Kin policing is the oldest form of law enforcement in which families band together for mutual aid and protection. It was most common in tribal societies.

King's Peace was a doctrine used during the middle ages that made the king responsible for assuring public order to his subjects in return for their allegiance to him. This made crime an offense against the state or king as well as the victim.

Laws Divine, Moral and Martial, more commonly known as "Dale's Laws," was Jamestown's system of law enforcement written in Colonial America in the very early 1600s. The code was a combination of civil and military law that contained severe punishments and was strictly enforced.

Lex talionis is equivalent retaliation, the doctrine typified by the expression an eye for eye. It can be traced back to the codes of Hammurabi and is seen by many as the source of blood feuds. Lex talionis is an ancient expression of the retribution function of law and punishment. Under Mosaic law it is expressed in the formula of "an eye for an eye; a tooth for a tooth". In modern international law it has come to mean "equivalent retribution" or the rate by which one country can punish a citizen from another country with the same penalties it would impose on its own citizens if they had committed the crime.

Lyitch law was a statute that gave legal authority for citizens to band together as vigilantes and punish criminals in the rural areas of Colonial America.

Mala in se literally means acts which are evil in themselves.

Malice aforesight - premeditated intent to do serious bodily harm that has no legal defense; or recklessness/negligence that would reasonably be expected to result in great bodily harm to someone.

Malum prohibitum literally means acts that are specifically forbidden by law. **Manslaughter** - The illegal killing of one person by another without malice aforesight.

Mens rea literally means guilty mind and refers to criminal intent. **Misdemeanors** are persons who have been convicted of a misdemeanor offense.

Misdemeanors are relatively minor offenses that typically are punishable by a fine and/or incarceration in a city or county jail, usually for less than a year.

Mores are norms designed to protect individuals from being harmed by others. They usually prohibit certain behaviors that threaten society or individuals. Their violation generally provokes a harsh response from society.

Murder is the act of intentionally causing the death of a person without legal justification, or intentionally causing the death of another person while attempting or committing another crime. Some form of malice aforesight must be present to distinguish murder from other forms of homicide.

Natural law is any philosophy concerning the nature of reason and justice that is felt to be applicable to a rationally organized society. It is usually attributed to power(s) superior to man or society (e.g., God, nature) and stresses morality and rationality. Its content varies widely across cultures and social sub-groups.

Norms are the rules developed by societies to regulate and/or guide the behavior of citizens.

Obligatory-avocational policing is performed by persons (men) who have other trades or professions that supply their livelihood. Laws and customs obligating citizens to perform police-like work, such as tithingmen, watch members or kin police, were the source of this medieval form of law enforcement.

Omission is the failure to perform a legal duty or obligation.

Pax Romana or Roman Peace was the Roman Empire's justification for conquering less developed societies and imposing their laws,

Pendleton Act was passed in the United States in 1883 to put an end to the "spoils system" for some levels of the federal government by establishing a civil service commission for certain Federal employees,

Pinktrtons were men employed by the Pinkerton Detective agency which was hired by mining companies and railroads to hunt down outlaws in the old West.

Portrait park was the name given a criminal identification system developed by Bertillon of France in the late 1880s. It was based on the characteristics of a person's head but was soon replaced by fingerprinting.

Praetorian Guard was a para-military police force created in 27 B.C. by the Romans to maintain security within emperor's palace.

Rural Police Act, more commonly known as the "Obligatory Act", was passed in England in 1865. It provided for paid police throughout ail of England for the first time.

Procedural law prescribes the methods of enforcing personal rights or obtaining compensation for their invasion. It governs the behavior of the agencies and practitioners that carry out legal actions dealing with crime, the rules for making arrests, entering pleas, collecting evidence and sentencing the convicted. It also defines the geographical and subject-matter jurisdictions of different agencies and describes their obligations to one another, the public, and suspected/known offenders.

Repeat (or habitual) felony charges are generally used against those convicted of a first-degree felony who have previously been convicted of multiple felonies.

Sentence enhancement refers to legal rules that allow judges to add a year or more to a felon's sentence due lo prior convictions for serious crimes, repeated crimes or aggravating circumstances.

Shires were geographic districts made up of several Hundreds (Judicials) in England during the middle ages. They were approximately equivalent to counties in the U.S.

Shire-reeve was a person who served as both a judge and head law enforcement officer within a shire in England during the middle ages, departments to reform and incorporate technological innovations into their practices.

Specific intent refers to the criminal act's particular goal of accomplishing something which the law prohibits.

Stare decisis is the legal principle which guides the application of case law. It translates as let the decision stand and helps to assure the stability of legal principles over time and place.

Statutory law refers to the rules of behavior created by acts of legislatures and administrative governmental bodies. It includes both *substantive criminal law* and *procedural law*.

Strict liability crimes are acts for which criminal intent need not be present in order to obtain a conviction. Generally, these crimes endanger the public welfare in some way, such as the illegal dumping of toxic wastes or drunken driving.

Spoils system of political patronage allowed elected officials to appoint incompetent friends and relatives to positions of power.

Statute of Winchester was enacted in England in 1285 to replace tithings and tithingmen with parishes and parish constables,

Substantive law is that part of the law which defines and regulates the rights and duties of persons.

Tort law is a sub-type of civil law concerned with private wrongs in which someone is injured or suffers financial loss due to another's failure to live up to their legal obligations. Many crimes can also be defined as torts.

Tithings were geographical subdivisions in England during the middle ages in which ten families lived.

Tithingme D were the adult male residents of tithings who were obligated to insure the peace in England during the middle ages by use of the hue and cry.

Transferred intent relocates the original malice present in an act from the person whom was targeted to the person who actually suffered the consequences of the unlawful ad.

Vigilance committees, more popularly referred to as vigilantes or regulators, were essentially volunteer civilian watches that provided protection against outlaws in the old West.

Volstead Act, or eighteenth amendment, was passed by the United States Congress in 1915 to prohibit sale and manufacture of liquor containing more than one half of one percent alcohol illegal. The Prohibition era that it created was dominated by bootlegging gangs that became extremely rich and powerful.

Watch and ward was a system of policing supervised by constables that was developed in England during the 1200s. Watches were comprised of twelve watchmen in larger towns and from four to six men in smaller ones to guard the entrance to the towns at night.

Wickersham Commission Report was written by the *National Commission on Law Observance* in 1931. It was severely critical of American policing and forced

V. Додаткові тексти для індивідуального контролю.

Translate into English.

1. Прийнята Генеральною Асамблеєю ООН 10 грудня 1948 р. Загальна декларація прав людини у п.2 ст.16 констатує: “Шлюб може укладатися тільки за умови вільної та повної згоди двох сторін, які вступають до шлюбу”.

Теза про необхідність усім державам – сторонам вживати заходів для ліквідації дискримінації щодо жінок в усіх питаннях, які стосуються шлюбу та сімейних стосунків, й, зокрема, забезпечувати на основі рівності чоловіків і жінок однакові права щодо одруження, однакові права на вільний вибір одруження лише з тією вільною й повною згодою, закріплена у ч.1 ст.16 Конвенції про ліквідацію всіх форм дискримінації щодо жінок, яка прийнята Генеральною Асамблеєю ООН 18 грудня 1979р. Тотожне положення є і в основному Законі нашої держави. Так ч.1 ст.51 Конституції України, проголошує, що шлюб ґрунтується на *вільній* згоді жінки й чоловіка. Кожен член подружжя має *рівні права і обов’язки* у шлюбі та сім’ї.

2. Відповідно до ч.3 ст.24 Конституції України, “рівність прав жінки і чоловіка забезпечується : наданням рівних з чоловіками можливостей у громадсько – політичній і культурній діяльності, у здобутті освіти і професійній підготовці, у праці та винагороді за неї; спеціальними заходами щодо охорони праці і здоров’я жінок , встановленням пенсійних пільг; створення умов, які дають жінкам можливість поєднувати працю з материнством; правовим захистом, матеріальною і моральною підтримкою материнства і дитинства, включаючи надання оплачуваних відпусток та інших пільг вагітним жінкам матерям”.

3. Реституція як вид міжнародно-правової відповідальності. У доктрині міжнародного права загально-прийнято розрізняти два види відповідальності – матеріальну (реституція, субституція, репарація) та нематеріальна (тобто політичну й моральну відповідальність - ресторація, сатисфакція, демілітаризація, післявоєнна окупація, обмеження міжнародно-правової суб’єктності тощо). При цьому існують і інші підходи щодо класифікації видів міжнародної відповідальності. Отже, реституція належить до матеріального виду міжнародної відповідальності та є одним із дієвих засобів відновлення права власності держави на певне майно. Реституцію застосовують передусім під час збройних конфліктів з метою відшкодування державою – правопорушницею (противником, агресором) заподіяної шкоди не в формі компенсації, а в натуральній. Прикладом реституції можна назвати повернення майна, що неправомірно затримано, художніх, історичних, археологічних і культурних цінностей, транспортних засобів тощо. Таким чином, у міжнародному праві цілям реституції відповідає передусім повернення індивідуально визначених речей. Разом з тим у мирних договорах з переможеними державами може бути наголошено, що в разі неможливості повернення в натурі вилучених предметів, які мають відповідну цінність, вони підлягають заміні аналогічними предметами або майже рівноцінними. Принцип реституції було проголошено під час другої світової війни в Декларації Організації Об’єднаних Націй від 5 січня 1943р., згідно з якою держави гітлерівського блоку попереджувались про неприпустимість вилучення майна й недійсність будь-яких форм заволодіння ними. Так, під час окупації Одеси румунськими військами до королівських палаців Румунії було вивезено унікальні речі з Одеського оперного театру (головну люстру), Воронцовського палацу (двері з натурального червоного дерева) тощо. Все це було повернуто Україні через здійснення реституції.

У сучасних умовах реституцію розглядають як досить складну міжнародно-правову проблему. Тож не випадково питання стосовно реституції культурних цінностей було присвячено низку резолюцій Генеральної Асамблеї ООН. Щодо України, то вона приділяє значну увагу питанням міжнародно-правової реституції. Існує близько десятка договорів із Росією та майже така ж кількість з іншими країнами колишнього СРСР. Понад 10 документів стосовно реституції в межах регіональної співпраці підписано нашою державою із Польщею та країнами Балтії. Дотепер триває великий переговорний процес України з ФНР щодо повернення культурних цінностей, вивезених під час другої світової війни.

4. Отже, проведений аналіз застосування пробації як виду покарання США дає підстави для таких висновків: 1) пробація (випробування)- це ефективний захід кримінально-правового реагування, який отримує особу від ув’язнення, залишаючи її на волі, разом із своєю сім’єю, друзями та колом улюблених занять; 2) пробація реально дозволяє засудженому перебувати в центрі уваги суспільства, і відчувати

на собі його піклування та самому брати участь у соціальному обслуговуванні, визначеному судом; 3) вона дієво впливає на виправлення та перевиховання засудженого шляхом залучення його до праці, навчання та лікування; 4) Пробація справляє відновлювальний вплив на стан речей і предметів, оскільки під час пробації засуджений компенсує заподіяну злочином шкоду тощо. Тож сподіваємося, що позитивний досвід американського кримінального законодавства щодо пробації буде враховано при подальшому реформуванні інституту покарання та пенітенціарної системи в Україні.

5. Фактично до середини 90-х років британська розвідка діяла, не маючи державного статусу, будучи фактично непідзвітною парламенту. MI-6 фінансується через Міністерство закордонних справ. Закон «Про розвідувальні служби» був прийнятий парламентом Великобританії в 1994р. У ньому вперше дано визначення розвідувальної діяльності як «добування і поширення інформації про діяльність і наміри іноземців за межами Великобританії, а також проведення спеціальних операцій в інтересах національної безпеки».

Крім того, закон звільнив від відповідальності працівників спецслужб за дії, які вчиняють вони за межами країни з метою виконання своїх функцій, навіть у тих випадках, коли в самій Англії вони б розцінювалися як злочинні. Міністрам, у віданні яких перебувають спецслужби, надані повноваження санкціонувати на свій розсуд операції, пов'язані з втручанням у приватне життя, прослуховуванням і негласним проникненням у житлові і службові приміщення.

Законом «Про розвідувальні служби» було передбачено створення парламентського комітету з питань розвідки і безпеки. Вказаному органу надане право контролювати витрачання спецслужбами бюджетних коштів, управління і політику в сфері вирішення основних завдань щодо забезпечення внутрішньої і зовнішньої безпеки держави. В законі не було чітких вказівок щодо повноважень і кола питань, які покликаний вирішувати комітет. Відзначалось лише, що він зобов'язаний подавати прем'єр-міністру, а не парламенту, щорічний звіт, а також інші доповіді на свій розсуд.

1. Highway Patrol

The duties of state highway patrols center on enforcing traffic laws on major highways and rural thoroughfares. This includes investigating accidents, issuing citations, helping stranded motorists and other tasks related to maintaining the safety of our highways. They are also responsible for many service functions not directly related to law enforcement. While their duties are primarily traffic-related, highway patrol officers are often the only immediately available law enforcers in many isolated rural areas, especially at night so they often encounter fugitives and other offenders in the course of their routine duties. Because they often work alone in isolated areas, they must be especially cautious at all times.

Most highway patrols are sub-divided into troops which are based in barracks. Each troop is responsible for patrolling a particular section of the state. A troop is thus similar to a city precinct and a barracks is similar to a precinct station. This geographic division of labour within highway patrols is a matter of administrative convenience, not jurisdiction. It results in these officers being commonly known as state troopers. They often have to rely on other agencies for routine back-up, detention facilities, and other services. In some rural areas, their duties may overlap with those of the sheriffs office.

2. THE POLICE ROLE

Any discussion of the police role in modern society should stress that the police are **secondary control agents**. Agents of **primary social control**, such as the family, community, and church are informal social institutions in which people value their membership. These groups motivate their members to abide by certain standards of behavior through the use of peer influence and informal discipline. Secondary control agents are the employees of formal bureaucratic agencies who have the power to attach official labels to individuals that may affect their social, psychological and material well-being. Secondary control agents, such as the police, help to preserve the institutions of primary social control from external threats. They also deal with the results of the failures of primary institutions. Secondary forms of social control are always less effective than primary ones. Democracy tends to presume the power of primary control institutions and structures secondary control agencies to serve only as a support mechanism. Law enforcement in democratic nations is usually designed to protect the rights and privacy of citizens. For this reason it is never as efficient as that found in more authoritarian nations.

Factors Shaping the Police Role At least at the local level, the role of a police agency is determined by three closely related factors: 1) legal mandates; 2) distinctive powers; and 3) community characteristics. The legally mandated responsibilities of each police agency require certain relationships with other agencies in the jurisdiction. Legal mandates also control who may become a police officer and how certain aspects of the role will be performed. In most cases, the police have much discretionary power in determining who will be processed by the courts and who will be referred to other agencies. This power makes it critical that police maintain a high level of trust among

the citizens they protect. The police possess the power to act in many situations where the general public's behavior is restricted. Additionally, the police have the legal power to use deadly force in many situations where citizens are reluctant or forbidden to do so. The police role is also unique because, unlike most other providers of governmental services, the police are available 24-hours a day, 7 days a week. When people desire governmental services during non-business hours, the police are often expected to act even though the task is the responsibility of another agency.

3. The characteristics of each community also influence the role played by the police in local jurisdictions. The larger the jurisdiction, the more likely the police are to be formal in their actions. Also, the larger the population of the jurisdiction, the greater the number and depth of various social problems that will be faced by police. The socio-political climate of the community is critical to how the police role is interpreted. Communities differ in the nature and degree of activity by public interest groups and social segments. The more popular and vocal groups often have a major impact on the function and role definition of the local police.

The appropriate role of the police has been defined in many ways. However, all of the various definitions can be placed in one of three categories - prescribed, preferred or enacted roles. The **prescribed police role** is that which has been officially mandated by law and allows for little discretion. The **preferred police role** is the set of tasks and concerns sought by officers and public. There are two theories that address the role preferred by individual officers. The **predispositional theory** suggests that individual officers enter police work with a particular set of expectations based on their personality, values, and attitudes. **Socialization theory** proposes that a person's experiences as a police officer guide the development of their preferred role. In all likelihood both theories are at least partly true. Predispositional and socializing forces interact within each officer to create a particular set of role preferences for that individual.

The history of organized crime in the United States is of importance only to show the interrelationships and the evolution of the families. It is more important to show contemporary problems of society. Law enforcement officers cannot "just go out and put the hoodlums in jail." The complexity of the organizations dictates a more comprehensive view.

At the mention of organized crime, people immediately say "the Mafia" or "La Cosa Nostra." This is, of course, the most notorious and probably the most powerful syndicate in America. There are, however, thousands of smaller independently organized groups. Until they become a threat to the "big group," they are permitted to exist and continue to grow. Jimmy Fratianno's testimony when he served as an informer for the Federal Bureau of Investigation is an example. About three decades before turning informer, Fratianno had been a gang member with Johnny Roselli on the East Coast. Roselli, who had been sent to the West Coast in the 1940s by Al Capone, was supposed to obtain some gambling action in southern California. For many years the Roselli group tried unsuccessfully to muscle in on the established West Coast groups. The Roselli group, including Fratianno, was known as the strong arm for anyone who would hire them. With the murder of Roselli and Fratianno's rise to power in one of the local Mafia groups, a murder contract was made on Fratianno. Neither of the gangsters was ever a power figure in the Mafia. Today there appears to be a workable coexistence with a live-and-let-live attitude as all factions quietly rebuild and expand.

Across America "bigness" has become a virtue. Giant cities enlarged from villages of three decades ago dot the landscape. Small businesses have mushroomed into giants or have been absorbed in corporate mergers with complex ownership structures. Into these industries has seeped the money from illegal drug transactions, prostitution, and gambling.

Family Law is divided into public and private law cases. Public law cases involve local government and other public authorities and include matters such as care of children, supervision and emergency protection orders. Private law cases involve divorce proceedings and access to children by the parents concerned.

When reaching a decision on cases concerning children, the court will make an order only if satisfied that this action is positively better for the child than making no order. In private law cases the child is able to express his or her opinion. In public law cases child is represented by a social worker appointed by the court the welfare of the child.

Everybody involved in the court proceedings has access to the relevant information before the case is heard and all are expected to reveal their arguments and evidence in advance. Parents have the legal right to immediate legal aid without a means test in all public law cases involving applications for supervision, care, child assessment orders and emergency protection proceedings.

English — Ukrainian – Russian vocabulary

1	Act, n	Приймати	принимать действие
2	Act, v	Діяти	действовать, вести себя
3	Adequate, a	діяти, поводитись	соответствующий
4	Adjudge, v	ввідний, адекватний	Судить
5	Adopt, v	Судити	принимать
6	Advance, v	Приймати	выдвигать
7	Affirm, v	посувати вперед	подтверждать, утверждать
8	Aggravate, v	Стверджувати	отягчать вину
9	Allegiance, n	посиливати провину	верность, преданность
10	Amendment, n	вірність, відданість	поправка
11	Anthem, n	Гімн	Гимн
12	Apparent, a	Явний	явный, очевидный
13	Appeal, v	Звертатися	обращаться
14	Appellate court	апеляційний суд	апелляционный суд
15	Appoint, v	Призначати	назначать
16	Apprehend, v	затримувати, заарештовувати	задерживать, арестовывать
17	Appropriate, adj	Відповідний	соответствующий
18	Armorial,	Геральдичний	геральдический
19	Assault, n	напад, словесна образа або погроза фізичної розправи	нападение, словесное оскорбление и угроза физическим насилием
20	Assert, v	Відстоювати	отстаивать
21	Assign, v	Призначати	назначать
22	Assure, v	забезпечувати, гарантувати	обеспечивать, гарантировать
23	Balance, v	перебувати в рівновазі	находиться в равновесии
24	Banner, n	Стяг	стяг
25	Bargain, n	угода, вигідна покупка	сделка, выгодная покупка
26	Bear, v	Носити	носить
27	Belief, n (beliefs, pl.)	віра, переконання	вера, убеждения
28	Bias, n	Упередження	предубежденность
29	Blameworthiness, n	Караність	наказуемость
30	Body	орган, звід, кодекс	орган, свод, кодекс
31	Bound, v	Обмежити	ограничивать
32	Boundary, n	кордон, межа	граница
33	Capital, a	карається смертю	караемый смертию
34	Caution, n	Обережність	осторожность
35	Check, n	перешкода, зупинка, затримка	преграда
36	Citizen, n	Громадянин	гражданин
37	Civic, a	громадянський	гражданский
38	Civil, a	громадянський	гражданский
39	Claim, v	Претендувати	претендовать
40	Clash, n	сутичка, протиріччя	противоречие
41	Code, n	Кодекс	кодекс
42	Coherent	логічно послідовний, зв'язаний	логически последовательный, связанный
43	Command, v	наказувати, мати в своєму розпорядженні	приказывать, иметь в своем распоряжении
44	Commander-in-chief, n	головнокомандуючий	Главногокомандующий
45	Commitment, n	зобов'язання	Обязательство
46	Common law	загальне право	общее право
47	Compass, n	Межа	граница, предел
48	Complement, v	додавати, доповнювати	Дополнять

49	Complementary	Додатковий	Дополнительный
50	Compulsion, n	Примус	Принуждение
51	Compulsory	обов'язковий	Обязательный
52	Concept, n	поняття, ідея, загальне уявлення	понятие, идея, общее представление
53	Conception, n	розуміння, концепція	понимание, концепция
54	Conduct, v	Поводитися	вести себя
55	Confinement, n	позбавлення волі	лишение свободы
56	Consent, n	Згода	Согласие
57	Consequence, n	Наслідок	Следствие
58	Consequently, adv	отже, тому	Следовательно
59	Consider, v	брати до уваги, вважати	принимать во внимание, считать
60	Consistency	послідовність, логічність, сталість	последовательность, логичность, постоянство
61	Conspiracy, n	злочинна змова	преступный уговор
62	Contractual, a	Договірний	Договорной
63	Convention, n	угода, умовність	Соглашение
64	Correction, n	Виправлення, поправка	исправление, поправка
65	Criminal (culpable) omission	злочинна бездіяльність	преступное бездействие
66	Culpability, n	Провина	Виновность
67	Culpable, a	винуватий, той що заслуговує на покарання	виновный, заслуживающий наказания
68	Customary	Звичайний	Обычный
69	Dealing	Угода	Сделка
70	Decent, adj	пристойний, порядний	пристойный, порядочный
71	Deliberately	Умисно	Намеренно
72	Demand, v	Вимагати	Требовать
73	Deny, v	Заперечувати	не давать
74	Design, v	складати план, схему	составлять план, схему
75	Deterrent, n	правова санкція	правовая санкция
76	Device, v	розробляти, винаходити	Разрабатывать
77	Diffuse, v	Поширити	Распространять
78	Dignity, n	Гідність	Достоинство
79	Disciplinary	Виправний	дисциплинарный, исправительный
80	Discretion, n	свобода дії	свобода действий
81	Distinction, n	Відмінність	Различие
82	Double jeopardy	заборона повторного переслідування за однією і тією ж справою	запрещение повторного преследования по одному и тому же делу
83	Draw, v	Креслити	Чертить
84	Draw on, v	Натягувати	Натягивать
85	Duress, n	фізичний примус	физическое принуждение
86	Dwelling, n	Житло	Жильё
87	Educate, v	виховувати, привчати	воспитывать, приучать
88	Effect, n	дія, вплив	действие, влияние
89	Effective, a	Діючий	Действующий
90	Efficiency, n	Ефективність	Эффективность
91	Embrace, v	вміщувати, містити	Вмещать
92	Emergency, n	критична ситуація	критическая ситуация
93	Enact, v	Запроваджувати	вводит в действие, внедрять
94	Endow, v	надавати право, наділяти	одарять, наделять
95	Enforce, v	примушувати, примусово провадити в життя	принуждать, принудительно проводить в жизнь

96	Enforcement, n	Підсилення	Усиление
97	Enhance, v	підсилювати, звеличувати	увеличивать, усиливать, усугублять (вину)
98	Enhancement, n	підсилення провини	усиление вины
99	Enshrine, v	Берегти	хранить, лелеять
100	Ensure, v	гарантувати, забезпечувати	Гарантировать
101	Entitle, v	надавати право на	давать право на
102	Entrapment, n	надання особі можливість скоїти злочин, який він не замислював	предоставление лицу возможности совершить преступление, которое он не замыслил
103	Equity, n	справедливість, право справедливості	справедливость, право справедливости
104	Escutcheon, n	щит герба	щит герба
105	Essentials, n	Основи	Основы
105	Evolve, v	Розвивати	Развивать
106	Exclusion, to the exclusion of	за винятком	за исключением
107	Excusable homicide	ненавмисне вбивство	неумышленное/ непреднамеренное убийство
108	Exercise, v	виконувати, здійснювати	Выполнять
109	Exile, n	Вигнання	Изгнание
110	Explicit, a	точний, ясний	четкий, ясный
111	Extend, v	Розширювати	Рас ширять
112	Extent, n	Розмір	Раз мер
113	Failing, n	помилка, невдача	ошибка, неудача, провал
114	Failure, n	Нездатність	Неспособность
115	Fair	Справедливий, чесний	беспристрастный, справедливый, честный
116	Felonious homicide	навмисне вбивство	умышленное/ преднамеренное убийство
117	Felony, n	фелонія (тяжкий злочин)	фелония (тяжкое преступление)
118	File, v	подавати документи	подавать документы
119	Fine, n	Штраф	Штраф
120	Forbid, v	Забороняти	Запрещать
121	Forfeit, v	втрачати, губити, конфісковувати	лишаться, терять, утрачивать, конфисковать
122	Gender, n	Стать	Пол.
123	Glorious	Славетний	Славный
124	Goal, n	Ціль	Цель
125	Govern, v	Керуватись	Руководствоваться
126	Gross, a	грубий, явний, простий	грубый, явный, простой
127	Gules	червоне світло	красный свет
128	Handle, v	керувати, регулювати, розпоряджатися	управлять, регулировать, распоряжаться
129	Harsh, a	Суворий	строгий, суровый
130	Hoist, v	Піднімати	Поднимать
131	Homicide, n	Вбивство	Убийство
132	Impact, n	удар, зіткнення	удар, столкновение
133	Improper, a	Невідповідний	Несоответствующий
134	Inalienable, a	невід'ємний	неотъемлемый
135	Incarceration, n	ув'язнення	заточение в тюрьму
136	Inchoate, a	Початковий	Начальный
137	Include, v	Охоплювати	Охватывать
138	Incomplete, a	не скоєне, не закінчене	несовершенные, незавершенное
139	Indivisible, adj.	Неподільний	Неделимый

140	Inflict, v	Завдавати	Наносить
141	Injury	школа, тілесне пошкодження	вред, телесное повреждение
142	Insanity, n	Боже вільність	умопомешательство, невменяемость
143	Insert, v	Вміщати	Вмещать
144	Insight, n	прозорливість, інституція, розуміння	прозрачность, институция, понимание
145	Inspiration, n	Натхнення	Вдохновение
146	Insurance, n	Страхування	Страховка
147	Internal, a	Внутрішній	Внутренний
148	Intervene, v	Втручатись	Вмешиваться
149	Invent, v	Винаходити	Изобретать
150	Inviolability	Недоторканість	Неприкасаемость
151	Issue, v	випускати, видавати	выдавать, издавать
152	Jeopardy, n	небезпека, ризик	опасность, риск
153	Justification, n	виправдання, виправдовуючи обставини, правомірність, підстава	оправдание, оправдывающее обстоятельство, правомерность, основание
154	Knightly	Рицарський	Рыцарский
155	Legacy, n	Спадщина	Наследство
156	Legitimacy, n	Законність	Законность
157	Lethal, a	Смертельний	Смертельный
158	Liability, n	Відповідальність	Ответственность
159	Limit, n	кордон, межа	граница, предел
160	Litigation, n	судова справа	тяжба, спор
161	Lobby, v	Лобіювати	пытаться воздействовать на членов законодательного органа
162	Loosely	вільно, незакріплене	свободно
163	Loss	збиток, шкода	убыток, ущерб
164	Mandamus, n	судовий наказ нижчому суду або посадовій особі	судебный приказ нижестоящему суду или должностному лицу
165	Mandate, n	мандат, наказ суду	мандат, приказ суда
166	Mandatory	імперативний, обов'язковий, примусовий	императивный, обязательный, принудительный
167	Manslaughter	просте вбивство, ненавмисне вбивство, необережне вбивство	простое убийство, не принудительное убийство, неосторожное убийство
168	Misdemeanour, n	місдемінор (найменш небезпечний злочин)	мисдеминор (наименее опасное преступление)
169	Mitigate, v	пом'якшувати, послаблювати	смягчать
170	Mutiny, n	заколот, повстання	бунт, мятеж
171	Natural law	природне право	естественное право
172	Need, v	бути зобов'язаним	быть обязанным
173	Negligence, n	Недбалість	небрежность
174	Negligent, a	недбалий, допущений через недбалість	небрежный, допущенный по небрежности
175	Objective, n	Мета	цель
176	Obligation	зобов'язання	обязательство
177	Occur, v	траплятися, відбуватися	случаться, происходит
178	Offender	правопорушник, злочинець	правонарушитель, преступник
179	Offence (amer.), n	замах, правопорушення, злочин	посягательство, правонарушение, преступление
180	Omission, n	Бездіяльність	бездействие
181	Operation, n	юридична дія	юридическое действие
182	Origin, n	Походження	происхождение

183	Paramount, d	Найголовніший	самый главный
184	Perfect, adj.	досконалий, повний	совершенный
185	Petty, a	незначний, дрібний	незначительный, пустячный
186	Pose, v	Формулювати	излагать, формулировать
187	Practitioner, n	практикуючий лікар або юрист	практикующий врач или юрист
188	Prior	передуючий, попередній, переважний	предшествующий, предварительный, преимущественный
189	Probate law	право за справами по спадку та затвердженню заповітів	право по наследственным делам и утверждению завещаний
190	Procedural law	Процесуальне право	процессуальное право
191	Process, v	Виклик, наказ	вызов, приказ
192	Procure, v	добувати, схиляти	производить
193	Proper	правильний, відповідний	надлежащий, правильный
194	Prosecute, v	переслідувати у судовому (кримінальному) порядку	преследовать в судебном (уголовном) порядке
195	Protect, v	Захищати	защищать
196	Provide, v	Забезпечувати	обеспечивать
197	Provision, n	умовне постановою, положення (закону, договору)	условное постановление, положение (закона, договора)
198	Provisionally	Тимчасово	временно
199	Pursuit, n	пошуки, прагнення	поиски, стремление
200	Quality, n	характерна риса	характерная черта
201	Range, n	Розмах, межі коливання	пределы, ряд
202	Ratify, v	ратифікувати, затверджувати	ратифицировать
203	Recklessly	Нерозсудливо, необачно	безрассудно, опрометчиво
204	Recklessness, n	безрозсудливість, безвідповідальність	безрассудность, безответственность
205	Regard, v	брати до уваги	принимать во внимание
206	Regulation	норма, постановою	норма, постановление
207	Relate, v	мати відношення	иметь отношения
208	Relocate, v	Переміщувати	перемещать
209	Rely upon	покладатись, сподіватись, довіряти	полагаться, надеяться, доверять
210	Remedy, n	Засоби, відшкодування	средства
211	Repeal, v	анулювати, скасовувати	аннулировать, отменять
212	Resort, v	вдаватись до	прибегать
213	Restriction, n	Обмеження	ограничение
214	Retribution	покарання, відплата	наказание
215	Reveal, v	виявляти, показувати	обнаруживать, открывать
216	Revive, v	Відроджувати	возрождать
217	Royalty, n	королівська влада, член королівської родини	королевская власть, члены королевской семьи
218	Rule, n	Правило	правило
219	Sacrifice, v	Жертвувати	жертвовать
220	Safeguard, n	Гарантія	гарантия
221	Search, v	Обшукувати	обыскивать
222	Session, n	відокремлення, відпадання	отделение
223	Scholar, n	Вчений	ученый
224	Security, n	безпека, гарантія	безопасность
225	Seek, v	Шукати	искать
226	Self-determination, n	Самовизначення	самоопределение
227	Sentence, n	Вирок	приговор, наказание
228	Set, n	добір, серія, комплект, група	комплект, набор, серия, ряд
229	Set forth	Формулювати	излагать, формулировать
230	Settling, n	Селище, колонія	поселение

231	Set up	Сформувати	сформировать
232	Sharp, a	Кислий, їдкий	едкий, кислый
233	Shield, n	Щит	щит
234	Sign, v	Підписувати	подписывать
235	Single	єдине громадянство	единое гражданство
236	Solicitation, n	клопотання, прохання	просьба, ходатайство
237	Spacing, n	інтервал, відстань	интервал, расстояние
238	Speedy	Швидкий	быстрый
239	Staff, n	Древко	древко
240	Stake	Застава	залог
241	Standing, n	Становище	положение
242	Statesman, n	державний діяч	государственный деятель
243	Statute, n	статут, закон	статут
245	Stockade, n (амер)	каторжна в'язниця, табір для ув'язнених	каторжная тюрьма, лагерь заключенных
246	Stripe, n	Смуга	полоса
247	Submission, n	підкорення, покірність	подчинение
248	Substantive law	Матеріальне право	материальное право
249	Sue, v	бути позивачем у суді, подавати позов	искать в суде, предъявлять иск
250	Suit, n	позов, судова справа, судовий процес	иск, судебное дело, судебный процесс
251	Supervise, v	наглядати, завідувати	надзирать
252	Supplement	Додаток	приложение, дополнение
253	Suspend, v	вішати, тимчасово припиняти	вешать, откладывать, временно прекращать
254	Tail, v	Тягтися	тянуться
255	Tax, v	Оподатковувати	облагаться налогом
256	Tension, n	напруга, напруження	напряжение
257	Thereby, adv	таким чином	таким образом
258	Tidy, adj	Охайний	аккуратный
259	Tort	делікт, цивільне правопорушення	деликт, гражданское правонарушение
260	Trait, n	штрих, риса	штрих
261	Transfer, n	Перехід права, переказ	передача, перенос
262	Transfer, v	передавати, переводити	передавать, переводить
263	Treatment	Режим, звертання	режим, обращение
264	Tribe, n	рід, плем'я	племя
265	Unalienable	невід'ємний	неотъемлемый
266	Unalterable	Незмінний	неизменяемый
267	Universal, adj	загальний, універсальний	общий
268	Unleash, v	не зв'язувати шворкою	развязывать
269	Unity	Єдність	единство
270	Uphold, v	підтримувати, додержуватись	поддерживать
271	Valid, a	дійсний, справжній	действительный
272	Value, n	Цінність	ценность
273	Venerate, v	Шанувати	благоговеть перед
274	Violation	порушення, гвалт	нарушение, насилие
275	Virtually	Фактично	фактически
276	Visible	видимий, очевидний, явний	видимый, очевидный, явный
277	Weigh, v	Обмірковувати	обдумывать
278	Whereby	за допомогою якої	при помощи которой
279	Willful, a	Умисний	преднамеренный, умышленный
280	Withhold, v	утримувати, відмовляти	удерживать, отказывать
281	Wisdom, n	Мудрість	мудрость

282	Witness, n	доказ, свідчення	доказательство
283	Writ, n	судовий наказ	судебный приказ
284	Wrong	Правопорушення	правонарушение
285	Yearn, v	Прагнути	жаждать

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VII. Показчики

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