

Lomonosov Moscow State University
Law School

Department of Foreign Languages

To the 270th anniversary
of LOMONOSOV
MSU

ENGLISH FOR LAW UNDERGRADUATES

A STEPPING-STONE COURSE

*Рекомендовано Ученым советом Юридического факультета
Московского государственного университета имени М.В. Ломоносова
в качестве учебного пособия для студентов, обучающихся
по направлению подготовки 40.03.01 Юриспруденция,
квалификация Бакалавр*



СТАТУТ
МОСКВА 2024

УДК 802/809.1

ББК 81.2

E58

REVIEWED BY

Anna Lebedeva, Professor of Linguistics

Oksana Shmalii, Professor of Law

CONTRIBUTORS:

Svetlana Aleshko-Ozhevskaya

Anait Babadzhanian

Kristina Belokopytova

Elena Borisoglebskaya

Natalia Kolotovkina

Natalia Korysheva

Tatiana Patenkova

Tatiana Tarasova

Irina Ternovskaya

Yulia Khrustaleva

E58 **English for Law Undergraduates : A Stepping-Stone Course** / Ed. by T. Tarasova, I. Ternovskaya. — Moscow : Statut, 2024. — 310 p. [Английский язык для студентов-юристов бакалавриата : Вводный курс. — Москва : Статут, 2024. — На английском языке]

ISBN 978-5-8354-2030-8 (softback)

ENGLISH FOR LAW UNDERGRADUATES. A STEPPING-STONE COURSE is a preliminary stage in Lomonosov MSU course of legal English for academic purposes. Its objectives and materials are focused on the enhancement of reading, writing, speaking, listening and critical thinking skills through the tasks based on multifold relations between processes of speech and thinking. It includes authentic texts in the most general law-related areas, such as definitions of law; positive law, state, church and law; common law and civil law; becoming a lawyer; judges and society; law and morality; civil law and criminal law; youth justice; substantive and procedural law; capital punishment. ENGLISH FOR LAW UNDERGRADUATES. A STEPPING-STONE COURSE integrates and applies the achievements in linguistic research concerning discourse analysis, combinability and choice of words, language for special purposes, cognitive linguistics, to name but a few. All the above makes it challenging and useful for those who are interested in law, economics, history, sociology, politics, languages, etc. no matter whether they are taking Bachelor's degree or Master's degree programmes or postgraduate course.

УДК 802/809.11

ББК 81.2

ISBN 978-5-8354-2030-8

© Contributors, 2024

© Редподготовка, оформление.

Издательство «Статут» (Statut Publishing House), 2024

INTRODUCTION

Professional language education is a stepping-stone to a good job and career. The aim of the contributors to **ENGLISH FOR LAW UNDERGRADUATES**, a stepping-stone course is to help students

- learn and feel confident about the pronunciation of the challenging words (**BEFORE YOU READ**);
- acquire legal background knowledge they cannot do without (**NOTES TO THE TEXT**);
- achieve absolute understanding of authentic texts on general legal matters (**TERMS**);
- interpret and determine a particular meaning of a word or a term fitting a specific situation or context (**TERMS, TASKS**);
- practice and make progress in the use of legal and general language word combinations and expressions (**TASKS**);
- use and drill precise language including the grammar and structures which are typical of general and legal speech oral or written (**GRAMMAR REVIEW**);
- interpret and translate texts, passages, sentences containing basic legal terms (**TRANSLATION TASK**);
- apply their own knowledge and lived experiences in relation to the issues under consideration or provide relevant information (**WORK IN PAIRS OR GROUPS**);
- describe legal concepts and institutions from the text similar to those existing in their own jurisdiction (**TASKS**);
- ask and answer relevant questions to take an active part in discussion or conference (**TEXT REVIEW, DISCUSSION TASKS**);

- single out or formulate key words, key ideas or messages from texts or paragraphs (TEXT REVIEW, TASKS);
- think critically about the issues raised in the texts such as environment protection problems, law in fiction, news, student life, religion and state, abolition of slavery and genocide, clinical legal education, law and morality, youth justice, capital punishment to name just a few (TEXT REVIEW, TASKS);
- understand and comment on the wisdom of law and lawyers (QUOTATIONS);
- get prepared for the FINAL EXAM and for further research and acquisition of the language of law.

ENGLISH FOR LAW UNDERGRADUATES is one small step of teachers and students on the way to Lomonosov Moscow State University's objective of excellence in education, research and scholarship.

Tatiana Tarasova, Irina Ternovskaya

UNIT 1

BEFORE YOU READ *check the pronunciation of the following words.*

Law, control (v), society, self-preservation, social order, resolve, dispute, mayhem, affect, chaos, promise, court, owner, state-authorised body, authority, comprise, enforceability mechanism, imposition, penalty, unique set of laws, compulsion, enforcement, obedience, method.

WHAT IS LAW?

From the moment that humans began to sort themselves into communities, they have had to work out how to control themselves for the greater good of all. In primitive times people tended to form tribes, groups or societies, either for self-preservation or by reason of social instinct. If a group or society is to continue, some form of social order is necessary. How can people resolve disputes without laying into each other, causing mayhem? Rules or laws are, therefore, drawn up to ensure that members of the society may live and work together in an orderly and peaceable manner. The larger the community (or group or state), the more complex and numerous will be the rules.

The law affects nearly every aspect of people's lives every day. There are laws to deal with crimes like robbery and murder. And there are laws that govern activities like driving a car, getting a job, and getting married. Laws give people rules of conduct that protect everyone's rights. Laws also balance individual rights with people's obligations as members of society. For example, when a law gives a person a legal right to drive, it also makes it a duty for a driver to know how to drive and to follow the rules of the road.

Imagine the chaos – and the danger – if there were no laws. The strongest people would be in control and other people would live in fear. Drivers could choose which side of the street to drive on and no one could stop them. Imagine trying to buy and sell goods if no one had to keep promises or trying to hold onto personal property if there were no laws against robbery.

Even in a well-ordered society people disagree and conflicts arise. The law provides a way to resolve disputes peacefully. If two people claim the same piece of property, rather than fight they turn to the law. The courts can decide who the real owner is and how to protect the owner's rights.

The laws have sanctions which are recognised by the state and enforced by state-authorized bodies. In order for sanctions to be imposed it is necessary to take into account some of the important factors in law-making:

- only certain institutions can make law
- the institutions that make law have been given the authority to do so
- sanctions for breaking the law are imposed by those given state authority to do so.

Thus, law comprises a system of rules that is recognised by a particular country, society or community as regulating the actions of its members with enforceability mechanisms such as the imposition of penalties. Every country has its own set of laws, and each is unique to that country. In all countries, however, the state uses compulsion to enforce obedience. It may be stated, then, that two ideas underlie the concept of law: (a) order, in the sense of method or system; and (b) compulsion – i.e. the enforcement of obedience to the rules or laws laid down.

TERMS

1) **Law** (bef. 12c) – 1. The regime that orders human activities and relations through systematic application of the force of politically organised society; the legal system <respect and obey the law>. 2. The aggregate of legislation, judicial precedents, and accepted legal principles; the body of rules, standards, and principles that the courts of a particular jurisdiction apply in deciding cases brought before them <the law of the land>. 3. The set of rules or principles dealing with a specific area of a legal system <copyright law>. 4. The judicial and administrative process; legal action and proceedings. 5. A statute <Congress passed a law>. 6. Common law <law but not equity>. 7. The legal profession <she spent her entire career in law>.

2) **Society** (16c) – 1. A community of people, as of a country, state, or locality, with common cultures, traditions, and interests. 2. An association or company of persons (usu. unincorporated) united by mutual consent, to deliberate, determine, and act jointly for a common purpose.

In primitive times people tended to form tribes, groups or societies, either for self-preservation or by reason of social instinct.

3) **Social order** – 1. A particular system of social structures and institutions. <the ancient, the feudal, and the capitalist social order>. 2 (In contrast to social chaos or disorder) A stable state of society in which the existing social structure is accepted and maintained by its members.

If a group or society is to continue, some form of social order is necessary.

4) **Dispute** (16c) – A conflict or controversy, esp. one that has given rise to a particular lawsuit.

How can people resolve disputes without laying into each other, causing mayhem?

5) **Rule** (13c) – 1. Generally, an established and authoritative standard or principle; a general norm mandating or guiding

conduct or action in a given type of situation. 2. A regulation governing a court's or an agency's internal procedures. 3. Parliamentary law. A procedural rule for the orderly conduct of business in a deliberative assembly. 4. A judicial order, decree, or direction.

Rules or laws are drawn up to ensure that members of the society may live and work together in an orderly and peaceable manner.

6) **Crime** (14c) – An act that the law makes punishable; the breach of a legal duty treated as the subject-matter of a criminal proceeding.

7) **Robbery** (12c) – The illegal taking of property from the person of another, or in the person's presence by violence or intimidation.

8) **Murder** (bef. 12c) – The killing of a human being with malice aforethought.

There are laws to deal with crimes like robbery and murder.

9) **Right** (bef. 12c) – 1. That which is proper under law, morality, or ethics <know right from wrong> 2. Something that is due to a person by just claim, legal guarantee, or moral principle <the right of liberty>. 3. A power, privilege, or immunity secured to a person by law.

Laws give people rules of conduct that protect everyone's rights.

10) **Obligation** (18c) – 1. A legal or moral duty to do or not do something. 2. A formal, binding agreement; a duty arising by contract.

Laws balance individual rights with people's obligations as members of society.

11) **Duty** (13c) – 1. A legal obligation that is owed or due to another and that needs to be satisfied. 2. Any action, performance, task, or observance owed by a person in an official capacity. 3. A legal relationship arising from a standard of care, the violation of which subjects the actor to liability <parents, lawyers, doctors>. 4. A tax imposed on a commodity or

transaction, esp. on imports. 5. Service in a branch of the armed forces; military service.

*When a law gives a person a legal right to drive, it also makes it a **duty** for a driver to know how to drive and to follow the rules of the road.*

12) **Goods** (bef. 12c) – 1. Movable personal property other than money; esp., articles of trade or items of merchandise <goods and services>. 2. Things that have value.

13) **Promise** (15c) – The manifestation of an intention to act or refrain from acting in a specified manner; a person's assurance that the person will or will not do something.

14) **Personal property** (18c) – Any movable thing that is subject to ownership and not classified as real property.

*Imagine trying to buy and sell **goods** if no one had to keep **promises** or trying to hold onto **personal property** if there were no laws against robbery.*

15) **Owner** (bef. 12c) – Someone who has the right to possess, use, and convey something.

*The courts can decide who the real **owner** of property is and how to protect the owner's rights.*

16) **Sanction** (15c) – 1. Official approval or authorisation; solemn and final confirmation. 2. A provision that gives force to a legal imperative by either rewarding obedience or punishing disobedience. 3. A penalty or coercive measure that results from failure to comply with a law, rule, or order. 4. International law. An economic or military coercive measure taken by one or more countries toward another to force it to comply with international law.

17) **State** (16c) – 1. The political system of a body of people who are politically organised; the system of rules by which jurisdiction and authority are exercised over such a body of people <separation of church and state>. 2. An institution of self-government within a larger political entity; esp., one of

the constituent parts of a country having a federal government <the 50 states>. 3. (often cap.) The people of a state, collectively considered as the party wronged by a criminal deed; esp., the prosecution as the representative of the people <the State rests its case>.

*The laws have **sanctions** which are recognised by the **state** and enforced by state-authorised bodies.*

18) **Institution** (14c) – 1. The commencement of something, such as a civil or criminal action. 2. An elementary rule, principle, or practice. 3. An established organisation, esp. one of a public character, such as a facility for the treatment of mentally disabled persons.

19) **Authority** (13c) – 1. The official right or permission to act, esp. to act legally on another's behalf. 2. The power a person has through an official position; governmental power or jurisdiction <within the court's authority>. 3. An official organisation or government department with particular responsibilities and decision-making powers; esp., a governmental agency. 4. A legal writing taken as definitive or decisive; esp., a judicial or administrative decision cited as a precedent <this case is good authority in Massachusetts>. 5. A source, such as a statute, case, or treatise, cited in support of a legal argument <the brief's table of authorities>. 6. Someone whose knowledge and opinions on a subject are respected because of proven scholarship and expertise.

*The **institutions** that make law have been given the **authority** to do so.*

20) **Action** (14c) – 1. The process of doing something; conduct or behaviour. 2. A thing done. 3. A civil or criminal judicial proceeding.

21) **Penalty** (15c) – 1. Punishment imposed on a wrongdoer, usu. in the form of imprisonment or fine; esp., a sum of money exacted as punishment for either a wrong to the state or a civil

wrong (as distinguished from compensation for the injured party's loss). 2. An extra charge against a party who violates a contractual provision.

*Law comprises a system of rules that is recognised by a particular country, society or community as regulating the **actions** of its members with enforceability mechanisms such as the imposition of **penalties**.*

22) **Compulsion** (15c) – The act of compelling; the quality, state, or condition of being compelled.

23) **Obedience** (13c) – Compliance with a law, command, or authority.

*In all countries, the state uses **compulsion** to enforce **obedience**.*

24) **Enforcement** (15c) – The act or process of compelling compliance with a law, mandate, command, decree, or agreement.

*It may be stated that two ideas underline the concept of law: (a) order, in the sense of method or system; and (b) compulsion – i.e., the **enforcement** of obedience to the rules or laws laid down.*

TASK 1 Compare the following dictionary entries in terms of 1) the number of meanings, 2) the meanings commonly used, 3) similar meanings, 4) the number of words in each meaning, 5) examples, 6) background information, 7) the most or the least detailed and comprehensive definitions.

Law (bef. 12c) – 1. The regime that orders human activities and relations through systematic application of the force of politically organised society; the legal system <respect and obey the law>. 2. The aggregate of legislation, judicial precedents, and accepted legal principles; the body of rules, standards, and principles that the courts of a particular jurisdiction apply in deciding cases brought before them <the law of the land>. 3. The set of rules or principles dealing with a specific area of a legal system

<copyright law>. 4. The judicial and administrative process; legal action and proceedings. 5. A statute <Congress passed a law>. 6. Common law <law but not equity>. 7. The legal profession <she spent her entire career in law>. – Black’s Law Dictionary, 10th edition, 2014.

Law – 1. The enforceable body of rules that govern any society. 2. One of the rules making up the body of law, such as an Act of Parliament – Oxford Dictionary of Law, 5th edition, 2003.

TASK 2 a) *Match the words in bold with their definitions.*

1) How can people resolve **disputes** without laying into each other, causing mayhem?

2) The institutions that make law have been given the **authority** to do so.

3) Laws balance individual rights with people’s **obligations** as members of society.

4) There are laws to deal with crimes like robbery and **murder**.

5) Law comprises a system of rules that is recognised by a particular country, society or community as regulating the actions of its members with enforceability mechanisms such as the imposition of **penalties**.

6) In all countries the state uses **compulsion** to enforce obedience.

7) Two ideas underline the concept of law: (a) order, in the sense of method or system; and (b) compulsion – i.e. the enforcement of **obedience** to the rules or laws laid down.

8) The **courts** can decide who the real owner is and how to protect the owner’s rights.

9) Imagine trying to buy and sell goods if no one had to keep promises or trying to hold onto personal property if there were no laws against **robbery**.

- a) Punishment imposed on a wrongdoer for either a wrong to the state or a civil wrong.
- b) The killing of a human being with malice aforethought.
- c) The act of forcing or influencing someone to do something.
- d) A conflict or controversy, especially one that has given rise to a lawsuit.
- e) A tribunal constituted to administer justice.
- f) A legal or moral duty to do or not do something.
- g) The act of abiding by, following or complying with a law, command or authority.
- h) The power a person has through an official position.
- i) The illegal taking of property from the person of another by violence or intimidation.
- b) *Insert the words and translate the sentences.***
- a) dispute b) authority c) obligation d) robbery e) murder
 f) penalty g) compulsion h) obedience x2 i) court
- 1) In the army, generals compel ... from their soldiers.
- 2) What is the ... for dangerous driving?
- 3) The parties hope for a peaceful settlement of the ...
- 4) The contract was void because one party signed it under ...
- 5) People have a moral ... to protect the environment.
- 6) Article 6 of the European Convention on Human Rights guarantees the right to a fair trial before an independent ...
- 7) The 2019 armed ... in the bank was monitored by a surveillance camera.
- 8) Policemen have ... to arrest suspects.
- 9) ... to orders is probably not a justification but should be taken into account.
- 10) In many countries, the punishment for ... is death.

TASK 3 a) *Match the verbs from the text on the left with the nouns on the right.*

- | | |
|-----------------|----------------------------|
| 1) resolve | a) rights |
| 2) draw up | b) the rules |
| 3) deal with | c) goods |
| 4) govern | d) actions |
| 5) balance | e) laws |
| 6) buy and sell | f) obedience |
| 7) keep | g) activities |
| 8) follow | h) personal property |
| 9) protect | i) rights with obligations |
| 10) enforce | j) disputes |
| 11) regulate | k) promises |
| 12) hold onto | l) crimes |

b) *Find more information about the role of law in society on the Internet. Use the above word combinations to present it in writing (50–70 words).*

TASK 4 a) *Discuss the meanings of the noun ‘sanction’. Use the definition given in the TERMS section.*

b) *Translate the sentences with ‘sanction’ found in the text. Determine its meaning in each instance.*

c) *Insert the verbs and translate the sentences.*

a) violate b) impose c) lifted d) eased e) to enforce f) face
g) violates h) ease i) enforces j) face

1) All countries were asked to strengthen and ... the sanctions under their domestic laws against individuals and entities operating on their territory to deal with violations of imposed restrictive measures.

2) If broadcasters fail to meet the requirement of having appropriate content on TV, the regulator has the power to ... sanctions on those broadcasters.

3) In serious cases, the licence holder can ... criminal sanctions under the Gambling Act 2005.

4) Sanctions were fully ... by the UN resolution 1074 following the holding of elections in Bosnia as required under the peace agreement.

5) Companies ... sanctions regimes due to reckless, rather than wilful behaviour.

6) The US has temporarily ... its sanctions on Syria in an effort to speed up aid deliveries to the country's north-west.

7) Broadcasters must comply with the Advertising Codes for Broadcasting, or ... sanctions for breach of their licence terms.

8) The US Department of the Treasury's Office of Foreign Assets Control actively ... the sanctions against companies in the banking sector.

9) If a company ... the US trade sanctions, penalties can be quite severe.

10) As the COVID-19 pandemic progressed, the UN High Commissioner for Human Rights called to ... sanctions against countries such as Iran to allow their medical systems to fight the disease.

TASK 5 a) *Translate the sentences with VERB + law, law + VERB found in the text.*

b) *Match the word combinations on the left with their synonyms on the right.*

- | | |
|--------------------|---------------------|
| 1) obey a law | a) apply a law |
| 2) violate a law | b) construe a law |
| 3) pass a law | c) observe a law |
| 4) repeal a law | d) adopt a law |
| 5) interpret a law | e) break a law |
| 6) draft a law | f) invalidate a law |

EXAMPLE

- *Law allows **individuals to express themselves without government interference.***
 - *Laws govern **activities** like driving a car, getting a job, and getting married.*
 - *Human rights law requires **that** water and sanitation services be available.*
- 1) Law allows... (someone to do something)
 - 2) Law authorises... (someone to do something)
 - 3) Law permits... (someone to do something)
 - 4) Law forbids... (someone to do something; someone from doing something)
 - 5) Law prohibits... (someone from doing something)
 - 6) Law governs...(something)
 - 7) Law regulates...(something)
 - 8) Law requires that...
 - 9) Law provides that...
 - 10) Law restricts... (something)
 - 11) Law criminalises...(something)

GRAMMAR REVIEW

Certain modal verbs are used to express obligation (*must*), prohibition (*mustn't*), necessity, recommendation and advice (*should, ought to*).

There are verbs and expressions that have almost the same meaning as some modals e.g., *have to* (necessity, obligation, when the necessity/obligation comes from the circumstances, not the speaker), *need to* (necessity), *be to* (obligation when someone/something else demands something, used mostly in formal instructions).

The verb *must* is used only in the present simple and present perfect forms. If other tenses are required, the forms of the verb *have to* must be used. The verb *have to* has all

normal tenses, including continuous forms. Remember that ***must not*** and ***don't have to*** are not synonyms. ***Must not*** means prohibition (i.e., *being forbidden to do something*). ***Don't have to*** means the absence of obligation (i.e., *having no necessity to do something*).

TASK 6 a) *Translate the sentences with **be to** and **have to** found in the text.*

b) *Insert the modal verbs and translate the sentences.*

a) must x4 b) mustn't x2 c) should x2 d) is to e) are to
f) have to g) has to h) needed to

1) Under the 1951 Convention, Article 31, a receiving state ... impose penalties for illegal entry on refugees.

2) Some case law laid down in earlier times and applicable to wholly different social situations ... be disregarded as outdated.

3) All evidence given to the court ... make sense to the court, it ... be presented in a way which is logical and easy to follow and understand.

4) Disputes may arise as to the most convenient time or place of trial, or whether the trial ... be with or without a jury.

5) Under the general principles of the Arbitration Act 1996 the court ... intervene only in prescribed circumstances.

6) Every local authority ... exercise its functions in a way that is compatible with the rights protected by the Human Rights Act 1998.

7) Once a judgement is made by the judge it follows that the judgement will ... be obeyed.

8) Parliament was originally a useful tool of the king against barons particularly when he ... raise money.

9) UK Ministers ... uphold the principle of collective responsibility for the policies, decisions and actions of their departments and agencies.

10) Under the general principles of the Arbitration Act 1996 the parties ... be given freedom to agree how to resolve their disputes.

11) It is desirable that there ... usually be consultation between a newspaper and interviewees before the newspaper published information endangering those who are concerned.

12) The press ... disclose the identity of the child tried in a juvenile court unless the court, in exceptional cases, permits.

TASK 7 *Text review for the final test.*

- 1) Explain the role of law in primitive times.
- 2) What are laws and rules made for?
- 3) How does law affect people's lives?
- 4) Exemplify the statement: Laws give people rules of conduct that protect everyone's rights.
- 5) Prove that laws balance individual rights with people's obligations as members of society.
- 6) Life without laws will become chaotic and dangerous. Justify the point.
- 7) Describe the function of law in a well-ordered society.
- 8) What is taken into consideration when sanctions for breaking the law are imposed?
- 9) Name the institutions with the authority to impose sanctions.
- 10) Describe the concept of law.
- 11) Exemplify the statement that law implies order.
- 12) Exemplify the statement that law implies enforcement.

13) Make up the list of 5–7 key words and word combinations and define them. Use the TERMS section.

TASK 8 *Speak on the topic ‘We have a moral obligation to protect the environment’. Use the text and verbs below.*

a) must b) mustn’t c) be to d) have to e) should

Throughout history, national governments have passed occasional laws to protect human health from environmental contamination. About AD 80, the Senate of Rome passed legislation to protect the city’s supply of clean water for drinking and bathing. In the 14th century, England prohibited both the burning of coal in London and the disposal of waste into waterways. In 1681, the leader of the English colony of Pennsylvania, William Penn, ordered that one acre of forest be preserved for every five acres cleared for settlement, and in the following century Benjamin Franklin led various campaigns to reduce the dumping of waste. In the 19th century, in the midst of the Industrial Revolution, the British government passed regulations to reduce the harmful effects of coal burning and chemical manufacture on public health and the environment.

Prior to the 20th century there were no international environmental agreements. In the early 20th century, conventions to protect commercially valuable species were reached, including the Convention for the Protection of Birds Useful to Agriculture (1902), signed by 12 European governments and the Convention for the Preservation and Protection of Fur Seals (1911), concluded by the United States, Japan, Russia, and the United Kingdom.

Beginning in the 1960s, environmentalism became an important political movement in the West. In subsequent decades, the US government passed an