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АНГЛИЙСКИЙ ЯЗЫК ДЛЯ СТУДЕНТОВ ЮРИДИЧЕСКИХ СПЕЦИАЛЬНОСТЕЙ

Учебное пособие
для аудиторной и самостоятельной работы студентов
юридических специальностей

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Пособие направлено на формирование и закрепление иноязычной коммуникативной компетенции в аудиторной и самостоятельной работе студентов юридических специальностей. Основной целью пособия является расширение языковых навыков и умений студентов при работе с профессионально ориентированными текстами. Пособие также содержит грамматический минимум и упражнения на закрепление грамматических правил.

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Содержание

Предисловие	4
Unit 1. Law	5
Unit 2. Public Law	9
Unit 3. Administrative Law	12
Unit 4. Advocate. Attorney	14
Unit 5. Civil Law	17
Unit 6. Common Law	19
Unit 7. Courts in the United Kingdom	23
Unit 8. Courts in the United States	27
Unit 9. Criminal Law	32
Unit 10. Classification of crimes	36
Unit 11. Elements of a crime	39
Unit 12. Defenses to crimes	41
Unit 13. Crimes against the person	45
Unit 14. Crimes against property	49
Unit 15. Crimes against habitation	53
Unit 16. Crimes against sexual morality	55
Unit 17. Crimes against the government	58
Unit 18. Inchoate crimes	60
Unit 19. International law	62
Unit 20. Matters of international concern	64
Appendix	68
Список литературы	114

Предисловие

Данное учебное пособие по английскому языку разработано для студентов юридических специальностей всех форм обучения. Оно может быть полезно не только студентам, но и всем интересующимся актуальными вопросами межкультурной коммуникации в сфере права.

Цель пособия – формирование профессиональной иноязычной коммуникативной компетенции в аудиторной и самостоятельной работе студентов.

Пособие поможет преодолеть языковой барьер, расширить активный словарный запас студентов в сфере юриспруденции, улучшить знание грамматических структур языка.

Учебный материал, представленный в пособии, знакомит студентов с основными понятиями юриспруденции, способствуя углублению профессиональных знаний учащегося и повышению его языковой подготовки.

В пособии содержится двадцать тем по юриспруденции с послетекстовыми упражнениями, направленными на закрепление новых языковых единиц, терминов, фраз. В приложении учебного пособия находится необходимый грамматический минимум, и упражнения на закрепление грамматических правил.

При составлении предлагаемого пособия использовалась информация, взятая из Интернет-источников, популярных англоязычных энциклопедий, нормативно-правовых актов. Все тексты являются аутентичными.

UNIT 1

Read and discuss the words with the teacher. Make your own sentences with some of the words and word-combinations.

law право, закон

body of rules свод правил, совокупность норм

to support smth поддерживать, защищать что-л.

government государство, государственная власть \ **to govern** управлять

society общество

to make a law создать, издать закон

to enforce laws against smb применить законы к кому-л.

citizen гражданин

social control \ to establish social control общественный контроль \ устанавливать

общественный контроль

justice implementation of justice правосудие, справедливость отправление правосудия

public law публичное право

civil law частное право

to ensure the authority обеспечивать власть

concept понятие

to define дать определение

just / fair справедливый

to appear появляться

to produce (to make) a law создать, издать закон

(in)formal (не)официальный, (не)формальный

to settle disputes урегулировать споры

lawyer юрист

contract договор

legal \ legal obligations \ legal implications юридический, правовой, правовые обязательства, правовые последствия

court суд

transaction \ complex transaction \ to make a transaction

сделка, сложная сделка, совершить сделку

to set up a business организовать / основать предприятие

property имущество

legal means правовые средства

legal standards правовые нормы

to reach just agreements достигать справедливых соглашений

evil зло

to have a basic knowledge of smth иметь элементарное представление о чем-л

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

LAW

Law, body of official **rules and regulations**, generally found in constitutions, legislation, judicial opinions, and the like, that is used to govern a society and to control the behavior of its members. The nature and functions of law have varied throughout history. In modern societies, some authorized body such as a legislature or a court makes the law. It is backed by the **coercive power** of the state, which enforces the law by means of appropriate penalties or remedies.

Formal legal rules and actions are usually distinguished from other means of social control and guides for behavior such as mores, morality, public opinion, and custom or tradition. Of course, a **lawmaker** may respond to public opinion or other pressures, and a formal law may prohibit what is morally unacceptable.

Law serves a variety of functions. Laws against crimes, for example, help to maintain a peaceful, orderly, relatively stable society. **Courts** contribute to social stability by resolving disputes in a civilized fashion. Property and contract laws facilitate business activities and private planning. Laws limiting the powers of government help to provide some degree of freedom that would not otherwise be possible. Law has also been used as a mechanism for social change; for instance, at various times laws have been passed **to inhibit social discrimination** and to improve the quality of individual life in matters of health, education, and welfare.

Some experts believe the popular view of law overemphasizes its formal, coercive aspects. They point out that if a custom or norm is assured of judicial backing, it is, for practical purposes, law. On the other hand, a statute that is neither obeyed nor enforced is empty law. Social attitudes toward the formal law are a significant part of the law in process. The role of law in China and Japan, for example, is somewhat different from its role in Western nations. Respect for **the processes of law** is low, at least outside matters of business and industry. Tradition looms much larger in everyday life. Resort to legal resolution of a dispute is truly a last resort, with conciliation being the mechanism that is preferred for social control.

Law is not completely a matter of human enactment; it also includes **natural law**. The best-known version of this view, that God's law is supreme, has had considerable influence in the United States and other Western societies. The civil rights movement, for example, was at least partially inspired by the belief in natural law. Such a belief seems implicit in the view that law should serve to promote human dignity, as for instance by the **enforcement of equal rights** for all. Muslim societies also embrace a kind of natural law, which is closely linked to the religion of Islam.

DEVELOPMENT OF LAW

Law develops as society evolves. Historically, the simplest societies were tribal. The members of the tribe were bonded together initially by kinship and worship of the same

gods. Even in the absence of courts and legislature there was law—a blend of custom, morality, religion, and magic. The visible authority was the ruler, or chief; the ultimate authorities were believed to be the gods whose will was revealed in the forces of nature and in the revelations of the tribal head or the priests. Wrongs against the tribe, such as sacrilege or breach of tribal custom, were met with group sanctions including ridicule and hostility, and, the tribe members thought, with the wrath of the gods. The gods were appeased in ritualistic ceremonies ending perhaps in sacrifice or expulsion of the wrongdoer. Wrongs against individuals, such as **murder, theft, adultery, or failure to repay a debt**, were avenged by the family of the victim, often in actions against the family of the wrongdoer. Revenge of this kind was based on tribal custom, a major component of early law.

Tribal society gradually evolved into territorial confederations. Governmental structures emerged, and modern law began **to take shape**. The most significant historical example is Roman law, which influenced most of the legal systems of the world. In the 8th century BC the law of Rome was still largely a blend of custom and interpretation by magistrates of the will of the gods. The magistrates later lost their legitimacy because of gross discrimination against the lower (plebeian) class. The threat of revolution led to one of the most significant developments in the history of law: the Twelve Tables of Rome, which were engraved on bronze tablets in the 5th century bc.

They were largely a declaration of existing custom concerning such matters as **property, payment of debts**, and appropriate **compensation** or other remedies for damage to persons. The Twelve Tables serve as a historical basis for the widespread modern belief that fairness in law demands that it be in written form. These tables and their Roman successors, including the Justinian Code, led to civil-law codes that provide the main source of law in much of modern Europe, South America, and elsewhere.

The common-law systems of England, and later of the U.S., developed in a different manner. Before the Norman Conquest (1066), England was a loose confederation of societies, the laws of which were largely tribal and local. The Anglo-Norman rulers created a **system of centralized courts** that operated under a single set of laws that superseded the rules laid down by earlier societies. This legal system, known as the common law of England, began with common customs, but over time it involved the courts in **lawmaking** that was responsive to changes in society.

Modern legislatures and administrative agencies produce a much greater quantity of formal law, but the judiciary remains very important because of the continued vitality of the common-law approach even in matters of constitutional and statutory interpretations. Increasingly in civil-law countries, **the subtleties** of judicial interpretation and the weight of **judicial precedents** are recognized as involving the courts in significant aspects of lawmaking.

2. Determine if the sentences are true or false, according to the text.

1. In modern societies, some authorized body such as a legislature or a court makes the law.
 - a) true b) false.

2. Formal legal rules and actions are usually distinguished from other means of social control and guides for behavior such as mores, morality, public opinion, and custom or tradition.

a) true b) false.

3. Courts contribute to social stability by resolving disputes in a civilized fashion.

a) true b) false.

4. Law has also been used as a mechanism for social change.

a) true b) false.

5. Some experts believe the popular view of law overemphasizes its formal, coercive aspects.

a) true b) false.

6. The best-known version of this view, that God's law is supreme, has had considerable influence in the United States and other Western societies.

a) true b) false.

7. The threat of revolution led to one of the most significant developments in the history of law: the Twelve Tables of Rome, which were engraved on bronze tablets in the 5th century bc.

a) true b) false.

8. This legal system, known as the common law of England, began with common customs, but over time it involved the courts in lawmaking that was responsive to changes in society.

a) true b) false.

9. Before the Norman Conquest (1066), England was a loose confederation of societies, the laws of which were largely tribal and local.

a) true b) false.

10. The role of law in China and Japan, for example, is somewhat different from its role in Western nations.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

rules and	precedents
a system	law
judicial	part
natural	the law
a significant	regulations
enforce	the main source
by means of	society
provide	of centralized courts
tribal	laws
operated under	appropriate penalties or remedies

UNIT 2

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

PUBLIC LAW

Public law concerns the **relationships** within government and those between governments and individuals. Because the Roman codes were almost entirely limited to the private area, public law is usually not codified. In civil-law countries, separate administrative courts adjudicate claims and **disputes** between the various branches of government and citizens, and many lawyers specialize in public law. In France, Germany, and Italy, still other courts handle constitutional issues.

Public law is not quite so clearly demarcated in the United Kingdom and the U.S. Under the **common-law approach** the same courts handle **public and private litigation**. Because the United Kingdom has no written constitution, basic principles pertaining to government powers and limits and to fundamental individual rights are found in acts of Parliament, judicial opinions, and tradition. The United States, on the other hand, has a distinct body of **constitutional law**.

The development of administrative law is a comparatively recent occurrence. Numerous federal and state administrative agencies now make rules that reach into all manner of activities, including licensing, regulation of trades and professions, protection of health, and promotion of welfare. Their powers **emanate from legislation**, and their rules are reviewable by the courts.

U.S. constitutional law is the most extensive and pervasive of any country in the world. It is embodied in the Constitution and in the opinions of the U.S. Supreme Court rendered over time. Through its power of judicial review, the Supreme Court may invalidate any legislation or other governmental actions that it finds to be in violation of the Constitution. Constitutional courts in some civil-law countries have similar powers. In the United Kingdom no equivalent judicial power exists, and Parliament is supreme. In totalitarian nations, constitutional limits on legislative power are generally a matter of political determination.

The U.S. Constitution allocates power within the federal government and between the federal and state governments. The first ten **amendments** (the Bill of Rights) and subsequent amendments **define** fundamental individual rights by placing limits on the powers of government at all levels. Through its powers of judicial review and interpretation, the Supreme Court has played a remarkable role in facilitating the growth of national power and influence by means of decisions about acts of Congress and federal **administrative law**. The Court has, for the most part, acted extensively **to invalidate** and inhibit discriminatory legislation and to adjust the relative distribution of government-connected services and revenue so as to ultimately provide for more democratic social relations. The Court, however, is frequently the center of much controversy because of widely varying interpretations about its role and the nature of constitutional law.

Laws concerning **taxation** and the regulation of business are in the public area, as is **criminal law**, which involves the exercise of governmental power by way of enforcement and punishment. Historically, criminal law in Britain included crimes defined by the courts. In the United States crimes are defined by statute, thus satisfying constitutional notions of due process. The public-law nature of the area is further emphasized by other constitutional protections such as the right of the accused to remain silent and the right to effective counsel. Criminal law not only promotes security and order but also reinforces moral norms. Debate has been continuous regarding **the legitimacy** of government intervention in areas where moral attitudes are in significant conflict, such as in matters of sexual practices, pornography, birth control, and euthanasia.

PRIVATE LAW

Private law involves the various relationships that people have with one another and the rules that determine their legal rights and duties among themselves. The area is concerned with rules and principles pertaining to **private ownership** and use of property, contracts between individuals, family relationships, and redress by way of compensation for harm inflicted on one person by another. Historically, government involvement was usually minimal. Private law has also operated to provide **general guidelines** and security in private arrangements and interactions in ways that are complementary to morality and custom but that are not necessarily enforceable in a court of law, such as noncontractual promises and agreements within an association of private individuals.

The relative significance of purely private law has decreased in modern times. Public law dominates in government-controlled societies; democratic societies increasingly have a mix of public and private law. The private sphere includes individuals and **a vast array of groups**, associations, organizations, and special legal entities such as corporations. They compete with one another and with government for control of resources, wealth, power, and the communication of ideas and values. Special fields of law, such as **labor law**, facilitate and control this competition. Much of such law is in the commercial and corporate areas. The formerly purely private law of property and contracts, for example, is now overlaid with legislation, regulations, and **judicial decisions** reflecting the competition. The public law of taxation has significant impact on the whole private sphere. Courts have **increasingly** regarded resolution of seemingly private disputes as vehicles for response to changing social conditions and values—especially in the U.S. Thus, manufacturers have experienced an expansion of liability for physical injuries caused by defects in their products. The mechanism of insurance allows manufacturers to spread such costs across the general consuming public.

Translate the following collocations into English and make sentences with them.

правовые

пути
средства
нормы
советы

принципы
обязательства
последствия

устанавливать

общественный контроль
отношения с другими странами
власть

урегулировать

споры
конфликты
разногласия

2. Determine if the sentences are true or false, according to the text.

1. Public law concerns the relationships within government and those between governments and individuals.
a) true b) false.
2. the United Kingdom has no written constitution, basic principles pertaining to government powers and limits and to fundamental individual rights are found in acts of Parliament, judicial opinions, and tradition.
a) true b) false.
3. The development of administrative law is a comparatively recent occurrence.
a) true b) false.
4. The Supreme Court may invalidate any legislation or other governmental actions that it finds to be in violation of the Constitution.
a) true b) false.
5. The U.S. Constitution allocates power within the federal government and between the federal and state governments.
a) true b) false.
6. Historically, criminal law in Britain included crimes defined by the courts.
a) true b) false.
7. Private law involves the various relationships that people have with one another and the rules that determine their legal rights and duties among themselves.
a) true b) false.
8. Public law dominates in government-controlled societies; democratic societies increasingly have a mix of public and private law.
a) true b) false.
9. The private sphere includes individuals and a vast array of groups, associations, organizations, and special legal entities such as corporations.
a) true b) false.
10. Much of such law is in the commercial and corporate areas.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

general	law
administrative	power
constitutional	law
labor	of groups
allocate	rights
criminal	guidelines
a vast array	ownership
define	law
private	rights
legal	law

UNIT 3

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

ADMINISTRATIVE LAW

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

ORIGINS

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

ADMINISTRATIVE LAW IN THE U.S

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

regulation is desirable, the court may declare the regulation a nullity if the agency, by promulgating such a regulation, has exceeded the authority conferred by the legislature. In determining that a regulation has been violated, substantial proof is required, but the agency is not bound by the laws of evidence that apply in **court trials**.

With the multiplication of federal administrative agencies in the U.S. during the 1930s, a means of making administrative regulations reasonably **accessible** to the public became necessary. The Federal Register Act (1935) provides that all federal regulations must be published in the Federal Register; a regulation that is not published in this manner is not binding upon persons who are unaware of its existence. Periodically, all federal regulations still in force must be codified and published in a compilation called the Code of Federal Regulations. The Administrative Procedures Act (1946) provides that before a federal agency promulgates a general regulation, interested parties must be afforded an opportunity to present their views. Another safeguard is that the **investigation** and **prosecution** of alleged violations may not be undertaken by the same persons who will **render the judgment**.

Choose the appropriate word.

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

2. Determine if the sentences are true or false, according to the text.

1. Administrative Law, body of law applicable to the operations of agencies established by the legislature to carry out the functions of the legislative branch of government.
a) true b) false.
2. The term administrative law was used until the 20th century, the concern with maintaining controls over the power of government goes back in English law.
a) true b) false.
3. Administrative bodies are created and given power by federal or state legislation.
a) true b) false.
4. If an agency apply the proper standards, its failure may be redressed by application to the courts.
a) true b) false.
5. The Federal Register Act (1938) provides that all federal regulations must be published in the Federal Register.
a) true b) false.

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

a) true b) false.

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

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

carry out	proper standards
body	regulations
executive	functions
apply	branch
state	of law
exceed	the authority
make	the judgment
render	legislation
private	bodies
administrative	individuals

UNIT 4

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

ADVOCATE

Advocate, in a general sense, one who pleads for another in a court of law or other tribunal. In the United Kingdom, professional advocates are called barristers and are permitted to plead or argue cases before the High Court of Justice; **a barrister** is distinguished from **a solicitor**, who may conduct litigation only in inferior courts. The avocat and avoué in France are analogous to the barrister and solicitor in England. In the United States, most former British colonies, and some parts of Europe, the two branches of the legal profession are not separate.

In a narrower sense, the term advocate was formerly used in Britain to denote a member of the College of Advocates at Doctors' Commons (abolished in 1857). These advocates had the exclusive right to plead in the ecclesiastical and admiralty courts and took precedence over all ordinary barristers. In the U.S. Army, the judge advocate general is chief adviser to the army authorities in the administration of military law.

ATTORNEY

Attorney, in law, is any person authorized by another to represent him or her. An agent who has been granted express authority to bind his or her principal is called an attorney in fact. Such authority is usually granted by a written instrument called a power of attorney. The powers conferred may be general, as when one gives another a mandate to manage all one's affairs during an absence, or special, as when the authority extends only to a particular business, or is otherwise limited or qualified. The term attorney at law is used in the United States to denote **a legal adviser** or representative in all manner of business. In Britain, upon **the fusion of law and equity** by the Judicature Act of 1873, the two classes of attorney and barrister were united under the name of solicitor in the High Court of Justice.

An attorney at law is an officer of the court, and as such is required, in the U.S., to take a binding oath of office **to observe** the U.S. Constitution and the constitution of the state of residence. Each state regulates by law the training and qualifications of attorneys. Usually a preliminary examination in general scholarship is required, followed by study at a school of law and sometimes by **a clerkship** or **apprenticeship**, varying from one to two years, in the office of a practicing attorney. Finally, an applicant must pass an examination in law before being admitted to the bar.

The duties of an attorney are to act with **diligence** and **fidelity** to one's client and to show average **prudence**, knowledge, and skill in professional dealings. In order to settle an action, the attorney requires, as a rule, the special authority of the client. No attorney can be compelled **to reveal confidential information** related by a client.

Supply English equivalents

обращаться за помощью к юристу

регулировать отношения друг с другом

основать предприятие

попытка

правовые нормы

публичное право

сделать правовые нормы между-

народными

сложные сделки

решать проблему

вести себя разумно

имущество

обсуждать вопрос с кем-л.

правовые средства

достигать справедливых соглашений

договор

справедливое решение

применять одинаковые правовые принципы к чему-л.

урегулировать споры

правовые последствия
 регулировать отношения с кем-л.
 применить законы к кому-л.
 совершить сделку
 частное право
 отправление правосудия

2. Determine if the sentences are true or false, according to the text.

1. Advocate, in a general sense, one who pleads for another in a court of law or other tribunal.
 a) true b) false.
2. In the United Kingdom, professional advocates are called barristers.
 a) true b) false.
3. The avocat and avoué in France are analogous to the barrister and solicitor in England.
 a) true b) false.
4. In the United States, most former British colonies, and some parts of Europe, the two branches of the legal profession are separate.
 a) true b) false.
5. In a narrower sense, the term advocate was formerly used in Germany to denote a member of the College of Advocates at Doctors' Commons.
 a) true b) false.
6. The term attorney at law is used in the United States to denote a legal adviser or representative in all manner of business.
 a) true b) false.
7. In Britain the two classes of attorney and barrister were united under the name of solicitor in the High Court of Justice.
 a) true b) false.
8. Attorney in the United States must necessarily take the oath.
 a) true b) false.
9. Each state regulates by law the training and qualifications of attorneys.
 a) true b) false.
10. An applicant must pass an examination in law before being admitted to the bar.
 a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

legal	cases
reveal	examination
an officer	attorney
preliminary	in courts
pass	confidential information
in a general	of the court

to act	with diligence and fidelity
to plead	an examination
to plead or argue	adviser
practicing	sense

UNIT 5

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CIVIL LAW

Civil Law, term applied to a legal tradition originating in ancient Rome and to the contemporary legal systems based on this tradition. Modern **civil law** systems, which were originally developed in Western European countries, have spread throughout the world. Civil law is typically contrasted with **common law**, a system that evolved in medieval England and that is the basis of law in most of the United Kingdom, Canada, and the United States. Civil law was the tradition followed by European scholars who developed the law for many nations, as well as the system of international law used worldwide today.

The term civil law also applies to all legal proceedings (whether taking place in a civil law or a common law system) that are not criminal in nature. Under this definition laws regulating marriage, contracts, and payment for **personal injury** are examples of civil law.

CHARACTERISTICS OF CIVIL LAW

The most obvious feature of a civil law system is the presence of a written code of law. The code is a systematic and comprehensive compilation of legal rules and principles. Although the contents of codes may vary widely from country to country, all codes are intended as **a blueprint** of social regulation that attempts **to guide** individuals through society from birth to death.

The civil law tradition makes **a sharp distinction** between private and public law. Private law includes the rules governing civil and commercial relationships such as **marriage, divorce**, and contractual agreements. Public law consists of matters that concern the government: constitutional law, criminal law, and administrative law. In many countries with civil law systems, two sets of courts exist—those that hear public law cases and those that address matters of private law.

The role of **judges** in civil law jurisdictions differs considerably from that of judges in common law systems. When different facts or new considerations arise, common law judges are free to depart from precedent and establish new law. The civil law tradition views judges as government officials who perform essential but uncreative functions. Civil law judges administer the codes that are written by legal scholars and enacted by legislators. They may also consult legal treatises on the issue in question. The civil law system

assumes that there is only one correct solution to a specific legal problem. Therefore, judges are not expected to use judicial discretion or **to apply their own interpretation** to a case.

Civil law systems do not have any process like the common law practice of discovery—the pretrial search for information conducted by the parties involved in the case. The trial of a case under civil law also differs substantially from a common law trial, in which both parties present arguments and **witnesses** in open court. In civil law systems the judge supervises the collection of evidence and usually examines witnesses in private. Cross-examination of witnesses by the opposing party’s attorney is rare. Instead, a civil law action consists of a series of **meetings, hearings**, and letters through which **testimony** is taken, evidence is gathered, and judgment is rendered. This eliminates the need for a trial and, therefore, for a jury.

Systems of common law and civil law also differ in how law is created and how it can be changed. Common law is derived from custom and precedents (binding judgments made by prior judicial decisions). In the common law system, the precedent itself is law. Therefore, the judges who decide which party will **prevail** in any given trial are also the creators of common law. Civil law, on the other hand, is made by legislators who strive to supplement and modernize the codes, usually with the advice of **legal scholars**. Civil law judges administer the law, but they do not create it.

Match words and collocations with the ones that have similar meanings.

- | | |
|---------------------------|-------------------------|
| 1. duty | a. to make laws |
| 2. a set of rules | b. involve time |
| 3. authority | c. just |
| 4. to create laws | d. to set up a business |
| 5. fair | e. to control |
| 6. question | f. a body of rules |
| 7. to organize a business | g. power |
| 8. to take time | h. obligation |
| 9. to govern | i. matter |

2. Determine if the sentences are true or false, according to the text.

1. Civil Law, term applied to a legal tradition originating in ancient Greece and to the contemporary legal systems based on this tradition.
a) true b) false.
2. Modern civil law systems were originally developed in Canada and U.S.
a) true b) false.
3. The feature of a civil law system is the presence of a written code of law.
a) true b) false.
4. The code is a systematic and comprehensive compilation of legal rules and principles.
a) true b) false.
5. The civil law tradition doesn't make a sharp distinction between private and public law.
a) true b) false.

6. Private law includes the rules governing civil and commercial relationships.
a) true b) false.
7. Public law consists of matters that concern criminal law.
a) true b) false.
8. The role of judges in civil law jurisdictions doesn't differ from that of judges in common law systems.
a) true b) false
9. Systems of common law and civil law differ in how law is created and how it can be changed.
a) true b) false.
10. Civil law judges administer the law, but they do not create it.
a) true b) false.
- 3. Make a short plan of the text.**
- 4. Be ready to retell the text and talk with the teacher.**
- 5. Match the words and translate them.**

common	arguments and witnesses
personal	the law
to guide	rules
consult	law
present	hand
civil	injury
to consists of	legal treatises
on the other	matters
legal	individuals
to administer	law

UNIT 6

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

COMMON LAW

Common Law, term used to refer to the main body of English **unwritten law** that evolved from the 12th century onward. The name comes from the idea that English medieval law, as administered by the **courts of the realm**, reflected the “common” customs of the kingdom. This system of law prevails in Britain and in those countries, such as Canada and the United States, that were originally colonized by English settlers.

THE LEGAL SYSTEM

The common law is based on the principle of deciding cases by reference to previous judicial decisions, rather than to written statutes drafted by legislative bodies. Common law can be contrasted to the civil-law system, based on ancient Roman law, found in continental Europe and elsewhere. Whereas civil-law judges resolve disputes by referring to statutory principles arrived at in advance, common-law judges focus more intently on the facts of the particular case to arrive at a fair and equitable result for the litigants.

As the number of **judicial decisions** accumulate on a particular kind of dispute, general rules or precedents emerge and become guidelines for judges deciding similar cases in the future. **Subsequent cases**, however, may reveal new and different facts and considerations, such as changing social or technological conditions. A **common-law judge** is then free to depart from precedent and establish a new rule of decision, which sets a new precedent as it is accepted and used by different judges in other cases. In this manner, common law retains a dynamic for change. As the U.S. Supreme Court Justice Oliver Wendell Holmes, Jr. wrote in his book, *The Common Law* (1881): “The life of the [common] law has not been logic; it has been experience.”

In all common-law systems, a **pyramidal structure of courts** exists to define and refine the law. At the base of the pyramid is trial courts, composed of a single judge and a jury selected from local citizens. The judge controls the conduct of the court and the admission of evidence. After both sides have presented their evidence, the judge instructs **the jury** on the **appropriate legal principles** to be applied in determining the case. The jury then weighs the facts and applies the law, as stated by the judge, in order to reach a verdict or judgment.

Above the trial courts, layers of appellate courts, composed entirely of judges, exist to adjudicate disputes. These **disputes** center on whether or not the trial judge applied the correct principles of law. (The jury's determination of fact and its ultimate verdict or judgment are not subject to appellate review, however, in order **to preserve the independence** of the jury as a check on judicial power.) The interpretations of law made by **appellate courts** form the precedents that govern future cases. Furthermore, the importance of a precedent for any given court depends on that court's position in the pyramidal structure; for example, a precedent set by **an appellate court** has greater force in trial courts than in other appellate courts.

REPORTING THE UNWRITTEN LAW

Common law has been known as unwritten law, because it is not collected in a single source. Reports of the **judicial decisions** from which the common law was derived were only occasionally circulated from the 12th to the 16th century. Starting in the 17th century formal reports of some decisions were published by private parties. These early reports were supplemented by **infrequent scholarly treatises** summarizing large segments of the case law, such as those of Sir Edward Coke (published in 1628) and Sir William Blackstone (1765-69). As reporting improved, the influence of these treatise writers diminished. In the 19th century the courts themselves took responsibility for publishing judicial deci-

sions in both Britain and the U.S. It is primarily decisions of **appellate** rather than trial courts that are published.

COMMON LAW IN ENGLAND

Common law is distinguished from other forms of judge-made law from **parallel court systems**. In medieval times, for example, common-law courts were secular, as contrasted with **the ecclesiastical courts** of the Roman Catholic church. Common-law courts did not deal with merchant law, which was administered in mercantile courts, or with maritime law, administered in the admiralty court.

The most important parallel system was **equity jurisdiction**. Equity originated in early English law when subjects petitioned the monarch for justice. Such petitions were delegated to **the lord chancellor** and later to **a tribunal** called the court of chancery. Equity grew into a special body of rules over and above those administered in other royal courts of law. At first, **common-law courts** were more bound by precedent than were courts of equity, which provided remedies based on notions of fairness to litigants who were denied relief on technical grounds under common law.

By the end of **the medieval period**, common law and equity constituted the **vast bulk of all English law**. As common law became less formal and as equity accumulated its own set of precedents, these two forms of **judge-made law** grew closer together. Britain abolished the distinction between common law and equity in the Judicature Act of 1873. The ultimate effect of the growth and absorption of **equity jurisdiction** was to gradually expand the range of disputes that could be adjudicated in formal courts.

During and after the Industrial Revolution, in response to the growing complexity of law and the need for greater clarity and accessibility, the British Parliament asserted itself as **the principal source of new law**, modifying and adding to the body of judge-made law by statute. In modern times, the statutes of Parliament have come to encompass most legal relationships. The common law, however, remains in force to help interpret statutes, many of which are primarily restatements of common-law rules and principles

COMMON LAW IN THE UNITED STATES

Most of the British common law as it existed at the time of the American Revolution became the foundation of a distinctly American system of law. Common law has varied from state to state, but only one state, Louisiana, differs significantly from the rest, basing its system on the French **civil-law model**. In each state the highest appellate court, usually the state supreme court, is the ultimate arbiter of the common law, subject to alterations by legislative action. The U.S. Supreme Court is the ultimate arbiter of all federal law and of the U.S. Constitution, which is superior to all other laws. As in Britain, **statutory law** has largely supplanted common law in state and federal systems, although common law is still **influential**. The order of authority of law in the United States, is the Constitution, treaties with foreign powers and acts of Congress, state constitutions, state statutory law, and finally the common law.

Fill in the gaps with an appropriate word.

1. Lawyers often help people to reach just **agreement** (**agree**).
2. After long _____ they made a decision (**discuss**).
3. Each citizen has rights and _____ (**oblige**).
4. I think the decision is _____ (**justice**).
5. It is not easy to give a _____ of justice (**define**).
6. In the modern world countries _____ more and more (**cooperation**).
7. It is important to make legal standards _____ (**internationalize**).
8. In many cases we have to follow _____ (**regulate**).
9. The answer was entirely _____ (**satisfaction**).
10. I cannot accept your _____ (**refuse**).

2. Determine if the sentences are true or false, according to the text.

1. Common Law, term used to refer to the main body of English unwritten law that evolved from the 15 th century.
a) true b) false.
2. The system of law prevails in Britain and in those countries, such as Canada and the United States, that were originally colonized by English settlers.
a) true b) false.
3. Common law can be contrasted to the civil-law system, based on ancient Roman law.
a) true b) false.
4. In all common-law systems, a pyramidal structure of courts exists to define and re-fine the law.
a) true b) false.
5. The judge controls the conduct of the court and the admission of evidence.
a) true b) false.
6. Common law has been known as unwritten law, because it is not collected in a single source.
a) true b) false.
7. Starting in the 17th century formal reports of some decisions were published by civil parties.
a) true b) false.
8. In the 20th century the courts themselves took responsibility for publishing judicial decisions in both Britain and the U.S.
a) true b) false.
9. In medieval times common-law courts were secular, as contrasted with the ecclesiastical courts of the Roman Catholic church.
a) true b) false.
10. The British common law became the foundation of a distinctly American system of law.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

judicial	responsibility for
legislative	merchant law
take	precedents
deal with	statutes
set of	bodies
interpret	supreme court
the state	decisions
foreign	effect
ultimate	parties
private	powers and acts

UNIT 7

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

COURTS IN THE UNITED KINGDOM

Courts in the United Kingdom, judicial institutions charged with resolving disputes in law, either between citizens, or between citizens and government organs.

There are three legal systems in the United Kingdom: one for England and Wales, one for Scotland, and one for Northern Ireland. Because they have been ruled by the same Parliament for so long, the different systems **have much in common**. However, their different origins and circumstances, especially in Scotland, account for their **own procedures** and detailed law. Appeal can be made from all courts in the United Kingdom, except in Scottish **criminal matters**, to the House of Lords in London.

The present court system is **an amalgamation** over the centuries of three sorts of courts: ecclesiastical, common law, and courts of equity. Essentially, the present form began in 1873, with some structural alterations made in 1971.

In English common law, the courts are, in theory, the final bodies that give effect to legal state and legislative power. A statute only has effect by being recognized by the courts and the legal system generally. In fact, the courts have never refused **to follow the legislature**, although the question of whether a court would accept an absurdly unjust statute has never been tested. Indeed, some of the lower courts and tribunals exist only **by virtue of statutes**, and much of the activity of the higher courts is governed by statute and by regulations made under statute.

THE STRUCTURE OF THE COURTS: CRIMINAL

The most numerous courts in England and Wales are the magistrates' courts, where justices of the peace, or magistrates, sit. Most **magistrates** are lay people who sit on a bench of three with a legally qualified clerk who advises them on the law. In cities there are also stipendiary magistrates who are legally qualified and sit alone. The office of justice of the peace is an **ancient** one, which predates its recognition in statute in 1361. Now it is largely governed by acts of Parliament.

Magistrates decide the vast majority of criminal matters and a limited range of civil and administrative questions. Appeal can be made from the magistrates' decision to the Crown Court, where a circuit judge sits, usually with two magistrates who did not hear the case in the magistrates' court. The appeal is **a complete rehearing of the case**, and evidence is heard again if it is in dispute. The Crown Court has power in these cases to increase as well as decrease the sentence imposed below. The only further appeal is to the Divisional Court of the High Court on a point of law, or on the grounds of unfairness in the proceedings. Cases may also reach the Crown Court when magistrates commit **a convicted defendant for sentence**, which allows the Crown Court to use its greater powers. This is done when the magistrates think a case is too serious for them to decide.

The majority of work in the Crown Court covers **trials on indictment**—that is, relating to formal charges. These cases are first heard in the Crown Court, to which they are committed by magistrates, who decide whether there is enough evidence to make a case against the defendant. More often than not, today, this is a formal matter, made on paper, although there is provision for **the defendant** to require evidence to be given. A judge and jury hear **trials on indictment**. The seniority and special qualifications of the judge determine the kind of case he or she is permitted to preside over. The judge decides the law and the jury the facts.

Crown Court jurisdiction was created in 1971 and replaced Quarter Sessions, which dealt with matters somewhat more serious than in magistrates' courts, and appeals from magistrates, and assize courts, which were held when High Court judges came from London to the provinces. The old system was too inflexible and sat too infrequently to deal with the increasing volume of criminal business.

Appeal from the Crown Court is to the Court of Appeal Criminal Division, which usually consists of a Lord Justice of Appeal, and two judges of the High Court. This is not a hearing but **a true appeal**, so the appellant (the person making the appeal) has to show that there was a mistake in law or some **flaw in the proceedings** which meant that he or she did not receive a fair trial. There is provision for the Court of Appeal to find that, while the trial was flawed, no injustice to the defendant was done, and the conviction should stand. An appeal against sentence must show that the sentence was clearly excessive.

Either the defendant or the prosecution may appeal to the House of Lords in its **appellate capacity**, which does not involve lay members of the House, but is heard by a committee of paid Lords of Appeal in Ordinary. The appeal is only available if the Court of Appeal certifies that a point of law of general public importance is involved, and if either that court or a Lords' committee gives leave.

THE STRUCTURE OF THE COURTS: CIVIL MATTERS

Other than the limited jurisdiction of the magistrates' court, mostly concerned with family matters, most **unexceptional civil disputes** come to the county court. This was created by an Act of Parliament, but it has concurrent jurisdiction with the High Court, which means that in most areas the litigant has a choice of which court to use.

Most claims of less than 3,000 pounds (\$1830) are heard in arbitration as small claims. The formal rules of court and evidence do not apply, and the successful party does not get his or her costs of bringing the case from the other side. District judges, who also deal with **preliminary arguments** about most of the higher-value claims before they come to trial, hear these. District judges conduct some trials, although circuit judges generally hear trials.

County courts existed before 1970, but their major importance dates from then, when **the system of circuit judges** was introduced. Since the late 1980s an increase in the financial limits to the cases it can try has made it a real, and often cheaper, alternative to the High Court.

The High Court is the ancient civil court of England. It reached its present form with the Judicature Act of 1873. The new High Court was divided into three divisions: Queen's Bench; Chancery; and Probate, Divorce and Admiralty (PDA). **A subsequent rearrangement** changed the PDA into the Family Division. Usually, one judge sits in a High Court case, except when a divisional court is convened. That consists of usually one High Court judge and a Lord Justice of Appeal, and usually tries disputes about government decisions.

Appeals from the county court and the High Court are to the Court of Appeal, Civil Division. In most cases, each court contains three Lord Justices of Appeal. The president of the Civil Division is the Master of the Rolls, who regularly sits in the Court of Appeal, as does the President of the Family Division and **the vice chancellor**, the head of the Chancery Division. Appeal from the Court of Appeal lies to the House of Lords, with the leave of the court or the House of Lords.

Complete the table (word formation)

Verb	Noun	Adjective
to agree		
	discussion	
to govern		
	reason	
		successful
to regulate		
	satisfaction	
		productive
to oblige		
	cooperation	

		international
	application	
to define		
		just
	fairness	
	refusal	

2. Determine if the sentences are true or false, according to the text.

- There are four legal systems in the United Kingdom: one for England and Wales, one for Scotland, and one for Northern Ireland, and one for Germany.
a) true b) false.
- The present court system is an amalgamation over the centuries of three sorts of courts: ecclesiastical, common law, and courts of equity.
a) true b) false.
- The most numerous courts in England and Wales are the magistrates' courts, where justices of the peace, or magistrates, sit.
a) true b) false.
- Magistrates decide the vast majority of criminal matters and a limited range of civil and administrative questions.
a) true b) false.
- The majority of work in the Crown Court covers trials on indictment—that is, relating to formal charges.
a) true b) false.
- Appeal from the Crown Court is to the Court of Appeal Criminal Division, which usually consists of a Lord Justice of Appeal, and two judges of the High Court.
a) true b) false.
- The formal rules of court and evidence do not apply, and the successful party does not get his or her costs of bringing the case from the other side.
a) true b) false.
- The High Court is the ancient civil court of England.
a) true b) false.
- The new High Court was divided into three divisions: Queen's Bench; Chancery; and Probate, Divorce and Admiralty (PDA).
a) true b) false.
- Appeal from the Court of Appeal lies to the House of Lords, with the leave of the court or the House of Lords.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

The majority	some trials
judicial	cases
hear	claims

small	of work
have	institutions
District	trials
conduct	party
In most	cost
successful	judges
get	much in common

UNIT 8

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

COURTS IN THE UNITED STATES

Courts in the United States, government institutions that **resolve legal** disputes by trial and that hear appeals from such cases. The United States has a federal system of government in which power is divided between a central (national) authority and smaller local units of government. Correspondingly, it has **a dual system of federal and state courts** that are independent of one another. Because each state has its own system, there are essentially 52 court systems in the United States (the federal system, 50 state systems, and the court system in the District of Columbia).

The authority of a court to decide a case is called its jurisdiction. Courts have jurisdiction only **within geographical boundaries**. A city court cannot usually try cases that arise outside the city limits and courts in one state rarely have jurisdiction over events happening or people living in other states. Jurisdiction is also limited by types of cases. A court with general jurisdiction may hear many different sorts of cases. The jurisdiction of other courts is limited to particular types of cases—for example, minor crimes, **claims against the government**, or child custody.

Trial courts conduct trials, at which the parties present evidence and ask a judge or jury for a decision or verdict. **Appellate courts** hear appeals from the trial courts—that is, they review the lower court's decision to see whether **a legal error** was made.

FEDERAL COURTS

Over the past 200 years the federal judiciary has evolved from a simple set of courts with limited caseloads into a complex arrangement of courts that interact with one another and the state courts. The modern system resembles **a three-tier pyramid**. At the base lie the U.S. district courts, which are trial courts for both criminal and civil matters. At the top sits the U.S. Supreme Court. In between are the U.S. courts of appeals, which hear appeals from district courts. All these courts operate under procedures established by the Supreme Court.

Federal courts have jurisdiction **to hear** only those **cases** allowed under the Constitution and by federal law. These include cases interpreting the Constitution and federal laws

and treaties, cases affecting **ambassadors** and similar foreign officials, disputes between states, admiralty and maritime cases (which concern commerce and navigation on the seas), **controversies** to which the United States is a party, and disputes between citizens of different states (called diversity jurisdiction cases).

Under federal law, some cases may be heard only by federal courts—for example, **patent and copyright disputes**. But if jurisdiction is not exclusive, the parties may file cases involving federal claims in state courts instead of in federal court. In diversity jurisdiction cases in which the parties seek **monetary damages**, federal courts hear only cases that involve claims of \$75,000 or more. Cases involving smaller amounts must be heard in state courts.

Federal judges serve lifetime appointments, except for those on some specialized courts. All federal judges must be appointed by the president and confirmed by a majority vote of the Senate.

A District Courts

Congress has divided the United States into 94 federal districts and authorized about 650 judges to serve in the courts of those districts. Each district is contained within a state and no district overlaps state boundaries. Every state (and Puerto Rico, a U.S. commonwealth) has at least one federal district. Some states have more than one district—New York and California have four. District court trials are presided over by **individual judges**, who are responsible for controlling every aspect of the cases assigned to them. U.S. district judges are frequently involved in assessing the facts of the cases presented. The district court judge's findings of fact are ordinarily not appealable, but the appellate court may review the district court judge's rulings of law.

A defendant facing federal criminal prosecution is entitled to a jury trial. The parties in most federal civil trials are entitled to juries if they wish.

B Courts of Appeals

The 13 U.S. courts of appeals hear appeals from **judgments** and orders of the U.S. district courts and from many federal administrative agencies, such as the Environmental Protection Agency. Of the 13 courts of appeals, 12 are located in federal geographic units known as circuits. The states are grouped into 11 circuits, with no state **divided between** circuits; the formal names for these courts are the U.S. Court of Appeals for the First Circuit, the U.S. Court of Appeals for the Second Circuit, and so on through the 11th circuit. The 12th and smallest circuit—the District of Columbia Circuit—is in Washington, D.C. The 13th circuit court, the U.S. Court of Appeals for the Federal Circuit, is not defined geographically but is instead specialized by subject. It hears appeals in cases involving international trade, patents, trademarks, money claims against the United States, and **veterans affairs**.

Congress has authorized approximately 150 federal appeals court judgeships. Their numbers range from 6 in the First Circuit (Maine, New Hampshire, and Massachusetts) to 28 in the Ninth Circuit, the largest circuit (seven Western states, including California). The judges within a circuit are divided into **rotating three-judge panels** when deciding cases. Occasionally all the judges of the circuit may sit en banc (together) to decide a case.

The term circuit derives from the original structure of these courts. Under the Judiciary Act of 1789, trials of certain cases were required to be held before three-judge circuit courts consisting of two Supreme Court justices and the federal trial judge in the district court. In addition to their regular duties, Supreme Court justices were required to ride circuit, traveling from district to district within their assigned circuit, often covering great distances. In 1891 Congress established the modern courts of appeals and abolished Supreme Court circuit riding.

C The Supreme Court

The Supreme Court, which consists of nine justices, is the highest court in the United States. It therefore has the final word on the most important constitutional and legal issues and establishes precedents that guide lower courts. It can hear appeals of cases from the U.S. courts of appeals and state supreme courts, so it has power **to shape constitutional and federal law** for the nation and **to ensure** that the states **abide** by constitutional and federal law.

Although more than 5000 cases are appealed to the Supreme Court every year, in practice it can hear no more than 150. It has nearly complete discretion to decide which cases to review, which gives the court even greater power in establishing **legal precedent**. The Supreme Court typically decides to review cases that will allow it to resolve conflicts over legal interpretations that have developed within the federal circuits.

D Courts of Special Jurisdiction

In addition to the district and appeals courts, Congress has established several specialized courts to hear particular types of cases. These include the U.S. Tax Court and the U.S. Court of Federal Claims, which hears claims against the United States (except personal injury and other tort cases, which can be filed in the district courts). The U.S. Court of Federal Claims also has jurisdiction to hear claims involving land and related disputes among Native American tribes. Other courts include the Court of International Trade; the U.S. Court of Veteran Appeals; and the U.S. Court of Military Appeals, which hears appeals from **general courts-martial**. Judges on many of these courts are appointed by the president and confirmed by the Senate, but they serve for limited terms, not for a lifetime.

E Territorial Courts

Congress has established district courts in the various territories of the United States, including Guam and the Virgin Islands. These courts have the same federal jurisdiction as other U.S. district courts, but **in addition** hear cases involving local matters that in the United States are heard by state courts.

STATE COURTS

The vast majority of legal cases in the United States are decided in state courts. In every state the purpose of the courts is the same: to prosecute crimes and settle disputes. However, the states differ broadly in how their court systems are organized. Every state arranges its courts in a hierarchy similar to the federal system. Trial courts try cases, intermediate appellate courts consider appeals from trials, and **supreme courts** hear further

appeals. But in many states the trial court system is not unified—that is, the common law and equity courts have not been merged and a single court cannot provide both common law and equitable remedies. An example of an equitable remedy is **an injunction**—a court order directing a defendant to act or refrain from acting in a certain way.

Within a state's court system many different courts, with specialized jurisdiction, present a bewildering maze for lawyers and their clients. For example, New York City has 11 separate trial courts, each operating under different rules but often with **overlapping jurisdiction**. These include a general trial court to try felony criminal prosecutions and major civil cases, a Family Court, a Surrogate's Court to administer wills, a Civil Court for cases valued at less than \$25,000, and a Housing Court to handle landlord-tenant disputes.

Historically, judges on many state courts—including state supreme courts—have been elected and serve for various terms, some as long as 15 years. In an attempt to reduce the influence of politics on the courts, many states now require the governor to appoint judges. In many states, **the initial appointment** is for a period of years (ranging from 1 to 14), after which a retention election is held. Beginning in the 1980s, many governors asked panels of attorneys and others to provide lists of candidates from which to make their selections. By **longstanding tradition** all judges appointed to the federal courts are lawyers, but some judges on smaller, limited-jurisdiction state courts are not. In many states, for example, lay judges serve on rural traffic courts and as justices of the peace.

A Trial Courts

A1 Courts of Limited Jurisdiction

In every state, most cases come to trial in courts of limited jurisdiction, such as small-claims, juvenile, and traffic courts. These are specialized courts that hear only one or a relatively few types of cases. They are the most numerous type of court in the United States and in some states these courts **handle** more than 80 percent of all trials. About 100 million cases come through these courts annually, but **the overwhelming majority** of these are simple traffic cases in which motorists plead guilty by mail.

A2 Courts of General Jurisdiction

Felony prosecutions and major civil trials take place in courts of general jurisdiction, which are empowered to hear many kinds of cases. These courts are often called superior courts, although the name varies by state. Every year more than 10 million cases or prosecutions are filed in these courts. Fewer than 2 percent of these ever come to trial. Most civil cases are settled by the parties and most criminal defendants enter **plea bargains**—that is, they **plead guilty** to the crime charged or to a lesser offense.

B Intermediate Appellate Courts

In 1948 only 11 states had an intermediate appellate court system. By the late 1990s nearly 40 states had established such courts to relieve the pressure on their supreme courts, which were being **inundated by appeals**. As in the federal system, state intermediate appellate courts hear appeals from both criminal and civil trial courts within their geographic regions. The larger states generally have more than one intermediate appellate court.

C Supreme Appellate Courts

Every state has a final appellate court. In most states these are called supreme courts, but in New York and Maryland they are known as the Court of Appeals. Oklahoma and Texas have two such courts, one for criminal and the other for civil appeals. The state supreme courts hear appeals mostly from intermediate appeals courts. Most supreme courts may choose which cases to review, and all have the final word on matters of state law—that is, common law, statutes, and the state constitution. Not even the U.S. Supreme Court may overturn their decisions about what the state constitution or state law means, although it may rule against the state if it concludes that a state law or constitutional provision conflicts with the U.S. Constitution. State supreme courts typically consist of between five and nine members **who rule as a panel**.

Supply Russian equivalents.

to settle disputes	legal implications
legal obligations	modern society
to seek legal advice	social control
basic knowledge	to become accustomed to doing smth
to set up a business	implementation of justice
to cooperate informally	to solve problems
body of rules	satisfactory
to define justice	to consult the lawyer
to enforce laws	a fair decision
to refuse to do smth	common problems
complex transactions	to support smth

2. Determine if the sentences are true or false, according to the text.

1. The United States has a federal system of government in which power is divided between a central authority and smaller local units of government.
a) true b) false.
2. Each state has its own system, there are essentially 55 court systems in the United States (the federal system, 51 state systems, and the court system in the District of Columbia).
a) true b) false.
3. Jurisdiction is also limited by types of cases.
a) true b) false.
4. The jurisdiction of other courts is limited to particular types of cases—for example, minor crimes, claims against the government, or child custody.
a) true b) false.
5. Federal courts have jurisdiction to hear only those cases allowed under the Constitution and by federal law.
a) true b) false.
6. In diversity jurisdiction cases in which the parties seek monetary damages, federal courts hear only cases that involve claims of \$45,000 or more.

a) true b) false.

7. All federal judges must be appointed by the president and confirmed by a majority vote of the Senate.

a) true b) false.

8. Congress has divided the United States into 94 federal districts and authorized about 650 judges to serve in the courts of those districts.

a) true b) false.

9. District court trials are presided over by individual judges, who are responsible for controlling every aspect of the cases assigned to them.

a) true b) false.

10. U.S. district judges are frequently involved in assessing the facts of the cases presented.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

resolve	the pressure on
civil	crimes
to relieve	matters
to reduce	appeals
to prosecute	disputes
local	precedents
establish	the influence
interact	evidence
settle	legal disputes
present	with one another

UNIT 9

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMINAL LAW

Criminal Law, branch of law that defines crimes, establishes punishments, and regulates the investigation and prosecution of **people accused of committing crimes**. Criminal law includes both substantive law, which is addressed in this article, and criminal procedure, which regulates the implementation and enforcement of substantive criminal law.

Substantive criminal law defines crime and punishment—for example, what act constitutes **murder** or what **punishment** a murderer should receive. On the other hand, criminal procedure is concerned with the legal rules followed and the steps taken **to investigate, apprehend, charge, prosecute, convict, and sentence to punishment** individuals

who violate substantive criminal law. For example, criminal procedure describes how a murder trial must be conducted.

This article discusses criminal law in the context of the common law system, which is found in countries such as England, Canada, and the United States. In the common law system, judges decide cases by referring to principles set forth in previous judicial decisions. Common law systems are typically **contrasted with** civil law systems, which are found in most Western European countries, much of Latin America and Africa, and parts of Asia. In civil law systems, judges decide cases by referring to statutes, which are enacted by legislatures and **compiled in** comprehensive books called codes.

In legal systems based on common law, criminal law is distinguished from what is known as civil law. In this context, the term civil law refers to the rules regulating private relationships, such as marriage, contracts, and personal injuries. In contrast, criminal law governs actions and relationships that are deemed to harm society as a whole.

PURPOSE OF CRIMINAL LAW

Criminal law seeks to protect the public from harm by inflicting punishment upon those who have already done harm and by threatening with punishment those who are tempted to do harm. The harm that criminal law aims **to prevent varies**. It may be physical harm, death, or bodily injury to human beings; the loss of or damage to property; sexual immorality; danger to the government; disturbance of the public peace and order; or injury to the public health. Conduct that **threatens to cause**, but has not yet caused, a harmful result may be enough to constitute a crime. Thus, criminal law often strives **to avoid harm** by forbidding conduct that may lead to harmful results.

One purpose of both civil law and criminal law in the common law system is to respond to harmful acts committed by individuals. However, each type of law provides different responses. A person who is injured by the action of another may bring **a civil lawsuit** against the person who caused the harm. If the victim prevails, the civil law generally provides that the person who caused the injury must pay money damages **to compensate for the harm suffered**. A person who acts in a way that is considered harmful to society in general may be prosecuted by the government in a criminal case. If the individual is convicted (found guilty) of the crime, he or she will be punished under criminal law by either **a fine, imprisonment, or death**. In some cases, a person's wrongful and harmful act can invoke both criminal and civil law responses.

A Retribution

The theory of **retribution** holds that punishment is imposed on the blameworthy party in order for society to vent its anger toward and **exact vengeance** upon the criminal. Supporters of this theory look upon punishment not as a tool to deter future crime but as a device for ensuring that offenders pay for past misconduct.

B Deterrence

Those who support the deterrence theory believe that if punishment is imposed upon a person who has committed a crime, the pain inflicted will **dissuade the offender** (and others) from repeating the crime. When the theory refers to the specific offender who

committed the crime, it is known as special deterrence. General deterrence describes the effect that punishment has when it serves as a public example or threat that deters people other than the initial offender from committing similar crimes.

C Restraint

Some believe that the goal of punishment is **restraint**. If a criminal is confined, executed, or otherwise incapacitated, such punishment will deny the criminal the ability or opportunity to commit further crimes that harm society.

D Rehabilitation

Another possible goal of criminal punishment is **rehabilitation of the offender**. Supporters of rehabilitation seek to prevent crime by providing offenders with the education and treatment necessary to eliminate criminal tendencies, as well as the skills to become productive members of society.

E Restoration

The theory of **restoration** takes a victim-oriented approach to crime that emphasizes **restitution (compensation) for victims**. Rather than focus on the punishment of criminals, supporters of this theory advocate restoring the victim and creating constructive roles for victims in the criminal justice process. For example, relatives of a murder victim may be encouraged to testify about the impact of the death when the murderer is sentenced by the court. Promoters of this theory believe that such victim involvement in the process helps repair the harm caused by crime and facilitates **community reconciliation**.

F Conflicts Among Goals

The various justifications for criminal punishment are not mutually exclusive. A particular punishment may advance several goals at the same time. A term of imprisonment, for example, may serve **to incapacitate the offender**, deter others in society from committing similar acts, and, at the same time, provide an opportunity for rehabilitative treatment for the offender. On the other hand, the goals of punishment may at times conflict. **The retributive and deterrence theories** call for the infliction of unpleasant experiences upon the criminal, including harsh prison treatment; but the prison environment may not be conducive to, or may even defeat, rehabilitation.

No one theory of punishment addresses all the goals of criminal law. A combination of theories and goals plays a part in the thinking of the legislators who establish the ranges of punishment for various crimes, the judges and jurors who sentence offenders within these ranges, and the parole authorities who have the power to release certain prisoners.

2. Determine if the sentences are true or false, according to the text.

1. Criminal Law, branch of law that defines crimes, establishes punishments and regulates the investigation.
a) true b) false.
2. The term civil law refers to the rules regulating private relationships, such as marriage, contracts, and personal injuries.

a)true b) false.

3. One purpose of both civil law and criminal law in the common law system is to respond to harmful acts committed by individuals.

a)true b) false.

4. A person who is injured by the action of another cannot bring a civil lawsuit against the person who caused the harm.

a)true b) false.

5. Some believe that the goal of punishment is restraint.

a)true b) false.

6. The goal of criminal punishment is rehabilitation of the offender.

a)true b) false.

7. The various justifications for criminal punishment are mutually exclusive. A particular punishment may advance several goals at the same time.

a)true b) false.

8. A person who acts in a way that is considered harmful to society in general may be prosecuted by the government in a criminal case.

a)true b) false.

9. A term of imprisonment may serve to incapacitate the offender, deter others in society from committing similar acts, and, at the same time, provide an opportunity for rehabilitative treatment for the offender.

a)true b) false.

10. This article discusses criminal law in the context of the common law system, which is found in countries such as England, Canada.

a)true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

cause	exclusive
criminal	rules
inflict	of law
commit	punishment
mutually	future crime
branch	the public
to deter	the harm
to protect	further crimes
legal	for ensuring
as a device	punishment

UNIT 10

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CLASSIFICATION OF CRIMES

Crimes are classified in many different ways: common law crimes versus statutory crimes, and crimes that are *mala in se* (evil in themselves) versus those that are *mala prohibita* (criminal only because the law says so). An important classification is the division of crimes into **felonies or misdemeanors**. This distinction is based on the severity of the crime and is rooted in common law.

In many jurisdictions in the United States, **felonies** are crimes punishable by death or imprisonment in a state prison or penitentiary and misdemeanors are those punishable by fine or **imprisonment** in a local jail. (The term jurisdiction refers to the authority of a political entity, such as a state or a county, or the territory over which that authority is exercised.) In other jurisdictions, crimes punishable by imprisonment for one year or more are felonies, and those punishable by fine or imprisonment for less than one year are misdemeanors. Since each jurisdiction determines the penalties for offenses it defines, a misdemeanor in one jurisdiction may constitute a felony in another. Some jurisdictions have **an additional classification** for petty offenses, also called infractions, which are usually **punishable** by a small fine.

CRIMINAL LAW IN THE UNITED STATES

The English colonists who came to North America in the 1600s brought their legal traditions with them. After the American Revolution (1775-1783), the English **common law** remained as **the basis of law** in the United States. Although U.S. law is rooted in the English common law tradition, it has evolved in **distinctive ways** to meet the needs and requirements of U.S. society. In the area of criminal law, the common law provided the basis for defining criminal behavior; however, written statutes have been adopted that either modify these definitions or provide new ones. Thus, almost all **criminal prosecutions** today are based on criminal laws defined by statute rather than by the common law.

A Common Law Origins

The common law began developing in England a millennium or more ago. Until the mid-17th century, the English Parliament (legislature) did not **convene regularly**. As a result, judges rather than legislators often created, defined, and meted out punishment for crimes. Many of the crimes thus created-called common law crimes, as distinguished from statutory crimes-still influence the definition of crime in England and the United States. Among the major common law crimes are **murder and manslaughter, mayhem, rape, larceny, robbery, burglary, and arson (all common law felonies) and assault and battery, perjury, forgery, bribery, and conspiracy (all common law misdemeanors)**. Even in the early days, however, gaps sometimes appeared in the network of judge-made

criminal law, and the legislature enacted statutes to fill the gaps in the common law definition of crimes.

B Statutory Crimes

Although the common law provides the basis for defining crimes, federal and state legislatures have enacted statutes that specifically define the elements (parts) of a crime. For example, common law judges defined rape as **sexual intercourse** by a man with a woman who was not his wife, against her will and through the use or threat of force. Some modern statutes have modified the elements of the common law **crime of rape**. For example, under some statutes the victim can be either male or female, and a husband can be found guilty of raping his wife. In modern times, both in England and the United States, legislatures have almost completely taken over the task of defining crimes. Judges seldom, if ever, create new definitions of crime, although in England and in many states of the United States they theoretically still have that power.

Until the late 18th century the common law predominated in defining crimes, and there were relatively few—no more than 20 or 30. Today, statutes specify hundreds of crimes in England and in the United States. Matters that judges three centuries ago never even thought about—such as **carjacking, bribing college athletes, and making false statements in connection with the registration of stocks and bonds**—have been classified by legislatures as new statutory crimes.

Although the trend is to add new crimes by statute, to a lesser extent there is a tendency for some crimes of one era to disappear in the next. For example, jurisdictions that once punished witchcraft by death no longer recognize it as a crime at all. Other crimes once prevalent in common law jurisdictions—such as **adultery, fornication, sodomy, and blasphemy**—have been eliminated by many legislatures. These activities are often ignored by law enforcement officials in jurisdictions where they remain crimes.

C Lawmaking Authority

The United States has a federal system of government, meaning that power is divided between a central authority and many regional authorities (Federalism). Consequently the power to make law, including criminal law, **is divided** between the national government and the governments of the 50 states. Local governments also have the authority to enact laws.

The federal government derives its legislative power from the Constitution of the United States. The Constitution gives the federal government authority over certain limited subjects, such as the power **to tax, to regulate interstate commerce, to declare war, and to regulate the mail**. These powers include an implied authority to define some crimes. For example, the taxation power includes the authority to make it a crime to fail to file an income-tax return or to understate income in a return that is filed. The authority over mail includes the implied power to make it a crime to use the mail **to defraud** (cheat by deception) or **to distribute obscene publications**.

The Constitution also explicitly grants power to define criminal behavior. For example, it gives the federal government the authority to punish **counterfeiting, treason, and felonies** committed on the high seas (such as piracy) and to govern land areas in the Unit-

ed States devoted to federal uses, such as military bases and national parks. The federal government may also protect itself from harm. Thus it has defined as **crimes sedition** (inciting dissatisfaction with government), bribery of federal officials, and perjury (providing false testimony) in federal courts. In federal territories, the federal government has substantial power over criminal matters, a power similar to that retained by states within their own borders.

The states retain broad power **to make law**, including criminal law, over matters not delegated by the U.S. Constitution to the federal government or specifically denied to the states. In fact, the states have **primary responsibility** for defining and enforcing criminal law. The vast majority of all criminal prosecutions take place in state courts under state criminal codes. Each state, within its own territory, has so-called police powers to make and enforce such laws as it deems **necessary** or **appropriate** for promoting the public health, safety, morals, or welfare.

2. Determine if the sentences are true or false, according to the text.

1. The term jurisdiction refers to the authority of a political entity, such as a state or a county, or the territory over which that authority is exercised.

a) true b) false.

2. Since each jurisdiction determines the penalties for offenses it defines, a misdemeanor in one jurisdiction may constitute a felony in another.

a) true b) false.

3. After the American Revolution (1775-1789), the English common law remained as the basis of law in the United States.

a) true b) false.

4. Almost all criminal prosecutions today are based on criminal laws defined by statute rather than by the common law.

a) true b) false.

5. Until the mid-17th century, the English Parliament (legislature) did not convene regularly.

a) true b) false.

6. Among the major common law crimes are murder and manslaughter, mayhem, rape, larceny, robbery, burglary, and arson (all common law felonies) and assault and battery, perjury, forgery, bribery, and conspiracy.

a) true b) false.

7. Until the late 18th century the common law predominated in defining crimes, and there were relatively few—no more than 20 or 30.

a) true b) false.

8. Some modern statutes have modified the elements of the common law crime of rape.

a) true b) false.

9. The United States has a federal system of government, meaning that power is divided between a central authority and many regional authorities.

a) true b) false.

10. The federal government derives its legislative power from the Constitution of the United States.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

political	of the crime
legislative	laws
under	entity
threat	from harm
severity	of force
determine	power
punishable	the penalties for offenses
to make	by a small fine
protect itself	law
to enact	some statutes

UNIT 11

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

ELEMENTS OF A CRIME

Certain elements, or factors, must **coexist** in order for behavior to constitute a crime. To be guilty of a crime, a person must commit an act. **Criminal liability** is not imposed for thoughts without action. The person acting must be doing so intentionally—that is, his or her conduct must not be accidental or involuntary.

A The Wrongful Act

To be guilty of a crime, a person must either have performed **a voluntary physical act** or failed to act when he or she had a legal duty to do so. In other words, there is no criminal liability for bad thoughts alone. Thus, a child may earnestly wish a parent dead and may even think about killing the parent. But even if the parent should **coincidentally** die, the child is not a murderer, provided that he or she took no action to bring about the parent's death.

Most crimes are committed by a specific action—for example, the **pulling of a trigger** or the thrusting of a knife in murder, or the lighting of a fire in arson. Some crimes, however, are defined in terms of **omission** or failure to act. For example, it is a crime not to file an income tax return. A person who has a special relationship with another or has voluntarily assumed a duty to help another may **be guilty of a crime** if he or she fails to act. For example, a parent is obligated to rescue his or her child from danger and a lifeguard on duty must attempt to rescue a drowning swimmer if it is physically possible for the parent or lifeguard to do so. Although the duty to rescue a person who is in danger is

limited, parents **owe a duty** to their young children and lifeguards to swimmers in their charge.

B Mental Fault

To be guilty of a crime, the person must also have had the intent to act in a harmful way. This element is sometimes called the requirement of mental fault or *mens rea*, a Latin term that means “guilty mind.” Thus, many crimes are defined in terms of intentionally, knowingly, maliciously, willfully, recklessly, or negligently acting or bringing about a result, or of conducting oneself with intent to accomplish a specified consequence. The *mens rea* requirement **distinguishes** between inadvertent or accidental acts and acts for which a person is criminally liable.

Generally, a person must have intended the actual harm that in fact resulted—that is, there is no criminal liability unless the criminal act and the required **intent concur**. Thus it is not murder if a man desires to kill his brother and, while driving to the store to purchase a gun for this purpose, accidentally runs over and kills his brother who happens to be crossing the street. On the other hand, if one intends harm to a particular person or object and, in attempting to carry out that intent, causes **a similar harm** to another person or object, one's intent will be transferred from the target person or object to the person or object actually harmed. For example, if a woman shoots at a man with the intent to kill him but, due to poor aim, misses the man and hits and kills a child nearby, **the shooter's intent** to kill the man is transferred to the child and the woman is liable for the child's murder.

In **recent years**, there has been a tendency **to depart from** the basic premise of criminal law requiring a specific **mental state** (intent) and to define statutory crimes providing for criminal liability without intent to cause harm. In the case of these so-called **strict-liability offenses**, the offender's mental state is irrelevant. Laws against serving alcohol to minors or against **mislabeling food** and drug products are typical examples of strict-liability statutes.

2. Determine if the sentences are true or false, according to the text.

1. To be guilty of a crime, a person must either have performed a voluntary physical act or failed to act when he or she had a legal duty to do so.
a) true b) false.
2. Most crimes are committed by a specific action—for example, the pulling of a trigger or the thrusting of a knife in murder, or the lighting of a fire in arson.
a) true b) false.
3. A person who has a special relationship with another or has voluntarily assumed a duty to help another may be guilty of a crime if he or she fails to act.
a) true b) false.
4. In recent years, there has been a tendency to depart from the basic premise of criminal law requiring a specific mental state (intent) and to define statutory crimes providing for criminal liability without intent to cause harm.
a) true b) false.

5. Laws against serving alcohol to minors or against mislabeling food and drug products are typical examples of strict-liability statutes.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

thrusting	harm
wrongful	to act
failure	years
Mental	the parent's death
to carry out	of a knife
to accomplish	an intent
In recent	act
to bring about	a specified consequence
to cause	fault
to constitute	a crime

UNIT 12

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

DEFENSES TO CRIMES

Defense is a broad term that refers to numerous claims that serve to rebut (refute), mitigate (moderate), justify, or excuse conduct that the state has labeled criminal. Some defenses are factual. For example, **an accused person** may offer an alibi that demonstrates that he or she was not present at the crime scene at the time the crime occurred. Other defenses, such as **insanity**, **acknowledge that the accused committed the crime** but assert that he or she should not be held responsible. Some defenses serve **to explain the circumstances** of the action and negate criminal liability. For example, if a person kills another in self-defense, the law provides that the prohibited act was justified and not appropriate for punishment.

A Insanity

The defense of insanity is based **on the premise** that those who are unable to control their actions or appreciate the criminality of their actions due to **mental defect** or illness should not be punished under criminal law. The insanity defense is a legal test of criminal responsibility and does not strictly conform to the **medical definition** of mental illness. Although a great deal of publicity is usually generated when it is **invoked**, the insanity defense is rarely used and infrequently successful.

Beginning in the mid-19th century, the test of insanity applied in England and much of the United States was known as the M’Naghten rule. This test was derived from the English case of Daniel M’Naghten, who was tried for murder in 1843. M’Naghten was judged not guilty because he suffered from a mental illness that prevented him from understanding whether his actions were right or wrong. The M’Naghten rule permits the defense of insanity for **criminal defendants** who, as a result of mental illness at the time of the criminal act, did not know the nature or the **wrongfulness of their actions**. The M’Naghten test requires **evidence of mental defect** that impaired the defendant’s ability to distinguish between right and wrong.

Some jurisdictions have supplemented the M’Naghten rule with the irresistible impulse test. Under this standard, an accused can be found not guilty by reason of insanity if a mental defect or **disease** rendered him or her incapable of **refraining from a criminal act**.

Another form of the insanity defense merges and modernizes the M’Naghten and irresistible impulse tests. Jurisdictions that have adopted this standard **permit** the defense of insanity if the defendant at the time of the criminal act, as a result of mental defect or disease, lacked substantial capacity either to appreciate the criminality (wrongfulness) of the conduct or to conform his or her conduct to the requirements of law.

Some jurisdictions recognize a defense of diminished capacity or diminished responsibility. Under this defense, a person accused of a crime may assert that as a result of a mental defect short of insanity, he or she did not have the requisite mental fault for the crime charged. Evidence of the accused person’s **diminished capacity** may **reduce the severity** of the crime charged or of the sentence imposed upon conviction.

B Age

A perpetrator's youth has long been a defense to criminal charges because children are deemed incapable of making **rational decisions** for which they should be held accountable. Under the common law, a child under 7 years of age is deemed too young to be criminally responsible. A child between the ages of 7 and 14 cannot be convicted of crime without proof that he or she knows the **difference between right and wrong**. A child 14 years of age or older is deemed sufficiently mature to be criminally responsible in most circumstances.

Many jurisdictions have **abandoned** these arbitrary common law categories and have enacted statutes describing **juvenile crime**. Under these statutes children under a specified age (which varies from state to state) who **commit crimes** are considered guilty of **delinquency** rather than a criminal act, based on the theory that children need help more than punishment. Some statutes, however, allow for youths to be tried as adults for serious crimes, such as murder, rape, and **armed robbery**.

C Intoxication

Intoxication, whether caused by alcohol, illegal drugs, or **prescribed medications**, may produce a state of mind resembling insanity. An intoxicated offender often cannot distinguish right from wrong or may have **an irresistible impulse**. For intoxication to be used as a defense against a crime, it must be involuntary (for example, if one is forced to

consume an intoxicant, or if one consumes an intoxicant without knowledge of its mentally disabling nature).

D Duress

A person who commits a crime because another is exerting extreme influence or pressure upon them may have the defense of **duress** (also known as **coercion**). Most jurisdictions allow the defense of duress only when (1) the pressure exerted is immediate and substantial, such as the threat of death or serious bodily harm; (2) the coercion is such that a reasonable person in the offender's position would have committed the crime; and (3) the offender did not willingly participate in creating a situation where coercion was likely. For example, if a woman kills a man because another person who is armed **threatens to kill** her if she does not, she would have the defense of duress to any charge of murder.

E Mistake

Mistake of fact constitutes a defense to criminal liability if it can be shown that, owing to the mistake, the accused person lacked the mental fault required to commit the crime in question. If a person takes another's coat, mistakenly believing that it is his or her own coat, this mistake **negates the intent to steal** that is required for the crime of larceny. On the other hand, if a person, with the intent to steal, takes another's coat mistakenly believing that the coat belongs to a third person, this mistake does not negate the person's intent to steal, and he or she is **guilty of larceny**. In certain instances a crime is committed even if the perpetrator made a mistake that negates his or her intent to commit a crime. For example, a person who has **sexual intercourse** with a minor (a person who is under a certain age specified by statute) can be found guilty of **statutory rape** even if he or she honestly believed that the other person was older.

The general rule is that ignorance or mistake of criminal law is not a defense to criminal liability. Therefore, if a person engages in a criminal act without knowing that **the act is illegal**, the mistake is no defense to **criminal liability**. This rule applies even if the mistake is based on the advice of a lawyer, because a contrary rule would encourage ignorance of the law. Some courts, however, recognize the defense of ignorance if the accused person (1) acted in reasonable, **good-faith reliance** upon a statute or judicial decision that is subsequently held to be invalid; or (2) reasonably relied upon **an erroneous interpretation** or statement of law provided by a public official legally responsible for the interpretation, administration, or enforcement of the law.

F Self-Defense

As a general rule, the law provides a defense for actions that reasonably appear necessary to protect oneself from the **imminent (immediate) use of unlawful force**. For example, a person is justified in the use of deadly force in self-defense if he or she reasonably believes that deadly force is necessary to prevent an act that would cause immediate death or serious bodily injury to himself or herself. If acting in **self-defense**, one may respond only with force proportional to the force defended against or necessary to resist the **unlawful attack**. Thus, one may not use deadly force except in response to deadly force. One who has initiated or provoked an attack generally may not claim self-defense.

G Entrapment

A person who is induced by the police to commit a crime that he or she would not have otherwise undertaken can claim the defense of **entrapment**. To prove the defense, the person must show that the idea for committing the crime originated with a law enforcement agent, that the agent persuaded him or her **to commit the crime**, and that he or she was not predisposed to commit such a crime. A person cannot successfully claim the defense of entrapment if the police officer merely furnishes the person with a favorable opportunity to commit crime—for example, by pretending **to be intoxicated in order to catch a pickpocket** who has been targeting **drunk individuals**.

2. Determine if the sentences are true or false, according to the text.

1. Defense is a broad term that refers to numerous claims that serve to rebut, mitigate, justify, or excuse conduct that the state has labeled criminal.
a) true b) false.
2. An accused person may offer an alibi that demonstrates that he or she was not present at the crime scene at the time the crime occurred.
a) true b) false.
3. The insanity defense is a legal test of criminal responsibility and does not strictly conform to the medical definition of mental illness.
a) true b) false.
4. Beginning in the mid-19th century, the test of insanity applied in England and much of the United States was known as the M’Naghten rule.
a) true b) false.
5. Under the common law, a child under 7 years of age is deemed too young to be criminally responsible.
a) true b) false.
6. The general rule is that ignorance or mistake of criminal law is not a defense to criminal liability.
a) true b) false.
7. The law provides a defense for actions that reasonably appear necessary to protect oneself from the imminent (immediate) use of unlawful force.
a) true b) false.
8. In recent years, there has been a tendency to depart from the basic premise of criminal law requiring a specific mental state (intent) and to define statutory crimes providing for criminal liability without intent to cause harm.
a) true b) false.
9. Laws against serving alcohol to minors or against mislabeling food and drug products are typical examples of strict-liability statutes.
a) true b) false.
10. Some modern statutes have modified the elements of the common law crime of rape.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

an accused	intent to steal
criminal	by alcohol
exerting	of law
the defense	extreme influence
requirements	crime
the person's	person
juvenile	act
prohibited	of entrapment
caused	the circumstances
to explain	liability

UNIT 13

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMES AGAINST THE PERSON

Crimes that physically or psychologically injure individuals are described as crimes against the person. These include murder, manslaughter, assault, battery, mayhem, rape, and kidnapping.

A Murder

The crime of **murder** is loosely defined as the unlawful killing of a human being by a person who had intent to kill. It requires, first of all, that a living person be killed. Some jurisdictions still follow the common law rule that for a murder to exist, death must occur within a year and a day after the accused **inflicted the fatal wound**.

The traditional definition of murder required the murderer to possess a certain intent, known as malice aforethought. No **actual hatred**, **ill will**, or **spite** is required. Under judicial definitions and some statutes, malice aforethought is present under any of the following conditions:

(1) A person intends to kill another, without justification or excuse, and succeeds in doing so. In some jurisdictions, the intent to kill may be inferred from a person's intentional use of a deadly weapon against another.

(2) A person intends to inflict upon another a serious injury short of death, but instead brings about an unintended death.

(3) A person acts in an extremely **reckless way** that demonstrates a "**depraved heart**" (moral corruption) or "callous indifference" to the value of human life and, without intending to do so, thereby causes another's death. An example of this so-called depraved-heart murder would be if a person shot a gun into a crowd of people, killing **an innocent bystander**.

(4) A person causes another's death during the course of committing a felony, and the death was the foreseeable result of **the felonious act**. Such a killing is known as felony murder. Any accomplice in the commission of the felony might also be guilty of murder. Thus, **a robber** whose gun accidentally goes off during a robbery and kills the robbery victim is guilty of murder, even though the robber did not intend to kill or do serious injury and this act was not so reckless as to evince a depraved heart. The accused must be found guilty of the **underlying felony** (in this example, robbery) to be held accountable for the felony murder.

B Manslaughter

Manslaughter is sometimes loosely defined as the unlawful killing of another without **malice aforethought**. It is generally divided into two branches: voluntary manslaughter and involuntary manslaughter. In some jurisdictions, manslaughter, like murder, is divided into degrees so that what one state calls voluntary manslaughter another calls first-degree manslaughter.

B1 Voluntary Manslaughter

Voluntary manslaughter generally involves an intentional killing of a human being by an enraged person under circumstances that would cause a reasonable person to become uncontrollably angry. For example, an intentional killing might be considered voluntary manslaughter (rather than murder) if it **is committed** in the heat of passion caused by **adequate provocation**. A common provocation is the discovery of the killer's **spouse** in the act of having sex with another. If the provocation would arouse **extreme rage** in a reasonable person, but the killer was not, in fact, **enraged** when the killing occurred, the killer is guilty of murder rather than voluntary manslaughter.

B2 Involuntary Manslaughter

Generally deemed a less serious crime than voluntary manslaughter, **involuntary manslaughter** involves unintended killings that do, however, involve some degree of fault. Reckless manslaughter, a counterpart of depraved-heart murder, exists when a person acts in a **reckless or wanton manner** and thereby causes the death of another person. Accidentally hitting and killing **a pedestrian** while driving a car recklessly or accidentally shooting someone to death while carelessly handling a revolver are examples of this type of involuntary manslaughter. **Misdemeanor manslaughter**, a counterpart of felony murder, exists when death occurs during the commission of a misdemeanor—such as when a person runs a red light, hitting and killing a pedestrian crossing the street.

C Assault and Battery

Assault and battery are actually two separate common law crimes, although the words are often used interchangeably and run together as a single expression. They differ from murder and manslaughter primarily in that the victim is not killed. Statutes commonly prescribe greater punishment for so-called aggravated assaults and batteries than for simple assaults and batteries. Thus, assault and battery with a deadly weapon or with in-

tent to commit some other crime, such as rape, **are commonly punishable as felonies**, while simple assault and battery are considered misdemeanors.

An assault is defined as an unlawful attempt **to inflict bodily injury** upon another, or the threat to do so coupled with the ability to immediately carry out the threat. An assault can be committed even though **the offender** does not actually touch, strike, or do bodily harm to another person. In some jurisdictions, it is an assault for one person to give another person reason to fear or expect immediate bodily harm—for example, if a woman threatens a man with a gun that she knows but he does not know is unloaded.

If an assault results in **physical contact**, a battery has occurred. Battery occurs when a person unlawfully applies force to another human being. Any objectionable touching, even if it does not involve physical pain, may constitute battery. The force may be caused by a fist, weapon, stick, rock, or some other instrument.

The common law crime of **mayhem**—a term derived from the word maim—is an **aggravated battery**. In its original definition, mayhem occurred when a person intentionally and **maliciously** deprived the victim of a part of the body—such as an arm, hand, finger, leg, foot, or eye—without which the victim was less able to fight in the service of the king. Today the statutory crime of mayhem generally covers serious and permanent **disfiguring injuries**—such as slitting the lips, ears, tongue, or nose—as well as disabling injuries. Some statutes require a specific intent to cause the injury suffered by the victim.

D Forcible and Statutory Rape

The common law felony of rape referred to **forcible rape**. It was defined as unlawful sexual intercourse with a woman by a man who was not her husband, without the woman's **consent**. Rape can occur when the woman's resistance is overcome either by force or by the threat of death or serious bodily harm. Sexual intercourse with a woman who is unconscious or so intoxicated, drugged, or mentally incompetent as to be incapable of granting effective consent may also **constitute rape**. Some modern statutes define rape to include **forced sex** by a husband with his wife.

Statutory rape is the term generally used to describe the crime of sexual intercourse by a man with a woman who is not his wife and who is below an age specified by statute. It is a crime whether or not the woman gives her consent. This crime is based on the premise that people **below a certain age, known as minors**, are incapable of making an informed, intelligent decision to consent to **sexual intercourse**. Consequently, even if the man reasonably believes the woman is over the age of consent (which varies among jurisdictions) or the woman lies about her age, the man is generally liable for the offense.

Some states have **rewritten their forcible and statutory rape laws** to make them **gender neutral**. Under these modern statutes a male can be considered a victim of rape—either at the hands of a woman or another man.

E Kidnapping

A felony in all jurisdictions, **kidnapping** generally involves the **seizure, confinement**, and, perhaps, **the carrying away of another by force** (or threat of force) **against his or her will**. It does not apply to those acting under the authority of the law. An aggravated form of kidnapping occurs if the purpose of the act is to (1) **obtain ransom or re-**

ward; (2) use the victim as a shield or hostage; (3) facilitate the commission of another offense, such as robbery or rape; or **(4) terrorize or inflict bodily injury on the victim**. In the United States, a federal statute known as the Lindbergh Act makes it a federal felony to transport a kidnapped person across a state line. This law was adopted after the son of American aviator Charles Lindbergh was kidnapped and killed in 1932.

2. Determine if the sentences are true or false, according to the text.

1. Crimes that physically or psychologically injure individuals are described as crimes against the person.

a) true b) false.

2. The traditional definition of murder required the murderer to possess a certain intent, known as malice aforethought.

a) true b) false.

3. In some jurisdictions, the intent to kill may be inferred from a person's intentional use of a deadly weapon against another.

a) true b) false.

4. A person causes another's death during the course of committing a felony, and the death was the foreseeable result of the felonious act.

a) true b) false.

5. The accused must be found guilty of the underlying felony to be held accountable for the felony murder.

a) true b) false.

6. Voluntary manslaughter generally involves an intentional killing of a human being by an enraged person under circumstances that would cause a reasonable person to become uncontrollably angry.

a) true b) false.

7. An assault is defined as an unlawful attempt to inflict bodily injury upon another, or the threat to do so coupled with the ability to immediately carry out the threat.

a) true b) false.

8. Statutory rape is the term generally used to describe the crime of sexual intercourse by a man with a woman who is not his wife and who is below an age specified by statute.

a) true b) false.

9. Some states have rewritten their forcible and statutory rape laws to make them gender neutral.

a) true b) false.

10. In the United States, a federal statute known as the Lindbergh Act makes it a federal felony to transport a kidnapped person across a state line.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

as unlawful	result
an intentional	disfiguring injuries

loosely	guilty of
to possess	a felony
ill	killing
be found	definitions
the foreseeable	a certain intent
committing	sexual intercourse
Under judicial	will
permanent	defined

UNIT 14

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMES AGAINST PROPERTY

Another major category of crimes concerns actions that affect another's **property**—either real or personal. Real property consists of land and structures attached to it, as well as the products of land before they are removed, such as growing crops, trees, and **un-mined minerals**. Personal property refers to personal belongings such as money, jewelry, and clothing.

Most jurisdictions have adopted statutes that modify the common law definitions of certain **property crimes**. For example, in some states the common law crimes of **larceny**, **embezzlement**, and **false pretenses** have been consolidated into a single crime known as **theft**.

A Larceny

The common law definition of the crime of **larceny** includes the following elements: (1) The thief must take possession of the property (that is, secure control over the property) from another. (2) The thief must move or carry away the property, although a slight movement is enough, such as the removal of **a wallet** from another's pocket. (3) There must be **a trespass** in the taking—that is, the thief must take possession of the property without consent from the rightful possessor. (4) The property must be **tangible personal property**, such as money, jewelry, or clothing. Under common law larceny does not apply to real property or intangible personal property, such as **checks**, **promissory notes**, or other documents that are regarded as evidence of property rather than as property itself. (5) The property must be taken from the possession of another who had a right of possession superior to any right of the accused. It is not necessary, however, that a person steal directly from the owner. (6) There must be **an intent to steal**—more accurately expressed as an intent to permanently deprive the person from whom the property is taken of possession of or interest in the property. It is not larceny to take another person's property that one honestly believes one owns. It is not larceny **to borrow property**, intending to return

it promptly. A notable exception is the temporary, unauthorized taking of a car, which commonly constitutes the crime of joyriding.

By **statute**, larceny is often divided into two degrees: **grand larceny and petit larceny**. The line between the two depends upon the value of the property stolen. Grand larceny is commonly a felony, while petit larceny is a misdemeanor.

B Embezzlement

In general, **embezzlement** occurs when a person who has lawful possession of another's money or property **fraudulently** converts that money or property. In other words, the **wrongdoer**, often **an employee, trustee, fiduciary, or agent**, acquires possession of the property lawfully and then converts the property to his or her own use. The principal distinction between embezzlement and larceny is that in instances of embezzlement, the property is already in the embezzler's possession. In instances of larceny, the property is in another's possession. A less important distinction is that larceny requires only a slight movement of the property, but embezzlement requires a conversion of the property—such as the sale of embezzled property or the spending of embezzled money.

For a conversion to constitute embezzlement, the wrongdoer must **intend to defraud** the rightful owner of the property. Innocent conversions do not qualify, as when a person honestly believes he or she has a right to convert another's property.

C False Pretenses

Theft by false pretenses occurs when a person obtains title to the property of another by knowingly making false representations, either spoken or written, with the intent to defraud the victim. The **misrepresentation** must be of present or past material fact and not opinion, prediction, or **false promise**. The crime also requires that the victim give the property to the defendant as a result of being deceived by or of **relying upon** the misrepresentation. The defendant must obtain title to the property, not mere possession without title, in order to be guilty of false pretenses. Historically, **obtaining custody** or possession of property (rather than title) by false statements was a form of larceny known as **larceny by trick**.

D Robbery

Robbery is a form of **aggravated larceny**. It can be viewed as a combination of **assault or battery, plus larceny**. All the elements of larceny are required—the **trespassing** and taking and moving of money or property from another without consent and with the intent to permanently deprive that person of the money or property—plus two additional requirements. First, there must be violence or threat of immediate violence. Second, the taking must be from the victim or in the **victim's presence**.

For example, it is robbery to take another's property, including money, from the victim at gunpoint or **to knock the victim unconscious** and then take his or her property. The property taken must be on the victim or so near the victim that, if not for the violence or threat of violence, the victim could have prevented its taking. For purposes of imposing punishment, most jurisdictions draw a distinction between simple robbery, where the victim is **intimidated** into handing over property, and armed (or aggravated) robbery, which is robbery with a dangerous weapon.

E Extortion

Extortion (or blackmail) differs from robbery in that the threats, stated or implied, that cause the victim to give money or property to the offender are not threats of immediate violence but rather threats of future harm. The **intimidation** might involve violence—for example, a threat to kill or injure the victim or a member of the victim's family. Alternatively, the intimidation might consist of a threat to accuse the victim of a crime or **to reveal a devastating secret** about the victim.

F Receiving Stolen Property

Buying or receiving property that is known to have been stolen by another person is a crime. Receiving means to take under control. Stolen property is property that has been taken by larceny or, in some jurisdictions, property obtained by embezzlement or false pretenses. Under the common law definition of this crime, the receiver must be certain or almost certain—in other words, be more than **merely suspicious**—that the property is stolen. Proof of the purchaser's knowledge may **be inferred from circumstances**, such as time and place of delivery. For example, if a man purchases a discounted stereo from an individual selling home electronics out of a van parked in an alley at midnight, these circumstances may contribute to a finding that the purchaser had **sufficient reason** to know the property was stolen.

G Forgery

A person commits **forgery** if he or she makes a false writing or materially **alters** a genuine writing that either has legal significance or is commonly relied upon in business transactions. A writing includes **handwriting, printing, typewriting, or engraving**. A **painting**, for instance, does not qualify as a writing. To be guilty of forgery, the person must intend **to defraud** someone by his or her action. Unlike the property crimes considered above, there is no requirement that any victim lose property or money. It is enough that the forger makes the false writing with **the fraudulent intent**. Examples of documents with legal significance are a check, promissory note, stock certificate, bond, deed, mortgage, will, and contract. Examples of documents used in business are an invoice and a letter of recommendation. The forger's act often consists of signing the name of a real or **fictitious person** (not the forger's own name), filling in a blank, or materially altering what is already written.

The crime of **uttering a forged instrument** consists of offering a forged document as true and genuine, knowing it to be a forgery, with an intent to defraud. Thus, a person who did not actually commit the forgery may be guilty of uttering.

2. Determine if the sentences are true or false, according to the text.

1. Most jurisdictions have adopted statutes that modify the common law definitions of certain property crimes.
 - a) true b) false.
2. By statute, larceny is often divided into two degrees: grand larceny and petit larceny.
 - a) true b) false.

3. Grand larceny is commonly a felony, while petit larceny is a misdemeanor.
a) true b) false.
4. In general, embezzlement occurs when a person who has lawful possession of another's money or property fraudulently converts that money or property.
a) true b) false.
5. For a conversion to constitute embezzlement, the wrongdoer must intend to defraud the rightful owner of the property.
a) true b) false.
6. The crime also requires that the victim give the property to the defendant as a result of being deceived by or of relying upon the misrepresentation.
a) true b) false.
7. Buying or receiving property that is known to have been stolen by another person is a crime.
a) true b) false.
8. Stolen property is property that has been taken by larceny or, in some jurisdictions, property obtained by embezzlement or false pretenses.
a) true b) false.
9. A person commits forgery if he or she makes a false writing or materially alters a genuine writing that either has legal significance or is commonly relied upon in business transactions.
a) true b) false.
10. The crime of uttering a forged instrument consists of offering a forged document as true and genuine, knowing it to be a forgery, with an intent to defraud.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

take	writing
adopt	significance
commit	violence
genuine	of a crime
legal	larceny
involve	forgery
the victim	possession
aggravated	representations
false	to defraud
intend	statutes

UNIT 15

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMES AGAINST THE HABITATION

The two common law felonies of arson and burglary are crimes against property, but they also often involve **physical danger to the victim**, and so they may be classified separately from other property crimes. The common law definitions limited these crimes to dwelling houses—that is, buildings in which people lived. Modern statutes generally extend their coverage to other buildings, such as **barns, warehouses, churches, stores, and garages**, as well as some **nonbuildings** such as **railroad cars and boats**. Some arson statutes cover all forms of personal property.

A Arson

The common law definition of **arson** is the **malicious and voluntary burning** of the dwelling house of another. The phrase of another means in the possession of another. Therefore, a landlord can be guilty of arson of his or her own house that **is leased to a tenant**. A dwelling house is a house where people **customarily sleep**, although no person need be in the house at the time of the burning. The term may include outbuildings associated with the house, such as barns and **stables**, especially where they are enclosed with the house by a common hedge, fence, or wall.

Malicious and voluntary means that **the arsonist** must intentionally, or perhaps recklessly, burn the house. No malice in the literal sense of ill will is required. The house need not be entirely or even largely destroyed. The burning of a small portion of the house, such as a part of the floor, wall, or door is sufficient. However, more than **a blackening** by smoke or scorching of the wood is necessary **to constitute arson**.

Modern statutes have generally altered the common law definition of arson in two ways. They provide that **the burning of property** other than dwelling houses and the burning of one's own property to defraud an insurance company also constitute arson.

B Burglary

The common law definition of **burglary** is **breaking and entering the dwelling house** of another in the nighttime with **the intent to commit a felony therein**. The requirement of breaking is satisfied by forcing open a locked door or window, by opening a closed but unlocked door or window, or even by opening wider a partly closed door or window to obtain entry. If the person had the resident's consent to enter, then **the use of force to gain entry** is not a breaking. Entering is satisfied by a person's passing entirely through the door, window, or other opening by putting any portion of the body through or even by holding a pole or other item through the opening while angling for some property inside.

A dwelling house includes **outbuildings** in the area surrounding a house. To be the subject of burglary, the structure must be the dwelling of someone other than the accused

person. The intended felony is usually **grand larceny**, but it may be **murder, rape, arson**, or one of the other felonies. A person has the required intent to commit a felony if he or she intends to steal whatever can be found, even if in fact there is nothing of value in the dwelling. A person is guilty of burglary even if arrested before he or she can commit the felony, as burglary is complete upon breaking and entering with the requisite intent.

Modern statutes have enlarged **the scope of** the common law definition of burglary in various ways. They sometimes **eliminate the requirement** of a breaking, so that an entry without a breaking may still constitute burglary. Some statutes consider gaining entry by means of **fraud, threat, or intimidation** to be constructive breaking—that is, the legal equivalent of forceful breaking. Modern statutes also typically provide that breaking into certain nonbuildings—such as railroad cars, automobiles, and boats—constitutes burglary. Most modern statutes have abandoned the requirement that the breaking and entering occur at night. Finally, some statutes provide that a person commits burglary if he or she has an intention to commit a misdemeanor—rather than an intention to commit a felony—after breaking and entering.

2. Determine if the sentences are true or false, according to the text.

1. The two common law felonies of arson and burglary are crimes against property, but they also often involve physical danger to the victim, and so they may be classified separately from other property crimes.
a) true b) false.
2. A dwelling house is a house where people customarily sleep, although no person need be in the house at the time of the burning.
a) true b) false.
3. Modern statutes have generally altered the common law definition of arson in two ways.
a) true b) false.
4. The common law definition of burglary is breaking and entering the dwelling house of another in the nighttime with the intent to commit a felony therein.
a) true b) false.
5. The requirement of breaking is satisfied by forcing open a locked door or window, by opening a closed but unlocked door or window, or even by opening wider a partly closed door or window to obtain entry.
a) true b) false.
6. A person has the required intent to commit a felony if he or she intends to steal whatever can be found, even if in fact there is nothing of value in the dwelling.
a) true b) false.
7. Modern statutes have enlarged the scope of the common law definition of burglary in various ways.
a) true b) false.
8. Most modern statutes have abandoned the requirement that the breaking and entering occur at night.
a) true b) false.

9. The common law definition of arson is the malicious and voluntary burning of the dwelling house of another.

a) true b) false.

10. Most jurisdictions have adopted statutes that modify the common law definitions of certain property crimes.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

voluntary	sense
to commit	will
crimes	of burglary
by means	company
in the literal	house
guilty	burning
an insurance	statutes
a dwelling	a felony
ill	against property
modern	of fraud

UNIT 16

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMES AGAINST SEXUAL MORALITY

A number of crimes involve **sexual conduct**. Rape, which has already been discussed as a crime against the person, is sometimes classified among these crimes. **Fornication and adultery**, in jurisdictions where these are crimes, are generally misdemeanors rather than felonies. **Sodomy, incest, and bigamy** are generally classified as felonies. Prostitution is probably the most common crime involving sex. There has been a modern trend in the United States to eliminate or restrict the scope of criminal statutes regulating sexual conduct, especially sexual activities among consenting adults.

A Fornication

Unmarried people who have **sexual intercourse** or who **cohabitate** (live together as sexual partners) commit fornication. In the few jurisdictions that retain this as a crime, it is generally unenforced or prosecution is rare.

B Adultery

Any married person who cohabits or has sexual intercourse with another person who is not his or her spouse has committed adultery, which is a crime in some but not all jurisdictions. A single act of adultery is not commonly punished. However, people who repeatedly commit adultery or publicize the fact may be prosecuted. Adultery means different things in different jurisdictions. In some, if only one of the two parties is married, **the married person** alone is guilty. In others, both parties are guilty even though only one party is married.

C Sodomy

The crime of **sodomy** encompasses a variety of sexual acts. Sodomy may be committed by human partners of either the same or opposite sex, or between a human and an animal (**bestiality**). It may be done either by force, in which **case the coerced party** is considered a victim rather than an offender, or with consent. One type of sodomy involves the penetration of the male sex organ into the anal opening or the mouth of a man or woman. In some jurisdictions, oral stimulation of the female sex organ also constitutes sodomy. Some jurisdictions also define as sodomy sexual relations between members of the same sex (**homosexuality**), sexual contact with a corpse (**necrophilia**), and **bestiality**.

D Incest

The statutory crime of **incest** consists of either cohabitation or sexual intercourse between closely related persons, such as between parent and child or between **siblings**. Jurisdictions vary in their definition of what degree of relationship constitutes incest—for example, whether sex between first cousins or step-relatives is criminal. Many jurisdictions restrict the crime to acts between blood relatives—that is, people who are related by birth rather than marriage.

E Bigamy

A person who willfully and knowingly enters into a marriage before a prior marriage has been legally terminated by divorce, **annulment**, or death of the spouse commits the crime of **bigamy**. In a common exception, it is not bigamy for a person to remarry if his or her spouse has been missing for a specific number of years (often seven) and is not known by the person to be alive.

F Prostitution

The crime of prostitution involves the exchange of sexual contact or favors for money or its equivalent. **The crime of pandering** involves the promotion of prostitution by enticing or procuring persons to engage in prostitution. Securing customers for prostitutes constitutes **the crime of procuring**. Managing the activities and contacts of prostitutes is a crime known as **pimping**. The terms pandering, procuring, and pimping are often used interchangeably.

2. Determine if the sentences are true or false, according to the text.

1. Fornication and adultery, in jurisdictions where these are crimes, are generally misdemeanors rather than felonies.

a) true b) false.

2. Sodomy, incest, and bigamy are generally classified as felonies.

a) true b) false.

3. Any married person who cohabits or has sexual intercourse with another person who is not his or her spouse has committed adultery, which is a crime in some but not all jurisdictions.

a) true b) false.

4. The people who repeatedly commit adultery or publicize the fact may be prosecuted.

a) true b) false.

5. Sodomy may be committed by human partners of either the same or opposite sex, or between a human and an animal (bestiality).

a) true b) false.

6. In some jurisdictions, oral stimulation of the female sex organ also constitutes sodomy.

a) true b) false.

7. The crime of prostitution involves the exchange of sexual contact or favors for money or its equivalent.

a) true b) false.

8. A person who willfully and knowingly enters into a marriage before a prior marriage has been legally terminated by divorce, annulment, or death of the spouse commits the crime of bigamy.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

commit	war
by overt	exception
levy	sexual intercourse
involve	persons
to engage	opening
in a common	sodomy
have	acts
procuring	adultery
the anal	in prostitution
constitute	sexual conduct

UNIT 17

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

CRIMES AGAINST THE GOVERNMENT

A government has the authority to protect itself against injury and destruction and to protect its administrative functions from **corruption**. To promote these objectives, it may define certain activities, such as **treason, perjury, and bribery**, as criminal.

A Treason

The crime of treason consists of attempting by **overt acts** to overthrow or levy war against the government, **to adhere** (devote) oneself to the enemies of the government, or to give aid and comfort to the enemy. To be guilty of treason, the person must intend **to betray** the government to which he or she owes allegiance.

B Perjury

A common law misdemeanor, perjury is now generally classified as a statutory felony. Perjury is defined as willfully giving a false statement while **under oath** concerning a material matter in a judicial proceeding. A statement is material if it could have influenced the outcome of the proceeding in which it was given. For example, **a witness** to an automobile accident **who lies under oath** about her age is not guilty of perjury because the false statement does not concern a relevant issue. However, an alleged victim of statutory rape commits perjury if she falsely testifies that at the time of the intercourse she was over the statutory age of consent. The age of the victim is a core issue in a statutory rape prosecution.

People **swear falsely** when they tell what they know **to be a falsehood** or even what they believe to be a falsehood (even if it is in fact true). It is not swearing falsely, however, to tell what is in fact false when the witness honestly believes it to be true. Modern statutes have generally expanded **perjury** to include proceedings other than judicial proceedings, such as congressional hearings and proceedings before a notary public.

The crime of intentionally causing or encouraging another person **to commit perjury** is known as **subornation of perjury**. If the other person erroneously believes his or her testimony to be true and thus does not commit perjury, the person who encouraged the perjury is not guilty of subornation of perjury.

C Bribery

A common law misdemeanor, **bribery** is now generally classified as a statutory felony. Bribery is defined as giving or promising to give a public official something of value with a corrupt intent to influence the official in the discharge of his or her official duty. The public official who solicits or accepts anything of value or a promise of something valuable, accompanied by **a corrupt intent** to influence the performance of his or her public duty, also commits bribery.

The common law definition limited bribery to conduct concerning the judiciary, but most modern statutes have extended it to include all public officials in the judicial, executive, and legislative branches of the federal, state, county, and municipal governments. Modern statutes often expand the scope of bribery even further to include similar conduct relating to persons who are not public officials—for example, athletes paid by **gamblers** to intentionally perform poorly in games.

2. Determine if the sentences are true or false, according to the text.

1. A government has the authority to protect itself against injury and destruction and to protect its administrative functions from corruption.
a) true b) false.
2. To be guilty of treason, the person must intend to betray the government to which he or she owes allegiance.
a) true b) false.
3. Perjury is defined as willfully giving a false statement while under oath concerning a material matter in a judicial proceeding.
a) true b) false.
4. The age of the victim is a core issue in a statutory rape prosecution.
a) true b) false.
5. The crime of intentionally causing or encouraging another person to commit perjury is known as subornation of perjury.
a) true b) false.
6. Bribery is defined as giving or promising to give a public official something of value with a corrupt intent to influence the official in the discharge of his or her official duty.
a) true b) false.
7. A statement is material if it could have influenced the outcome of the proceeding in which it was given.
a) true b) false.
8. The crime of uttering a forged instrument consists of offering a forged document as true and genuine, knowing it to be a forgery, with an intent to defraud.
a) true b) false.
9. By statute, larceny is often divided into two degrees: grand larceny and petit larceny.
a) true b) false.
10. Grand larceny is commonly a felony, while petit larceny is a misdemeanor.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

an alleged	to protect
administrative	poorly
swearing	bribery
a false	falsely
perform	issue

the authority	governments
a core	to influence
municipal	functions
intent	victim
commit	statement

UNIT 18

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

INCHOATE CRIMES

Crimes that occur prior to and in preparation for what may be **a subsequent offense** are called **inchoate crimes**. Inchoate offenses include **attempt to commit**, **conspiracy to commit**, and **solicitation to commit** criminal acts. An inchoate offense is a completed crime in itself, even though a further contemplated criminal act has not been completed. For example, when two or more people genuinely agree to rob a bank, they commit the inchoate offense of conspiracy—whether or not they then commit the robbery.

A Attempt

The crime of attempt applies to acts that, although initiated with the aim of committing a crime, fall short of completion. To be guilty of attempt, the accused must take substantial steps indicating a criminal purpose and the willingness to complete a particular crime. In general, one may be found guilty of an attempted crime even if, in the course of trying to carry out the crime, one mistakenly does something harmless. If, in a dark field, a person shoots **a scarecrow** thinking it to be his or her intended victim, the shooter can be found guilty of attempted murder. A person cannot be convicted of attempt to commit a crime and that same crime, such as attempted murder and murder.

B Conspiracy

Two or more persons who **enter an agreement** for the purpose of accomplishing an unlawful act or accomplishing a lawful act by unlawful means are **guilty of conspiracy**. Under the common law definition of conspiracy, the agreement itself constitutes the **blameworthy act** and, unlike the crime of attempt, no other act in furtherance of the conspiracy is required. Some modern statutes require at least one of the conspirators to perform some **overt act** in furtherance of the conspiracy.

C Solicitation

The crime of solicitation involves **encouraging, enticing, requesting, or commanding** another to commit a crime. The offense is completed at the time the solicitation is made, and it does not require that the person solicited actually commits the crime, agrees to commit the crime, receives the communication soliciting the crime, or even understands that the action solicited is criminal.

2. Determine if the sentences are true or false, according to the text.

1. Crimes that occur prior to and in preparation for what may be a subsequent offense are called inchoate crimes.
a) true b) false.
2. An inchoate offense is a completed crime in itself, even though a further contemplated criminal act has not been completed.
a) true b) false.
3. The crime of attempt applies to acts that, although initiated with the aim of committing a crime, fall short of completion.
a) true b) false.
4. Two or more persons who enter an agreement for the purpose of accomplishing an unlawful act or accomplishing a lawful act by unlawful means are guilty of conspiracy.
a) true b) false.
5. Some modern statutes require at least one of the conspirators to perform some overt act in furtherance of the conspiracy.
a) true b) false.
6. The crime of solicitation involves encouraging, enticing, requesting, or commanding another to commit a crime.
a) true b) false.
7. Inchoate offenses include attempt to commit, conspiracy to commit, and solicitation to commit criminal acts.
a) true b) false.
8. District court trials are presided over by individual judges, who are responsible for controlling every aspect of the cases assigned to them.
a) true b) false.
9. U.S. district judges are frequently involved in assessing the facts of the cases presented.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

take substantial	crime
inchoate	to commit
fall short	victim
commit the	of completion
a subsequent	act
to carry out	crimes
a lawful	some overt act
attempt	robbery
to perform some	offense
intended	steps

UNIT 19

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

INTERNATIONAL LAW

International Law, principles, rules, and standards govern nations and other participants in international affairs in their relations with one another. International law is the law of the **international community**. Most international law consists of **long-standing customs, provisions agreed to in treaties, and generally accepted principles of law recognized by nations**. Some international law is also created by the rulings of international courts and organizations.

The purposes of international law include **resolution of problems of a regional or global scope** (such as environmental pollution or global warming), regulation of areas outside the control of any one nation (such as outer space or the high seas), and adoption of common rules for multinational activities (such as air transport or postal service). International law also aims **to maintain peaceful international relations** when possible and resolve international tensions peacefully when they develop, to prevent needless suffering during wars, and **to improve** the human condition during peacetime.

Enforcement of international law is often difficult because nations are sovereign (independent) powers that may **put** their **own interests ahead** of those of the international community. In addition, the mechanisms of enforcement are young and not well developed. Enforcement may be effectively achieved, however, through the actions of individual nations, agencies of international organizations such as the United Nations (UN), and international courts. The United Nations Security Council can authorize **economic sanctions, diplomatic sanctions, or military force** to maintain or restore international peace and security.

International law began as a system governing the relations among sovereign states, and states have always been the primary legal entities affected by international law. As the global system has become more complex, however, international law has come to recognize and regulate **international organizations, businesses, nonprofit entities, and individuals**. The emergence of international human rights law and, more recently, international criminal law reflects the fact that individuals today are direct subjects of international law in certain respects.

2. Determine if the sentences are true or false, according to the text.

1. International law is the law of the international community.
a) true b) false.
2. Most international law consists of long-standing customs, provisions agreed to in treaties, and generally accepted principles of law recognized by nations.
a) true b) false.

3. The purposes of international law include resolution of problems of a regional or global scope.
a) true b) false.
4. International law also aims to maintain peaceful international relations.
a) true b) false.
5. Enforcement of international law is often difficult because nations are sovereign (independent) powers that may put their own interests ahead of those of the international community.
a) true b) false.
6. Enforcement may be effectively achieved, however, through the actions of individual nations, agencies of international organizations such as the United Nations (UN), and international courts.
a) true b) false.
7. The United Nations Security Council can authorize economic sanctions, diplomatic sanctions, or military force to maintain or restore international peace and security.
a) true b) false.
8. The crime of solicitation involves encouraging, enticing, requesting, or commanding another to commit a crime.
a) true b) false.
9. Inchoate offenses include attempt to commit, conspiracy to commit, and solicitation to commit criminal acts.
a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

international	legal entities
the mechanisms	law
to prevent	subjects
resolution	economic sanctions
international	of common rules
the primary	of enforcement
direct	warming
authorize	suffering
adoption	affairs
global	of problems

UNIT 20

1. Write down the words in bolded type and translate them with the help of a dictionary. Make your own sentences with some of them. Try to memorize them.

MATTERS OF INTERNATIONAL CONCERN

The scope of international law is vast. Nearly every matter of legal regulation within a nation has some international **counterpart**. Over the last century, advances in communications technology, growth in global trade and travel, and the advent of weapons of mass destruction have led to an enormous expansion in **the range of topics** regulated by international law. In addition to the classic **matters of diplomacy, war and peace, trade, and territorial boundaries**, international law now covers matters as diverse as **environmental protection, human rights, nuclear testing, war crimes, outer space, child custody, recognition of wills and testaments, exchange of prisoners, and protection of archaeological sites and art treasures**. This section discusses several major areas of international law, including peace and security, human rights, the environment, and the global commons.

A Peace and Security

Among the central aims of the UN are **the maintenance of peace and security** and the suppression of acts of aggression. The principles of the UN Charter prohibit the use of force to settle disputes and bar intervention by a nation into the domestic affairs of another nation. The charter also expressly includes among its **objectives** the maintenance of respect for the obligations arising from treaties and other sources of international law.

International law provides methods for the settlement of disputes by means other than war. The UN Charter directs disputants **to engage in negotiation, conciliation, arbitration, or recourse** to the International Court of Justice. When conflicts do arise, the UN Security Council may determine that there exists **a threat to the peace or a breach of the peace**, or that an act of aggression has been committed. The Security Council may vote to deploy UN peacekeeping forces—military personnel and civilians volunteered by UN member governments—to help **implement peace agreements, monitor ceasefires, provide emergency relief**, and perform other functions essential to maintain peace. Over time the decisions of the Security Council have created a body of law and policy on issues of peace and security, including the development of international criminal law to hold individuals accountable for the most serious illegal acts of violence.

B Human Rights

Since World War II the international community has become increasingly concerned with **the protection of human rights**. Although concern for human rights is expressed in the UN Charter, the development of **specific norms related to human rights** began in 1948 with the passage of two **nonbinding declarations**: the American Declaration of the Rights and Duties of Man, approved by the Organization of American States, and the Universal Declaration of Human Rights, approved by the UN. The Universal Declaration

of Human Rights described a **variety** of rights, including **the rights to life, liberty, and security of person; to freedom from slavery; to freedom of conscience, religion, opinion, expression, association, and assembly; to freedom from arbitrary arrest; to a fair and impartial trial; to privacy; and to education.** This document remains the cornerstone of international human rights law and has been the basis of bills of rights in nearly 100 countries.

Other important international treaties related to human rights include the Convention on the **Prevention and Punishment of the Crime of Genocide** (1948); the International Convention on **the Elimination of All Forms of Racial Discrimination** (1965); the UN **Covenant on Civil and Political Rights** (1966) and its companion, the Covenant on Economic, Social and Cultural Rights (1966); the Convention on the Elimination of All Forms of Discrimination Against Women (1979); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984); and the Convention on the Rights of the Child (1989). These **treaties** have been widely ratified; the Convention on the Rights of the Child, for example, has been accepted by every country in the world except the United States and Somalia. The treaties have been supplemented by three regional human rights agreements: the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950); the American Convention on Human Rights (1969), and the African Charter on Human and Peoples' Rights. The regional agreements and many of the UN treaties allow individuals **to bring petitions** to regional or global human rights organizations for protection against acts by their governments that violate their rights.

C The Environment

In the late 1960s **concern** with the state of the world's environment emerged as an international issue. This occurred largely in response to several **disastrous spills** by oil tankers that brought attention to high pollution levels and the threats they **pose to human health** and biological diversity.

The UN convened its first environmental conference in 1972 in Stockholm, Sweden, from which **emerged** the Stockholm Declaration on the Human Environment. The Declaration contains several legal principles that have become the foundation for **a vast network of international agreements.** The most important principle directs that each state has the sovereign right to use its natural resources, but also has the corresponding duty to ensure that its activities do not cause harm outside its boundaries. Other principles link environmental protection with human rights and emphasize the duty of each person **to safeguard the environment.** Many modern environmental agreements regulate **specific areas** (the Baltic Sea, Antarctica), **specific species** (whales, migratory birds), or **specific hazards** (nuclear energy, toxic wastes). In each case, the legal obligation that emerges is to protect and preserve components of the environment to foster sustainable development.

D The Global Commons

Large areas of **the globe** and beyond do not and legally cannot belong to any nation: most of the oceans and their resources, Antarctica, Earth's atmosphere, outer space, and the Moon and other natural objects in space. These areas are known collectively as **the**

global commons. The absence of political sovereignty for these areas means that international regulation is required **to avoid conflict** over them and to protect them from **over-use, pollution**, and other harm. International agreements for these areas are generally accepted as providing the legal framework for all those who conduct activities in them.

E Other Issues

International law has no **fixed content**. New threats that cannot be addressed or resolved by a single nation constantly call for new international responses. For example, recent international agreements aim to combat terrorism, the distribution of **illicit drugs** across national boundaries, and **the spread of infectious disease**. The development of new technologies, such as the Internet, can also lead to the creation of new international legal frameworks.

2. Determine if the sentences are true or false, according to the text.

1. The international law now covers matters as diverse as environmental protection, human rights, nuclear testing, war crimes, outer space, child custody.

a) true b) false.

2. Among the central aims of the UN are the maintenance of peace and security and the suppression of acts of aggression.

a) true b) false.

3. International law provides methods for the settlement of disputes by means other than war.

a) true b) false.

4. The UN Charter directs disputants to engage in negotiation, conciliation, arbitration, or recourse to the International Court of Justice.

a) true b) false.

5. When conflicts do arise, the UN Security Council may determine that there exists a threat to the peace or a breach of the peace, or that an act of aggression has been committed.

a) true b) false.

6. Since World War II the international community has become increasingly concerned with the protection of human rights.

a) true b) false.

7. The Universal Declaration of Human Rights, approved by the UN. The Universal Declaration of Human Rights described a variety of rights, including the rights to life, liberty, and security of person.

a) true b) false.

8. Other important international treaties related to human rights include the Convention on the Prevention and Punishment of the Crime of Genocide (1948); the International Convention on the Elimination of All Forms of Racial Discrimination (1965).

a) true b) false.

9. The treaties have been supplemented by three regional human rights agreements.

a) true b) false.

3. Make a short plan of the text.

4. Be ready to retell the text and talk with the teacher.

5. Match the words and translate them.

provide	principles
international	rights
global	the environment
legal	terrorism
human	disease
specific	criminal law
to safeguard	frameworks
to combat	trade and travel
infectious	hazards
legal	methods

APPENDIX

Grammar explanations and exercises

Глагол to be. Спряжение. Функции.

Таблица спряжения глагола «to be»

Indefinite	Continuous	Perfect
I am	I am being	I have been
he is	he is being	he has been
we are	we are being	we have been
you are	you are being	you have been
they are	they are being	they have been
I was	I was being	I had been
he was	he was being	he had been
we were	we were being	we had been
you were	you were being	you had been
they were	they were being	they had been
I shall be		I shall have been
he will be		he will have been
we shall be		we shall have been
you will be		you will have been
they will be		they will have been
I should be		I should have been
he would be		he would have been
we should be		we should have been
you would be		you would have been
they would be		they would have been

Глагол to have. Спряжение. Функции

Лицо	Число	
	Единственное	Множественное
1	I have	We have
2	You have	You have
3	He has She has It has	They have

В предложении глагол *to have* может употребляться в качестве вспомогательного глагола (для образования всех времен группы *Perfect*, перфектных инфинитивов и причастий):

- Have you seen George anywhere? – Ты видел где-нибудь Георга?
- I was sure I hadn't met him before. – Я был уверен, что не встречал его раньше.
- Having been there before, I knew what to expect. – Побывав здесь раньше, я знал, чего ожидать.

В разговорном английском используются сокращенные формы глагола *to have*, когда он является вспомогательным:

- What've you been doing? – Что ты делаешь?
- I've been reading. – Я читаю.

В качестве смыслового глагола *to have* употребляется со значением «иметь», «обладать»:

- I have a new radio – set. – У меня есть (я имею) новый радиоприемник.

Раньше для образования вопросительных и отрицательных предложений в таких случаях не требовалось вспомогательных глаголов:

- Have you any brothers or sisters? – У тебя есть братья или сестры?
- I have no brothers or sisters. – У меня нет ни братьев, ни сестер.

Это правило сохраняется для литературного стиля.

Для разговорного же английского языка характерны две формы: *have got* или глагольные формы со вспомогательным глаголом *do*:

- Have you got any brothers or sisters?

or

Do you have any brothers or sisters? – У тебя есть братья или сестры?

Формы *to have got*

Вопросительная форма	Отрицательная форма
have I got?	I haven't got
have you got?	you haven't got
has he/she/it got?	he/she/it has't got
have we got?	we haven't got
have they got?	they haven't got

В британском английском *have* со вспомогательным *do* используется для обозначения привычного, повторяющегося действия или состояния. Сравните:

- We don't usually have whisky in the house. – У нас обычно нет виски в доме.
- I haven't got any whisky. – У меня нет виски.
- I've got toothache. – У меня болит зуб.
- I often have toothache. – У меня часто болит зуб.

Под влиянием американского английского формы со вспомогательным *do* становятся все более употребительными и в тех случаях, когда речь не идет о привычных действиях:

- Sorry, I don't have any whisky. – Извините, у меня нет виски.

В американском английском формы глагола *to have* проще; как правило, во всех случаях для формообразования употребляется глагол *do*:

- I have a problem. – У меня проблема.
- Do you have a problem? – У вас проблема?

To have в этих случаях не имеет форм продолженного времени.

Глагол *to have* употребляется в сочетании с большим количеством существительных, утрачивая свое основное значение:

- to have dinner/breakfast – обедать, завтракать;
- to have tea/coffee – пить чай, кофе;
- to have a bath/a wash – принять ванну помыться;
- to have a shave/a shower/a rest – побриться, принять душ, отдохнуть;
- to have a sleep/a dream – поспать, помечтать;
- to have a holiday/a good time – отдохнуть, хорошо провести время.

В этих случаях вопросительная и отрицательная формы глагола *to have* образуются при помощи вспомогательного глагола *to do*:

- Where do you have dinner? – Где ты обедаешь?

Для выражения долженствования используется глагол *have to* со вспомогательным глаголом *do* в вопросительной и отрицательной формах для обозначения привычного, повторяющегося действия:

- How often do you have to travel on business? – Как часто тебе приходится ездить в командировки?
- I don't usually have to work on Sundays. – Обычно я не должен работать по воскресеньям.
- Do you often have to speak French in your job? – Вам часто приходится говорить по-французски на работе?

Для обозначения однократных действий используется *have got*:

- I haven't got to work tomorrow. – Мне не надо работать завтра.

В американском английском *have to* используется для обозначения привычного, повторяющегося действия и однократного действия (хотя возможны и формы *I have got to*). Под влиянием американизмов это правило распространяется и на британский английский:

- I have to go now. – Сейчас мне надо идти.
- What time do you have to be in Boston tomorrow? – В каком часу ты должен быть в Бостоне завтра?
- You don't usually have to tell her things twice. – Обычно ей не надо повторять дважды.

Грамматические задания:

Упражнение 1. Поставьте **am, is, are**:

1. I ____ an English student.
a) am; b) is; c) are.
2. His name ____ George Brown.
a) am; b) is; c) are.

3. Mr. and Mrs. Brown ____ his father and mother.
a) am; b) is; c) are.
4. My brother's name ____ Benny, and my sisters' names ____ Betty and Rose.
a) am, is; b) is, are; c) are, am.
5. We ____ members of the family.
a) am; b) is; c) are.
6. ____ Helen married?
a) am; b) is; c) are.
7. ____ they married?
8. Mr. Smith ____ Betty's brother.
a) am; b) is; c) are.
9. How old ____ you? – I ____ eighteen.
a) am, is; b) is, are; c) are, am.
10. What ____ you all? – We ____ all students.
a) am, are; b) is, is; c) are, are.

Упражнение 2. Поставьте have (got), has (got) :

1. They ____ two children.
a) have (got); b) has (got); c) are.
2. My niece ____ an interesting English book.
a) have (got); b) has (got); c) are.
3. His friend ____ these German magazines.
a) have (got); b) has (got); c) are.
4. Her husband ____ many books.
a) have (got); b) has (got); c) are.
5. His wife ____ an elder brother.
a) have (got); b) has (got); c) are.
6. We ____ her address.
a) have (got); b) has (got); c) are.

Упр 3. Поставьте have, has, haven't, hasn't (+got):

1. Everybody likes Tom. He ____ many friends.
a) have (got); b) has (got); c) are.
2. Mr. and Mrs. Johnson ____ two children, a boy and a girl.
a) have (got); b) has (got); c) are.
3. An insect (*насекомое*) ____ six legs.
a) have (got); b) has (got); c) has.
4. I can't open the door. I ____ a key.
a) have (got); b) has (got); c) haven't (got).
5. Quick! Hurry! We ____ much time.
a) have (got); b) has (got); c) haven't.
6. "What's wrong?" "I ____ something in my eye."
a) have (got); b) has (got); c) are.
7. Ben doesn't read much. He ____ many books.

- a) have (got); b) has (got); c) are.
8. It's a nice town. It ___ a very nice shopping centre.
a) have (got); b) got; c) has (got).

Упражнение 4. *Употребите нужные формы to be или to have (+got):*

1. I _____ two children.
a) have (got); b) is; c) am.
2. Your brother _____ a builder.
a) have got; b) is; c) am.
3. He _____ clever.
a) have got; b) is; c) am.
4. It _____ not easy to learn English.
a) have got; b) is; c) am.
5. Her hair _____ brown.
a) have got; b) is; c) am.
6. It _____ an old car.
a) has got; b) is; c) am.
7. I _____ very hungry.
a) have got; b) is; c) am.
8. I _____ not very busy.
a) have got; b) is; c) am.
9. We _____ not ready.
a) are; b) is; c) am.

Структура английского простого повествовательного распространенного предложения

Основной особенностью построения английского предложения, в отличие от многих других языков мира, является прямой, строго фиксированный порядок слов: **подлежащее, сказуемое, дополнение, обстоятельство.**

1 –е место – подлежащее

Отвечает только на вопрос кто? / что? Может иметь описательные слова, которые ставятся перед подлежащим или (реже) после него:

Mary went home. (Мэри пошла домой).

Few (перед подлежащим) **girls** were playing in the street. (Немного девочек играло на улице).

A **man of 40 years (после подлежащего)** was standing at the door. (Мужчина сорока лет стоял у двери).

2 –е место – сказуемое

Обозначает действие, меняет форму при описании различных ситуаций (времена глагола):

Mary **went** home. (Мэри пошла домой).

A man of 40 years (после подлежащего) **was standing** at the door. (Мужчина сорока лет стоял у двери).

3 –е место – дополнения

Обозначают предметы и понятия, с которыми главный член предложения (подлежащее) вступает во взаимодействие. Дополнения бывают:

прямое, отвечает на вопросы кого? что?;

косвенное беспредложное – кому ? чему?;

косвенное предложное – дополнение с предлогом – с кем? для кого? о чем? и т.д.

Дополнения так же располагаются в строго определенном порядке: косвенное беспредложное – прямое – косвенное предложное.

Косвенное беспредложное дополнение можно заменить предложным дополнением с предлогом *to* (иногда *for*) – тогда оно располагается, как всякое предложное дополнение, после прямого.

My sister was (чем?) **a monster**. (Моя сестра была монстром).

He began (без предлога) **his work** (с предлогом) **without break**. (Он начал свою работу без перерыва).

Дополнения могут иметь описательные слова:

My sister was (чем?) **a real monster**. (Моя сестра была настоящим монстром).

4 –е место – обстоятельства

Обстоятельства могут находиться либо в начале предложения (нулевое факультативное место), либо в конце предложения (4 – е место), либо примыкать к сказуемому (временные показатели):

Suddenly a tiger appeared. (Вдруг появился тигр) (обстоятельство здесь ставится в начало предложения для того, чтобы подчеркнуть то, что им выражено, иначе не будет эффекта неожиданности).

She likes to drive (как?) **fast**. (Она любит водить машину быстро).

I have **never** been to Britain. (Я никогда не был в Британии).

Обстоятельство в предложении может быть одно или сразу несколько. В этом случае они располагаются в таком порядке:

обстоятельство образа действия (как? каким образом?): *well, badly, quickly...*

обстоятельство места (где? куда?): *at home, there, for a walk...*

обстоятельство времени (когда?): *always, usually, often, seldom, sometimes...*

She likes to drive (как?) **fast**. (Она любит водить машину быстро)

She went home (когда?) **late at night**. (Она пошла домой поздно ночью).

She was (где?) **at school**. (Она была в школе).

I met him (как?) **by chance** (где?) **in the country** (когда?) **in summer**. (Я встретил его случайно за городом летом).

Определения

Определения могут располагаться как перед, так и после подлежащего, дополнения, обстоятельства и даже именной части сказуемого, при этом не меняя исходной схемы: Подлежащее – Сказуемое – Дополнение – Обстоятельство

My sister sent a telegram yesterday. (Моя сестра послала телеграмму вчера).
My elder sister sent a long telegram yesterday. (Моя старшая сестра послала длинную телеграмму вчера).

Понятие артикля

Артикль – служебное слово в английском языке. Употребляется перед существительным и поясняет его. Если перед существительным стоит определяющее слова или слова, то артикль ставится перед всеми определениями. В русском языке артиклей нет и они, как правило, не переводятся на русский язык.

В английском языке всего три артикля: **‘a’**, **‘an’** и **‘the’**.

Два типа артиклей:

- неопределенный (*indefinite*) – **‘a’** and **‘an’**
- определенный (*definite*) – **‘the’**

Вам необходимо также знать в каких случаях артикль не употребляется.

Неопределенный артикль – **a/an** произошел от слова «один», и поэтому употребляется только с исчисляемыми существительными в единственном числе. Употребляется в разговоре о предмете, который упоминается впервые, либо не все собеседники знают о чем речь. А также для обозначения принадлежности предмета к какому – либо классу предметов.

Личные местоимения

Местоимение английского языка (The Pronoun)	
Местоимение – часть речи, которая указывает на лицо, предметы или количество, но не называет их. Местоимения английского языка делятся на несколько групп: личные местоимения, притяжательные местоимения, возвратные местоимения.	
Личные местоимения	
именительный падеж	объективный падеж
I – я	me – мне, меня
you – ты, Вы	him – его, ему
he – он	her – ее, ей
she – она	it – это
it – это, оно	us – нас, нам
we – мы	you – тебе, вам, вас
they – они	them – их, им

Объектные местоимения

В английском личные местоимения и вопросительное местоимение **who** имеют, кроме именительного, еще и объектный падеж.

Именительный падеж	Объектный падеж		
who	whom	кого	кому
I	me	меня	мне
you	you	тебя	тебе
he	him	его	ему
she	her	ее	ей
it	it	его (ее)	ему (ей)
we	us	нас	нам
you	you	вас	вам
they	them	их	им

Личные местоимения в объектном падеже употребляются в функции дополнения как предложного, так и беспредложного.

– Do you know him well? – Вы *его* хорошо знаете? – *прямое дополнение*

– Please, send him a letter. – Пришлите *ему* письмо, пожалуйста. – *косвенное дополнение* – She often speaks English to him. – Она часто говорит *с ним* по-английски. – *предложное дополнение*

– Whom do you know well here? – *Кого* вы здесь хорошо знаете? – *прямое дополнение* – Whom does he always speak about? – *О ком* он обычно говорит? – *предложное дополнение*

Но в разговорной речи местоимение **who** часто употребляется в именительном падеже вместо объектного.

– Who do you know here? – *Кого* вы здесь знаете?

– Who is she speaking to? – *С кем* она разговаривает?

Заметьте, что в русском языке вопрос начинается с предлога, в английском же предлог стоит в конце.

Притяжательные местоимения

Притяжательные местоимения служат определениями к существительным и всегда занимают место перед определяемыми существительными. В отличие от русского языка, где имеется местоимение «свой», употребляемое со всеми лицами, английские притяжательные местоимения используются строго в соответствии с местоимениями. Если возникает необходимость употребить притяжательное местоимение без существительного, то существует специальная форма, которая называется абсолютной формой.

местоимения			
форма	личные	притяжательные	абсолютная
Един. число	I he	my his	mine – мой

	she it	her its	<table><tr><td>his</td><td>– ego</td></tr><tr><td>hers</td><td>– ee</td></tr><tr><td>its</td><td>– ego/ee</td></tr></table>	his	– ego	hers	– ee	its	– ego/ee
his	– ego								
hers	– ee								
its	– ego/ee								
Множ. число	we you they	our your their	<table><tr><td>ours</td><td>– наш</td></tr><tr><td>yours</td><td>– ваш</td></tr><tr><td>theirs</td><td>– их</td></tr></table>	ours	– наш	yours	– ваш	theirs	– их
ours	– наш								
yours	– ваш								
theirs	– их								

В английском языке притяжательные местоимения употребляются гораздо чаще и являются просто обязательными при существительных, обозначающих части тела, предметы одежды и родственников.

This is my brother Tom and that is his wife Betty with their children. Это мой брат Том, а это его жена Бетти и их дети.

Do you know your lesson today? Ты выучил свой урок сегодня?
The man put his hand into his pocket and took out his wallet. Мужчина сунул руку в карман и вынул бумажник.

I have some roses in my garden, too. У меня в саду тоже есть розы.

I think yours are more beautiful than mine. Я полагаю, что ваши красивее моих.

This is not my pen. It's hers. Это не моя ручка. Это её.

Whose books are these? – They are mine. Чьи это книги? – Мои.

This house is high. Its windows are large. Этот дом высокий. Его окна большие.

Whose things are these? – They are ours. Чьи это вещи? – Наши.

I finished my drawing. Я закончил свой рисунок.

Не путайте сокращение «**it's**» и притяжательное местоимение «**its**». Например:
It's a house. Its roof is new. Это – дом. Его крыша новая.

Имя существительное. Множественное число имен существительных

Основным способом образования множественного числа имён существительных является прибавление окончания – **s** или – **es** к форме существительного в единственном числе.

– s	– es
a bag – bags	a glass – glasses
a cat – cats	a fox – foxes
a rose – roses	a watch – watches
	a bush – bushes

Имена существительные, оканчивающиеся на – **y** с предшествующей согласной, образуют множественное число путём прибавления окончания – **es**, причём – **y** меняется на – **i**. Например, **a dictionary – dictionaries**.

Но: a boy – boys, a day – days (перед – у стоит гласная). Некоторые имена существительные, оканчивающиеся на – **f**, – **fe**, образуют множественное число путём изменения – **f** на – **v** и прибавлением окончания – **es**.

a half – halves

a wolf – wolves

a wife – wives

Но: roof – roofs, safe – safes.

Ряд существительных образуют форму множественного числа особым образом.

ед. ч.	мн. ч.
man	men
woman	women
foot	feet
tooth	teeth
goose	geese
mouse	mice
child	children
sheep	sheep
deer	deer
datum	data
phenomenon	phenomena

Есть несколько особых случаев, которые надо запоминать:

1. **Надо помнить о том**, что если наше существительное заканчивается на: – **o**, – **ch**, – **sh**, – **ss** или – **x**, множественное число образуется путем добавления окончания – **es**. *Example:* tomato (помидор) – tomatoes, church (церковь) – churches, bush (куст) – bushes, kiss (поцелуй) – kisses, box (коробка) – boxes. Только обратите внимание на то, что, если слово иностранного происхождения оканчивается на – **o**, мы добавляем просто «**s**»:

Example: kilo (килограмм) – kilos, photo (фотография) – photos, piano (рояль) – pianos, soprano (сопрано) – sopranos.

2. **Кроме того**, если существительное оканчивается на – **y** и перед – **y** стоит согласная буква, мы «**y**» меняем на «**i**» и добавляем – **es**. *Example:* baby (малыш, ребенок) – babies, fly (муха) – flies.

3. **12 существительных** оканчивающихся на – **f** или – **fe**, при образовании множественно числа «теряют» – **f** или – **fe**, но приобретают – **ves**. Вот они:

calf (теленок), **half** (половина), **knife** (нож), **leaf** (лист дерева), **life** (жизнь), **loaf** (буханка, каравай), **self** (сам, себя), **sheaf** (сноп, вязанка), **shelf** (полка), **thief** (вор), **wife** (жена), **wolf** (волк).

Example: life – lives, wife – wives, wolf – wolves etc.

4. **Так же следует запомнить** ряд существительных, у которых множественное число образуется за счет изменения гласной (а в некоторых случаях, за счет добавления окончания – **en** / – **ren**). *Example:* **foot** (нога, ступня) – **feet**, **tooth** (зуб) – **teeth**, **man** (мужчина, человек) – **men**, **woman** (женщина) – **women**, **mouse** (мышь) – **mice**,

goose (гусь) – **geese**, **louse** (вошь) – **lice**, **child** (ребенок) – **children**, **ox** (бык, вол) – **oxen**.

5. Стоит запомнить, что существительные **deer** (олень) и **sheep** (овца) имеют одинаковую форму, как для единственного, так и для множественно числа. *Example*: sheep – sheep, deer – deer.

Притяжательный падеж имен существительных

В английском языке существительные имеют только два падежа: **притяжательный** падеж (Possessive Case), в котором существительные принимают особое окончание и **общий** падеж (Common Case), в котором существительные не имеют никаких окончаний.

Общий падеж – это форма, в которой существительное дается в словаре.

Значение большинства **русских падежных форм** передается в английском языке формой общего падежа с предлогом или без предлога:

the boy	мальчик	именительный падеж
of the boy	мальчика	родительный падеж
to the boy	мальчику	дательный падеж
the boy	мальчика	винительный падеж
by the boy	мальчиком	творительный падеж
about the boy	о мальчике	предложный падеж

В английском языке существительные в **общем падеже** могут употребляться в функциях подлежащего и прямого дополнения (всегда без предлога), косвенного и предложного дополнений, обстоятельства (как правило с предлогом), определения (как с предлогом так и без него).

Притяжательный падеж существительных в **единственном** числе образуется путем прибавления к существительному окончания 's:

the girls's hat	шляпа девочки
John's friend	друг Джона
the cat's leg	нога кошки

Притяжательный падеж существительных во **множественном** числе образуется прибавлением только одного апострофа:

the boys' book	книга мальчиков
the girls' bags	портфели девочек

Если множественное число существительного образуется не прибавлением окончания /s/, а изменением формы, то притяжательный падеж формируется также как и для единственного числа, т.е. прибавлением окончания /'s/:

man's happiness	счастье человека
men's happiness	счастье людей
the children's books	книги детей

Существительное в притяжательном падеже выступает только в одной функции – **определения** (индивидуальная характеристика определяемого слова):

Упражнение 5. Выберите форму множественного числа у следующих имен существительных:

1. foot a) fet; b) feat; c) feet.	12. baby a) baby; b) babies; c) babyed.	c) fishes.
2. sandwich a) sandwichs; b) sandwiches; c) sandwiching.	13. family a) family; b) families; c) familied.	22. camera a) cameras; b) cameres; c) camera.
3. story a) story; b) storied; c) stories.	14. drawer a) drawer; b) drawered; c) drawers.	23. city a) cities; b) city; c) cited.
4. photo a) photo; b) photoes; c) photos.	15. meal a) meals; b) meales; c) meal.	24. brush a) brushed; b) brushes; c) brush.
5. parrot a) parrots; b) parroted; c) parrot.	16. train a) trains; b) train; c) trained.	25. bottle a) bottles; b) bottled; c) bottle.
6. fruit a) fruit; b) fruits; c) fruited.	17. ship a) ship; b) ships; c) shipped.	26. cup a) cup; b) cupped; c) cups.
7. fox a) foxes; b) fox; c) foxed.	18. roof a) roof; b) roofs c) roofed.	27. orange a) orange; b) oranged; c) oranges.
8. bench a) bench; b) benched; c) benches.	19. woman a) women; b) woman; c) womans.	28. table a) tables; b) tabled; c) table.
9. witch a) witch; b) witches; c) witched.	20. child a) child; b) childs; c) children	29. chair a) chairs; b) chaired; c) chair.
10. toy a) toy; b) toyed; c) toys.	21. fish a) fish; b) fished;	30. girl a) girl; b) girls; c) girlies

Упражнение 1. Поставьте слова в скобках во множественном числе:

- These _____ (piano) are of the latest model.
a) piano; b) pianoes; c) pianos.
- Those are Ann's _____ (photo).
a) photos; b) photoes; c) photo.
- This paste is for babies' _____ (tooth).
a) tootes; b) tooth; c) teeth.

4. They are our _____ (child).
a) children; b) child; c) childes.
5. The _____ (deer) are beautiful animals.
a) deerres; b) deers; c) deer.
6. His _____ (goose) are here.
a) geoses; b) geese; c) goosies.
7. In the zoo you can see many _____ (ox).
a) oxies; b) ox; c) oxen.
8. They are good _____ (sportsman).
a) sportsmen; b) sportsman; c) sportsmans.

Упражнение 2. *Поставьте необходимое по смыслу притяжательное местоимение:*

1. What is _____ brother's name? – My brother's name is Nick.
a) your; b) my; c) her
2. What is _____ teacher's name? – His name is Mr. Brown.
a) your; b) his; c) my.
3. What is your sister's name? – _____ name is Julia.
a) her; b) his; c) my.
4. What is your father's name? – _____ name is Robert.
a) your; b) his; c) our.
5. What are your cousins' names? – _____ names are Jill and Mary.
a) our; b) their; c) my.
6. What are your friends' names? – _____ names are Pete and John.
a) their; b) his; c) my.

Упражнение 3. *Поставьте необходимое по смыслу притяжательное местоимение:*

1. These are Liz and Philip with _____ son, Bill.
a) their; b) his; c) my.
2. I see Ann with _____ parents.
a) their; b) his; c) her.
3. The Browns often come with _____ daughter, Julia.
a) their; b) your; c) my.
4. He lives with _____ parents.
a) their; b) his; c) my.
5. I am going to wash _____ hands.
a) their; b) his; c) my.
6. Diana and Robert go to the cinema with _____ friends.
a) their; b) his; c) my.

Упражнение 4. *Поставьте необходимое по смыслу притяжательное местоимение:*

1. We have a map. It's _____ map.

- a) our; b) his; c) my.
 2. I have a key. It's _____ key.
 a) their; b) his; c) my.
 3. He has a suitcase. It's _____ suitcase.
 a) their; b) his; c) my.
 4. They have two tickets. They are _____ tickets.
 a) their; b) his; c) my.
 5. My brother has a camera. It's _____ camera.
 a) their; b) his; c) my.

Упражнение 5. Выберите необходимое притяжательное местоимение:

1. It is _____ (your / yours) money. It's _____ (your / yours).
 a) their, theirs; b) his; c) your. yours.
 2. It's _____ (my / mine) car. It's _____ (my / mine).
 a) their, theirs; b) my. mine; c) your. yours.
 3. Is it _____ (your / yours) book?
 a) their, theirs; b) his; c) your.
 4. It's _____ (their / theirs) problem, not _____ (our / ours).
 a) their, ours; b) his; c) your. yours.
 5. Are there _____ (your / yours) shoes?
 a) their, theirs; b) his, her; c) your, my.
 6. Is this camera _____ (your / yours)?
 a) their, theirs; b) yours; c) your.
 7. That is not _____ (my / mine) umbrella (зонтик). _____ (my / mine) is yellow.
 a) theirs, my; b) my, mine; c) yours, his.
 8. They know _____ (our / ours) address but we don't know _____ (their / theirs).
 a) their, theirs; b) our. theirs; c) your. yours.
 9. These books are _____ (my / mine) but this newspaper is _____ (your / yours).
 a) their, theirs; b) his, mine; c) mine. yours.
 10. _____ (my / mine) hands are cold.
 a) their; b) my; c) yours.

Упражнение 6. Выберите необходимое притяжательное местоимение:

1. Whose letter is that? – It is _____ (your / yours) letter. It's _____ (your / yours).
 a) their, theirs; b) his. my; c) your. yours.
 2. Whose cigarettes are these? – They may be _____ (my / mine) cigarettes. Oh no, they aren't _____ (my / mine).
 a) their, theirs; b) my. mine; c) your. yours.
 3. Whose money is that? – It may be Nick's money. Oh no, it isn't _____ (he / his) money, it is _____ (my / mine).
 a) their, theirs; b) his. mine; c) your. yours.
 4. Whose ticket is it? – It may be _____ (her / hers) ticket. It's _____ (her / hers).
 a) their, theirs; b) his, her; c) her. hers.
 5. Whose key is this? – It may be Bob's key. Yes, it's _____ (her / hers / his).

a) theirs; b) his; c) your.

Имя прилагательное (the Adjective)

Именем **прилагательным** называется часть речи, которая обозначает признак предмета и отвечает на вопрос **what?** какой? Например: **red** красный, **good** хороший, **interesting** интересный, **Russian** русский.

Прилагательные в английском языке не изменяются ни по родам, ни по числам, ни по падежам: а **young** man молодой человек, а **young** woman молодая, женщина, **young** people молодые люди, with a **young** man с молодым человеком. Они могут изменяться только по степеням сравнения: long, longer, longest длинный, длиннее, самый длинный.

Имена прилагательные бывают простые и производные. Простые имена прилагательные не имеют в своем составе ни префиксов, ни суффиксов: **big** большой, **short** короткий, **black** черный, **red** красный. Производные прилагательные включают в свой состав суффиксы или префиксы, или одновременно и те и другие: **natural** естественный, **incorrect** неправильный, **unnatural** неестественный.

Наиболее характерными суффиксами прилагательных являются:

- **ful:** **useful** полезный, **doubtful** сомнительный;
- **less:** **helpless** беспомощный, **useless** бесполезный;
- **ous:** **famous** знаменитый, **dangerous** опасный;
- **al:** **formal** формальный, **central** центральный;
- **able, – ible:** **eatable** съедобный, **accessible** доступный.

К наиболее распространенным префиксам прилагательных относятся:

- un – :** **unhappy** несчастный, **unequal** неравный;
- in – :** **incomplete** неполный, **indifferent** безразличный.

Некоторые имена прилагательные являются составными и образуются из двух слов, обозначающих одно понятие: **dark – blue** темно – синий, **snow – white** бело-снежный.

В предложении имена прилагательные употребляются в функции *определения* и в функции *именной части составного сказуемого*:

The **large** box is on the table.

(определение)

The box is **large**.

(именная часть составного сказуемого)

Большая коробка на столе.

Коробка большая.

Степени сравнения имен прилагательных

Качественные имена прилагательные и наречия образа действия в английском языке, так же как и в русском, имеют три степени сравнения: *положительную*,

сравнительную и превосходную. Односложные прилагательные и наречия, а также двусложные, оканчивающиеся на **–y**, **–e**, **–er**, **–ow**, образуют сравнительную степень путем прибавления к положительной степени суффикса **–er**, а превосходную степень — с помощью суффикса **–est**.

ОБРАЗОВАНИЕ СТЕПЕНЕЙ СРАВНЕНИЯ С ПОМОЩЬЮ СУФФИКСОВ		
Положительная степень	Сравнительная степень	Превосходная степень
small маленький	smaller меньший	smallest наименьший
easy легкий	easier легче	easiest самый легкий
ОРФОГРАФИЧЕСКИЕ ИЗМЕНЕНИЯ ПРИ ОБРАЗОВАНИИ СТЕПЕНЕЙ СРАВНЕНИЯ С ПОМОЩЬЮ СУФФИКСОВ –ER И –EST		
№ п/п	ПРАВИЛО	ПРИМЕР
1	Если прилагательное или наречие в положительной степени оканчивается на нечитаемую букву –e , то при прибавлении –er и –est эта буква опускается	large большой – larger больше – largest самый большой
2	Если прилагательное или наречие оканчивается на согласную букву с предшествующим кратким ударным звуком, то конечная согласная буква удваивается	hot горячий – hotter горячее – hottest самый горячий
3	Если прилагательное или наречие оканчивается на –y с предшествующей согласной буквой, то при образовании сравнительной и превосходной степени –y меняется на –i	busy занятый – busier более занятый – busiest самый занятый
4	Если же –y предшествует гласная, то –y остается без изменения	grey серый – greyer серее – greyest самый серый

Многосложные прилагательные и наречия, а также большинство двусложных (кроме оканчивающихся на **-y, -e, -er, -ow**) образуют сравнительную степень при помощи слова **more** более, а превосходную степень — при помощи слова **most** самый, наиболее, которые ставятся перед прилагательным или наречием в форме положительной степени.

ОБРАЗОВАНИЕ СТЕПЕНЕЙ СРАВНЕНИЯ С ПОМОЩЬЮ СЛОВ MORE И MOST

Положительная степень	Сравнительная степень	Превосходная степень
interesting интересный	more interesting более интересный	most interesting наиболее интересный
easily легко	more easily легче	most easily легче всего
active активный	more active более активный	most active самый активный

Кроме того, существует ряд прилагательных и наречий, которые образуют степени сравнения от других корней.

ИСКЛЮЧЕНИЯ

ПОЛОЖИТЕЛЬНАЯ СТЕПЕНЬ	СРАВНИТЕЛЬНАЯ СТЕПЕНЬ	ПРЕВОСХОДНАЯ СТЕПЕНЬ
good хороший well хорошо	better лучше	best самый лучший, лучшего всего
bad плохой badly* плохо	worse хуже	worst самый плохой, хуже всего
little маленький little мало	less меньше	least наименьший, меньше всего
many много much много	more больше	most наибольший, больше всего
far далекий	farther дальше (по расстоянию),	farthest самый дальний (по расстоянию),
far далеко	further более отдаленный (по времени)	furthest самый дальний (по времени)

* Остальные наречия, оканчивающиеся на **–ly**, образуют степени сравнения с помощью слов **more** и **most**, например: **correctly** правильно — **more correctly** более правильно — **most correctly** правильное всего.

ПРИМЕЧАНИЯ

<i>№ n/n</i>	<i>ПРИМЕЧАНИЕ</i>	<i>ПРИМЕР</i>
1	Существительное с определением, выраженным прилагательным в превосходной степени, употребляется с определенным артиклем, если по смыслу не требуется какое-либо местоимение	Moscow is the largest city in our country. Москва – самый большой город в нашей стране. My best friend lives in Saransk. Мой лучший друг живет в Саранске.
2	Определенный артикль сохраняется перед превосходной степенью и в том случае, когда существительное не упомянуто (т. е. оно подразумевается)	The Moscow underground is the most beautiful in the world. Московское метро – самое красивое в мире.
3	При сравнении двух предметов неравного качества всегда употребляется союз than чем, который следует за прилагательным или наречием в сравнительной степени (в русском языке он может опускаться)	My son is younger than yours. Мой сын моложе вашего (= чем ваш).
4	При сравнении равных качеств двух предметов используется парный союз as... as такой же..., как... Прилагательное или наречие при этом стоит в положительной степени	He is as old as my grandfather. Ему столько же лет, сколько моему деду. (= Он такой же старый, как мой дед.)
5	При отрицании равенства качеств двух предметов используется парный союз not so... as не такой..., как... Прилагательное или наречие при этом стоит в положительной степени	Your house is not so big as ours. Ваш дом не такой большой, как наш.
6	Most (of) с последующим существительным переводится словами большинство, большая часть	Most students speak English well. Большинство студентов говорит по-английски хорошо.

7	Английское предложение, две части которого (разделенные запятой) начинаются с прилагательного или наречия в сравнительной степени с определенным артиклем перед ним, переводится на русский язык при помощи союза чем..., тем...	The more we read, the more we know. <i>Чем больше мы читаем, тем больше мы знаем.</i>
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1. Форма сравнительной степени образуется при помощи окончания –“er”, которое прибавляется к односложным прилагательным.

Например:

- fast – faster (быстро – быстрее);
- simple – simpler (просто – проще);
- John runs faster than Ann. (Джон бежит быстрее, чем Аня.);
- This task is simpler than the previous one. (Это задание проще, чем предыдущее.)

1. Если прилагательное оканчивается на согласную и стоящую перед ней гласную, то согласная удваивается.

Например:

- Big – bigger (Большой – больше);
- Thin – thinner (Тонкий – тоньше);
- My house is bigger than yours. (Мой дом больше твоего.);
- Black copybook is thinner than the green one. (Черная тетрадь тоньше, чем зеленая.)

2. Двусложные слова, оканчивающиеся на букву “y” также образуют сравнительную степень при помощи окончания –“er”, причем “y” изменяется на “i”.

Например:

- Early – earlier (ранний – более ранний);
- Easy – easier (легкий – более легкий).

3. Для образования сравнительной степени многосложных прилагательных мы используем слово “more”, которое ставится перед прилагательным.

Например:

- More expensive (дороже);
- More comfortable (удобнее);
- My computer is more expensive than yours. (Мой компьютер дороже твоего.);
- This sofa is more comfortable than the chair. (Этот диван удобнее стула.)

4. Наречия, оканчивающиеся на – “ly” также образуют сравнительную степень при помощи слова “more”.

Например:

- Carefully – more carefully (осторожно – осторожнее);
- Seriously – more seriously (серьезно – серьезнее);
- She uses computer more carefully than earlier. (Она пользуется компьютером осторожнее, чем раньше.);
- They study English more seriously than they used to. (Они изучают английский серьезнее, чем делали это раньше.)

Упражнение 1. *Образуйте сравнительную и превосходную степени у прилагательных, данных в скобках (где необходимо):*

1. Oil is _____ (light) than water.
a) light; b) lightest; c) lighter.
2. We must wait for a _____ (dry) day to go on the museum.
a) dryer; b) dry; c) the driest.
3. A bus is _____ (fast) than a tram.
a) faster; b) the fastest; c) fast.
4. Take some of these sweets: they are very _____ (nice). They are _____ (nice) than the sweets in that box.
a) nice, nicer; b) nicest. nice; c) nicer. the nicest.
5. He clearly did not like the explanation, and as he listened to it, he became _____ (angry) and _____ (angry).
a) angry and angry; b) angry and the angriest; c) angrier and angrier.
6. He worked _____ (hard) and _____ (hard) as the end of the term came nearer.
a) the hardest the hardest; b) harder and harder; c) hard and hard.

Упражнение 2. *Образуйте сравнительную или превосходную степени для прилагательных, дополнив предложения по смыслу:*

1. Ann's car isn't very big. She wants a _____ car.
a) bigger; b) big; c) biggest.
2. This house isn't very modern. I prefer _____ houses.
a) more modern; b) modern; c) the most modern.
3. You're not very tall. Your brother is _____.
a) tall; b) taller; c) the tallest.
4. This building is very old. It's _____ building in the town.
a) old; b) the oldest; c) older.
5. It was very happy day. It was _____ day of my life.
a) happy; b) happier c) the happiest.
6. Bill doesn't work very hard. I work _____.
a) harder; b) the hardest; c) hard.

Упражнение 3. *Образуйте сравнительную или превосходную степени для прилагательных, дополнив предложения по смыслу:*

1. It isn't very warm today. It was _____ yesterday.
a) warm; b) warmer; c) the warmest.
2. These tomatoes don't taste very good. The other one tasted _____.
a) good; b) the best; c) better.
3. It was a very bad mistake. It was _____ I've ever made.
a) bad; b) the worst; c) worse.
4. Britain isn't very big. France is _____.
a) bigger; b) big; c) the biggest.

Упражнение 4. Образуйте сравнительную степень у прилагательных, данных в скобках. Добавьте **than**, где необходимо:

- Sorry, I'm late. It took me _____ to get here _____ I expected. (long, than).
a) long, than; b) the longest, than. c) longer, than.
- She looks about 20, but in fact she's much _____ she looks. (old, than)
a) older, than; b) the oldest, than; c) old, than.
- The problem is not so complicated. It's _____ you think. (simple, than)
a) simple, than; b) the simplest, than; c) simpler, than.
- I like the countryside. It's _____ living in the town. (healthy, than)
a) healthier, than; b) healthy, than; c) the healthiest, than.

Упражнение 5. Образуйте сравнительную или превосходную степени у прилагательных, данных в скобках:

- My car is _____ (fast) than yours.
a) fast; b) the fastest; c) faster.
- Your car is _____ (slow) than mine.
a) the slowest; b) slower; c) slow.
- The country is _____ (healthy) than the city.
a) healthy; b) the healthiest; c) healthier.
- Travelling by plane is _____ (dangerous) than by train.
a) more dangerous; b) dangerous; c) the most dangerous.
- The city is _____ (interesting) than the country.
a) more interesting; b) the most interesting; c) interesting.
- This is _____ (expensive) house I ever saw.
a) more expensive; b) the most expensive; c) expensive.
- That is a very high mountain. It's _____ (high) in this place.
a) higher; b) high; c) the highest.

The Present Indefinite (Simple).

Утвердительная форма		Вопросительная форма			Отрицательная форма	
... + I		Do/Does ... + I ?			... do/does not + I	
I play. <i>Я играю. (обычно, часто,...)</i>		Do I play? <i>Я играю?</i>			I do not (=don't) play. <i>Я не играю.</i>	
He She It	plays	Does	he she it	play?	He She It	does not play =(doesn't play)
We You They	play	Do	we you they	play?	We You They	do not play =(don't play)

Сокращенные формы: do not = don't, does not = doesn't

Present Indefinite образуется:

Эта форма совпадает с инфинитивом глагола (без частицы **to**) во всех лицах, кроме 3 – го лица единственного числа, принимающего окончание **-s (-es)**. Это окончание произносится как **[z]** после гласных и звонких согласных звуков, как **[s]** после глухих согласных и как **[ɪz]** на конце глаголов, оканчивающихся на шипящие и свистящие звуки. Форма глагола в Инфинитиве (Infinitive) приводится в словаре и обычно называется **I-ой** формой глагола.

Вопросительная форма в английском языке обычно образуется постановкой вспомогательного глагола (или первого из вспомогательных) перед подлежащим предложения. Однако две формы глаголов – Present и Past Indefinite образуются без вспомогательных глаголов. Поэтому для образования вопросительной (и отрицательной) форм искусственно добавляется вспомогательный глагол **do**, который не несет смысловой нагрузки и не переводится. Причем в 3 – м лице ед. числа окончание **-s(- es)** прибавляется не к смысловому, а к вспомогательному глаголу, образуя форму **does**.

Do you go to school? – Yes, I **do**.

– No, I **do not** (don't).

Does he speak English well? – Yes, he **does**.

– No, she **does not** (doesn't).

Ты ходишь в школу? – Да.

– Нет.

Он говорит по – английски хорошо?

– Да.

– Нет.

Если подлежащее имеет одно или несколько определений, которые стоят перед ним, то вспомогательный глагол в вопросительной форме ставится перед всей группой подлежащего (подлежащим с определениями):

Does your younger sister go to school? – Твоя младшая сестра ходит в школу? –
No, she **does not**. *Нет.*

What **does** your friend do after school? – Что делает твой друг после школы? –
He usually has dinner after school. *Он обычно обедает после школы.*

Примечание: Вопросительные предложения, в которых вопросительное слово выступает в роли подлежащего или определения к подлежащему, имеют структуру повествовательного предложения. Вспомогательный глагол **do** в этом случае не употребляется (а окончание **-s** в 3-м лице ед. числа принимает уже сам смысловой глагол):

Who **helps** your mother? – I do.

Whose brother **goes** there?

Who **goes** there?

Кто помогает твоей маме? – Я.

Чей брат идет туда?

Кто идет туда?

Отрицательная форма глагола в Present Indefinite образуется также при помощи вспомогательного глагола **do (does)** и отрицательной частицы **not**, которые ставятся перед смысловым глаголом:

I **do not** (don't) play chess.

The computer **does not** (doesn't) work.

He likes milk. He **doesn't** like coffee.

Я не играю в шахматы.

Компьютер не работает.

Он любит молоко. Он не любит кофе.

Present Indefinite (Simple Present) употребляется для выражения: (основные случаи употребления)

1. Обычного, постоянного, типичного действия или характерного признака, свойства *подлежащего*, а также для передачи общеизвестных фактов и простых истин, имеющих место в настоящем, но не привязанных к моменту речи.

2. Регулярно повторяющихся действий в настоящем.

3. Ряды последовательных действий в настоящем.

Дополнительные случаи употребления:

4. Для выражения действия, происходящего в момент речи:

а) с глаголами, не употребляющимися в формах Continuous;

б) когда желают лишь констатировать сам факт действия.

5. Для выражения будущего действия:

а) запланированного расписанием, графиком;

б) в придаточных предложениях условия и времени;

в) в вопросах к ближайшему будущему.

1. Для выражения обычного, постоянного, типичного действия или характерного признака, свойства *подлежащего*, имеющего место в настоящем, но не привязанного к моменту речи:

We **live** in Russia.

Peter **swims** well.

She **dances** very badly.

Do you **like** coffee?

Yes, I **do**. – No, I **don't**.

I **hate** cold.

I **do not wear** glasses.

*Мы **живем** в России.*

*Петя **плавает** хорошо.*

*Она **танцует** очень плохо.*

*Ты **любишь** кофе?*

Да.

– Нет.

*Я **ненавижу** холод.*

*Я **не ношу** очков.*

А также для передачи общеизвестных фактов, простых истин, действий и состояний, происходящих независимо от желания человека:

The Earth **goes** round the Sun.

The school year **begins** in September.

Paris **is** the capital of France.

Birds **fly**.

*Земля **вращается** вокруг Солнца.*

*Учебный год **начинается** в сентябре.*

Париж – столица Франции.

*Птицы **летают**.*

2. Для выражения регулярно повторяющихся действий в настоящем:

We **drink** coffee in the morning.

They **go** to the mill by bus.

*Мы **пьем** кофе утром.*

*Они **ездят** на завод автобусом.*

Для указания на повторный характер действия могут употребляться слова **every day (week, month)** *каждый день (неделю, месяц)*, **daily** *ежедневно* и др. Эти указания обычно употребляются с глаголами, обозначающими однократные, конечные действия (*лечь, встать, принести, опоздать*), их иногда называют предельными, в

отличие от неопределенных, в которых не заложен смысл конечности действия (*играть, читать, любить*).

I **have** a cup of coffee every morning.

Я выпиваю чашку кофе каждое утро.

He **gets up** at 7 o'clock every day.

Он *встает* в 7 часов каждый день.

Причем наречия частотности **always** *всегда*, **often** *часто*, **seldom** *редко*, **sometimes** *иногда*, **never** *никогда*, **usually** *обычно*, **generally** *как правило* и др. обычно ставятся перед глаголом.

He always **comes** to school on time.

Он *всегда* **приходит** в школу вовремя.

Do you often **go** to the cinema?

Ты *часто* **ходишь** в кино?

I usually **go to bed** at 11 o'clock.

Я *обычно* **ложусь спать** в 11 часов.

В предложениях с глаголом **to be** наречия, выражающие частотность, стоят после форм этого глагола.

I **am** always **late** for school.

Я *всегда* **опаздываю** в школу.

She **is** seldom **absent** from the class.

Она *редко* **отсутствует** на уроках.

3. Для выражения ряда последовательных действий в настоящем.

I **get up** at seven, **do** morning exercises, *Я встаю в семь, делаю зарядку, потом then* **have breakfast**. *завтракаю.*

Дополнительные случаи употребления:

4. Для выражения действия, происходящего в момент речи:

а) Вместо Present Continuous для выражения действия, происходящего в момент речи (с глаголами, не употребляющимися в формах Continuous). Это глаголы, выражающие не действия в буквальном смысле этого слова, а состояние людей и их отношения, они обозначают *физическое восприятие, чувства, эмоции, умственные состояния* и др., например: to hear *слышать*, to love *любить*, to want *хотеть*:

I **see** a ship in the distance.

Я *вижу* судно вдали.

I **do not understand** you at all.

Я *не понимаю* тебя совсем.

I **think** we are wrong.

Я *считаю*, что мы ошибаемся.

б) Когда при описании событий, происходящих непосредственно в момент речи важна лишь констатация факта:

Here she **comes**.

Вот она *идет*.

I **repeat**, I **don't know** her.

Я *повторяю*, я ее *не знаю*.

I **swear** it is the truth.

Клянусь, это правда.

Why **do** you **ask**?

Почему ты спрашиваешь?

5. Для выражения будущего действия:

а) Для выражения ближайшего будущего действия запланированного обязательно: расписанием, планом, графиком, договоренностью, распоряжением (в предложении обычно имеется обстоятельство времени: **soon** *скоро*, **tomorrow** *завтра* и т.п.). В случае форма Present Indefinite типична для офиц. стиля, а в разговоре для этого используется форма Present Continuous. Как правило, употр. с глаголами, обозначающими движение:

to arrive *приезжать, прибывать*
to come *приходить, приезжать*
to go *уходить, уезжать*
to leave *уезжать*
to return *возвращаться*
to sail *отплывать*
to start *отправляться*

Например:

My father **goes** to London next week. *Мой отец едет в Лондон на следующей неделе.*
 The next train **leaves** in an hour. *Следующий поезд отправляется через час.*

б) Для выражения будущего действия в обстоятельственных придаточных предложениях условия и времени, вводимых: союзами условия: **if** *если*, **on condition that** *при условии если*, **provided that** *при условии если*, **unless** *если...не*, **in case** *в случае*; или союзами времени: **after** *после того как*, **as** *в то время как, когда*, **as long as** *пока*, **as soon as** *как только*, **before** *прежде чем*, **since** *с тех пор как*, **until (till)** *до тех пор, пока... не*, **while** *в то время как, пока*, **when** *когда*.

В этом случае сказуемое главного предложения стоит в форме будущего времени или в повелительном наклонении.

*If he **comes**, I shall ask him about it.* *Если он **придет**, я спрошу его об этом.*
*We'll start as soon as you **are** ready.* *Мы отправимся, как только ты **будешь** готов.*
*Ring me up when Mother **returns** home.* *Позвони мне, когда мама **вернется** домой.*

в) В вопросах, относящихся к ближайшему будущему (вместо Future Indefinite):

What **do** we **do** now? *Что будем делать сейчас?*
 Where **do** we **go** now? *Куда мы **пойдем** теперь?*
 Why **don't** you **take** the children home? *Почему ты **не отведешь** детей домой?*

Present Indefinite также употребляется в восклицательных предложениях; в поговорок, рекламе, газетных заголовках; в рассказах о прошедших событиях для подчеркивания драматизма ситуации и т.п.

Упражнение 1. *Раскройте скобки, употребив глаголы в Present Indefinite (Simple):*

- I _____ (to write) many letters every day.
a) write; b) writes; c) wrote.
- I _____ (to read) all the important (*важные*) letters.
a) readed; b) reads; c) read.
- He _____ (to study) very well.
a) study; b) studies; c) studed.
- We usually _____ (to walk) in the park.

- a) walks; b) walk; c) walked.
5. They _____ (to meet) important people.
a) meets; b) meet; c) meted.
6. I _____ (to answer) all the important questions.
a) answer; b) answers; c) answered.
7. He _____ (to send) letters to many other people.
a) sends; b) sended; c) send.
8. We _____ (to see) Smith and Brown every day.
a) saw; b) see; c) sees.
9. My cousin _____ (to work) very hard.
a) works; b) worked; c) work.
10. We _____ (to work) from 9:00 a.m. to 5:00 p.m. every day.
a) works; b) worked; c) work.

Упражнение 2: *Раскройте скобки, употребив глаголы в Present Indefinite (Simple):*

1. She _____ (not / to speak) Italian.
a) don't speak; b) didn't speak; c) doesn't speak.
2. They _____ (not / to go) to school.
a) don't went; b) doesn't go; c) don't go.
3. We _____ (to swim) very well.
a) swam; b) swims; c) swim.
4. He _____ (to watch) TV every day.
a) watched; b) watches; c) watche.
5. You _____ (not / to live) in England.
a) don't live; b) doesn't live; c) didn't live.
6. The girl _____ (not / to like) football.
a) like; b) didn't like; c) doesn't like.
7. Jim _____ (to eat) hamburgers.
a) doesn't eat; b) eats; c) ate.

Упражнение 3. *Постройте отрицательные предложения:*

1. I go to the office every day. I don't go to the office every day.
2. She comes from Ireland. _____
a) come; b) doesn't come; c) don't come.
3. He teaches French. _____
a) don't teach; b) doesn't teach; c) teach.
4. That tall man works in this city. _____
a) doesn't work; b) don't work; c) didn't work.
5. The people speak English very well. _____
a) don't speak; b) doesn't speak; c) didn't speak.
6. The cows fly. _____
a) din't fly; b) doesn't fly; c) don't fly.
7. Dogs like cats. _____
a) like; b) doesn't like; c) don't like.

8. I want to be a nun. _____
a) didn't want; b) doesn't want; c) don't want.
9. The children go to bed very early. _____
a) go; b) doesn't go; c) don't go.
10. That girl comes from South America. _____
a) doesn't come; b) don't come; c) didn't come.

Упражнение 4. Постройте отрицательные предложения:

1. **Упр** We have an aunt. _____
a) doesn't have; b) don't have; c) didn't have.
2. Betsy learns German. _____
a) doesn't learn; b) don't learn; c) didn't learn.
3. They live in a beautiful city. _____
a) don't live; b) doesn't live; c) live.
4. She thanks the baker for the bread. _____
a) thank; b) don't thank; c) doesn't thank.
5. My nephew wants to be a journalist. _____
a) don't want; b) doesn't want; c) didn't want.
6. She often drinks coffee. _____
a) doesn't drink; b) don't drink; c) drink.
7. He works at hospital. _____
a) don't work; b) doesn't work; c) didn't work.
8. I write an important letter. _____
a) don't write; b) doesn't write; c) write.
9. My son asks many questions. _____
a) didn't ask; b) don't ask; c) doesn't ask.
10. We arrive at this village twice a week. _____
a) doesn't arrive; b) didn't arrive; c) don't arrive.

The Present Continuous

Present Continuous – настоящее длительное время английского языка, обозначает действие, происходящее в настоящий момент; действие, представляющее собой непрерывный процесс; будущее запланированное действие, например:

I am watching TV now – Я смотрю сейчас телевизор

She is reading at the moment – Она читает в данный момент

We are working now – Мы работаем сейчас

Глаголы английского языка в **Present Continuous** употребляются со следующими временными маркерами: *still* – *все еще*, *now* – *сейчас*, *at present* – *в настоящее время*, *at the moment* – *в данный момент*, *meanwhile* – *тем временем*, *while* – *пока*

В английском языке существует глаголы, которые не употребляются в

Continuous:

(глаголы чувств) verbs of senses: feel – чувствовать, hear – слышать, notice – замечать, see – видеть, smell – чувствовать запах, sound – звучать, taste – пробовать.

(глаголы нужды и потребности) needs and wants: need – нуждаться, wish – желать, want – хотеть.

(вкусы и антипатия) likes and dislikes: dislike – не любить, hate – ненавидеть, like – нравится, love – любить, prefer – предпочитать.

(знания) knowledge: forget – забывать, know – знать, realize – осознавать, understand – понимать.

Настоящее продолженное время Present Continuous образуется при помощи глагола **to be** и **ing** формы глагола

Present Continuous

утвердительная форма			отрицательная форма			вопросительная форма		
I	He, she, it	We, you, they	I	He, she, it	We, you, they	am	is	are
am	is	are	am not	is not	are not	I	He, she, it	We, you, they
<u>глагол + ing</u>								
I am working now я работаю сейчас He is working now он работает сейчас You are reading now ты читаешь сейчас			I am not working now He is not dancing now You are not smiling now			Am I working? Is he reading? Are you writing?		

Упражнение 1. Раскройте скобки, употребив глаголы в Present Continuous:

- Listen! Pat _____ (to play) the piano.
a) play; b) is playing; c) plays.
- They _____ (to build) a new hotel in the city centre at the moment.
a) are building; b) build; c) builds.
- Look! Somebody _____ (to swim) in the river.
a) is swimming; b) swims; c) swim.
- “You _____ (to stand) on my foot!” “Oh, I’m sorry!”
a) stands; b) stand; c) are standing.
- Hurry up! The bus _____ (to come).
a) come; b) comes; c) is coming.
- “Where are you, George?” “I’m in the kitchen. I ___ (to have) a meal.”
a) have; b) am having; c) has.

7. Please, be quite! I _____ (to try) to concentrate (*сосредоточиться*).
a) am trying; b) try; c) tries.
8. Look! It _____ (to snow).
a) snow; b) snows; c) is snowing.
9. Why _____ (to look) at me like that?
a) look; b) looks; c) are you looking.
10. You _____ (to make) a lot of noise. Can you be a bit quieter?
a) are making; b) make; c) makes.

Упражнение 2. Раскройте скобки, употребив глаголы в *Present Continuous* или в *Present Indefinite (Simple)*:

1. It is 5 o'clock. The family _____ (has \ is having / have) tea.
a) has; b) is having; c) have.
2. Every day the family _____ (has \ is having / have) tea at 5 o'clock.
a) has; b) is having; c) have.
3. In the morning mother _____ (cooks \ is cooking / cook) breakfast for us.
a) is cooking; b) cook; c) cooks.
4. It is 8 o'clock. Mother _____ (cooks \ is cooking / cook) breakfast.
a) is cooking; b) cook; c) cooks.
5. Every day father _____ (leaves \ is leaving / leave) the house at half past eight.
a) leave; b) leaves; c) is leaving.
6. It is half past eight. Father _____ (leaves \ is leaving / leave) the house.
a) is leaving; b) leaves; c) leave.
7. We often _____ (watch \ are watching / watches) TV.
a) are watching; b) watch; c) watches.

Упражнение 3: Раскройте скобки, употребив глаголы в *Present Continuous* или в *Present Indefinite (Simple)*:

1. We _____ (fly) a plane every summer.
a) fly; b) is flying; c) flies.
2. People usually _____ (spend) their holidays at the seaside.
a) spends; b) is spending; c) spend.
3. He _____ (visit) Aunt Mary for a few days at present.
a) visit; b) visits; c) is visiting.
4. He _____ (go) to the pictures once a week.
a) go; b) goes; c) is going.
5. He _____ (not always / see) a good film.
a) doesn't always see; b) don't always see; c) is always seeing.

Упражнение 4. Раскройте скобки, употребив глаголы в *Present Continuous* или в *Present Indefinite (Simple)* :

1. Hurry! The bus _____ (come). I (not / want) to miss it.
a) comes. don't want; b) is coming. don't want; c) comes. doesn't want.
2. The River Nile _____ (flow) into the Mediterranean.

- a) is flowing; b) flows; c) flow.
3. The river _____ (flow) very fast today –much faster than usual.
a) is flowing; b) flows; c) flow.
4. _____ (it / ever / snow) in India?
a) snow; b) snows; c) is snowing.
5. We usually _____ (grow) vegetables in our garden but this year we _____ (not / grow) any.
a) grow ... doesn't grow; b) grow ... are not growing; c) is growing ... are not growing.

Упражнение 5. Раскройте скобки, употребив глаголы в *Present Continuous* или в *Present Indefinite (Simple)*:

1. He _____ (smoke) twenty cigarettes a day.
a) smoke; b) is smoking; c) smokes.
2. What _____ you _____ (look) at?
a) do you look; b) are you looking; c) does you look.
3. Look! It _____ (rain).
a) rains; b) is raining; c) rain.
4. I _____ (go) dancing every Friday night.
a) am going; b) go; c) goes.
5. “_____ you often _____ (go) abroad?” “Four or five times a year.”
a) Do ... go; b) Is ... going; c) Are ... going.
6. _____ you _____ (spell) your name with one n or two?
a) Does you spell; b) Are you spelling; c) Do you spell.
7. “What _____ you _____ (think) about?” “I’m not going to tell you.”
a) are you thinking; b) do you think; c) does you think.
8. “_____ you _____ (like) tea?” “No, I _____ (hate) it.”
a) Are you liking. hate; b) Does you like. hate; c) Do you like. hate.
9. “Can you come and see me tomorrow?” “Sorry, I _____ (work).”
a) am working; b) works; c) work.

Упражнение 6. Раскройте скобки, употребив глаголы в *Present Continuous* или в *Present Indefinite (Simple)*:

1. I _____ (not / know) these people!
a) doesn't know; b) don't know; c) didn't know.
2. He is a musician and he _____ (work) in L. A.
a) works; b) work; c) is working.
3. Kathy is on the other side of the table. She _____ (wear) red and white dress.
a) are wearing; b) is wearing; c) wears.
4. Alex _____ (smoke) a cigar now. He often _____ (smoke).
a) is smoking. smokes; b) are smoking. smokes; c) am smoking. smokes
5. These girls are pupils. They _____ (go) to St. Mary's School.
a) is going; b) goes; c) go.

The Present Perfect

Утвердительная форма		Вопросительная форма			Отрицательная форма	
... + have/has + III		Have/has ... + III ?			... have/has not + III	
I have (=I've) played. <i>Я сыграл. (уже или ранее)</i>		Have I played? <i>Я сыграл?</i>			I have not (=I haven't) played. <i>Я не сыграл.</i>	
He She It	has played =(...’s played)	Has	he she it	played?	He She It	has not played =(hasn’t played)
We You They	have played =(...’ve played)	Have	we you they	played?	We You They	have not played =(haven’t played)

Сокращенные формы: I have = I’ve , she has = she’s , we have = we’ve , they have = they’ve , has not = hasn’t , have not = haven’t

Present Perfect образуется при помощи вспомогательного глагола **to have** в настоящем времени (**have, has**) и причастия прошедшего времени смыслового глагола – Past Participle (**III-я** форма или **ed-форма**).

Форма Present Perfect имеет временной акцент «до настоящего момента» и употребляется тогда, когда необходимо подчеркнуть, что **результат некоего действия**, случившегося в прошлом (не важно, непосредственно перед моментом речи или в более отдаленное время), **присутствует в настоящий момент**, например: I **have lost** the key. *Я потерял ключ. (значит сейчас я без ключа)*

Так как это форма настоящего времени и всегда соотносится с моментом речи, то она **не употребляется** в тех случаях, когда есть обстоятельства, указывающие на время совершения действия **в прошлом**.

Present Perfect чаще всего употребляется **в начале разговора** или сообщения, когда возникает необходимость сообщить о каком – то новом событии. Если после этого разговор продолжается о том же событии с целью выяснения различных обстоятельств и подробностей его осуществления, то действие выражается далее в Past Indefinite:

I **have seen** the film. I **saw** it in London. *Я видел этот фильм. Я видел его в Лондоне.*
– **Did you like** the film? *– Тебе понравился этот фильм?*

Well, I **have had a word** with the boss. *Ну так вот, я поговорил с начальником.*
He **said** he would think it over. *Он сказал, что подумает.*

Однако если даже в самом начале разговора речь идет о действиях, уже известных собеседникам, то в этом случае сразу употребляется Past Indefinite (например, выясняются детали известного обоим собеседникам события):

Did you have a good trip? *Как ты съездил? (У тебя была хорошая поездка?)*

Поэтому форму Present Perfect нужно использовать только тогда, когда это действительно важно по смыслу (подразумевается какая-то связь между этим действием и настоящим моментом). Там же, где в этом нет необходимости (большинство случаев), следует использовать простые формы прошедшего времени.

Нужно запомнить, что **have (has, had)** – это позывные формы **Perfect**.

В сознании наших учащихся эти слова сразу же ассоциируются с понятием «*имею*» («*у меня есть*»). В сознании же англоязычного слушателя они ассоциируются прежде всего с Perfect. Это значит, что если я начинаю фразу с **I have...**, то он ожидает далее услышать нечто вроде: **...done** я сделал, **...met** я встретил, **...finished** я закончил и т.п.

Точно также и в вопросе, начинающемся с **Have you...?** англоязычный собеседник ждет формы Perfect, например типа: **...seen** видели ли вы?, **...bought** купили ли вы?, **...visited** посетили ли вы? и т.п.

Для выражения понятия «*имею*» («*у меня есть*») чаще употребляется выражение **have got**, в разговоре обычно **...’ve got**, или в просторечии просто **got**. А в аналогичном вопросе – **Do you have...?**

Present Perfect употребляется для выражения: (основные случаи употребления) 1. Действия или состояния уже завершившегося к моменту речи, если результат свершившегося имеет значение в настоящий момент.
Дополнительные случаи употребления: 2. Вместо Present Perfect Continuous для выражения действия, начавшегося в прошлом и еще продолжающегося в момент речи (с глаголами, не употребляющимися в формах Continuous). 3. В придаточных предложениях времени для выражения будущего завершённого действия.

1. Употребляется для выражения действия или состояния, начавшегося в прошлом и уже завершившегося к моменту речи, если необходимо подчеркнуть, что результат свершившегося имеет значение в настоящий момент. В беседе – назвать впер-
вые, ввести в разговор. Время действия и обстоятельства или совсем не указываются, или время обозначается неопределенно – с помощью неопределенных наречий или слов, обозначающих незаконченные периоды времени. На русский язык переводится прошедшим временем.

I have read this book.	Я <i>прочитал</i> эту книгу. (значит сейчас знаю ее содержание или, теперь могу дать тебе)
I have broken my pencil.	Я <i>сломал</i> свой карандаш. (сейчас им нельзя писать)
He has gone .	Он <i>ушел</i> . (сейчас его здесь нет)
The taxi has arrived .	Такси <i>прибыло</i> . (сейчас оно у дома)

Примеры использования Present Perfect при передаче фактов, сообщений, новостей:

I **have seen** Tim with a new girl- *Я встретил Тима с новой подружкой. Она*
friend. She is quite pretty. довольно хорошенькая.
 Do you know about Jack? He **has** *Ты знаешь про Джека? Он переехал на новую*
moved to a new flat? *квартиру.*
 He **has been** to England twice. *Он дважды был в Англии.*

Примеры из повседневной жизни:

I think I've **seen** you somewhere. *Думаю, что я встречал вас где-то.*
 Is Clare in? – No, she **has gone** to the thea- *Клэр дома? – Нет, она пошла в театр.*
tre.
 Don't buy the tickets. I've **bought** them. *Не покупай билеты. Я уже их купил.*

В этой форме также дают оценку свершившимся событиям, суммируют на момент речи сделанное ранее, сообщают о полученном опыте, знаниях:

You **have done** everything for us. *Вы для нас очень много сделали. (оценка)*
 I **have won**. *Я выиграл. (итог в результате)*
 You **have spoiled** everything. *Ты все испортил. (все испорчено сейчас)*
 I've **been** a fool. *Я был глупцом. (вел себя глупо)*

Используют в языке средств массовой информации:

There **has been** an air – crash in Brasilia. *В Бразилии произошла авиакатастрофа.*
 Prices **have gone up**. *Цены выросли.*

В общих вопросах:

Have you **done** your homework? *Ты сделал домашнюю работу?*
 Yes, I **have**. – No, I **haven't**. *Да. – Нет.*
Have you **rung** him? *Ты позвонил ему?*
Has Mother **returned**? *Мама вернулась?*

В специальных вопросах:

What **have** they **done**? *Что они сделали?*
 Why **haven't** you **put on** your coat? *Почему ты не надел пальто?*

Особенности употребления:

- a) Present Perfect может употребляться с обстоятельственными словами, обозначающими период времени, который еще не закончился:

today – сегодня,	this year – в этом году
this week – на этой неделе	this morning – сегодня утром
this month – в этом месяце	

Например:

I **haven't seen** Peter today. *Я не видел Петра сегодня.*
 He **has missed** a lot of classes *Он пропустил много занятий*
this week. *на этой неделе.*

Но если указанный период времени уже закончился, то употребляется форма Past Indefinite, например:

I have written a letter <u>this morning</u> . (форма Present Perfect)	<i>Я написал письмо <u>сегодня утром</u>.</i> (если разговор тоже происходит утром)
I wrote a letter <u>this morning</u> . (форма Past Indefinite)	<i>Я написал письмо <u>сегодня утром</u>.</i> (если разговор происходит, например, днем или вечером)

б) Часто употребляется с наречиями неопределенного времени и частотности если в контексте нет никаких указаний на то, что данное действие относится к прошедшему времени. Их место в предложении: наречия never, ever, often, seldom, already, just – обычно перед смысл. глаголом;

наречия lately, recently, by now, up to now, yet – в конце предложения.

never никогда	just только что
ever когда – либо	lately в последнее время, недавно
often часто	by now уже, к настоящему времени
seldom редко	up to now до настоящего момента
already уже	yet еще (в вопросах и отрицаниях)

Например:

I'm sure we have <u>never</u> met before.	<i>Я уверен, мы <u>никогда</u> раньше <u>не</u> встречались.</i>
Have you <u>ever</u> been to the Hermitage.	<i>Вы <u>когда – нибудь</u> были в Эрмитаже?</i>
She has <u>already</u> seen this film.	<i>Она <u>уже</u> видела этот фильм.</i>
They have <u>arrived</u> by now .	<i>Они <u>приехали</u> <u>уже</u>.</i>

Причем с наречиями **lately** в последнее время, недавно и **just** только что всегда употребляется Present Perfect, например:

I have seen many pictures <u>lately</u> .	<i>Я посмотрел много картин <u>за последнее время</u>.</i>
He's (He has) <u>just</u> gone out .	<i>Он <u>только что</u> вышел.</i>

Однако наречие **just now** только что, не имея смыслового различия с **just**, традиционно употребляется с прошедшим временем (Past Indefinite), сравните:

I have <u>just</u> seen him.	<i>Я <u>только что</u> видел его.</i>
I saw him <u>just now</u> .	<i>Я <u>только что</u> видел его.</i>

Примечание: В американском английском чаще используется Past Indefinite, даже при наличии наречий, связываемых обычно с Present Perfect:

The train <u>already</u> left .	<i>Поезд <u>уже</u> ушел.</i>
I <u>just</u> arrived .	<i>Я <u>только что</u> пришел.</i>

Дополнительные случаи употребления:

2. Вместо Present Perfect Continuous для выражения действия, начавшегося в прошлом и еще продолжающегося в момент речи с глаголами, не употребляющимися в формах Continuous. При этом обязательно указывается либо весь период времени, в течение которого происходило действие, либо начальный момент этого периода. На русский язык обычно переводится настоящим временем (в отрицательных предложениях может переводиться прошедшим временем).

Например:

I've <u>always</u> liked him.	Он мне <u>всегда</u> нравился . (раньше и теперь)
I have lived here <u>all my life</u> .	Я живу тут <u> всю свою жизнь</u> .

Для обозначения всего периода времени обычно используется предлог **for** в течение – **for a few days** в течение нескольких дней, **for an hour** в течение часа и т.п.

I **have known** her for years.

Я **знаю** ее много лет.

I've **been a teacher** for 15 years.

Я **преподаю** в течение 15 лет.

А для обозначения начальной точки отсчета с которой длится данный период употребляется предлог **since** – с, например:

I **haven't been** here since 1990.

Я **не был** здесь с 1990 года.

В этом же значении употребляется союз **since** с тех пор как. При этом в главном предложении употребляется Present Perfect, а в придаточном предложении – Past Indefinite:

We **have known** each other since we were children.

Мы **знаем** друг друга с тех пор, как мы были детьми.

В вопросах о продолжительности периода действия обычно употребляются фразы **how long** сколько времени и **since when** с каких пор:

How long **have** you **known** him?

Сколько времени ты **знаешь** его?

Since when **have** you **lived** in London?

С какого времени вы **живете** в Лондоне?

Для выражения будущего завершенного действия в придаточных предложениях времени. Употребляется вместо Future Perfect для выражения действия, которое закончится в будущем до того, как произойдет действие главного предложения. Придаточные предложения вводятся союзами времени: **after** после того как, **as soon as** как только, **before** прежде чем, **until (till)** до тех пор пока... не, **while** в то время как, пока, **when** когда и т.п. На русский язык переводится будущим временем совершенного вида:

I'll give you the book after I **have** **read** it.

Я дам вам эту книгу, после того как я **прочту** ее.

Wait till I **have finished** my work.

Подожди, пока я **закончу** работу.

When we **have had** tea I'll show you my collection.

Когда мы **пьем** чай, я покажу тебе свою коллекцию.

Упражнение 1. Раскройте скобки и употребите глаголы в *Present Perfect*:

1. I _____ (stay) in an expensive hotel for 5 days.
a) have stayed; b) has stayed; c) stayed.
2. I _____ (never / cook) dinner for 10 people.
a) have never cooked; b) has never cooked; c) cooked.
3. They _____ (just / win) this competition.
a) has just won; b) won; c) have just won.
4. My sister _____ (just / leave) her school.
a) left; b) has just left; c) have just left.
5. _____ you ever _____ (live) in a foreign country.
a) Have you ever lived; b) Did you ever lived; c) Does you ever lived.
6. I _____ (already / do) my homework.
a) did; b) has already done; c) have already done.
7. He _____ (already / clean) his car.
a) cleaned; b) has already cleaned; c) have already cleaned.

Упражнение 2: Раскройте скобки и употребите глаголы в *Present Perfect*:

1. He _____ (write) a book about his life. Here it is.
a) has written; b) have written; c) wrote.
2. _____ he ever _____ (be) abroad?
a) Have he ever been; b) Did he ever been; c) Has he ever been.
3. I _____ (know) true love.
a) has known; b) knew; c) have known.
4. Where is Peter? – He _____ (go) to prison!
a) has gone; b) have gone; c) is going.
5. He _____ (travel) all over the world.
a) have travelled; b) has travelled; c) has been travelled.
6. They _____ (just / arrive) home.
a) has just arrived; b) have just arrived; c) just arrived.
7. We _____ (just / buy) this house.
a) have just bought; b) has just bought; c) just bought.
8. She _____ (live) in a foreign country.
a) lived; b) have lived; c) has lived.
9. He _____ (work) in a factory.
a) has worked; b) have worked; c) worked.
10. I _____ (be) in a jumbo jet.
a) hasn't been; b) was; c) haven't been.

Упражнение 3: Раскройте скобки и употребите глаголы в *Present Perfect* или *Past Simple (Indefinite)*:

1. Jill _____ (buy) a new car two weeks ago.
a) has bought; b) buy; c) bought.
2. His hair is very short. He _____ (have) a haircut (*стрижка*).

- a) has had; b) have had; c) had.
3. Last night I _____ (arrive) home at half past twelve. I _____ (have) a bath and then I _____ (go) to bed.
a) has arrived. had a bath ... went; b) arrived. had a bath ... go; c) arrived. had a bath ... went.
4. _____ (you/visit) many museums when you were in Paris?
a) Has you visited; b) visited; c) Have you visited.
5. My bicycle isn't here any more. Somebody _____ (take) it.
a) have taken; b) has taken; c) took.
6. When _____ (you/give) up smoking?
a) did you give up; b) do you give up; c) have you give up.
7. I _____ (not/eat) anything yesterday because I _____ (not/feel) hungry.
a) don't eat ... don't feel; b) didn't eat ... didn't feel; c) haven't eat ... doesn't. feel
8. Why _____ (Jim/not/want) to play tennis last Friday?
a) doesn't Jim want; b) don't Jim want; c) didn't Jim want.

Упражнение 4. Раскройте скобки и употребите глаголы в *Present Perfect* или *Past Simple (Indefinite)*:

1. We _____ a terrible night – the baby _____ at three o'clock and _____ crying since! (just have, wake up, not stop.)
a) have just had ... wake up ... and don't stopped; b) have just had ... wake up ... and hasn't stopped; c) have just had ... woke up ... and hasn't stopped.
2. She _____ to lock up last night. (forget)
a) forget; b) forgot; c) has forgotten.
3. He _____ to her lately, has he? (not talk)
a) hasn't talked; b) haven't talked; c) talked.
4. I _____ too much money last month. (spend)
a) has spent; b) spend; c) spent.
5. Since he was six he _____ Mozart. (always like)
a) have always liked; b) has always liked; c) always liked.
6. He _____ as a vet until he got cancer. (work)
a) has work; b) has worked; c) have worked.
7. We _____ here for the last year. (live)
a) have lived; b) has lived; c) lived

The Past Indefinite (Simple)

Утвердительная форма		Вопросительная форма			Отрицательная форма	
... + II		Did ... + I ?			... did not + I	
I played. Я играл.		Did I play? Я играл?			I did not (=didn't) play. Я не играл.	
He She	played	Did	he she	play?	He She	did not play =(didn't play)

It			it		It	
We			we		We	
You			you		You	
They			they		They	

Сокращенные формы: did not = didn't [didnt]

Past Indefinite образуется:

Для **правильных** глаголов путем прибавления во всех лицах окончания **-ed** к форме инфинитива, которое произносится [d] после гласных и звонких согласных звуков, [t] после глухих согласных звуков, [id] после d и t.

Группа глаголов, называемых **неправильными**, образуют Past Indefinite различными иными способами. Форма глаголов в Past Indefinite обычно называется **II-й** формой глагола.

Вопросительная и отрицательная формы как правильных, так и неправильных глаголов образуются при помощи вспомогательного глагола **do** в прошедшем времени – **did** и инфинитива смыслового глагола (без **to**). При этом смысловой глагол теряет окончание **-ed**, которое переходит к вспомогательному **do**, образуя форму **did**.

Did you see him yesterday?

Вы его видели вчера?

– Yes, I **did**.

– Да.

Did you hear the news?

Вы слышали новость?

– No, I **did not**.

– Нет.

When **did** you see her?

Когда ты видел ее?

What **did** he say?

Что он сказал?

Отрицательная форма строится так:

I **did not** (didn't) see him yesterday.

Я не видел его вчера.

She **did not** (didn't) know this.

Она не знала этого.

Past Indefinite (Simple Past)

употребляется для выражения:

1. Действия (а также постоянного признака, свойства предмета или общеизвестного факта), имевшего место в прошлом.
2. Регулярно повторяющихся действий в прошлом.
3. Ряды последовательных действий в прошлом.

1. Для выражения действия, постоянного признака, свойства предмета или общеизвестного факта, совершившегося (имевшего место) в прошедшем отрезке времени. Форма Past Indefinite соответствует русскому прошедшему времени, но не передает значений совершенного или несовершенного вида, которые при переводе нужно определять по смыслу высказывания (из контекста).

She **slept** very badly.

*Она **спала** очень плохо.*

He **was** a good pupil.

*Он **был** хорошим учеником.*

The house **stood** on the hill.

*Дом **стоял** на холме.*

Единичные действия в прошлом обычно употребляются с такими обозначениями времени, как:

yesterday вчера
the other day на днях
on Sunday в воскресенье
in 1980 в 1980 году

last week на прошлой неделе
an hour ago час тому назад
a month ago месяц назад
long ago давно и т.п.

Например:

They **married** in April, 1995.
I **took** the book from the library yesterday.
He **left** ten minutes ago.

Они **поженились** в апреле 1995 года.
Я **взял** книгу в библиотеке вчера.
Он **ушел** 10 минут назад.

Либо время их совершения становится ясным благодаря упоминанию места действия и других сопутствующих обстоятельств. Или то, что речь идет о прошедшем времени, определяется из контекста всей беседы или текста.

We **met** when I **was** in Germany. Мы **познакомились**, когда я **был** в Германии.
I **didn't** quite **catch** what you **said**. Я не совсем **расслышал**, что вы **сказали**.
He **changed** his point of view. Он **изменил** свою точку зрения.

Примечание: Past Indefinite употребляется в специальных вопросах, начинающихся с **when** *когда* и **where** *где*, так как такие вопросы относят действие к конкретной ситуации в прошлом:

When **did** you **see** him?
Where **did** you **see** him?

Когда ты его **видел**?
Где ты его **видел**?

2. Для выражения обычных, регулярно повторяющихся действий в прошлом:

He always **came** to school on time. Он всегда **приходил** в школу вовремя.
He never **talked** to us. Он никогда не **разговаривал** с нами.
Last winter I **spent** a lot of time in the library. Прошлой зимой я **проводил** много времени в библиотеке.

Вместо Past Indefinite для выражения повторяющихся, регулярных действий или длительных состояний в прошлом, не имеющих место и неактуальных в настоящем, часто употребляется **used to** (*иметь обыкновение*) в сочетании с инфинитивом смыслового глагола. На русский переводится прошедшим врем. несовершенного вида, часто с наречием *обычно, бывало*, например:

I **used to write** home twice a week. Я **бывало писал** домой дважды в неделю.
She **used to get up** early. Она **обычно вставала** рано.

Вопросительная форма данной конструкции образуется при помощи вспомогательного глагола **did**:

Did he **use to take** English lessons? Он **раньше брал** уроки английского языка?

Отрицательная форма образуется при помощи вспомогательного глагола **did** и отрицательной частицы **not (didn't use to)**; либо в форме **used not to**:

He **didn't use to take** English lessons? Он **раньше не брал** уроки английского языка.

3. Для выражения ряда прошедших действий, передаваемых в той последовательности, в которой они происходили:

He **opened** the door and **went out** of the room. Он **открыл** дверь и **вышел** из комнаты.

He **took** a book, **opened** it and **began** reading it. *Он взял книгу, открыл ее начал читать.*

Упражнение 1: *Раскройте скобки, употребив глаголы Past Indefinite (Simple):*

1. Yesterday evening I _____ (to watch) television.
a) watches; b) is watching; c) watched.
2. I _____ (to clean) my teeth three times yesterday.
a) is cleaning; b) cleans; c) cleaned.
3. Bernard _____ (to smoke) 20 cigarettes yesterday evening.
a) is smoking; b) smokes; c) smoked.
4. The concert last night _____ (to start) at 7.30 and _____ (to finish) at 10 o'clock.
a) starts ... finishes; b) started ... finished; c) is starting ... finished.
5. The accident _____ (to happen) last Sunday afternoon.
a) am happening; b) happens; c) happened.
6. When I was a child, I _____ (to want) to be a doctor.
a) wants; b) are wanting; c) wanted.
7. Mozart _____ (to live) from 1756 to 1791.
a) lives; b) is living; c) lived.
8. We _____ (to enjoy) our holiday last year.
a) enjoyed; b) am enjoying; c) enjoys.
9. We _____ (to stay) at a very good hotel.
a) is staying; b) stays; c) stayed.

Упражнение 2. *Раскройте скобки и употребите глаголы в Present Simple или Past Simple:*

1. She _____ (not / teach) at this school.
a) is not teaching; b) teaches; c) doesn't teach.
2. I _____ (not / know) his family.
a) is knowing; b) doesn't know; c) don't know.
3. You often _____ (see) them?
a) Do you often see ...; b) Does you often see ...; c) Did you often see ...
4. Agatha Christie _____ (write) over 75 detective stories.
a) wrote; b) is writting; c) writes.
5. She _____ (not / go) to school yesterday.
a) don't go; b) doesn't go; c) didn't go.
6. There _____ (be) an interesting film two days ago.
a) are; b) was; c) is.
7. Where _____ (you / go) for your holidays two years ago?
a) did you go; b) do you go; c) does you go.
8. Last week we _____ (be) at the library.
a) are; b) was; c) were.
9. He often _____ (bring) me flowers.
a) bring; b) brings; c) brought.

10. _____ (you / meet) Paul yesterday?
 a) Did you meet; b) Does you meet; c) Are you meeting.
11. My grandfather _____ (retire) two years ago.
 a) retires; b) retire; c) retired.

Модальные глаголы

Модальными называются глаголы, выражающие не действие, а отношение к нему: возможность, необходимость, способность, вероятность и т. д. совершения действия, выраженного инфинитивом смыслового глагола, следующего за модальным.

Модальные глаголы всегда употребляются *с инфинитивом* смыслового глагола, образуя составное глагольное (модальное) сказуемое.

Эти глаголы называют еще недостаточными, так как у них отсутствует ряд грамматических форм, присущих другим глаголам:

1. Они не изменяются по лицам и не имеют окончания **-s** в 3-м лице ед. числа (кроме эквивалентов модальных глаголов).

2. У них нет неличных форм инфинитива, причастия и герундия, а потому не имеют сложных видовременных форм (будущего времени, длительных и перфектных форм).

3. За исключением глаголов **can (could)** и **may (might)** модальные глаголы имеют только одну форму настоящего времени.

Они имеют следующие особенности:

1. Инфинитив смыслового глагола, следующий за модальным глаголом употребляется без частицы **to**. Но модальный глагол **ought**, глаголы **to have** и **to be** в роли модальных, а также эквиваленты **to be able** и **to be allowed** требуют после себя инфинитива с частицей **to**. Эти глаголы далее сопровождаются круглыми скобками с частицей **to** внутри (**to**).

2. В вопросительном и отрицательном предложениях они употребляются без вспомогательного глагола (кроме глагола **to have**). В вопросительном предложении модальный глагол (точно также, как и первый вспомогательный) ставится перед подлежащим.

3. Отрицательная форма образуется при помощи частицы **not**, которая ставится после модального глагола.

В группу модальных глаголов входят:

Модальный глагол и его эквивалент	Выражает	Present	Past	Future
Чисто модальные глаголы (4) и их эквиваленты				
can	<i>мочь, уметь, быть в состоянии</i>	can	could	— — —
to be able (to)		am/is/are able (to)	was/were able (to)	shall/will be able (to)

may	<i>мочь, иметь разрешение</i>	may	might	– – –
to be allowed (to)		am/is/are allowed (to)	was/were allowed (to)	shall/will be allowed (to)
must	<i>быть должным</i>	must	– – –	– – –
ought (to)	<i>следует, следовало бы</i>	ought (to)	– – –	– – –
Эквиваленты глаголов долженствования (must, ought, shall, should)				
to have (to)	<i>вынужден, приходится</i>	have/has (to)	had (to)	shall/will have (to)
to be (to)	<i>должен (по плану)</i>	am/is/are (to)	was/were (to)	– – –
Многофункциональные глаголы в роли модальных				
shall	<i>обязан, должен</i>	– – –	– – –	shall
should	<i>следует, следовало бы</i>	should	– – –	– – –
will	<i>желать, намереваться</i>	– – –	– – –	will
would	<i>желать; вероятно; бывало</i>	– – –	would	– – –
need	<i>нуждаться</i>	need	– – –	– – –
dare	<i>смечь</i>	dare	dared	– – –

Модальные глаголы могут употребляться со всеми формами инфинитива, при этом:

1) Если действие относится **к настоящему или будущему времени**, то употребляется простой инфинитив (Indefinite) или длительный (Continuous):

He can **play** tennis. Он умеет **играть** в теннис.

He may **be sleeping** now. Он, возможно, **спит** сейчас.

2) Если действие относится **к прошлому**, то употребляется перфектный инфинитив:

Where could he **have been**? Где это он мог **быть/(был)**?

You could **have taken care** of her. Вы могли бы **позаботиться** о ней.

Упражнение 1. Вставьте модальные глаголы **can** или **can't**, **could** или **couldn't**:

1. I'm sorry, but we _____ come to your party next Sunday.

a) can; b) can't; c) could.

2. She has the job because she _____ speak five languages.

a) can't; b) can; c) could.

3. You always speak very quietly. I _____ hear you.

a) can't; b) could; c) can.

4. Where is my bag? I _____ find it.

a) can't; b) could; c) can.

5. I like this room. You _____ see the mountains from the window.

a) can't; b) could; c) can.

6. I was tired but I _____ sleep.
a) can't; b) couldn't; c) can.
7. His eyes are not very good. He _____ see very well.
a) can; b) can't; c) could.
8. I wasn't hungry yesterday. I _____ eat my dinner.
a) can; b) can't; c) couldn't.
9. He _____ go to the party next Saturday.
a) can; b) can't; c) could.

Упражнение 2. Вставьте модальные глаголы **can** или **can't**, **could** или **couldn't**:

1. He _____ translate this article. It was very difficult.
a) can; b) can't; c) couldn't.
2. If you are tired, I _____ check spellings.
a) can; b) can't; c) could.
3. _____ you write when you were 5 years old?
a) can; b) can't; c) could.
4. When I was a child, I _____ play chess.
a) can; b) can't; c) could.
5. What a delicious dinner! Your mother _____ cook well!
a) can; b) can't; c) could.
6. _____ you swim? – Yes, I swim very well.
a) can; b) can't; c) could.
7. _____ you cook when you were 16?
a) can; b) could; c) couldn't.
8. They say animals _____ forecast the weather.
a) could; b) can; c) couldn't.
9. Computers _____ write but they _____ smell.
a) can ... couldn't; b) could ... can't; c) can ... can't.
10. My father _____ play football when he was 10.
a) can; b) could; c) couldn't.
11. He _____ answer any question now.
a) could; b) can; c) couldn't.
12. I think he _____ help you now.
a) couldn't; b) could; c) can.

Упражнение 3. Вставьте модальные глаголы **Can, Could, May, Must (+not if necessary)**:

1. _____ you speak English?
a) couldn't; b) must; c) can.
2. I think all birds _____ fly.
a) couldn't; b) could; c) can.
3. There is a large pizza on the table. You _____ take it.
a) may; b) could; c) couldn't.
4. Where is the book? You _____ look for my book now!

- a) can; b) may; c) must.
 5. _____ you help me? How _____ I go to the bar, please?
 a) can could; b) could can; c) couldn't may.
 6. There was too many mistakes in my test! Last year I _____ do it better.
 a) couldn't; b) could; c) can.
 7. You _____ go out if you need.
 a) may; b) could; c) can.

Упражнение 4: Вставьте модальные глаголы:

1. You _____ go out today. It's too cold.
 a) couldn't; b) mustn't; c) can.
 2. _____ I take your pen? – Do, please.
 a) couldn't; b) may; c) can.
 3. We _____ not carry the bookcase upstairs. It is too heavy.
 a) can; b) may; c) must.
 4. When _____ you come to see us? – I _____ come only tomorrow.
 a) can ... can; b) can ... couldn't; b) could ... can't.
 5. _____ I write a letter to him? – No, you _____, it is not necessary.
 a) May. neadn't; b) can ... can; c) can ... couldn't.
 6. You _____ meet Jill at the station.
 a) may; b) could; c) must.
 7. Mary _____ finish the work at once.
 a) must; b) could; c) can.
 8. You _____ drive to the airport. We are late for our flight!
 a) may; b) could; c) must.
 9. Peter _____ return the book to the library. We all want to read it.
 a) may; b) could; c) must.
 10. Why _____ not you understand it? It is so easy.
 a) may; b) could; c) can.

Future Indefinite образуется:

Будущее время образуется при помощи вспомогательных глаголов **shall** (в первом лице единственного и множественного числа) и **will** – во втором и третьем лице. В американском варианте языка употребляется **will** во всех лицах. В современном британском языке в 1-м лице допустимо употреблять как **shall**, так и **will**. Чаще они не различимы, так как в речи и на письме сокр. до **'ll**.

Чтобы образовать **вопросительную** форму, вспомогательные глаголы **shall** / **will** ставят перед подлежащим:

Shall/Will I see you tomorrow?

Увижу ли я вас завтра?

Will you go for a walk?

Ты пойдешь на прогулку? – Да. Я

– Yes, I'll go for a walk.

пойду на прогулку.

What **shall** we do tomorrow?

Что мы будем делать завтра?

Will в вопросе с **you** может означать вежливую просьбу:

Will you please open the window? *Откройте, пожалуйста, окно.*

Отрицательная форма строится так:

I **shall/will not** do this. *Я не сделаю этого.*

You **will not** (won't) be late. *Ты не опоздаешь.*

Более употребителен краткий вариант с won't, а форма You'll not be late. – вообще не употребляется.

Future Indefinite (Simple Future) употребляется

для выражения:

1. Однократного действия, которое совершится или будет совершаться в будущем;
2. Регулярно повторяющихся действий в будущем;
3. Ряда последовательных действий в будущем.

На русский язык переводится глаголами будущего времени совершенного или несовершенного вида в зависимости от смысла.

1. Однократного действия в будущем. На будущее время могут указывать обстоятельства времени, например:

tomorrow *завтра*

next week *на следующей неделе*

next year *в будущем году*

in a week *через неделю*

in a few days *через несколько дней*

some day *когда – нибудь*

one of these days *на днях (по отношению к будущему)*

но нельзя the other day *на днях (так как это*

говорится по отношению к прошлому)

Например:

I **shall be free** tonight.

He **will return** to Moscow in a few days.

He **will sell** his little cottage some day.

We **will help** him.

Я буду свободен сегодня вечером.

Он вернется в Москву через несколько дней.

Он продаст свой домик когда – нибудь.

Мы поможем ему.

2. Регулярно повторяющихся действий в будущем:

I **shall write** to you every day.

Я буду писать тебе каждый день.

He **will take** English lessons twice a week.

Он будет брать английские уроки два раза в неделю.

3. Ряды последовательных действий в будущем:

He'll **ring you up** and **tell** you every-thing. *Он позвонит тебе и расскажет все.*

He **will take** a book, **open** it and **begin** to read it. *Он возьмет книгу, откроет ее и начнет читать.*

Примечание 1: Future Indefinite не употребляется в придаточных предложениях условия или времени. В этих случаях употребляется Present Indefinite, но переводится

будущем времени. When I **come** to the country I **shall go** skiing. Когда я **приеду** в деревню, я **пойду** кататься на лыжах.

Примечание 2: В разговорном британском английском языке при образовании форм будущего времени в 1-м лице единственного и множественного числа глагол **will** под влиянием американского английского вытесняет глагол **shall**. При этом **shall** сохраняется в вопросах (просьбах) дать указание, совет или разрешение, а также в случаях, когда говорящий вызывается сделать что-либо.

Shall I see you tomorrow?	Увидимся завтра? (<u>Первое</u> – просьба о разрешении;
Will I see you tomorrow?	<u>второе</u> – просто вопрос о действиях завтра)
Shall we dance?	Потанцуем? (<u>Первое</u> – приглашение танцевать; <u>вто-</u>
Will we dance?	<u>рое</u> – просто вопрос)
Shall I translate?	Мне перевести? (говорящий вызывается сделать; спрашивает указания)

Упражнение 1. Раскройте скобки, употребляя глаголы в **Future Simple**.

1. I want to get a medical checkup. I (to go) to my doctor tomorrow. 2. He (to give) me a complete examination. 3. The nurse (to lead) me into one of the examination rooms. 4. I (to take) off my clothes and (to put) on a hospital gown. 5. Dr. Setton (to come) in, (to shake) my hand, and (to say) "hello". 6. I (to stand) on his scale so he can measure my height and my weight. 7. He (to take) my pulse. 8. Then he (to take) my blood pressure. 9. After he takes my blood pressure, he (to take) some blood for a blood analysis. 10. He (to examine) my eyes, ears, nose and throat. 11. He (to listen) to my heart with a stethoscope. 12. Then he (to take) a chest X-ray and (to do) a cardiogram (ECG or EKG). 13. After the checkup I (to go) home and (to wait) for Dr. Setton's call. 14. Dr. Setton (to call) me tomorrow afternoon and (to say) to me: "Stop worrying! Your blood analysis is excellent." He is a very good doctor.

Упражнение 2. Раскройте скобки, употребляя глаголы в **Future Simple**.

1. I want to get a medical checkup. I (to go) to my doctor tomorrow. 2. He (to give) me a complete examination. 3. The nurse (to lead) me into one of the examination rooms. 4. I (to take) off my clothes and (to put) on a hospital gown. 5. Dr. Setton (to come) in, (to shake) my hand, and (to say) «hello». 6. I (to stand) on his scale so he can measure my height and my weight. 7. He (to take) my pulse. 8. Then he (to take) my blood pressure. 9. After he takes my blood pressure, he (to take) some blood for a blood analysis. 10. He (to examine) my eyes, ears, nose and throat.

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