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# **АНГЛИЙСКИЙ ЯЗЫК для юристов**

*Учебно-методический комплекс  
для студентов заочного отделения  
юридического факультета*

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Данный учебно-методический комплекс по английскому языку предназначен для студентов юридического факультета, занимающихся на заочной форме обучения по специальности «Правоведение».

Издание содержит теоретический материал по грамматике, комплексы упражнений для его закрепления, текстовый материал с системой упражнений и задания для самостоятельной работы в течение межсессионного периода, а также словарь юридических терминов и тексты для дополнительного чтения.

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## ПРЕДИСЛОВИЕ

Учебно-методический комплекс предназначен для занятий по английскому языку на юридическом факультете (заочная форма обучения).

Комплекс состоит из шести частей: 1-я часть предназначена для занятий в период установочной сессии; 2-я часть – для занятий во время I семестра; 3-я часть – II семестра, 4-я – III семестра, 5-я – IV семестра, 6-я – тексты для дополнительного чтения.

В каждой части представлен грамматический материал с системой упражнений для его первичного закрепления. Издание также содержит текстовый материал по специальности «Правоведение». Аутентичные тексты снабжены активным словарем, а также лексическими предтекстовыми и послетекстовыми упражнениями.

В конце каждой части дается задание для самостоятельной работы в течение межсессионного периода. Оно состоит из:

1) вопросов для самоконтроля; 2) текстов для самостоятельного чтения с пред- и послетекстовыми заданиями; 3) контрольных работ по изученному грамматическому материалу.

## 1 курс

# ЧАСТЬ I

## Установочная сессия

## UNIT 1

## Vitebsk State University

**Упр. 1. Потренируйте в чтении активную лексику урока:**

University – университет; faculty – факультет; to train – обучать; foundation – основание; establishment – учреждение; department – отделение; building – здание; hostel – общежитие; gym hall – спортзал; camp – лагерь; full (day)-time department – дневное отделение; part-time department – заочное отделение.

**Упр. 2. Прочитайте и переведите следующие интернациональные слова:**

University, education, institution, tradition, republic, professional, date, type, territory, modern, center, international, regional, conference, agricultural, practice, museum, faculty, decorative, literature, student.

**Упр. 3. Прочитайте и выучите названия факультетов:**

The Law Faculty, the Physics Faculty, the Philology Faculty, the Mathematical Faculty, the Faculty of Belarussian Philology and Culture, the Faculty of History, the Faculty of Social Studies, the Physical Training and Sport Faculty, the Arts Faculty, the Faculty of Education, the Faculty of Further and Advanced Training, the Biology Faculty.

**Множественное число существительных**

	Окончание	Произношение	Единственное число	Множественное число
1. После звонких согласных и гласных	s	[z]	a boy a dog a hand	boys dogs hands
1. После глухих согласных	s	[s]	a book a cat	books cats
3. После шипящих и свистящих звуков, которые дают следующие буквы и буквосочетания: s [s], ss [s], x [ks],	es	[iz]	a bus a box a brush a match	buses boxes brushes matches

ch [tʃ], tch [tʃ], sh [ʃ]				
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### Особые случаи образования множественного числа:

Man (мужчина) – men

Woman (женщина) – women [ˈwɪmɪn]

Foot (нога) – feet

Child (ребенок) – children

Fish (рыба) – fish

Hair (волос) – hair

Fruit (фрукт) – fruit

**Упр. 4. Прочтите следующие существительные, обращая внимание на правильное произношение окончаний множественного числа:**

Universities, institutions, traditions, professionals, dates, establishments, types, territories, centers, conferences, departments, faculties, studies, buildings, hotels, botanical gardens, biological stations, fields, stadiums, gym halls, camps, houses, museums, arts, numbers, students.

**Упр. 5. Переведите на английский:**

Четыре университета, пять студентов, учебные учреждения, много традиций, три типа, два отделения, двенадцать факультетов, четыре корпуса, шесть общежитий, пять музеев, семь спортзалов.

### Неопределенный артикль

<b>a</b> перед согласн. <b>a book</b>	<b>an</b> перед гласными <b>an apple</b>	Употребляется с исчисляемыми существительными в единственном числе, когда речь идет о предмете, упоминаемом впервые.
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**Упр. 6. Вставьте правильную форму неопределенного артикля:**

... end, ... apple, ... bed, ... aim, ... small table, ... nice bag, ... old flat, ... easy lesson.

**Упр. 7. Определите, какие существительные являются а) исчисляемыми; б) неисчисляемыми. Поставьте неопределенный артикль перед исчисляемыми существительными:**

Stamp, book, petrol, tree, air, money, pound, music, job, work, apple, soup, plane, problem, information, flower, wine, rice, water, car, blood, sugar, meat, camera.

### Определенный артикль

<b>the</b> [ðə] перед согл.  <b>the book</b>	<b>the</b> [ði:] перед гласн. <b>the apple</b>	Употребляется с исчисляемыми и неисчисляемыми существительными в единственном и множественном числе, когда речь идет о конкретных предметах, известных говорящему.
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**Упр. 8. Определите, какие существительные являются а) исчисляемыми; б) неисчисляемыми. Поставьте неопределенный артикль перед исчисляемыми существительными:**

Education, name, republic, foundation, establishment, faculty, biology, practice, museum, television, history, hostel, building, literature, camp.

**Упр. 9. Вставьте артикль, где необходимо:**

1. This is ...university. 2. ...Vitebsk State University is ... old educational institution. 3. I can see ... three people. They are ... students. 4. ... University has ... publishing house. 5. There is ... museum in this town. ... museum is very old. 6. ...students are very interested in studies. 7. My sister wants to be ... doctor. 8. ... teacher asked us to read ...text. 9. Jane is fond of ...music. 10. ... class is over at 3 o'clock.

### Притяжательный падеж существительных

Притяжательный падеж передает различные оттенки принадлежности и употребляется с одушевленными существительными, а также с некоторыми неодушевленными, обозначающими время, расстояние, время года, день, месяц, название страны, реки, города:

<i>Единственное число</i>	<i>Множественное число</i>
My sister's letter.  Письмо моей сестры.  The student's book. Книга студента.  Aunt Julia's face. Лицо тети Джулии.	These students' book.  Книга этих студентов.  The Petrovs' room. Комната Петровых (семьи).

В некоторых случаях, при обозначении места (дома, квартиры, магазина...), опорные существительные опускаются. Например, вместо **at the baker's shop** говорят просто **at the baker's** – в булочной, **at the brother's** у моего брата (т.е. в доме брата), **at the hairdresser's** в парикмахерской и т.п.

**Упр. 10. Переведите на русский язык:**

The students' dictations, the student's dictation, the teacher's keys, at the doctor's, Mary's answer, the child's mother, P.M. Masharov's memorial museum.

**Упр. 11. Переведите на английский язык:**

Стол преподавателя, работы студентов, книга студента, имя преподавателя, ручки студентов, Анин учебник, статьи профессора Иванова, сын врача, учитель брата, кабинет декана.

**Личные и притяжательные местоимения**

Ли- цо	Личные местоимения		Притяжательные местоимения	
	Именит. падеж	Объектный падеж	I форма (справа стоит существительное)	II форма (су- ществ. справа нет)
1.	I	me – мне, меня	my – мой, мои	mine
2.	-	-	-	-
3.	<div style="display: inline-block; vertical-align: middle;"> <div style="font-size: 2em; vertical-align: middle;">{</div> <div style="display: inline-block; vertical-align: middle;"> he she it </div> </div>	him – ему, его her – ей, ее it – его, ее	his – его her – ее its – его, ее	his hers its
1.	we	us – нам, нас	our – наш, наши	ours
2.	you	you – вам, вас	your – ваш, ваши	yours
3.	they	them – им, их	their – их	theirs

**Упр. 12. Переведите на английский язык:**

Their flat, a friend of mine, your table, our classroom, his name and mine, my room and yours, your book and hers, their house and ours, his car and yours, our teacher and theirs, your letter and his, her mother, their newspaper.

**Упр. 13. Переведите на английский язык:**

Наши проблемы, их игра, ее манеры, их пример, ваши дети, его ученики, моя первая учительница, его музыка, его (дома) стены, ее (газеты) статьи, их (книг) страницы, их отец, эта книга моя, а эта – твоя, этот дом наш, а этот – её, эти учебники их, а эти – наши.

**Упр. 14. Замените личным местоимением:**

My sister, Robert Brown, these books, a cat, our rivers, you and me, Olga, Minsk, Moscow, my dogs, Nick and Mike.

### Спряжение глагола to be

	Present Indefinite	Past Indefinite	Future Indefinite
Утвердительная форма	I am You are He } She } is It } We are You are They are	I was You were He } She } was It } We were You were They were	I shall be You will be He } She } will be It } We shall be You will be They will be
Вопросительная форма	Am I? Are you? Is { he? she? it? Are we? Are you? Are they?	Was I? Were you? Was { he? she? it? Were we? Were you? Were they?	Shall I be? Will you be? Will { he be? she be? it be? Shall we be? Will you be? Will they be?
Отрицательная форма	I am not You are not He } She } is not It } We are not You are not They are not	I was not You were not He } She } was not It } We were not You were not They were not	I shall not be You will not be He } She } will not be It } We shall not be You will not be They will not be

**Упр. 15. Переведите на русский язык:**

1. He is at the University. 2. I'm from Vitebsk. 3. They were ill. 4. She is 25. 5. We are first year students. 6. He was young that time. 7. We will be free soon. 8. You were in Kiev. 9. I was busy all day yesterday. 10. They will be here tomorrow.

**Упр. 16. а) Сделайте предложения отрицательными и вопросительными.  
б) Поставьте предложения в прошедшее и будущее время.**



**Запомните следующие словосочетания,  
в состав которых входит глагол to be:**

to be ready	быть готовым
to be afraid of	бояться
to be proud of	гордиться
to be late	опаздывать
to be good at	иметь способности к (чему-либо)
to be fond of	увлекаться (чем-то)
to be sure of	быть уверенным
to be glad	радоваться
to be tired	быть усталым
to be sorry	сожалеть; извиняться
to be over	заканчиваться
to be on	идти (о фильме, спектакле)
to be married	быть женатым, быть замужем

**Упр. 17. Укажите, в каком времени стоит глагол to be, переведите предложения:**

1. You will be proud of me. 2. Why are you late? 3. He is fond of music. 4. I'm glad to see you. 5. We were tired. 6. The lesson is over. 7. What is on at the cinema "Belarus"? 8. We are not afraid of you. 9. She is good at nothing. 10. I was sure of it. 11. Why are you so tired? 12. You will be sorry for this one day.

**Упр. 18. Вставьте глагол to be в нужной форме:**

1. My grandmother ... young at that time. 2. I ... glad to see you tomorrow. 3. ... you ready for the lesson today? 4. I ... not sure of it. 5. You ... married next year. 6. The film ... over at 3 o'clock. 7. I ... tired in the evening. 8. When I ... small, I wanted to become a doctor. 9. Yesterday they ... together. 10. We ... friends at school. 11. ... you fond of music? 12. She ... good at languages.

**Упр. 19. Переведите на английский язык:**

1. В «Беларуси» идет интересный фильм. 2. Я горжусь тобою. 3. Почему ты опоздал? 4. У меня нет способностей к математике. 5. Сколько лет этим девочкам? 6. Нет, они не из нашей группы. 7. Мы из Беларуси. 8. Я буду рада видеть вас. 9. Ты в этом уверен? 10. Занятия закончатся в 2 часа. 11. Он еще не старый. 12. Когда ты там был?

**Конструкция с вводным there (is, are ...)**

Предложения с оборотом there is утверждают наличие или отсутствие какого-либо предмета (предметов) в определенных условиях (в данном месте, в данное время и т.д.). На русский язык они переводятся предложениями, начинающимися с обстоятельства. Глагол to be в

обороте может употребляться в разных временных формах.

There are different books on the shelf.

There were many mistakes in your dictation.

There will be a meeting after classes.

В вопросах компоненты конструкции there is меняются местами:

Is there a newspaper on the desk? – Yes, there is.

**Упр. 20. а) Переведите на русский язык:**

1. There are two departments at our University. 2. There is an agricultural biological station at our University. 3. There were 10 faculties at the University, and now there are 11 ones. 4. There is no Philosophical Faculty at our University. 5. There will be more classes next week. 6. There are 5 museums at the University. 7. There is the Law Faculty here. 8. There will be a new hostel at the University next year.

**б) Постройте общий и специальный вопросы к данным предложениям.**

**Спряжение глагола to have иметь**

<i>Present</i>		<i>Past</i>		<i>Future</i>	
I	have	I	} had	I shall	} have
You	have	You		You will	
He	} has	He		He will	
She		She		She will	
It		It		It will	
We		We		We shall	
You	have	You		You will	
They	have	They		They will	

**Примечание:** Часто в разговорной речи вместо have, has употребляется сочетание have got, has got (краткие формы 've got и s'got) с тем же значением: We've got a nice flat. – У нас хорошая квартира.

**Упр. 21. Переведите на английский язык:**

1. В Витебске 4 высших учебных заведения. 2. У нас в университете 12 факультетов. 3. Университет имеет хорошую базу для подготовки специалистов. 4. Завтра у нас будет три пары. 5. У них было время помочь нам. 6. Библиотека университета имеет много литературы. 7. Юридический факультет имеет много хороших традиций. 8. Университет имеет два отделения – дневное и заочное.

**Упр. 22. Прочитайте и переведите текст:**

## Vitebsk State University

Vitebsk State University named after P.M. Masherov is the oldest higher educational institution in the Republic of Belarus. It is famous for its main traditions in training professionals. The date of foundation is 1910. It was the first educational establishment of such a type on the territory of modern Belarus. Today the University is a center of international republican and regional conferences.

There are 2 departments at the University: a day-time department and a part-time department. The University has 12 faculties: the Biology faculty, the Physics faculty, the Philology faculty, the Mathematical faculty, the Law faculty, the Faculty of Belarussian Philology and Culture, the Faculty of History, the Faculty of Education, the Faculty of Social Studies, the Physical Training and Sport Faculty and the Arts Faculty, The Faculty of Further and Advanced Training. The University has 4 buildings, 6 hostels, a botanical garden, agricultural biological station, a center for field practice, a stadium, 7 gym halls, a camp, calculating and television centers, a publishing house, 5 museums. They are the museum of the history of the University, P.M. Masherov's memorial museum, the museum of Biology, the museum of literature and the museum of decorative and applied arts.

Now the total number of students is more than 5000.

***Упр. 23. Дайте английские эквиваленты следующим словосочетаниям:***

Высшее учебное заведение, дата основания, вычислительный центр, декоративно-прикладное искусство, сельскохозяйственная станция, полевая практика, издательский центр, общежитие, корпус университета, дневное и заочное отделения, подготовка специалистов.

***Упр. 24. Скажите, с какими существительными употреблялись в тексте следующие числительные:***

2, 12, 1910, 6, 4, 5.

***Упр. 25. Ответьте на вопросы по тексту:***

1. What is the full name of our university?
2. What is the date of its foundation?
3. How many faculties are there at the University?
4. How many departments does the University have?
5. What is there at the University to provide proper education?
6. What museums are there at the University?

***Упр. 26. Продолжите следующие предложения:***

1. The full name of our University is ... .
2. The date of foundation is ... .
3. The university is famous for ... .

4. There are 2 ... at the University - ....
5. The University has 11 ... . They are ... .
6. To provide proper education there are ... at the University.
7. There are 5 ... at the University. They are ... .
8. I am a ... year student of the ... department of the ... faculty.

**Упр. 27. Расскажите о Витебском государственном университете.**

## UNIT 2

### Law Breakers

**Упр. 1. Потренируйте в чтении активную лексику урока:**

1. crime – преступление;
2. law – закон;
3. punishment – наказание;
4. arson – поджог;
5. shop-lifting – кража в магазине;
6. murder – убийство;
7. offence – правонарушение;
8. burglary – ночная кража со взломом;
9. kidnapping – похищение людей;
10. robbery – ограбление;
11. accompliceship – соучастие в преступлении;
12. assassination – убийство, террористический акт;
13. theft – кража;
14. hijacking – воздушное пиратство;
15. treason – государственная измена;
16. forgery – подлог, фальсификация;
17. bigamy – бигамия (двоеженство, двоемужие);
18. desertion – дезертирство;
19. smuggling – контрабанда;
20. bribery – взяточничество;
21. mugging – хулиганство, групповое нападение;
22. prison – тюрьма (исправительное учреждение, в котором правонарушители отбывают наказание сроком более одного года);
23. jail – тюрьма (исправительное учреждение, в котором правонарушители отбывают наказание сроком от 48 часов до года);
24. capital punishment – смертная казнь;
25. sentence – приговор;
26. fine – штраф;
27. victim – жертва;

28. to commit (a crime) – совершать (преступление);  
 29. judge – судья;  
 30. witness – свидетель;  
 31. assault – нападение;  
 32. bribery – взяточничество;

**Упр. 2. а) Прочитайте и переведите пары слов, принимая во внимание, что второе слово в паре обозначает производителя действия:**

- arson – arsonist;  
 shop-lifting – shop-lifter;  
 murder – murderer;  
 offence – offender;  
 burglary – burglar;  
 kidnapping – kidnapper;  
 robbery – robber;  
 accompliceship – accomplice;  
 assassination – assassin;  
 theft – thief;  
 hijacking – hijacker;  
 treason – traitor;  
 forgery – forger;  
 bigamy – bigamist;  
 desertion – deserter;  
 smuggling – smuggler;  
 bribery – briber (bribe-giver), bribe-taker;  
 mugging – mugger;

**б) Назовите наиболее распространенные суффиксы английского языка, обозначающие производителя действия.**

**Упр. 3. Соедините слово слева с его дефиницией справа.**

1) an arsonist	a) attacks and robs people, often in the street;
2) a shop-lifter	b) sets fire to property illegally;
3) a mugger	c) is anyone who breaks the law;
4) an offender	d) breaks into houses or other buildings to steal;
5) a vandal	e) steals from shops while acting as an ordinary customer;
6) a burglar	f) kills someone;
7) a murderer	g) deliberately causes damage to property;
8) a kidnapper	h) steals things from people's pockets in crowded places;
9) a pickpocket	i) gets secret information from another country;
10) an accomplice	j) buys and sells drugs illegally;

11) a drug dealer	k) takes away people by force and demands money for their return;
12) a spy	l) helps a criminal in a criminal act;
13) a terrorist	m) uses violence for political reasons;
14) an assassin	n) causes damage in public places;
15) a hooligan	o) hides on a ship or plane to get a free journey;
16) a stowaway	p) takes control of a plane by force and makes the pilot change course;
17) a thief	q) murders for political reason or a reward;
18) a hijacker	r) is someone who steals;
19) a forger	s) makes false money or signatures;
20) a robber	t) is a member of a criminal group;
21) a smuggler	u) steals money or other things from people or places;
22) a traitor	v) marries illegally, being married already;
23) a gangster	w) is a soldier who runs away from the army;
24) a deserter	x) brings goods into a country illegally without paying tax;
25) a bigamist	y) illegally carries drugs into another country;
26) a drug smuggler	z) betrays his or her country to another state;

**Упр. 4. Заполните таблицу, подобрав необходимое производное слово.**

	<i>Criminal</i>	<i>Crime</i>
<b>1</b>	murderer	
<b>2</b>	forger	
<b>3</b>	robber	
<b>4</b>	arsonist	
<b>5</b>	traitor	
<b>6</b>	burglar	
<b>7</b>	hijacker	
<b>8</b>	assassin	
<b>9</b>	shop-lifter	
<b>10</b>	kidnapper	
<b>11</b>	thief	
<b>12</b>	smuggler	
<b>13</b>	offender	
<b>14</b>	bigamist	
<b>15</b>	mugger	

**Упр. 5. Разделите всех известных вам участников преступных деяний на группы в зависимости от типа правонарушения:**

- на фелонии (felony);
- мисдиминоры (misdemeanor);
- деликты, или гражданские правонарушения (tort);
- нарушения (violation);

Felony – serious crime, subject to punishment of one year or more in prison, or to capital punishment.

Misdemeanor – crime less serious than a felony and subject to a maximum sentence of one year in jail or a fine.

Violation – infraction of the law for which normally only a fine can be imposed.

Tort - wrong committed by one person against another, other than mere violation of a contract, which entitles the victim to compensation.

**Упр. 6. Переведите на русский язык:**

An accomplice, a spy, a drug smuggler, a stowaway, a mugger, a hijacker, a robber, an offender, a burglar, a kidnapper, a bigamist, an assassin, a thief, a traitor, a shop-lifter, a forger, a murderer, an arsonist, an accomplice.

**Упр. 7. Переведите на английский язык:**

Предательство – предатель, контрабанда – контрабандист, поджог – поджигатель, воровство (кража) – вор, соучастие – соучастник, правонарушение – правонарушитель, воровство в магазине – вор в магазине, уличное ограбление – уличный грабитель, взлом – вор-взломщик, ограбление – грабитель, дезертирство – дезертир, бигамия – двоеженец (двоемужница), наемное убийство – наемный убийца, похищение людей – похититель людей, наркоторговля – наркоторговец, наркотрафик – наркокурьер, угон самолета – угонщик самолета.

**Неопределенные местоимения и наречия, производные от some, any, no**

Неопределенные местоимения	Производные слова			
	<i>body</i>	<i>one</i>	<i>thing</i>	<i>where</i>

<b>some</b> несколько, некоторые какой-нибудь, некото- рое количество	somebody кто-то, кто- нибудь	someone кто-то, кто- нибудь	something что-то, что- нибудь	somewhere где-то, куда-то
<b>any</b> какие-либо, ка- кие-нибудь, сколько- нибудь	anybody кто-то, кто- нибудь	anyone кто-то, кто- нибудь	anything что-нибудь	anywhere где-то, куда-то
<b>no</b> никакие	nobody никто, никого	no one никто, никого	nothing ничто, ничего	nowhere нигде, никуда

**Упр. 8. Переведите на русский язык:**

1. Are there ... victims in the accident? 2. Are there ... questions to the inspector? – Yes, there are ... questions to the inspector. 3. There were ... arsons in this district. 4. There is ... strange in the woman's story. 5. There is ... in the courtroom. 6. Are there ... new facts in this case. 7. There are ... jails in this town. 8. The sheriff stated that there were ... burglaries in the area.

**Упр. 9. Сделайте предложения отрицательными и вопросительными:**

1. There is nobody in the courtroom. 2. There was something in the newspaper about this robbery. 3. There are some assassins in the prisons. 4. There are some interesting articles about the rise of crime rate in big cities. 5. There will be some policemen there. 6. There was a photo of a serial killer on the wall. 7. There was somebody behind the door of the courtroom.

**Упр. 10. Переведите на английский язык:**

1. Есть ли у вас какая-нибудь информация об ограблении банка «Националь»? 2. У него не было причин для убийства мистера Брауна. 3. В этом деле есть странные факты. 4. В этом городе есть тюрьма? 5. У них нет новых сведений по делу об угоне самолета. 6. Будет ли у нас время обсудить детали дела о краже со взломом на улице Горького? 7. В зале суда никого нет. 8. Есть ли что-нибудь новое по делу о нападении на миссис Грин? 9. Будет ли какой-нибудь штраф безбилетному пассажиру в автобусе? 10. У судьи есть вопрос к свидетелю преступления.

**Неопределенные местоимения many, much, little, a little, few, a few**

<i>Исчисляемые существительные</i>	<i>Неисчисляемые существительные</i>
Many – много There are many students here.	Much – много There is much light in the room.
Few – мало I have few English books.	Little – мало I have very little time.
A few – немного, несколько I have many Russian books but a few English books.	A little – немного I have a little time, I can help you.



**Примечание:** much и many употребляются преимущественно в вопросительных и отрицательных предложениях. В утвердительных предложениях вместо них употребляются выражения a lot of, lots of, plenty of, a great deal of, a large number of, a good many.

**Упр. 11. Переведите на русский язык:**

1. Criminal justice specialists collect many kinds of data from fingerprints to survey information. 2. Until the 1970s the subject of women and crime had received little attention from the mass media. 3. Very few mass and serial murderers have an apparent motive. 4. Simple assault is an attack that inflicts little or no physical harm on the victim. 5. In the last few years, the number of spectacular terrorist acts has declined. 6. Murder, assault, rape, robbery, kidnapping, and many terrorist activities all have a common component: violence against a person. 7. Statistical measures of crime indicate that few property crimes are solved by arrest. 8. There are a few independent agencies who collect crime statistics. 9. There is little doubt that punishment of violators is an important purpose of the criminal justice process.

**Упр. 12. Переведите на английский язык:**

1. У нас мало информации об ограблении банка «Националь». 2. У обвиняемого было мало времени для убийства. 3. В этом деле много необъяснимых фактов. 4. В Пенсильвании много тюрем для женщин. 5. У них мало сведений по делу о поджоге. 5. В зале суда еще мало людей. 6. У следователя недостаточно (мало) доказательств по делу о нападении на миссис Грин. 6. Судья задал несколько вопросов свидетелю. 7. У него было несколько минут, чтобы просмотреть это дело. 8. В зале суда было мало воздуха, и судья попросил немного воды.

**Упр. 13. Прочитайте текст со словарем:**

**Violent Crime Trends in Large and Midsized Cities**

Despite all the problems of crime measurement, one strength of the Uniform Crime Reports (UCR) is that they can point out interesting trends in crime rates. One such trend, reported by the FBI, is that violent crime rates have skyrocketed in midsized cities while rates in the largest American cities have actually fallen.

The traditional view held by most Americans is that the greatest danger of becoming a crime victim resides with people living in New York City, Chicago, Los Angeles, and other megacities, and that smaller cities are safe. But the new data indicate a person has a higher statistical chance of being murdered in Jacksonville, Florida, Charlotte, North Carolina, Milwaukee, Wisconsin, or other cities of that size. The UCR data show that in 1990 the violent crime rate in cities with populations of 500,000 to 1,000,000 jumped 16 percent, double the rise recorded in the very largest American cities.

Police in smaller cities, too, have recognized the trend. In Redford Township, Michigan, which borders Detroit's west side, Detective Lieutenant Wilson Bailey has seen armed robberies go from one or two a year to over two hundred, all in 11.5 square miles. Bailey credits the drug trade for the increase, and says it's a problem in small communities all over, that it's more than just spillover from Detroit. The connection between drugs and crime is supported by statistics. The percent of jail and prison inmates who have used drugs is about twice the percent of drug users in the general population.

The public perception in smaller cities that crime is a big-city issue may actually hurt police. In New Milford, New Jersey, population 15,990, when a state arbitrator supported a 27 percent pay increase for police, the municipal government solved its budget problems by threatening to lay off seven police officers. A compromise was reached. Despite serious financial trouble in New York City, the Police Department will expand from 26,000 to 31,351 by 1994.

Big crime is not just a big-city problem any more, according to the Uniform Crime Reports. And that's a statistic of concern to citizens of all communities.

### UNIT 3

#### The Causes of Crime

**Упр. 1. Потренируйте в чтении профессиональную лексику:**

1. criminal proclivity – склонность к преступлениям;
2. inclination to criminal activity – склонность к преступной деятельности;
3. heredity – наследственность;
4. law-abiding person – законопослушный человек;
5. innate disposition to crime – внутренняя предрасположенность к преступлению;
6. to investigate – расследовать, исследовать;
7. evidence – доказательство, улика;
8. crime against person – преступление против личности;
9. crime against property – преступление против собственности;
10. homicide – убийство;
11. blame – вина;
12. crime rate – уровень преступности;
13. juvenile crime – подростковая преступность;
14. to convict – осуждать, признавать виновным;
15. convict – осужденный;
16. to be prone to criminality – быть склонным к преступности;
17. criminal behaviour – поведение преступника;

**Упр. 2. Переведите группы слов на русский язык, обращая внимания на аффиксы различных частей речи:**

1. To inform – information – informative – informed – uninformed.
2. To punish (наказывать) – punishment – punitive;
3. To explain (объяснять) – explanation – explained – explaining – explanatory;
4. To relate(относиться) – relation – interrelation – relative – related;
5. To recognize (признавать) – recognition – recognizer – recognizable – recognizing – recognized;
6. To inherit (наследовать) – heredity – hereditary – inherited;
7. To compare (сравнивать) – comparison – comparative – compared – comparing;
8. To investigate (исследовать) – investigation – investigator – investigated – investigating;

**Упр. 3. Переведите словосочетания на английский язык:**

Информативный текст; лицо, дающее обязательство в суде; исследуемая проблема; связанный с осужденным; признавать ошибки; сравнительный анализ; штрафные санкции; наследственная черта; общепризнанное

мнение; сравнение уровня преступности разных лет; преступление и наказание; расследование убийства; несведущий работник; объясненный материал; относительный результат; взаимоотношения между сотрудниками; влияние наследственности; расследовать дело о нападении человека.

### Основные формы глаголов

Глаголы в английском языке имеют четыре формы:

а) инфинитив **the Infinitive** (глагол отвечает на вопрос *что делать?*): to go, to play, to help.

б) прошедшее неопределенное время **Past Indefinite** (V-ed, V<sub>2</sub> – вторая форма в таблице неправильных глаголов): went, played, helped.

в) причастие прошедшего времени **Past Participle** (Participle II) (V-ed, V<sub>3</sub> – третья форма в таблице неправильных глаголов): gone, played, helped.

г) причастие настоящего времени **Present Participle** (Participle I) (V-ing): going, playing, helping.

Английские глаголы бывают правильные и неправильные. Например: to play, to help – правильные, to be, to have, to go – неправильные. Правильность и неправильность глаголов учитывается при образовании Past Indefinite и Participle II. Формы неправильных глаголов даны в таблице в конце пособия.

**Упр. 4. Пользуясь таблицей неправильных глаголов, распределите следующие глаголы на две группы: правильные и неправильные:**

Ask, answer, sell, repeat, buy, teach, help, live, leave, work, walk, read, write, tell, give, eat, describe, go, remember, do, know, have.

**Упр. 5. Приведите формы данных инфинитивов:**

*Model:* to help – helped – helped – helping

to go – went – gone – going

To help, to leave, to walk, to go, to live, to work, to eat, to teach, to build, to make, to tell, to talk, to speak, to take, to think, to win.

**Видо-временные формы английского глагола**  
**в действительном залоге**

Indefinite } (Simple) } Простое }		Continuous } Длительное }	Perfekt } Завершенное }	Perfect } Continuous } Завершено- длительное }
Констатация факта		Процесс	Завершенность	Процесс уже в течение некоторого периода времени
to V		to be V-ing	to have V <sub>3</sub>	to have been V-ing
P R E S E N T	V, V-s  I write Я пишу (ча-сто)	am is V-ing are  I am writing Я пишу (сейчас)	have has V <sub>3</sub>  I have written Я написал (сегодня, уже, только что)	have been has V-ing  I have been writing Я пишу (уже час; с двух часов)
	V – ed, V <sub>2</sub>  I wrote Я (на)писал (вчера; два дня тому назад)	was were V-ing  I was writing Я писал (вчера в три часа; когда он вошел; пока он читал)	had V <sub>3</sub>  I had written Я написал (вчера к трем часам; до того, как он пришел)	had been V-ing  I had been writing Я писал (уже два часа, когда он пришел)
F U T U R E	shall/will V  I shall/will (I'll) write Я напишу, буду писать завтра.	shall/will be V-ing  I shall/will (I'll) be writing Я буду писать (завтра в 3 часа).	shall/will have V <sub>3</sub>  I shall/will (I'll) have written Я напишу (завтра к трем часам; до того, как он придет)	shall/will have been V-ing  I shall/will (I'll) have been writing Я буду писать (завтра уже 3 часа, когда он придет)

**Условные обозначения:** V – основа глагола; V-s – форма глагола в 3-ем лице ед. числа; V-ed – Past Indefinite стандартных глаголов; V2 – Past Indefinite нестандартных глаголов; V3 – Participle II как стандартных, так и нестандартных глаголов; V-ing – Participle I.

**Упр. 6. Используя таблицу, определите время следующих форм глаголов:**

- |                        |                    |              |
|------------------------|--------------------|--------------|
| 1. am V-ing            | 7. had V-ed        | а) настоящее |
| 2. V-s                 | 8. was V-ing       | б) прошедшее |
| 3. V                   | 9. will V          | в) будущее   |
| 4. have V-ed (V3)      | 10. has V-ed       |              |
| 5. V-ed                | 11. had been V-ing |              |
| 6. will have V-ed (V3) | 12. has been V-ing |              |

**Упр. 7. Соотнесите формы глагола с их видовыми характеристиками.**

- |                       |  |
|-----------------------|--|
| 1. to be V-ing        | а) констатация факта (Indefinite)  |
| 2. V-s, V             | б) завершенность действия (Perfect)  |
| 3. to have been V-ing | в) процесс, незаконченность действия (Continuous)  |
| 4. to have V-ed (V3)  | г) действие, совершающееся уже в течение определенного периода времени (Perfect Continuous). |
| 5. will V             |  |
| 6. V-ed               |  |

**Упр. 8. Прочтите русские предложения. Определите, какая характеристика действия заложена в каждом из выделенных глаголов:**

- 1) Я учу английский язык каждый день. 2) Я учу новые слова. Не мешай мне. 3) Я учил эти слова вчера. 4) Я выучил слова. Проверь меня. 5) Я буду учить слова завтра. 6) Я учил слова вчера, когда ты смотрел телевизор. 7) Я буду учить английский завтра в 6 часов вечера. 8) Вчера к 6 часам я уже выучил все слова. 9) Я надеюсь, что к 7 часам я их выучу. 10) Я изучаю английский уже 3 года. 11) Я учил слова уже час, когда пришла сестра. 12) На будущий год я буду изучать английский язык уже 5 лет.

**Упр. 9. Пользуясь таблицей временных форм глагола, определите, какую видовую характеристику вы выбрали бы для перевода следующих предложений:**

- а) незаконченность (процесс)
- б) завершенность (результат)
- в) констатация факта (регулярность)
- г) процесс + завершенность уже в течение определенного периода времени.

1) Я пишу

а) сейчас

б) уже 20 минут

в) каждый день.

2) Я написал сочинение

а) уже (на этой неделе)

б) вчера

в) вчера к 7 часам.

3) Я писал статью

а) вчера

б) вчера, когда вы пришли

в) вчера уже 3 часа, когда вы пришли.

4) Я напишу сочинение

а) завтра

б) завтра к 7 часам.

5) Я буду писать сочинение

а) когда он придет

б) уже час, когда ты придешь.

**Упр. 10 а) Запишите номер предложения в соответствующую колонку таблицы, предварительно определив видо-временную характеристику глагола в предложении:**

	Present	Past	Future
Simple			
Continuous			
Perfect			
Per- fect-Contin- uous			

1. Следователь допрашивал обвиняемого, когда вошел его помощник. 2. Я думаю, к 12 часам следователь уже допросит обвиняемого. 3. Следователь обычно допрашивает обвиняемых в этом кабинете. 4. Не мешайте следователю, он допрашивает обвиняемого. 5. Следователь допрашивает обвиняемого уже 2 часа. 6. Следователь уже допросил обвиняемого. 7. Следователь допрашивал обвиняемого 3 часа назад. 8. Вчера к обеду следователь допросил всех свидетелей. 9. Следователь допрашивал обвиняемого уже час, когда решил изменить тактику допроса. 10. Завтра следователь допросит всех свидетелей по этому делу. 11. Завтра в это время следователь будет занят, он будет допрашивать обвиняемого. 12. Через час следователь будет допрашивать осужденного уже в течение 5 часов.

**б) Запишите формы, которые приобретет глагол to question в каждом предложении.**

**Упр. 11а. Найдите сказуемое, определите его время и переведите, исходя из его характеристики:**

1. No one knows why crime occurs. 2. Joseph Gall tried to establish relationship between skull structure and criminal proclivities. 3. Present-day criminologists are discussing the problem nowadays. 4. Some theorists have explained inclination to crime by single theory. 5. Criminologists had discarded theological theory by XVII century. 6. Modern criminologists have been discussing crime theories for centuries. 7. While some investigators were measuring skull and bodies of criminals to find a link to crime, others were arguing that criminality was an inherited trait. 8. Psychological theories all assume that criminal behaviour results from underlying psychological problems. 9. Sociological theories have attempted to explain criminal behaviour in terms of group rather than individual factors. 10. By the mid-eighteenth century, social reformers were beginning to suggest a more rational approach to crime and punishment. 11. Some investigators still hold that specific abnormalities of the brain and of the endocrine system contribute to a person's inclination toward criminal activity. 12. Montesquieu attempted to relate criminal behaviour to natural, or physical environment. 13. Some criminologist had been investigating convicts' mental state during 20<sup>th</sup> century. 14. The experience of the United States since World War II has made evident that juvenile crime rate tends to rise. 15. American criminologist William Healy has indicated that about one-fourth of a typical convict population is psychotic, neurotic, or emotionally unstable.

**Упр. 11б. Прочитайте и переведите текст:**

### **The Causes of Crime**

(1) No one knows why crime occurs. The oldest theory, based on theology and ethics, is that criminals are perverse persons who deliberately commit crimes or who do so at the instigation of the devil or other evil spirits. Although this idea has been discarded by modern criminologists, it persists among uninformed people and provides the rationale for the harsh punishments still meted out to criminals in many parts of the world.

(2) Since the 18<sup>th</sup> century, various scientific theories have been advanced to explain crime. One of the first efforts to explain crime on scientific, rather than theological, grounds was made at the end of the 18<sup>th</sup> century by the German physician and anatomist Franz Joseph Gall, who tried to establish relationships between skull structure and criminal proclivities. This theory, popular during the 19<sup>th</sup> century, is now discredited and has been abandoned. A more sophisticated theory – a biological one – was developed late in the 19<sup>th</sup> century by the Italian criminologist Cesare Lombroso, who asserted that crimes were committed by people who are born with certain recognizable hereditary physical traits. Lombroso's theory was disproved early in the 20<sup>th</sup> century by the British criminologist Charles Goring. Goring's comparative study of jailed criminals and law-



abiding persons established that so-called criminal types, with innate dispositions to crime, do not exist. Recent scientific studies have tended to confirm Goring's findings. Some investigators still hold, however, that specific abnormalities of the brain and of the endocrine system contribute to a person's inclination toward criminal activity.

(3) Another approach to an explanation of crime was initiated by the French political philosopher Montesquieu, who attempted to relate criminal behavior to natural or physical environment. His successors have gathered evidence tending to show that crimes against person, such as homicide, are relatively more numerous in warm climates, whereas crimes against property, such as theft, are more frequent in colder regions. Other studies seem to indicate that the incidence of crime declines in direct ratio to drops in barometric pressure, to increased humidity, and to higher temperature.

(4) Many prominent criminologists of the 19<sup>th</sup> century, particularly those associated with the Socialist movement, attributed crime mainly to the influence of poverty. They pointed out that persons who are unable to provide adequately for themselves and their families through normal legal channels are frequently driven to theft, burglary, prostitution, and other offences. The incidence of crime especially tends to rise in times of widespread unemployment. Present-day criminologists take a broader and deeper view; they place the blame for most crimes on the whole range of environmental conditions associated with poverty. The living conditions of the poor, particularly of those in slums, are characterized by overcrowding, lack of privacy, inadequate play space and recreational facilities, and poor sanitation. Such conditions engender feelings of deprivation and hopelessness and are conducive to crime as a means of escape. The feeling is encouraged by the example set by those who have escaped to what appears to be the better way of life made possible by crime.

Some theorists relate the incidence of crime to the general state of a culture, especially the impact of economic crises, wars, and revolutions and the general sense of insecurity and uprootedness to which these forces give rise. As a society becomes more unsettled and its people more restless and fearful of the future, the crime rate tends to rise. This is particularly true of juvenile crime, as the experience of the United States since World War II has made evident.

(5) The final major group of theories are psychological and psychiatric. Studies by such 20<sup>th</sup> century investigators as the American criminologist Bernard Glueck and the British psychiatrist William Healy have indicated that about one-fourth of a typical convict population is psychotic, neurotic, or emotionally unstable and another one-fourth is mentally deficient. These emotional and mental conditions do not automatically make people criminals, but do, it is believed, make them more prone to criminality. Recent studies of criminals have thrown further light on the kinds of emotional disturbances that may lead to criminal behavior.

**Упр. 12. Соотнесите:****а) группы теорий и период их преобладания:**

Climatic theories	≅ 16-17 <sup>th</sup> century
Biological theories	≅ 18-19 <sup>th</sup> century
Theological and ethical theories	≅ 19 <sup>th</sup> century
Sociological theories	≅ early 20 <sup>th</sup> century
Psychological and psychiatric theories	≅ mid – 20 <sup>th</sup> century
Multiple causation theories	

**б) группы теорий и их идею:**

1. All criminals are perverse people.
2. Crimes depend on climate, humidity and temperature.
3. There are recognizable hereditary physical traits with innate dispositions to crime.
4. Crimes are related to the economic situation in the country.
5. Crimes are committed mostly by emotionally unstable and mentally deficient people.
6. Lots of factors (biological, psychological, cultural, economic) can be the causes of crime.

**Упр.13. Закончите предложения:**

1. Joseph Gall is ....
2. Cesare Lonbroso is ....
3. Charles Goring is ....
4. Montesquieu is ....
5. Bernard Glueck is ....
6. William Healy is ....

**Упр. 14. Найдите в тексте перевод следующих слов и выражений и воспроизведите контекст, в котором они употреблялись в тексте:**

1. Мошенничество.
2. Кража.
3. Убийство.
4. Кража со взломом.
5. Преступники и законопослушные граждане.
6. Преступное поведение.
7. Преступления против человека.
8. Преступления против собственности.
9. Совершать преступления умышленно.
10. Наследуемые черты.
11. Выдающиеся ученые-криминологи.
12. Уровень преступности.
13. Быть склонным к преступной деятельности.
14. Теория многообразия факторов.

**Упр. 15. Ответьте на вопросы:**

1. What concepts formed the basis of the earliest criminological theories?
2. How did the biological theories develop?
3. What was Montesquieu's approach to causes of crime?
4. What views on crime predominated in the 19<sup>th</sup> century?
5. How did criminological theories develop in the 20<sup>th</sup> century?

6. What is the relationship between the mental and emotional state of a person and his or her inclinations to crime?
7. What are the latest views on the causes of crime?

**Упр. 16. Переведите на английский язык:**

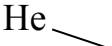
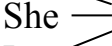

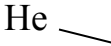
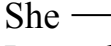
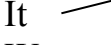







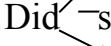


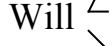

### **Преступность и ее причины**

Преступность и ее причины могут быть изучены на индивидуальном, групповом и социальном уровнях. Они имеют психологические, социологические и философские объяснения. Эти объяснения не противоречат друг другу, а дополняют одно другое, позволяя проанализировать причины преступности с различных сторон.

Существуют различные группы теорий, почему люди совершают преступления: теологическая, биологическая, климатическая, психолого-психиатрическая, социологическая, теория многообразия факторов.

**UNIT 4**  
**From the History of Law Systems**  
 Part 1

**Неопределенные времена (Indefinite Tenses)**

		<i>Present</i>	<i>Past</i>	<i>Future</i>
форма Утвердительная	Единств.	I write You write He  She  It  writes	I wrote You wrote He  She  It  wrote	I shall write You will write He  She  It  will write
	Множ.	We write You write They write	We wrote You wrote They wrote	We shall write You will write They will write
	число			
форма Вопросительная	Единств.	Do I write? Do you write? Does   she write?  it	Did I write? Did you write? Did   she write?  it	Shall I write? Will you write? Will   she write?  it
	Множ.	Do we write? Do you write? Do they write?	Did we write? Did you write? Did they write?	Shall we write? Will you write? Will they write?
	число			

ФормаОтрицательная	Единств.	I do not write You do not write He \ She - does not write It /	I did not write You did not write He \ She - did not write It /	I shall not write You will not write He \ She > will not write It /
	числоМнож.	We do not write You do not write They do not write	We did not write You did not write They did not write	We shall not write You will not write They will not write
	число			

Do not – don't

Does not – doesn't

Did not – didn't

Shall not – shan't

Will not – won't

### Употребление времен группы Indefinite

Present Indefinite	<ol style="list-style-type: none"> <li>Для выражения обычного или регулярно повторяющегося действия.</li> <li>Для выражения будущего действия в придаточных обстоятельственных предложениях времени и условия.</li> </ol>	<ol style="list-style-type: none"> <li>We take our examinations twice a year.</li> <li>They often go to the cinema.</li> <li>If you finish your work early ring me up.</li> <li>When you come we shall go to see our friends.</li> </ol>
Indefinite Past	<ol style="list-style-type: none"> <li>Для обозначения действия, совершившегося в прошлом.</li> <li>Для выражения ряда последовательных действий.</li> </ol>	<ol style="list-style-type: none"> <li>I saw him two days ago.</li> <li>In winter we went skating.</li> <li>In the morning I got at 7, took my breakfast and went to the Institute.</li> </ol>

IndefiniteFuture	<p>1. Для выражения действия, которое совершится в будущем.</p> <p>Примечание: to be going, to be about являются эквивалентами будущего времени</p> <p>1. They will come soon. 2. In summer we'll have our holidays.</p> <p>1. I'm going to enter the Institute. 2. He is about to enter the University.</p>
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**Упр. 1. Запомните слова-сигналы, которые подсказывают, что сказуемое надо употребить в:**

Present Indefinite – usually, always, every day, as a rule, sometimes, often, rarely (seldom);

Past Indefinite – yesterday, last week (month, year), two days ago, in May, on Sunday, in 1990;

Future Indefinite – tomorrow, tonight, next week (year, month), in a day (через день).

**Чтение окончания – (e)s в 3-м лице единственного числа**

<i>После глухих согласных</i>	<i>После гласных и звонких согласных</i>	<i>После –s, -z, -ss, -ch, -sh, -x</i>
[s]	[z]	[ɪz]
He looks He talks	He wonders He rides	He passes He teaches

**Запомните исключения:**

Идти to go – he goes [gouz]

Делать to do – he does [dʌz]

Говорить to say – he says [sez]

**Упр. 2. Назовите формы, которые примут данные глаголы в Present, Past, Future Indefinite:**

**Например:** To prosecute:

Present Simple – prosecute, prosecutes;

Past Simple – prosecuted;

Future Simple – shall/will prosecute;

To cross-examine, to imprison, to fine, to repeal, to suspend, to punish, to transfer, to order, to incur, to supervise, to guard, to remand, to reduce, to increase, to trespass, to legislate, to mortgage, to claim, to divorce, to impose, to commit, to conspire, to defame, to discharge, to impede, to kidnap, to remit, to ratify, to release.

**Упр. 3. Прочитайте следующие глаголы в 3-ем лице единственного числа:**

Обратите внимание на правильное чтение окончаний.

He/ She convicts, murders, robs, attempts, controls, investigates, sues, commits, abuses, injures, issues, deters, detains, questions, charges, releases, breaches, prosecutes, alleges, rapes, witnesses, sentences, suspects, defends, presumes, testifies, proves, judges.

**Упр. 4. Прочитайте следующие правильные глаголы в Past Indefinite Form, обращая внимание на правильное чтение суффикса –ed.**

-ed

после глухих согласных он передает звук t

после звонких и гласных – d

после t, d - id

Convicted, murdered, robbed, attempted, controlled, investigated, sued, committed, abused, injured, issued, deterred, detained, questioned, charged, released, breached, prosecuted, alleged, raped, witnessed, sentenced, suspected, defended, presumed, testified, proved, judged.

**Упр. 5. Переведите предложения, учитывая грамматическое время в них:**

1. Some researchers conclude that IQ is an even more important predictor of criminality than is either race or social class. 2. You will give witness on behalf of an accused person. 3. The Government took a number of measures to strengthen the criminal justice system. 4. The police prevent and detect crime. 5. The new law will come into force next month. 6. The police suspected him of a crime. 7. He acts as a prosecuting lawyer. 8. Students' violence resulted in violent clashes with the police. 9. Mr. Pratt is a persistent offender. 10. The policeman put the offender to the detention center.

**Упр. 6. Измените грамматическое время предложений с Present Indefinite на Past Indefinite и Future Indefinite. Отрамите разницу в переводе:**

1. A solicitor prepares legal documents. 2. Mr. Johnes acts as counsel for the prosecution. 3. The maximum penalty for this crime is 10 years' imprisonment. 4. The witness is glad to help the accused. 5. Two witnesses testify against her and one in her favor. 6. The judge gives him a suspended sentence. 7. They consult their lawyer before sending in their tax return. 8. The jury acquits him of all charges.

**Упр. 7. Сделайте предложения отрицательными и вопросительными (общий и специальный вопросы):**

1. Jane saw a policeman detaining an offender.
2. There was no question of sending her to prison.
3. The law prohibits men from selling narcotics.
4. I beg you to inform of the details of the case.

5. Everyone wished the judge to start proceedings as soon as possible.
6. Central and local governments finance the police authorities.
7. They will release as many uniformed police officers as possible for operational duties.
8. The court sentenced Mr. Hillard to three years of imprisonment.
9. The jury will hear the cross-examining.
10. The defendant prefers to be discharged at once.

**Упр. 8. Переведите на английский язык:**

1. а) Адвокат просит судью обратить внимание на эти детали.  
б) Адвокат попросил судью обратить внимание на эти детали.  
в) Адвокат попросит судью обратить внимание на эти детали.
2. а) Я настаиваю на отмене судебного решения.  
б) Я настаивал на отмене судебного решения.  
в) Я буду настаивать на отмене судебного решения.
3. а) У Вас нет права допрашивать этого человека.  
б) У Вас не было права допрашивать этого человека.  
в) У Вас не будет права допрашивать этого человека.
4. а) Судья задает эти вопросы каждому обвиняемому.  
б) Судья задал несколько вопросов обвиняемому.  
в) Судья задаст несколько вопросов обвиняемому.
5. а) Он требует рассказать ему всю правду.  
б) Он потребовал рассказать ему всю правду.  
в) Он потребует рассказать ему всю правду.

**Упр. 9. Прочитайте текст:**

**The Birth of Law**

Rules and laws – and the conventions or customs from which they are descended – have been a part of human life since our ancestors first began to live in large and settled groups. But our knowledge is vague of laws that were in effect before the invention of writing in about 3500 B.C. The earliest known legal text was written by Ur-Nammu, a king of Mesopotamian city of Ur, in about 2100 B.C. It dealt largely with compensation for bodily injuries, and with the penalties for witchcraft and runaway slaves.

**Упр.10. Скажите, соответствуют ли утверждения содержанию текста:**

1. Laws appeared when ancient people began to live in settled groups.
2. We know a lot about laws that were in effect before 3500 B.C.
3. Ur-Nammu was the king of Mesopotamian city of Ur.



4. He was the author of the first legal text known to us.
5. The text of the code concerned compensation for bodily injuries, and penalties for witchcraft and runaway slaves.

**Упр. 11. Ответьте на вопросы:**

1. Why is it difficult to judge about the earliest laws?
2. Where did the first known legal text appear?
3. Who invented it?
4. What issues did the early laws emphasize?

**Упр. 12. Переведите на английский язык:**

Законы произошли из обычаев и традиций, когда люди стали жить в больших и оседлых группах. Мы знаем о содержании законов, которые произошли после изобретения письменности примерно в 3500 году до н.э. Ур-Наму, правитель города Ур в Месопотамии, создал первый известный нам текст правового содержания примерно в 2100 году до н.э. Первые законы касались компенсаций за нанесение телесных повреждений и наказаний за колдовство и побег рабов.

### Laws of Babylon

**Упр. 13. Прочитайте следующие слова:**

1. edict – указ;
2. justice – правосудие;
3. amendment – поправка к законопроекту;
4. common law – общее право;
5. penalty – наказание;
6. accusation – обвинение; обвинительное заключение;
7. false testimony – ложные свидетельские показания;
8. rates – местные налоги;

Code of Hammurabi, collection of the laws and edicts of the Babylonian king Hammurabi, and the earliest legal code known in its entirety. A copy of the code, engraved on a block of black basalt that is 2.25 m (7 ft 5 in) in height, was unearthed by a team of French archaeologists at Sūsa, Iraq, formerly ancient Elam, during the winter of 1901 to 1902. The block, broken in three pieces, has been restored and is now in the Louvre in Paris.

### COMPOSITION OF THE CODE

The divine origin of the written law is emphasized by a bas-relief (бапельф) in which the king is depicted receiving the code from the sun god, Shamash. The quality most usually associated with this god is justice. The code

is set down in horizontal columns of cuneiform (клинообразными знаками, в ассирийских надписях) writing: 16 columns of text on the obverse side and 28 on the reverse. The text begins with a prologue that explains the extensive restoration of the temples and religious cults of Babylonia and Assyria. The code itself, composed of 28 paragraphs, seems to be a series of amendments to the common law of Babylonia, rather than a strict legal code. It begins with direction for legal procedure and the statement of penalties for unjust accusations, false testimony, and injustice done by judges; then follow laws concerning property rights, loans, deposits, debts, domestic property, and family rights. The sections covering personal injury indicate that penalties were imposed for injuries sustained through unsuccessful operations by physicians and for damages caused by neglect in various trades. Rates are fixed in the code for various forms of service in most branches of trade and commerce.

***Упр. 14. Переведите на английский язык следующие словосочетания:***

Правосудие, поправка к законопроекту, наказания, несправедливое обвинение, ложные показания, судья, увечья, ущерб, местные налоги.

***Упр. 15. Подставьте подходящие по смыслу слова в предложения:***

1. Code of Hammurabi is the full earliest ... .
2. It was written by ... in about 1758 B.C.
3. A team of French ... rediscovered it at ... .
4. The code ... of 28 ... .
5. The code itself seems to be....
6. The code covered the statements of ... .
7. The block is now in the ... in Paris.

***Упр. 16. Составьте предложения из разрозненных слов:***

1. A King, Hammurabi, of, made up, Babylonia, ancient, codes.
2. Were, punishments, the code, under, often, harsh.
3. The death penalty, accusers, murderers, false, thieves, faced, even, and.
4. Took accounts of, the new, the circumstances, of the offender, the offence, and, laws.

***Упр. 17. Задайте вопросы к выделенным словам:***

1. The code composed of **28** paragraphs.
2. It begins with **direction for legal procedure**.
3. Hannurabi's laws represented an advance on earlier tribal customs, **because the penalty could not be harder than the crime**.
4. The French archeologists discovered the block with Hammurabi's code **amid the ruins of the Persian city of Susa**.

5. A team of the French archeologists unearthed it **during the winter of 1901 to 1902**.

*Упр. 18. Ответьте на вопросы по тексту:*

1. How was a copy of the code engraved on a block of black basalt rediscovered?
2. What spheres of human life did code of Hammurabi cover?
3. Why do you think Hammurabi decided to have his laws carved into a block?

*Упр. 19. а) Переведите текст.*

*б) Назовите русские эквиваленты для выделенных слов и словосочетаний в тексте.*

### The Legal Heritage of Greece and Rome

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

In the seventh century B.C., Draco\* drew up Greece's first written code of laws. Under Draco's code death was the **punishment** for most **offences**. Thus, the term draconian usually **applies** to extremely **harsh measures**.

Several decades passed before Solon - poet, military hero, and ultimately Athens' **lawgiver** - devised a new code of laws. **Trial by jury**, an ancient Greek tradition was retained, but enslaving debtors was **prohibited** as were most of the harsh punishments of Draco's code. Under Solon's law citizens of Athens were **eligible to serve** in the assembly and courts were **established** in which they could **appeal government decisions**.

What the Greeks may have **contributed** to the Romans was the concept of 'natural law'. In essence, natural law was based on the belief that certain basic principles are above the laws of a nation. These principles arise from the, nature of people. The concept of natural law and the **development** of the first true legal system had a profound effect on the modern world.

\*Draco ['dreikou] Драконт (т.ж. Трахонт), афинский законодатель

*Упр. 20. Заполните таблицу соответствующим глаголом или существительным. Переведите полученные пары:*

Verb	Noun
To attribute	
	belief
	punishment

To develop	
	offence
To separate	
	decision
To apply	
	government
To prohibit	
To serve	
To establish	
To appeal	

**Упр. 20. Назовите утверждения, которые не соответствуют содержанию текста:**

1. The ancient Romans were the first who separated everyday law from religious beliefs.
2. Greek civilization attributed their laws to their gods and goddess.
3. Draco made up Greece's first written code of laws.
4. Draco's code was drawn up in the seventh century A.D.
5. Under Draco's code capital punishment was the penalty for most offences.
6. Now when we say "draconian measures" we mean "extremely light measures".
7. Trial by jury is an ancient Greek tradition.
8. Draco established courts of appeal.
9. Solon refused the idea of trial by jury.
10. The concept of 'natural law' had a great effect on the modern world.

**Упр. 21. Сделайте следующие предложения отрицательными:**

1. The ancient Romans were the first who separated everyday law from religious beliefs.
2. Greek civilization attributed their laws to their gods and goddess.
3. Draco's code was drawn up in the seventh century A.D.
4. Draco established courts of appeal.
5. Solon refused the idea of trial by jury.

**Упр. 22. Ответьте на вопросы по тексту:**

1. Who developed the concept of law?
2. What is the idea of this concept?
3. When did Draco draw up the first written code of laws?
4. What does the term "draconian" mean?
5. What tradition did Solon retain?

**Упр. 23. Спросите следующее по-английски:**

1. Где жил Драконт?
2. Когда он составил первый греческий свод законов?

3. Каким было наказание за большинство правонарушений?
4. Почему Солон запретил такое наказание, как порабощение должников?
5. Применили ли древние римляне идею естественного права.

## UNIT 5

### From The History of Law Systems

#### Part 2

#### Продолженные времена (Continuous Tenses)

	Present	Past	Future
Образование:	to be + ing-form		

число	числ.нож.	единств.	форма Утвердительная
			<p> I am writing  you are writing  he  she — is writing  it  we are writing  you are writing  they are writing </p>
			<p> I was writing  you were writing  he  she — was writing  it  we were writing  you were writing  they were writing </p>
			<p> I shall be writing  you will be writing  he  she — will be writing  it  we shall be writing  you will be writing  they will be writing </p>

число	числмнож.	единств.	форма	Вопросительная
				<p>Am I writing? Are you writing</p> <p>Is <math>\begin{cases} \text{he} \\ \text{she} \\ \text{it} \end{cases}</math> writing?</p> <p>Are we writing? Are you writing? Are they writing?</p>
				<p>Was I writing? Were you writing?</p> <p>Was <math>\begin{cases} \text{he} \\ \text{she} \\ \text{it} \end{cases}</math> writing?</p> <p>Were we writing? Were you writing? Were they writing?</p>
				<p>Shall I be writing? Will you be writing?</p> <p>Will <math>\begin{cases} \text{he} \\ \text{she} \\ \text{it} \end{cases}</math> be writing?</p> <p>Shall we be writing? Will you be writing? Will they be writing?</p>

число	числѳнож.	единств.	форма Отрицательная
			<p>I am not writing you are not writing he she → is not writing it</p> <p>we are not writing you are not writing they are not writing</p>
			<p>I was not writing? you were not writing he she → was not writing it</p> <p>we were not writing you were not writing they were not writing</p>
			<p>I shall not be writing you will not be writing he she → will not be writing it</p> <p>we shall not be writing you will not be writing they will not be writing</p>

**Примечание:** глаголы **to see, to hear, to forget, to remember, to believe, to be, to seem, to know, to want, to like, to love, to understand** в Continuous Tenses не употребляются.

**Упр. 1. Запомните обстоятельства времени, с которыми обычно употребляются:**

**Present Continuous** – now, at the present moment, at this moment;

**Past Continuous** – at that time yesterday, at 5 o'clock yesterday, when he came;

**Future Continuous** – at this time tomorrow, when she comes, at 3 o'clock tomorrow.

**Упр. 2. Определите грамматическое время в следующих предложениях:**

1. The Government is taking a number of measures to strengthen the criminal justice system. 2. The judge is asking you about the events of that day. 3. He was questioning the suspect about his friendship with the dead man when he realized the seriousness of the case. 4. They shall be discussing the details of the case at that moment tomorrow. 5. The police caught the burglar when he was trying to escape. 6. Mick Rodger, the investigator, was wondering who could



steal computer designs. 7. He is trying to guess if the glass had been broken. 8. They are planning to rob the Royal Bank of Scotland at Rothesay. 9. Law and order is breaking down in some inner-city areas. 10. The statistics show that the crime rate is increasing by 1% for the time being.

**Упр. 3. Употребите глагол to be (am, is, are, was, were, will be) в качестве вспомогательного глагола для Present, Past, Future Continuous:**

1. The police ... investigating the case involving death and serious injury. 2. The investigator ... trying to find out the causes of the air crash. 3. He ... listening to witness Mr. O' Neal about the incident in the police-hall. 4. Mr. Jenkin admitted that Mrs. Gletchmond ... watching and tracing him in the shop. 5. The defending counsel ... cross-examining the witness while the jury ... thinking about their decision. 6. I saw a woman who ... talking to the security officer. 7. The judge ... waiting for the policeman to bring the witness. 8. All the newspapers ...reporting the accident. 9. They said the Queen ... considering abdication. 10. At this time tomorrow the members of the House of Commons ... passing the bill.

**Упр.4. Завершите диалог, поставив глаголы в скобках в Past Continuous или Past Indefinite:**

**Reporter:** What was the cause of the accident, Officer?

**Officer:** Well, it looks like there were many causes. First of all, when the accident (occur), the driver (drive) much too fast. The driver is a suspect in a burglary, and she (leave) town. While she (drive), she (speak) to someone on her car phone. When she (see) the pedestrian, she immediately (step) on the breaks, but it was too late. The victim wasn't paying attention, either. First of all, he didn't wait for the traffic light to change. He (cross) against a red light when the car (hit) him. He (not see) the approaching car because he (talk) to his friend. The friend wasn't paying attention, either. He (eat) an ice-cream cone while he (cross) the street. When he (notice) the car, he (try) to push his friend out of the way, but it was too late.

**Reporter:** How is victim doing?

**Officer:** Well, when the ambulance (arrive), he (bleed) from a head wound, but the doctor stopped the bleeding and they think he'll be OK.

**Упр. 5. Задайте вопросы от лица полицейского, ведущего допрос подозреваемого. Используйте Past Continuous или Past Indefinite.**

1. Police: (What / you/ do / Friday night?)

Suspect: I was visiting a friend.

2. Police: (Who / exactly / you visit?)

Suspect: My friend. I got to her house at 5:30 and drove her to work.

3. Police: (She / work / at 7:00?)

Suspect: Yes, she was working the late shift.

4. Police: (Anyone else/ work/ with her?)

Suspect: No. She was working alone.

5. Police: (What / you / do/ while / she / work?)

Suspect: I was reading the paper in her office.

6. Police: But there was a terrible blizzard Friday night. The lights went out.  
(What / you / do /when / the lights go out?)

Suspect: I was still reading the paper.

7. Police: (what / you / do / when / the lights go out?)

Suspect: When the lights went out, we left the building.

8. Police: (Why/ you/ run / when/ the police/ see you?)

Suspect: We were running because we wanted to get out of the storm.

***Упр. 6. Соедините предложения, используя Past Indefinite и Past Continuous.***

1. The blizzard started. Mr. Ligo attended a party.
2. It began to snow. The electricity went out.
3. He drove home. He listened to his car radio.
4. He pulled over to the side of the road. The visibility got very bad.
5. He listened to the news. He heard about the burglary.
6. The police began the investigation. It snowed.
7. It stopped snowing. Mr. Ligo went to the police station.

***Упр. 7. Переведите текст со словарем и выпишите слова юридической тематики.***

**The Magna Carta**

Magna Carta (Latin, "Great Charter"), document sealed by King John of England on June 15, 1215, in which he made a series of promises to his subjects that he would govern England and deal with his vassals according to the customs of feudal law. Over the course of centuries, these promises have required governments in England (and in countries influenced by English tradition) to follow the law in dealing with their citizens.

The Magna Carta of 1215 contains 63 clauses. The first restates the charter that John issued in 1214, which had granted liberties to the Church. In many clauses John promises to be less harsh in enforcing his feudal rights on the barons, and another clause states that the barons must grant to their tenants all the feudal concessions that the king has made to them. Many clauses concern the legal system; in these John promises to provide good and fair justice in various ways. The last few clauses concern enforcement of the document.

The two most important clauses of Magna Carta are among the legal clauses. Clause 40 promises, "To no one will we sell, to no one will we deny or delay

right or justice.” This clause establishes the principle of equal access to the courts for all citizens without exorbitant fees. In clause 39, the king promises, “No free man shall be taken or imprisoned or disseised or outlawed or exiled or in any way destroyed, nor will we go or send against him, except by the lawful judgment of his peers or by the law of the land.” This clause establishes that the king would follow legal procedure before he punished someone. Historians have debated at length the meaning in 1215 of “by lawful judgment of his peers or by the law of the land,” and who exactly was covered by the term “free man.” By the later 14th century, however, statutes interpreting the Magna Carta equated “judgment of peers” with trial by jury (which did not exist in criminal cases in 1215). Other statutes rephrased “by the law of the land” as “by due process of law.” These later statutes also substituted “no one” or “no man of any sort or condition” for “no free man,” which extended the protections of the clause to all the king’s subjects. These protections were cited in many founding documents of the American colonies and were incorporated into the Constitution of the United States.

By most accounts only clauses 39 and 40 of the Magna Carta remain valid law in England. Eventually, the other clauses became outmoded and some were repealed. Nonetheless, the Magna Carta remains a major document in the history of individual liberty. The document establishes the principle that no person, not even the king, is above the law. More specifically, this means that the government must follow its own laws in its dealings with its citizens, just as citizens must obey the law in their dealings with other citizens.

*Упр. 8. Прочитайте текст и выпишите неизвестные вам слова:*

### **"Let the Body Be Brought..."**

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

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

. Public anger was so great that she **was acquitted**, the constable who had arrested her without **a warrant** was himself sent to prison, and the justice of the peace **was severely reprimanded**. And the case, along with other similar cases,

**led to the passing of** the Habeas Corpus Act in Britain in 1679. The law is still on the British statute books, and a version of it is used in the United States, where the law was regarded as such an important guarantee of liberty that Article 1 of the Constitution declares that "Habeas Corpus shall not be suspended except in cases of rebellion or invasion".

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

**Упр. 9. Соотнесите выделенные слова в тексте и их перевод в упражнении:**

1. мировой судья
2. ордер на арест
3. варварское отношение
4. недовольство общественности
5. заключить в тюрьму
6. вызвать гневный протест
7. привести к принятию закона
8. получить строгий выговор
9. предстать перед судом
10. быть оправданным
11. судебный процесс, суд

**Упр. 10. Соотнесите термин и его дефиницию:**

1. trial
  2. writ
  3. statute
  4. warrant
- a) a written law of the country;
  - b) legal paper ordering someone to do/not to do something;
  - c) court case to judge a criminal;
  - d) written official paper permitting the police to arrest someone or to search someone's dwelling.

**Упр. 11. Задайте вопросы, для которых следующие утверждения были бы ответами:**

1. The law of Habeas Corpus guarantees that nobody can be held in prison without trial.
2. Habeas Corpus became a law because of a wild party held in 1621 at the London home of one rowdy lady.
3. That lady's name was Alice Robinson.
4. The officials in prison treated Mrs. Robinson cruelly.

5. Public anger was so great that she was acquitted.
6. The Habeas Corpus Act was passed in Britain in 1679.
7. The translation of that phrase from Latin means “ Let the body be brought before the judge”.

**Упр. 12. Ответьте на следующие вопросы:**

1. What case led to the passing of the Habeas Corpus Act?
2. When and where was it ratified?
3. What does the Act guarantee?
4. How do we translate the Latin phrase “Habeas corpus ad subjiciendum” into Russian?

**Упр. 13. Переведите на английский язык, пользуясь словарем:**

**Хабеас Корпус**

Этот акт давал право арестованному за совершение какого-либо уголовного преступления обратиться к Короне с прошением о выдаче приказа «Хабеас Корпус» начальнику тюрьмы. Получив этот приказ, начальник был обязан доставить арестованного к судье, который проверял обоснованность заключения обвиняемого под стражу. Хабеас Корпус Акт – это важнейшая гарантия гражданских прав и свобод в Англии. Согласно ему ни один свободный гражданин не может быть подвергнут аресту без достаточных на то оснований.

**Вопросы для самоконтроля:**

1. Как располагаются слова в словаре, если в них совпадают первые 2 буквы?
2. Что является признаком принадлежности слова к определенной части речи?
3. Что помогает определить, что данное слово является существительным? Глаголом? Наречием? Прилагательным?
4. Какой порядок слов в простом повествовательном предложении?
5. Какие категории слов могут иметь окончание –s ? Как их отличить друг от друга?
6. Как переводятся на русский язык предложения с оборотом there is?
7. Что нужно сделать, чтобы предложение, содержащее оборот there is, превратить в вопрос?
8. Какое слово в цепочке существительных (the Institute lecture hall) является главным (опорным)? Какую функцию выполняют остальные существительные цепочки?
9. В чем разница в употреблении слов some и any? В чем отличие в употреблении many и much, few и little?

10. Какая характеристика действия заложена в каждой из 4-х групп времен в английском языке? На примере любого глагола назовите формулы 4-х групп времен.
11. Какое действие передает Present Indefinite и какое – Present Continuous? Что в значении этих двух времен общее и чем они отличаются по значению друг от друга?
12. Как образуется вопрос и отрицание в Present Indefinite?
13. Как образуется утвердительная форма Past Indefinite? Как образуется вопрос и отрицание?
14. Как образуется время Present Continuous?
15. Чем правильные глаголы отличаются от неправильных?

### ЗАДАНИЕ НА I СЕМЕСТР

1. Знать ответы на все вопросы для самоконтроля (см. выше).
2. Выполнить письменно контрольную работу № 1.
3. Уметь читать и устно переводить тексты по специальности; выписать и выучить незнакомые слова к этим текстам.

#### Контрольная работа №1

##### Вариант № 1

***I. Перепишите предложения, указав время, в котором стоит глагол-сказуемое. Предложения переведите.***

1. The criminal justice process will somehow reform or rehabilitate those caught up in it. 2. Explanations of criminal behaviour focus on biological, psychological, social and economic factors. 3. The nature and the severity of the punishment also help us to differentiate grades of crime. 4. The Government is creating a number of exceptions to the concurrence requirement. 5. The law views the protection of property and human life differently. 6. Legislatures also create criminal laws when the public demands protection against “new” crimes and to meet new situations. 7. This case established the universal right to free defense counsel for the poor. 8. Constables performed a variety of duties, including law enforcement functions like serving warrants, making arrests, and testifying in courts. 9. Americans are turning to private policing, contracted for through private security firms. 10. Legislators and criminal justice specialists group all crimes into categories distinguished by the harm the crimes entail.

***II. Сделайте предложения отрицательными.***

1. Law serves a variety of functions. 2. Edward III introduced the watch and ward system. 3. Sir Robert Peel established London Metropolitan Police in

the 17<sup>th</sup> century. 4. All accused persons have a right to counsel under the Fifth Amendment to the United States Constitution. 5. Institutional corrections are 900 years old.

**III. *Задайте общий и специальный вопросы к следующим предложениям.***

1. Police work involves danger, stress, discretion in the use of force and constant interaction with people. (What)
2. Not all cases receive equal attention. (Why)
3. The grand jury is one of the oldest institutions of the Anglo-American criminal justice system. (What)
4. Gambling was not illegal in the early days of common law in England. (When)
5. The scientists will explain the relationship between mental disorders and crime in the future. (Who, What)

**IV. *Переведите текст, выписав слова юридической тематики.***

**The Bill of Rights**

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

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

**V. *Определите грамматическое время всех глаголов во 2-ом абзаце.***

**Вариант № 2**

***I. Перепишите предложения, указав время в котором стоит глагол-сказуемое. Предложения перепишите.***

1. Sociological theories attempt to explain criminal behaviour in terms of group rather than individual factors. 2. The court often uses psychological evaluations such as presentence investigation reports as an aid in imposing appropriate sentence. 3. Prosecutor, Glen Robinson, is making a report about the basic facts of the facts. 4. People between the ages of 18 and 65 are liable for jury service. 5. The initial decision to begin criminal proceedings normally lies with the police of England and Wales. 6. Concern about the potential for use of force against citizens led to the decision to arm the police only with a short wooden baton. 7. The Government is seeking action by the European Community to encourage car manufactures to design their products in such a way as to make it difficult for criminals to steal vehicles or other contents. 8. During the spring of 1996 the city of Gainesville, Florid experienced a dramatic increase in the number of robberies in convenience stores. 9. A foot patrolman on traffic duty saw a car moving slowly but erratically toward him. 10. Most veteran prisoners will agree that jail time is much more difficult to serve than a prison sentence.

***II. Сделайте предложения отрицательными.***

1. Armed robbery is on the increase everywhere. 2. Similarities remain in law, organization and practice of legal systems and law courts in England, Wales, Scotland and Northern Ireland. 3. He served as a special adviser to the President. 4. Cesare Lombroso suggested psychoanalytic theory of criminal behaviour. 5. Misdemeanor is a serious crime, subject to punishment of one year or more in prison or capital punishment.

***III. Задайте общий и специальный вопросы к следующим предложениям.***

1. A defendant has a right to employ a legal adviser. ( Whom, What)
2. Coroners investigate violent and unnatural deaths or sudden deaths where the cause is unknown. (What cases)
3. The committee repealed the law last year. (When)
4. In Scotland the age of criminal responsibility is eight years. (What)
5. They will accept ignorance of the law as an excuse for breaking it. (Why)

***IV. Переведите текст, выписав слова юридической тематики.***

**Napoleon's Law**

The laws of much of continental Europe.(particularly France), of Quebec in Canada, and of much of Latin America - along with the civil laws of Louisiana - owe their modern form largely to the work of a man who never even studied law. Napoleon Bonaparte, the Corsican soldier who became emperor of France after the French Revolution, established in 1800 five commissions to refine and



organise the diverse legal systems of France. The result, enacted in 1804, was the Napoleon's Code.

Some of its original 2,281 articles were drafted by Napoleon himself, and all were affected by his thinking, even though he was completely self-taught in legal matters. The code was a triumphant attempt to create a legal system that treated all citizens as equals without regard to their rank or previous privileges. It was also so clearly written that it could be read and understood by ordinary people at a time when only Latin scholars could make sense of the earlier laws handed down since Roman times. The code was adopted intact in most of the areas of Europe that Napoleon dominated and spread from there across the Atlantic, taking root particularly in French-speaking American communities. Many of its principles are still in force today.

***V. Определите грамматическое время всех глаголов в 1-ом абзаце.***

## **ЧАСТЬ II**

### **I семестр**

#### **UNIT 1**

#### **Fingerprinting**

#### **Степени сравнения прилагательных**

## Degrees of Comparison

<i>Качественные прилагательные</i>	<i>Положительная the positive degree</i>	<i>Сравнительная the comparative degree</i>	<i>Превосходная the superlative degree</i>
одно- и двуслож- ные на -er, -ow, -y, -e.	young heavy hot simple	younger heavier hotter simpler	the youngest the heaviest the hottest the simplest
многосложные	difficult	more } difficult less	the most } difficult the least
особая группа	good bad many, much little	better worse more less	the best the worst the most the least
имеющие по две формы степеней сравнения, разли- чающиеся по зна- чению и употреб- лению	far <i>далекий</i>	farther <i>более далекий</i> further <i>дальнейший</i>	the farthest <i>самый дальний</i> the furthest <i>самый далекий</i>
	old <i>старый</i>	older <i>старше</i> (по возрасту) elder <i>старше</i> (в пределах одной семьи или по об- ществ. положен.)	the oldest <i>самый старый</i> the eldest <i>самый старший</i>
	near <i>близкий</i>	nearer <i>ближе</i>	the nearest <i>ближайший</i> the next <i>следующий</i>
	late <i>поздний</i>	later <i>более поздний</i> latter <i>последний из двух</i>	the latest <i>последний (по врем. появ- ления)</i> the last <i>последний</i> (по порядку)

**Для выражения сравнения существует также ряд конструкций**

<i>Конструкция</i>	<i>Значение</i>	<i>Перевод</i>	<i>Пример</i>
As... as	Равная степень качества	Такой же... как	He is as cheerful as his brother.
Not so... as	Отрицание равенства степени качества	Не такой... как	This table is not so small as that one.
More... than	Сравнение степеней	Более... чем	This task is more im-

Less... than	качеств предметов	Менее... чем	portant than that task.
The + сравн.степень the + сравн.степень  the warmer..., the better	Зависимость одного от другого	Чем + сравнит. степень, тем + сравнит. степень Чем теплее..., тем лучше	The warmer the weather, the better I feel. ( <i>Чем теплее по- года, тем лучше я себя чувствую</i> )
Much }+ сравн.ст. far  much cheaper  far more serious	Значительное превы- шение качества одно- го предмета над дру- гим	гораздо (на- много) дешевле гораздо серьез- нее	Let's go by car. It's much cheaper. Her illness was far more serious than we at first thought.
a bit }+ сравн.ст. a little a little warmer	Незначительное превышение	Немного (чутьку) теплее	It's a little warmer to- day than it was yester- day.

**Упр. 1. Прочитайте и переведите следующие прилагательные:**

Dangerous – more dangerous – the most dangerous; serious – more serious – the most serious; big – bigger – the biggest; wide – wider – the widest; good – better – the best; bad – worse – the worst; early – earlier – the earliest; easy – easier – the easiest; strong – stronger – the strongest; powerful – more powerful – the most powerful; great – greater – the greatest; far – further – the furthest; difficult – more difficult – the most difficult; significant – more significant – the most significant; intelligent – more intelligent – the most intelligent;

**Упр. 2. Образуйте сравнительную и превосходную степени от следующих прилагательных:**

Severe, great, serious, important, little, many, rigid, dangerous, complex, bad, good, late, large, successful, far.

**Упр. 3. Переведите следующие словосочетания на английский язык:**

Дальнейшее расследование, самые суровые законы, более строгий приговор, самое серьезное преступление, самые плохие условия, менее важное обстоятельство, самое серьезное правонарушение, более сложное задание, самый умный полицейский, больше краж, самая лучшая подготовка, самые серьезные меры, самый высокий уровень преступности, менее важное дело, самое значительное дополнение, самый важный свидетель, лучший следователь города, дальнейшее расследование.

**Упр. 4. Переведите предложения на русский язык:**

1. Since the public seems to want more police protection, more police will contribute to the feeling of community protection. 2. The more police, people believe, the less crime. 3. Capital punishment is one of the oldest method of dealing with offenders. 4. A misdemeanor is a minor offence, less serious than a felony. 5. It is generally accepted that the crime rate in the United States is among the highest, if not the highest, of all industrial, urbanized societies in the world. 6. Emotional crimes and crimes of passion are more difficult to deter. 7. Demands for quicker arrests, for swifter surer trials and punishments, rest on the assumption that effectiveness – catching criminals and punishing them – is the only purpose of our crime control efforts. 8. More rigid procedural requirements are generally required before conviction than after. 9. Most of the problems faced by our criminal justice system are as old as humanity. 10. The fullest expression of deterrence is capital punishment. 11. All sentences from the smallest fine to the longest prison term have a number of goals. 12. Sentences for young first offenders are usually shorter. 13. The Court relied on public opinion polls which indicated that less than 50 per cent of Americans favored the death penalty. 14. Women's prisons are smaller than men's ones. 15. Ninety-one per cent of all police departments employ fewer than fifty people and more than half employ fewer than ten.

**Упр. 5. Прочитайте следующие слова и словосочетания:**

Fingerprint-отпечатки пальцев, fingertips-кончики пальцев рук, minute ridge formations-мельчайшие сочетания линий, infallible identification system-безошибочная система распознавания, to sign legal documents-подписать правовые документы, for identification purpose-в целях распознавания, a means for identifying criminals-способ распознавания преступников, latent prints-скрытые отпечатки, to digitally record fingerprints-записывать отпечатки на цифровые носители, scene of crime-место преступления, fingerprint archives-банк данных, содержащий образцы отпечатков пальцев, digital images-цифровое изображение, to conduct automated searches-производить автопоиск, the ability to electronically transmit fingerprint information-способность передавать информацию об отпечатках пальцев и сети, super-sede – вытеснять.

**Упр. 6. Переведите следующие группы слов, учитывая часть речи:**

To establish (учреждать, устанавливать) – establishment; to impress (впечатлять) – impression – impressive; to measure (измерять) – measurement; to improve (улучшать) – improvement; to transmit (передавать данные) – transmission; to suspect (подозревать) – a suspect – suspicion – suspicious; to prove (доказывать) – proof; to store (накапливать) – storage; compare (сравнивать) – comparison – comparative.

**Упр. 7. Переведите словосочетания, обращая внимание на перевод причастия II в функции определения:**

Данные причастия образуются при помощи окончания *-ed* к правильным глаголам (*suspect – suspected*) или находятся в 3-ей колонке таблицы, если глагол неправильный (*find – found*).

На русский язык данные причастия переводятся при помощи суффиксов – *енн, -анн, -м, -т*.

A suspected person – подозреваемая личность, found on the fingertips – обнаруженные на кончиках пальцев.

Remain unchanged through life, receiving surface, the first recorded use of fingerprints, a detailed study of fingerprints, touched by a human hand, fingerprints made by the oily secretion, so-called latent prints, inefficiency caused by the establishment of many separate fingerprint archives, a computerized system, automated searches, the time needed for fingerprint identification.

### **Упр. 8. Прочитайте и переведите текст.**

#### **Fingerprinting**

Fingerprinting, method of identification using the impression made by the minute ridge formations found on the fingertips. No two persons have exactly the same arrangement of ridge patterns, and the patterns of any one individual remain unchanged through life. To obtain a set of fingerprints, the ends of the fingers are inked and then pressed or rolled one by one on some receiving surface. Fingerprints may be classified and filed on the basis of the ridge patterns, setting up an identification system that is almost infallible.

The first recorded use of fingerprints was by the ancient Assyrians and Chinese for the signing of legal documents. Probably the first modern study of fingerprints was made by the Czech physiologist Johannes Evangelista Purkinje, who in 1823 proposed a system of classification that attracted little attention. The use of fingerprints for identification purposes was proposed late in the 19th century by the British scientist Sir Francis Galton, who wrote a detailed study of fingerprints in which he presented a new classification system using prints of all ten fingers, which is the basis of identification systems still in use. In the 1890s the police in Bengal, India, under the British police official Sir Edward Richard Henry, began using fingerprints to identify criminals. As assistant commissioner of metropolitan police, Henry established the first British fingerprint files in London in 1901. Subsequently, the use of fingerprinting as a means for identifying criminals spread rapidly throughout Europe and the United States, superseding the old Bertillon system of identification by means of body measurements.

As crime-detection methods improved, law enforcement officers found that any smooth, hard surface touched by a human hand would yield fingerprints made by the oily secretion present on the skin. When these so-called latent prints were dusted with powder or chemically treated, the identifying fingerprint pattern could be seen and photographed or otherwise preserved. Today, law enforcement agencies can also use computers to digitally record fingerprints and to

transmit them electronically to other agencies for comparison. By comparing fingerprints at the scene of a crime with the fingerprint record of suspected persons, officials can establish absolute proof of the presence or identity of a person.

The confusion and inefficiency caused by the establishment of many separate fingerprint archives in the United States led the federal government to set up a central agency in 1924, the Identification Division of the Federal Bureau of Investigation (FBI). This division was absorbed in 1993 by the FBI's Criminal Justice Information Services Division. Currently, the FBI has on file about 250 million sets of fingerprints representing about 74 million people (both criminal and civilian), the largest collection in the world. These fingerprints are stored as digital images in the FBI's Integrated Automated Fingerprint Identification System (IAFIS), a computerized system that began full operation in 1999. The system also stores each individual's criminal history if one exists. Using IAFIS, authorities can conduct automated searches to identify people from their fingerprints and determine whether they have a criminal record. The system also gives state and local law enforcement agencies the ability to electronically transmit fingerprint information to the FBI. The implementation of IAFIS represented a breakthrough in crimefighting by reducing the time needed for fingerprint identification from weeks to minutes or hours.

***Упр. 9. Исправьте следующие утверждения:***

1. Every person has the unique arrangement of ridge patterns, and the patterns of any one individual can change through life.
2. The first recorded use of fingerprints was by the ancient Greeks for the signing of legal documents.
3. Probably the first modern study of fingerprints was made by the Czech physiologist Johannes Evangelista Purkinje, who in 1823 proposed a system of classification that attracted great attention.
4. In the 19th century Sir Francis Galton, the American scientist, proposed to use of fingerprints for identification purposes and wrote a detailed study of fingerprints in which he presented a new classification system using prints of all ten fingers.
5. Galton started using fingerprints to identify criminals.
6. The old Bertillon system of identification by means of body measurements superseded the Henry system.

7. The FBI's Integrated Automated Fingerprint Identification System (IAFIS) contains sets of fingerprints of law abiding people.

8. Henry established the first British fingerprint files in London in 1905.

**Упр. 10. Переведите на английский язык и запишите следующие вопросы:**

1. Почему легко установить личность по отпечаткам пальцев?
2. Как криминалисты получают отпечатки пальцев?
3. Для чего сирийцы и китайцы использовали отпечатки пальцев?
4. Кто впервые начал изучать отпечатки пальцев?
5. Какой ученый представил новую систему классификации отпечатков?
6. Гэлтон или Генри начал использовать отпечатки пальцев для установления личности преступника?
7. Почему система компьютерного автопоиска, созданная ФБР, очень эффективна?

**Упр. 11. Ответьте письменно на данные вопросы.**

**Упр. 12. Используя полученные ответы в качестве плана, перескажите текст.**

**Упр. 13. Переведите текст со словарем и определите сущность системы Бертилона в установлении личности подозреваемого.**

Bertillon System, scientific method for identifying people, especially criminals, devised in 1879 by the French criminologist Alphonse Bertillon. The system records anthropometric measurements and personal characteristics, such as color of eyes, scars, and deformities. The following measurements are taken: (1) body: height standing, reach from fingertips to fingertips, length of trunk and head, or height sitting; (2) head: length and width, length and width of right ear; (3) limbs: length of left foot, length of left middle finger, length of left little finger, length of left forearm. These measurements are recorded on cards and classified according to the length of the head.

Bertillon measurements are difficult to take with uniform exactness, and physical dimensions can change as a result of growth or surgery. For these reasons fingerprinting and other methods have for the most part superseded the Bertillon system as the principal means of identification in American and European police systems.

## UNIT 2

### From the History of Police Forces

#### Perfect Tenses

#### (Перфектные времена)

<i>Образование: to have + Participle II смыслового глагола</i>			
	<i>Present</i>	<i>Past</i>	<i>Future</i>
множ. чис. един. число Утвердительная форма	I have written You have written He } She } has written It }  We have written You have written They have written	I had written You had written He } She } had written It }  We had written You had written They had written	I shall have written You will have written He } She } will have written It }  We shall have written You will have written They will have written
множ. чис. един. число Вопросительная форма	Have I written? Have you written? he } Has she } written? it }  Have we written? Have you written? Have they written?	Had I written? Had you written? he } Had she } written? it }  Had we written? Had you written? Had they written?	Shall I have written? Will you have written? he } Will she } have written? it }  Shall we have written? Will you have written? Will they have written?



мн.ч. ед.ч.	Отрицательная форма	I have not written You have not written He } She } has not written It }	I had not written You had not written He } She } had not written It }	I shall not have written You will not have written He } She } will not have written It }
		We have not written You have not written They have not written	We had not written You had not written They had not written	We shall not have written You will not have written They will not have written

**Упр. 1. Запомните слова, которые обычно употребляются с совершенными временами:**

**Present Perfect** – already (уже), just (только что), never (никогда), ever (когда-либо), since (с тех пор, как), yet (еще), lately (в последнее время), recently (недавно), а также - today, this month, this week, this year ...;

**Past Perfect** – by that time yesterday, by 3 o'clock, before he came;

**Future** – by that time tomorrow, by 4 o'clock, before she comes ...

**Упр. 2. Найдите сказуемое в предложении и переведите его на русский язык:**

1. Recent Supreme Court decisions have strengthened police powers. 2. In recent years the police have encouraged citizens to take a more active role in policing their communities. 3. Most homicides (61%) occur between relative and friends. 4. Television has provided a new means for citizens to become involved in law enforcement. 5. The Rand Corporation has made a study of how efficient detectives are at clearing cases. 6. Policymakers at all levels of government have designed a variety of strategies intended to control the availability of illegal substances. 7. Serious problems have existed between public and private police. 8. Scholars have long debated whether there is something unique about the personality of police officers that differentiates them from other citizens. 9. The police have developed and live in their own subculture, marked by loyalty to each other, respect for police authority and group solidarity. 10. Several studies have identified different types of officers.

**Упр. 3. Изменив грамматическое время в предложениях с *Present Continuous* на *Present Perfect*, скажите, что действие уже выполнено. Письменно задайте вопросы и постройте отрицание.**

1. The Government is taking a number of measures to strengthen the criminal justice system. 2. The judge is asking you about the events of that day. 3. He is questioning the suspect about his friendship with the dead man. 4. They are discussing the details of the case at the moment. 5. They are planning to rob the Royal Bank of Scotland at Rothemay. 6. Law and order is breaking down in some inner-city areas. 7. The statistics show that the crime rate is increasing by 1% for the time being. 8. The police are investigating the case involving death and serious injury. 9. He is listening to witness Mr. O' Neal about the incident in the police-hall. 10. All the newspapers are reporting the accident.

**Упр.4. Сравните времена:**

<i>Past Simple</i>	<i>Present Perfect</i>
I finished my work two hours ago.	I have already finished my work.
Я закончил работу 2 часа тому назад. (В определенные момент в прошлом – 2 часа назад).	Я уже закончил работу. (В неопределенное время в прошлом).
He was in Europe last year (three years ago, in 1989, in 1992, when I was ten years old. (Действие произошло в определенный момент в прошлом).	I have been to Europe many times (several times, a couple of times, once). (Действие происходило раз или несколько раз, но не указано когда).

**Упр. 5. Переведите предложения, объясняя разницу в употреблении времен *Present Perfect* и *Past Indefinite*:**

1. The Government has placed greater emphasis on crime prevention. – Last century the Government placed greater emphasis on crime prevention.  
 2. In recent years, the FBI has focused on white-collar crime, public corruption, terrorism and drugs. – Some years before they focused on violent and organized crimes.  
 3. In 1985, the FBI established the National Center for the Analysis of Violent Crime (NCAVC). - They have also established the Integrated Automated Fingerprint Identification System (IAFIS).  
 4. Americans have turned to private policing, contracted for through private security firms. – They turned to this idea in the mid of the twentieth century.  
 5. The crime rate in the country has not changed since 2004. – The crime rate in the country didn't change during the last year.

**Упр. 6. Переведите группы слов, учитывая аффиксы разных частей речи:**

1. To protect (защищать) – protection – protective;
2. To prevent (предотвращать) – prevention – preventive;
3. To develop (развивать) – development – developed – developing;
4. To appoint (назначать) – appointment – appointed;
5. To achieve (достигать) – achievement – achieved;
6. To be able (быть способным) – ability – inability;
7. To depend (зависеть) – dependence – independence – dependent – independent;
8. Efficient (эффективный) – inefficient – efficiency – inefficiency;

*Упр. 7. Переведите выделенные слова в тексте.*

*Упр. 8. Переведите текст со словарем.*

### From the History of Police Forces

The conception of the police force as a protective and **law enforcement** organization developed from the use of military bodies as **guardians of the peace**, such as the Praetorian Guard of ancient Rome. The Romans achieved a high level of law enforcement, which remained in effect until the decline of the empire and the onset of the Middle Ages. Beginning in the 5th century, policing became a function of the heads of fiefdoms (феодалное поместье) and principalities.

During the Middle Ages, policing authority, particularly in England, was the responsibility of local nobles on their individual estates. Each noble generally appointed an official, known as a constable, to carry out the law. The constable's duties included keeping the peace and arresting and guarding criminals. For many decades constables were unpaid citizens who took turns (совершать прогулки) at the job, which became increasingly burdensome and unpopular. By the mid-16th century, wealthy citizens often resorted to paying deputies to assume their turns as constables; as this practice became widespread, the quality of the constables declined drastically.

In France during the 17th century King Louis XIV maintained a small central police organization consisting of some 40 inspectors who, with the help of numerous paid informants, supplied the government with details about **the conduct of private individuals**. The king could then exercise a kind of summary justice as he saw fit. This system continued during the reigns of Louis XV and Louis XVI. After the French Revolution (1789-1799), two separate police bodies were set up, one **to handle ordinary duties** and the other **to deal with political crimes**.

In 1663 the city of London began paying watchmen (generally old men who were unable to find other work) to guard the streets at night. Until the end of the

18th century, the watchmen—as inefficient as they were—as well as a few constables, remained the only form of policing in the city.

The inability of watchmen and constables **to curb (сдерживать) lawlessness**, particularly in London, led to a demand for a more effective force to deal with criminals and to protect the populace. After much deliberation in Parliament, the British statesman Sir Robert Peel in 1829 established the London Metropolitan Police, which became the world's first modern organized police force. The development of the British police system is especially significant because the pattern that emerged not only became a model for the American police system but also had great influence on the style of policing in almost all industrial societies. Police officers in England are still called “Bobbies” in honor of Sir Robert Peel.

The Metropolitan Police force was guided by **the concept of crime prevention as a primary police objective**; it also embodied the belief that such a force depended on the consent and cooperation of the public, and the idea that police constables were to be civil and courteous to the people. The force was well organized and disciplined and, after an initial period of public skepticism, became the model for other police forces in Britain. Several years later the Royal Irish Constabulary was formed, and Australia, India, and Canada soon established similar organizations. Other countries, impressed by the success of the plan, followed suit until nations throughout the world had adopted police systems based on the British model.

In the United States, the first full-time organized police departments were formed in New York City in 1845 and shortly thereafter in Boston, not only in response to crime but also **to control unrest**. The American police adopted many British methods, but at times they became involved in local partisan politics. The British police, on the other hand, have traditionally **remained aloof from partisan politics** and have depended on loyalty to the law, rather than to elected public officials, as the source of their authority and independence.

**Упр. 9. Определите грамматическое время в предложениях:**

1. The Romans achieved a high level of law enforcement.
2. Each noble generally appointed an official, known as a constable, to carry out the law.
3. The development of the British police system is especially significant.
4. The British police have traditionally **remained aloof from partisan politics** and have depended on loyalty to the law.

**Упр. 10. Соотнесите страну и событие:**

*Ancient Rome, England, France, Ireland, the USA, Canada*

1. Robert Peel in 1829 established the London Metropolitan Police, which became the world's first modern organized police force.
2. The Praetorian Guard was a military protective and law enforcement organization.
3. Each noble generally appointed an official, known as a constable, to carry out the law.
4. During the 17th century King Louis XIV maintained a small central police organization consisting of some 40 inspectors who supplied the government with details about the conduct of private individuals.
5. The first full-time organized police departments were formed in this country in 1845.

**Упр. 11. Выберите окончание предложений соответствующих содержанию текста:**

1. Guardians of the Peace carried out actions to a) punish criminals; b) to protect people from criminals; c) pass new laws;
2. The constable's duties were to keep peace and to a) protect the nobles; b) guard criminals; c) investigate the case.
3. a) King Louis XIV; b) Louis XV; c) French Government set up two separate bodies with different functions.
4. Sir Robert Peel in a) 1929; b) 1820; c) 1829 established the London Metropolitan Police, which became the world's first modern organized police force.
5. a) Canada; b) Greece; c) Japan, impressed by the success of the plan, adopted police systems based on the British model.
6. Unlike Britain, American policemen had a function to a) control law-making processes; b) control unrest; c) control partisans.

**Упр. 12. Прочитайте предложения и объясните употребление Past Perfect. Предложения переведите:**

1. The Government had already taken a number of measures to strengthen the criminal justice system by the beginning of the year.
2. The police office had investigated the robbery by last week.
3. The informant told the police that Williams had committed the crime.

4. The prosecutor argued that Williams had planned the robbery.
5. They stated that Williams had joked about killing the guard later that night while in a card game in New Orleans.
6. Frost told them that he had already made a purchase and was no longer interested in a deal.
7. After the policemen had handcuffed the criminals, they sent them to the police station.
8. The number of forcible rapes had risen 35 percent by 1991.
9. By 1992 organized crime had become globalized.
10. A 1997 news story reported that the courts had issued 312 000 arrest warrants for people who had jumped bail or fail to make court appearances in New York City.

**Упр. 13. Ответьте на вопросы, говоря, что действие уже произошло до того, как вы спросили об этом. Используйте Past Perfect:**

*Why didn't they come to the court yesterday? – Because they had come there before.*

1. Why didn't he tell the truth to his advocate? (to decide)
2. Why didn't the police send the man to prison? (to release)
3. Why didn't they discuss the details with the chief? (to discuss)
4. Why didn't the police make investigation? (to investigate)
5. Why didn't they arrest the thief? (to arrest)
6. Why did the jury release him? (to acquit)
7. Why didn't they interrogate him? (to interrogate)

**Упр. 14. Используйте Future Perfect в следующих предложениях:**

*The judicial hearing (to finish) by 10 p.m. – The hearing will have finished by 10 p.m.*

1. The search (to conduct) by 3 p.m.
2. The police (to cross-question) the defendant by 12a.m.

3. By next year Williams (to be) in prison for 20 years.
4. They (to arrive) at the court by 3 p.m.
5. He (to write) his report by Monday.
6. The Government (pass) the bill by next year.
7. They (release) the defendant by next week.

***Упр. 15. Письменно переведите текст:***

Robert Peel (1788-1850), British prime minister and founder of the modern Conservative party. Peel was born February 5, 1788, near Bury, Lancashire, England, and educated at Harrow School and the University of Oxford. He entered the House of Commons in 1809, and in 1811, he became a cabinet member as undersecretary for war and for the colonies. From 1812 to 1818, as chief secretary for Ireland, he suppressed Irish agitation for increased freedom for Roman Catholics. In 1822 he reentered the cabinet as home secretary. He distinguished himself in this post through a series of penal reforms and, in 1829, by reorganizing the London metropolitan police force, thereafter called "bobbies," after his first name. Although he had successfully opposed a Roman Catholic emancipation bill in 1817, Peel later recognized the explosiveness of the Irish situation. He introduced and carried through the Catholic Emancipation Act of 1829, granting Roman Catholics political equality.

In 1834-35 Peel was prime minister for four months. During the next six years, he established the modern Conservative party as a major political force by attracting such men as the later prime ministers Benjamin Disraeli and William Gladstone. In the general elections of 1841, the Conservatives gained a majority, and Peel formed the first Conservative ministry. Peel's ministry was notable for introducing an income tax and for revising the British banking laws. Most important, he reversed his earlier opposition to free trade and urged repeal of the Corn Laws. Although repeal was approved in 1846, the controversy over the measure was so great that Peel was forced to resign. He continued to serve in Parliament until his death, in London, on July 2, 1850.

## UNIT 3 Police Operations

### The Passive Voice Indefinite Tenses

В любом языке глаголы могут употребляться в 2-х залогах: активном (действительном) и пассивном (страдательном). Если глагол-сказуемое стоит в активном залоге, это означает, что подлежащее активно, т.е. само выполняет действие над объектом.

В предложении **Я послал телеграмму**

Я – подлежащее (деятель) выполнил действие над объектом (дополнением).

Если глагол-сказуемое стоит в пассивном залоге, это означает, что объект действия выполняет функцию подлежащего, и действие производится над ним. Исполнитель действия может не указываться. В предложении **Телеграмма была послана мною** подлежащее пассивно, действие выполняется над ним.

**Упр. 1. Определите залог сказуемого в следующих предложениях:**

1. Том убирает класс. 2. Мистер Грин коллекционировал марки. 3. Работа сделана вовремя. 4. Телеграмма будет отправлена вовремя. 5. Я отправлю телеграмму завтра. 6. Мы получили ответ 2 дня спустя. 7. Ответ был получен 2 дня спустя. 8. Они покажут тебе дорогу к университету. 9. Дом был построен 5 лет назад. 10. Текст будет переведен завтра.

В английском языке формы пассивного залога совпадают с русскими: т.е. они образуются при помощи вспомогательного глагола **to be** в соответствующем времени (Present: am, is, are; Past: was, were; Future: will be) и смыслового глагола в форме причастия прошедшего времени (V -ed/3)

**to be + V -ed/3**

**Спряжение глагола to invite в Present, Past и Future Indefinite**

<b>Present Indefinite</b>	<b>Past Indefinite</b>	<b>Future Indefinite</b>
I am }	I was }	I shall }
}	}	}



He is invited	We were invited	He will be invited
We are	They were	They will

**Сравните:**

<i>Active Voice</i>	<i>Passive Voice</i>
I ask – я спрашиваю	I am asked – меня спрашивают
I asked – я спрашивал	I was asked – меня спрашивали
I will ask – я спрошу	I will be asked – меня спросят

**Упр. 2. Переведите предложения:**

I teach – I am taught; I ask – I am asked; he introduced – he was introduced; they prepared – they were prepared; we ensure – we were ensured; I shall instruct – I shall be instructed; she will dress – she will be dressed; she admires – she is admired; we took – we were taken; it made – it was made; we shall invite – we shall be invited.

**Способы перевода предложений со сказуемым в пассивном залоге**

1) глаголом «быть» в сочетании с краткой формой причастия страдательного залога (I was invited to the concert. – Я был приглашен на концерт);

2) глаголом, оканчивающимся на **–ся, –сь** (This question is being discussed. – Этот вопрос обсуждается);

3) глаголом в действительном залоге в 3-ем лице множественного числа в составе неопределенно-личного предложения (Houses are built very quickly now. – Дома строят теперь очень быстро);

4) глаголом в действительном залоге, если в предложении (в страдательном залоге) есть дополнение с предлогом **by** (He was laughed at by the boys. – Мальчики смеялись над ним);

5) если дополнение с предлогом **by** отсутствует, то страдательный оборот переводится на русский язык неопределенно-личным предложением (He was laughed at. – Над ним смеялись; The doctor was sent for. – За доктором послали).

**Упр. 3. Выберите нужный вариант перевода сказуемого:**

1) Special attention is paid to the translation of passive constructions.

а) уделяли; б) уделяется; в) уделяет; г) будет уделено; д) уделялось.

2) The students will be explained a new grammar phenomenon.

а) объясняют; б) объясняли; в) будут объяснять; г) объяснят; д) были объяснены.

3) This bill was introduced to the discussion last week.

а) предлагают; б) предлагали; в) предлагают; г) был предложен; д) будет предложен.

**Обратите внимание**, что предлог **by** присоединяет исполнителя действия (кем?): by me – мною, by him – им, by her – ею. А предлог **with** присоединяет орудие, при помощи которого выполняется действие (чем?): with a knife – ножом, with snow – снегом.

**Упр. 4. Заполните пропуски предложениями *with* или *by*:**

1. Crimes of accommodation and resistance are committed ... the poorer. 2. The maximum sentence was reduced ... the judge. 3. Probation rules and conditions are fixed ... the court. 4. The victim was killed ... a blunt object. 5. The police were organized ... Sir Robert Peel. 6. Early police were directed ... two judges called "commissioners". 7. The floor in the victim's house was covered ... blood. 8. The two young men were found ... the police and arrested for arson and attempted murder.

**Упр. 5. Переведите на английский язык, употребляя глаголы в *Present, Past* или *Future Indefinite Passive*:**

Мне рассказали	- Мне рассказывают	- Мне расскажут
Мне показали	- Мне показывают	- Мне покажут
Ее привели	- Ее приводят	- Ее приведут
Нас спросили	- Нас спрашивают	- Нас спросят
Нам ответили	- Нам отвечают	- Нам ответят
Нас послали	- Нас посылают	- Нас пошлют
Им дали	- Им дают	- Им дадут
Ему помогли	- Ему помогают	- Ему помогут
Ему посоветовали	- Ему советуют	- Ему посоветуют
Его забыли	- Его забывают	- Его забудут
Его вспомнили	- Его вспоминают	- Его вспомнят
Нас пригласили	- Нас приглашают	- Нас пригласят
Нас поправили	- Нас поправляют	- Нас поправят
Его позвали	- Его зовут	- Его позовут

**Упр. 6. Найдите сказуемые в следующих предложениях и определите их видо-временную форму:**

1. Corruption, fraud and deception are committed by individuals or by organizations operating locally, nationally and internationally.
2. Serious efforts at social reform were undertaken at the end of the nineteenth century to restore honesty and efficiency to government.

3. Police were called to a department store by the owner.
4. In an unusual ceremony, a 60-year-old police officer in a small town was given an award for not having arrested any local resident for a period of 10 years.
5. As soon as a person is arrested he or she needs a defense attorney.
6. If you can not afford an attorney, one will be appointed to represent you.
7. At the preliminary hearing the defendant is not asked to plead to any charge and need do nothing but listen to the evidence presented by the prosecutor.
8. Two bank robbery suspects were pursued by city police after a report and description was given to dispatch.
9. A mixture of persons charged with violent and nonviolent crimes, or not charged at all, are housed in the jail.
10. A number of measures to strengthen the criminal justice system will be taken by the Government.
11. Jury members are ordinary selected by lot or chance, from a vaster list of persons in the community where the trial will take place.
12. Misdemeanants are sentenced to local jails, the same institutions that hold defendants awaiting indictments, preliminary hearings, trials or transfer to prison.
13. A 78-old woman was convicted of attempted bank robbery.
14. In the apartment of a quarreling couple, patrolmen were told by the wife, that the husband stole her purse containing money she earned.
15. When a crime is reported to the police, patrol officers are usually the first to arrive on the scene.

***Упр. 7. Преобразуйте предложения из активного залога в пассивный, сделав все необходимые изменения:***

1. The early urban forces adopted features of London police.
2. The Senate appoints the President.
3. The President nominates federal judges.

4. Petrol officers perform the initial investigation.
5. They interviewed the witnesses yesterday.
6. The police will make an arrest if there is a suspect.
7. Patrol officers call in detectives if they require expert investigation.
8. Detectives collect evidence, interviewed witnesses and victims, contact informants.
9. We needed a warrant to conduct a search.
10. The police officer will frisk (pat down) the person for concealed weapons.

**Упр. 8. Образуйте однокоренные слова в словообразовательной цепочке:**

1. To prevent (предотвращать, предупреждать) – предупреждение, предупредительный (профилактический);
2. To maintain (поддерживать, сохранять) – поддержка – лицо, оказывающее поддержку одной из тяжущихся сторон в корыстных целях;
3. To investigate (расследовать) – расследование – следователь;
4. To apprehend (задерживать, арестовывать) – задержание(арест) – задержанный (арестованный);

**Упр. 9. Переведите следующие словосочетания на русский язык:**

Basic police services, patrol duty, preventive patrol, crime prevention, preliminary investigations, criminal investigations division, handle serious or hit-and-run accidents, to handle parking violations, , highly trained and well equipped, to quell riots, handling bomb cases and scares, hostage situations, to locate missing persons.

**Упр. 10. Прочитайте текст и назовите функции полиции:**

### **Police Operations**

A police department's goals are to prevent crime, investigate crime and apprehend offenders, control traffic, maintain order, and deal with emergencies and disasters.

*Prevention of Crime*

The patrol division, consisting of uniformed patrol officers and supervisors, provides basic police services. In addition to foot and automobile patrol, officers engage in a variety of activities in response to citizens' needs. The greater part of patrol today is carried out by officers in police cars assigned to specific beats, or designated areas of the community. In small agencies, one-officer patrol cars are prevalent; in larger cities, combinations of one- and two-officer cars are common. Use of women officers for patrol duty is increasing; before 1970 the practice was unknown.

Recent research has raised doubts about the effectiveness of preventive patrol to curb most kinds of crime. Crime prevention, however, also means activities related to improving the security of homes and businesses, and to educating citizens to protect themselves. Most large police departments maintain a crime prevention unit to provide these services.

### *Criminal Investigation*

After patrol officers have conducted preliminary investigations, detectives who work in plain clothes further investigate serious crimes. Most detectives are assigned to the criminal investigations division after several years on patrol duty. In large departments, detectives are organized into specialized units, such as homicide, robbery, and narcotics. Contrary to popular belief, many cases solved by detectives are based on arrests made by patrol officers, or on leads supplied by officers or victims as a result of preliminary investigations.

### *Traffic Control*

Most traffic law enforcement and accident investigation is carried out by patrol officers. In large cities, however, specialists may handle serious or hit-and-run accidents, and motorcycle patrols may be responsible for freeway traffic. In the largest jurisdictions, officers may be assigned to traffic direction at busy intersections. A recent trend in many cities has been toward the use of civilian employees to handle parking violations.

### *Special Police Units*

Modern police service often includes special units to handle special problems. In major American cities, tactical units, highly trained and well equipped, are available to quell riots. Bomb squads are also on call; the bomb squad of the New York City Police Department, for example, is widely known for its outstanding work in handling bomb cases and scares. Other units specialize in dealing with hostage situations.

### *Noncriminal Services*

In most communities, about 60 to 70 percent of the time spent by patrol officers on operational activities is not crime related. Officers are called on to lo-

cate missing persons and lost children and to deal with marital disputes, crowd control, and ambulance calls.

**Упр. 11. Определите время и залог следующих предложений:**

1. The greater part of patrol today is carried out **by officers** in police cars.
2. Use of women officers for patrol duty is increasing; before 1970 **the practice** was unknown.
3. Most detectives are assigned to the criminal investigations division **after several years on patrol duty**.
4. Detectives are organized into **specialized units**.
5. **Most traffic law enforcement and accident investigation** is carried out by patrol officers.
6. Officers are called on **to locate missing persons and lost children**.

**Упр. 12. Поставьте вопросы к выделенным словам упр. 11.**

**Упр. 13. Ответьте на следующие вопросы:**

1. Who are basic police services provided by?
2. What is done by citizens to protect themselves?
3. Who are serious crimes investigated by?
4. Who are preliminary investigations conducted by?
5. Is most traffic law enforcement and accident investigation carried out by patrol officers or detectives?
6. What noncriminal services are conducted by police officers?

**Упр. 14. Переведите следующие предложения на английский язык:**

1. Предотвращение преступлений осуществляется офицерами полиции.
2. Офицеры полиции также привлекаются к уличному патрулированию.
3. Женщины полицейские также вовлечены в патрулирование.
4. Офицеров привлекают к поиску пропавших людей.

***Упр. 15. Прочитайте текст о структуре правоохранительных организаций в США и сравните ее со структурой правоохранительных органов Республики Беларусь.***

### **Law Enforcement Agencies**

The principal law enforcement agencies of the federal government are the Department of Justice, the Department of Homeland Security, and the United States Postal Service. The jurisdiction of federal law enforcement agencies is limited to the government's power to regulate interstate commerce, impose taxes, and enforce constitutional and federal law. Department of Justice agencies include the Federal Bureau of Investigation (FBI), which deals with bank robberies, kidnappings, terrorism, and violation of other federal laws and provides training, identification, and laboratory services to local police; the Bureau of Alcohol, Tobacco, Firearms, and Explosives, which investigates alcohol and tobacco smuggling, bombings, and violations of federal firearms and arson laws; the Drug Enforcement Administration (DEA), which investigates cases involving illicit narcotics and drugs; and the U.S. Marshals Service, which has responsibility for safeguarding and transporting federal prisoners and acting as marshals for U.S. courts. Law enforcement agencies in the Department of Homeland Security include the United States Coast Guard, which protects the country's ports and waterways; the Bureau of Border Security, which enforces immigration laws and includes the Border Patrol; the Secret Service, whose primary responsibilities include protection of the president and vice president and their families and investigation of counterfeiting; and the United States Customs Service, which investigates smuggling and inspects passengers, vehicles, and cargo entering or leaving the country. Within the U.S. Postal Service, the Postal Inspections Service deals with such crimes as mail fraud and misuse of the mails.

Basically, two kinds of state police agencies exist in the United States: those with general functions similar to local police and those with limited responsibilities, mainly involving highway patrol on state roads.

A city police force is usually organized as one of several departments within the local government. The police are part of the local criminal justice system, which is the means by which society deals with criminals. The system includes the prosecuting attorney's office, the courts, probation offices, and corrections agencies.

There are thousands of private and industrial security forces in the United States. These organizations employ a substantial percentage of all persons engaged in police work, and the use of private security by both businesses and individuals is increasing rapidly. Large corporations often maintain security forces to curb internal thefts, shoplifting, robberies, and trespassing.

The executive head of a police department—the commissioner, superintendent, or chief of police—is usually appointed by a mayor, city administrator, or legislative body. In larger agencies, executive officers may be selected through a civil service or merit system, after moving through the ranks from patrol officer to sergeant, lieutenant, captain, and (in still larger agencies) deputy or assistant chief.

At the county level, the head of the agency usually holds the title sheriff. The sheriff is almost always elected and has the power to appoint deputies. Sheriffs' departments often provide law enforcement services for unincorporated areas of counties and are usually responsible for functions not normally carried out by municipal police, such as operating the county jail, providing courtroom security, and serving legal documents, including subpoenas and court orders.

### **Вопросы для самоконтроля:**

1. Как образуются степени сравнения от прилагательных и наречий, состоящих из 1-2 слогов?
2. Как образуются степени сравнения от многосложных прилагательных?
3. Назовите степени сравнения от good, bad, much, many, little, well, far.
4. Как образуется Present Perfect?
5. Каким временем переводятся глаголы в Present Perfect на русский язык?
6. Какие слова подсказывают, что в предложении надо употребить это время?
7. В чем смысловое различие в употреблении времен Present Perfect и Past Indefinite?
8. В чем смысловое отличие в употреблении Past Perfect и Past Indefinite?
9. Из каких компонентов состоит глагол в страдательном залоге в английском языке?
10. Является ли подлежащее в предложении со сказуемым в страдательном залоге объектом или субъектом действия?
11. Какие способы перевода предложений со сказуемым в страдательном залоге вы знаете?

### **Задание на II семестр:**

1. *Знать ответы на все вопросы для самоконтроля.*
2. *Выполнить письменно контрольную работу № 2.*
3. *Уметь читать и устно переводить тексты по специальности; выписывать и выучить незнакомые слова к этим текстам.*

### **Контрольная работа № 2**

#### **Вариант 1**



***I. Образуйте сравнительную и превосходную степени для следующих прилагательных. Переведите полученные варианты.***

Good, successful, great, bad, high, low, many, few, interesting.

***II. Определите время сказуемого в предложениях. Переведите предложения.***

1. Recent Supreme Court decisions have strengthened police powers.
2. Recent victimization survey has revealed that 35 percent of victims consider it a 'personal matter'.
3. Statistics have shown that re-arrest rates of released inmates are very high.
4. The FBI has conducted several well-known and successful investigations.
5. Campus security forces have become common at schools and universities across the USA.
6. Television has provided a new means for citizens to become involved in law enforcement.
7. Several researchers have studied police work by observing police duty.

***III. Заполните таблицу, поставив предложение в соответствующие времена.***

<i>время</i>	<i>предложение</i>	<i>обстоятельство</i>	<i>перевод</i>
Present Indefinite	The officer questions the suspects	every morning.	Офицер допрашивает подозреваемых.
Past Indefinite		two hours ago.	
Future Indefinite		tomorrow morning.	
Present Continuous		at the moment.	
Past Continuous		at 10 o'clock yesterday.	
Future Continuous		from 10 to 12 tomorrow morning.	
Present Perfect		just.	
Past Perfect		when the students came.	
Future Perfect		by 12 o'clock tomorrow.	

***IV. Трансформируйте предложения из активного залога в пассивный.***

1. Many citizens call the police for help.
2. The Government undertook experiments to evaluate the effect of foot patrol.
3. The police will train detectives in modern investigative techniques and in the laws of evidence and criminal procedure.
4. Interpol maintains its effectiveness by holding annual meetings of member governments.
5. In 1791 the USA Government passed the Bill of Rights.

***V. Письменно переведите текст и выпишите слова юридической тематики.***

Gestapo (Geheime Staatspolizei, or Secret State Police), common designation of the terrorist political police of the Nazi regime in Germany from 1933 to 1945; technically, however, the term refers only to its executive branch.

The Gestapo was founded by Hermann Göring, one of Adolf Hitler's lieutenants, in April 1933. As a nucleus he used the political section of the police of the Weimar Republic, but he extended it greatly, removed from it all legal and constitutional restraints, and gave the organization its name. Its new purpose was to persecute all political opponents of the Nazi regime (including dissenting Nazis), not only defensively, in cases of oppositional acts, but also preventively, in cases of suspected or potential opposition. In this role, the Gestapo was to collaborate with the SD (Sicherheitsdienst, or Security Service), an organization of the Nazi Party; the SD did the intelligence work that served as the basis for Gestapo operations. Suspects were arrested and usually placed in concentration camps. It was at the Gestapo's discretion whether or not the arrested were brought to trial and whether or not they were released if acquitted.

In April 1934, Göring's rival, Heinrich Himmler, who headed the paramilitary SS (Schutzstaffel, or Defense Squads; also called Black Shirts), won control over the Gestapo, a step in his ascendancy that in June 1936 carried him to the command of all German police forces. The SS then gradually infiltrated the police, which was reorganized in two divisions: the regular and the security police. The latter, the political police—headed until 1942 by Reinhard Heydrich and thereafter by Ernst Kaltenbrunner—then included the SD, also run by Heydrich; the Gestapo, led from 1936 to 1945 by Heinrich Müller; and the Kripo (Kriminalpolizei, or Criminal Police), a detective service aimed against nonpolitical criminals, run from 1936 to 1945 by Artur Nebe.

In September 1939, after the outbreak of World War II, the security police received a central staff, the RSHA (Reichssicherheitshauptamt, or State Security Head Office), thus preparing it to serve as a nearly omnipotent tool for Hitler's racist and terrorist plans in Nazi-controlled Europe, including extermination policies against Jews and other “undesirables.” Rivalries between the various branches nonetheless continued. Thus, the concentration camps, including the death camps, were actually run by the SS, although technically they were under the control of the Gestapo. After the war, the Gestapo was dissolved and declared a criminal organization.

**Вариант 2**

**I. Образуйте сравнительную и превосходную степени для следующих прилагательных. Переведите полученные варианты.**

Reasonable, far, bad, frequent, good, long, short, powerful, much.

**II. Определите время сказуемого в предложениях. Переведите предложения.**

1. Use of deadly force has been a major issue in police-minority relations.
2. Constitutional restraints have improved police training.
3. The Supreme Court has laid down definite limits on the use of deadly force.
4. Police departments have adopted new methods and standards of selection police officers.
5. By 1990 the number of policewomen had more than doubled to 8.6 percent.
6. The police organizations have found they need to reform to meet the needs of modern police officers.
7. The detective has questioned the crime victim to confirm the information already gathered by the patrol officers.

**III. Заполните таблицу, поставив предложение в соответствующие времена.**

<i>время</i>	<i>предложение</i>	<i>обстоятельство</i>	<i>перевод</i>
Present Indefinite	The officer interrogates the convict	every morning.	Офицер допрашивает обвиняемого.
Past Indefinite		two hours ago.	
Future Indefinite		tomorrow morning.	
Present Continuous		at the moment.	
Past Continuous		at 10 o'clock yesterday.	
Future Continuous		from 10 to 12 tomorrow morning.	
Present Perfect		just.	
Past Perfect		when the students came.	
Future Perfect		by 12 o'clock tomorrow.	

**IV. Трансформируйте предложения из активного залога в пассивный.**

1. Police departments distribute detectives within police organizations in a variety of ways depending on the administrative preferences of top police officials.
2. The Federal Bureau of Investigation investigates federal crimes.
3. In the early American towns constables performed law enforcement duties.
4. Occasionally officers use motorcycles, small motorbikes and bicycles to patrol streets.
5. The detective will call on a crime laboratory expert to dust for fingerprints and analyze bloodstains in the scene of crime.

***V. Письменно переведите текст и выпишите слова юридической тематики.***

Scotland Yard, popular name for the headquarters of London's Metropolitan Police Force, and especially its Criminal Investigation Department. The name is derived from a small area where the headquarters was situated from 1829 to 1890. The area, in turn, was named after a medieval palace in which the kings and queens of Scotland resided during state visits to London. The custom of referring to the headquarters and its officers as Scotland Yard began soon after the Metropolitan Police Force was reorganized by the British statesman Sir Robert Peel in 1829. The headquarters was moved in 1890 to new buildings erected on the Thames Embankment, which were known as New Scotland Yard. In 1967 the present headquarters, a modern 20-story building situated near the Houses of Parliament, was opened.

Scotland Yard has been famous around the world for many years. The Criminal Investigation Department (CID) is known for its extensive investigative techniques and activities. Its fingerprint division was the prototype of similar systems used by the U.S. Federal Bureau of Investigation and by many other modern police forces. In addition, the Yard maintains a criminal records office, forensic laboratories, a detective-training school, a criminal intelligence department, an antiterrorist unit, and fraud and drug squads. Besides its work in crime detection, Scotland Yard directs all metropolitan police activities, including traffic control. The CID is frequently called in to help local police in solving complex cases. Many authors have used Scotland Yard as a background for their mystery stories; among the most prolific, John Creasey, writing as J. J. Marric, chronicled the exploits of Gideon of the Yard.

### **Supplementary Reading**

**1. Attorney**, in law, 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.

**2. 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 (*see 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 (*see Attorney*).

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 (*see Military Courts*).

**3. Courts**, branch of government established to administer the civil and criminal law. The term *court* is also applied to the international tribunals intended to provide for the resolution at law of controversies among governments, namely, the Permanent Court of International Justice, established by the League of Nations after World War I, and by the International Court of Justice, established by the United Nations after World War II.

Courts are classified in many ways. Among the more usual general classifications are courts of record and courts not of record; courts of superior jurisdiction and courts of inferior jurisdiction; trial courts and appellate courts; and civil courts

and criminal courts. In courts of record the proceedings are recorded completely; no detailed record is made of the proceedings in courts not of record. Police and magistrate's courts in the United States are, in nearly all cases, courts not of record. Courts of superior jurisdiction, often called higher courts or appellate courts, are generally those to which appeals are made from decisions of courts of inferior jurisdiction, referred to as lower courts or trial courts. Civil and criminal courts deal with cases arising from infractions of the civil law and the criminal law, respectively. The judicial organs of military establishments are called military courts. Courts with special, limited jurisdictions are known by the names of those jurisdictions. For example, probate or surrogate's courts are tribunals dealing with the probate of wills and the disposition of estates; military courts have jurisdiction over infractions by military personnel; and admiralty courts have jurisdiction over cases arising from maritime contracts and from violations of maritime law.

Other courts are designated by the territorial limits of their jurisdictions. Included in this classification are the territorial and state courts of the United States and the county courts of the U.S. and the United Kingdom. Municipal courts generally are criminal courts; however, a number have restricted civil jurisdiction.

4. The recognized existence of even **primitive courts** implies a relatively high degree of social organization and the need for systematic adjudication of disputes on the basis of established customs and consciously formulated rules of social conduct. Archaeologists and anthropologists have established the existence of courts in simple societies over wide areas of Asia, Africa, and Europe; courts were not as widespread among the Native Americans of North and South America. Primitive courts formed part of a complex social structure in which administrative, judicial, and religious functions were intermingled. These courts were held in the open or in religious temples. More often than not, the judges were priests. Those who attended were considered part of the court, whether or not they had an immediate interest in the proceedings or in the judgments rendered. The proceedings consisted in large part of rituals designed to secure the redress of grievances presented by individuals against other individuals.

In the highly developed civilizations of antiquity, notably those of Assyria and Egypt, judicial and executive functions were undifferentiated and were centralized in the monarch as head of state. Insight into the structure and functions of Babylonian courts of the 18th century BC was obtained when the ancient legal document known as the Code of Hammurabi was discovered early in the 20th century. A highly developed judicial system existed also among the ancient Hebrews.

In the judicial system of ancient Athens, a unique feature, introduced by the law-giver Solon in the 6th century BC, was the right of aggrieved litigants to appeal

the decisions of magistrates to the people of Athens, assembled as a *hēliaia* ("public assembly"). In later years, these assemblies, referred to as heliastic courts, became courts of first resort presided over by magistrates who prepared cases for trial. The heliastic courts subsequently became unwieldy, and they were divided into sections called dicasteries.

The evolution of courts in ancient Rome was marked by the development of a complex structure in which criminal, civil, and other jurisdictions were differentiated and were exercised by separate courts and officials. Violations of criminal law were prosecuted by the state; higher and lower courts were organized; the right of appeal was juridically guaranteed; and a corps of professional jurists was established for the first time in the history of Mediterranean civilization. After Christianity became the state religion of Rome, the ecclesiastical courts, previously established by Christians who had refused to have recourse to pagan courts, became a part of the Roman legal system. As the Roman Empire disintegrated, the ecclesiastical courts survived and assumed jurisdiction over secular affairs.

**5. Medieval courts** were an outgrowth of the tribal courts of the Germanic peoples, among whom the highest judicial authority was that of the popular assemblies that met regularly throughout the year. The tribal judges supervised the proceedings and executed the judgments rendered by the assemblies. During the development of the Germanic tribal organization into territorial states, the primitive tribal courts underwent a corresponding evolution, increasing in number and becoming differentiated. Among the new features of this Teutonic system were a royal court, presided over by the king and modeled on the Roman system of courts; special lower courts under the control of royal officials who were called *Grafen*, which handled minor matters; and, later, a corps of permanent lay judges, with power to render judgments.

In the 8th century, when the Germanic territorial states were part of the realm of Charlemagne, the Teutonic judicial system experienced a further significant development: the practice, initiated by Charlemagne, of dispatching royal commissioners to examine the functioning of local courts and, when necessary, to supplement the justice they dispensed. In this innovation were the seeds of three later important legal developments: assize courts, circuit courts, and a central legal authority. This innovation was adopted by other feudal monarchs in their struggles with the landed nobility, who controlled the manorial, or seignorial, courts.

When the Normans conquered England in 1066, they imposed the Carolingian judicial system on the Anglo-Saxons. In the long struggle between king and landed nobility that ensued, one of the principal weapons of the Crown was the *Curia Regis* (king's court), which was held wherever the royal household was situated. The principal judicial strongholds of the nobility were the manorial

courts, chiefly the courts baron and courts leet. Judicial supremacy eventually was won by the Crown, and, since the reign of King Edward I, in the 13th century, English courts have been organized on a centralized basis.

Before this victory of the Crown, however, King John had been compelled in 1215 to sign the Magna Carta, which initiated the gradual separation of judicial from executive and legislative governmental powers. The terms of this charter of liberty established the Court of Common Pleas as a court of a fixed location to try cases initiated by commoners against other commoners. The process of separation continued during the reign of Edward I with the establishment of the Court of Exchequer as a tribunal having exclusive jurisdiction over revenue cases arising out of unpaid debts to the Crown and the establishment of the Court of King's Bench, or the Court of Queen's Bench, as the supreme appellate tribunal of the realm, presided over by the monarch. The Court of King's, or Queen's, Bench also was invested with original jurisdiction over both civil and criminal cases and thus encroached on the jurisdiction of the Court of Common Pleas. In fact, the jurisdictions of all three courts overlapped and were not entirely differentiated until much later. These courts later became bulwarks in the defense of civil and political liberties against the Crown.

Another momentous innovation during the reign of Edward I was provision for doing justice in situations in which the common law failed to afford a remedy to aggrieved litigants. This supplemental system of justice was administered by the Crown through the lord chancellor and was called chancery, or equity, jurisprudence.

In the centuries after the signing of the Magna Carta, Parliament acquired appellate jurisdiction over both civil and criminal cases. This function was subsequently confined to the House of Lords and has survived to the present day. In 1701, Parliament enacted legislation establishing tenure of office for judges and made their removal from office conditional on the assent of Parliament, thus completing the separation of judicial from executive and legislative governmental powers. Like many other features of the English judicial system, this separation of powers was incorporated into the courts of the New World.

**6. Administrative and structural changes** in important but secondary features, such as those wrought by the Judicature Act of 1873, have been made. This act, which went into effect in 1875, preserved the role of the House of Lords as the chief appellate tribunal of England and Wales and consolidated all the superior civil courts into a Supreme Court of Judicature with two principal branches: the Court of Appeal, the highest appellate court below the House of Lords, and the High Court of Justice. The latter tribunal comprises three divisions: Chancery Division; King's, or Queen's, Bench Division; and Probate, Divorce and Admiralty Division. Enactment of the Criminal Appeal Act of 1907 established the Court of Criminal Appeal as the highest appellate tribunal after the House of



Lords in criminal cases. Besides the superior courts, the judicial system of England and Wales includes many lower courts organized into circuits. The highest civil court of Scotland is the Court of Session, and the highest criminal court is the High Court of Justiciary. Appeals may be taken from these courts to the House of Lords.

**7. In France, the development of the judicial system** after the breakup of the Carolingian Empire was similar to that in England: Both involved the vesting of central legal authority in the Crown after a protracted struggle with feudal manorial courts. The essential features of the judicial system now in effect in France were established after the French Revolution of 1789 by the Code Napoléon. This system includes lower courts of wide jurisdiction, intermediate courts of appeal, a court to resolve jurisdictional conflicts among courts, and a supreme appellate tribunal called the Court of Cassation. Many European and Latin American judicial systems are modeled on that of France.

In the Islamic world, the Qur'an (Koran) is the source of law; justice traditionally has been dispensed by specially trained priests in conjunction with the king, or sultan. In the 20th century, this system still prevails in such Islamic countries as Yemen and Saudi Arabia. In Turkey, however, executive, legislative, and judicial functions have been separated, and a judicial system similar to those of Western countries has evolved.

In other Middle Eastern and Asian countries that have attained independence since World War II, notably Sri Lanka, India, and Israel, the courts also operate similarly to those of the West, that is, as relatively independent institutions within a parliamentary framework.

In Communist countries, the judicial system was usually patterned after that of the USSR, which included a hierarchy of courts culminating in a supreme court. In the former Yugoslavia, however, all judges, even those of the highest tribunals, were elected, not appointed.

**8. Ordeal**, practice of referring disputed questions to the judgment of God, determined either by lot or by certain trials.

Throughout Europe the ordeal existed in various forms under the sanction of law and was closely related to the oath. The most prevalent kinds of ordeal were those of fire, water, and the wager of battle. Fire ordeal was allowed only to persons of high rank. The accused had to carry a piece of red-hot iron in the hand some distance or walk barefoot and blindfolded across red-hot plowshares. The hand or foot was bound up and inspected three days afterward. If the accused had escaped unhurt, the person was pronounced innocent; if hurt, the person was guilty. Water ordeal was the usual mode or trial allowed to members of the

lower classes and was of two kinds, the ordeal of boiling water and of cold water. The ordeal of boiling water, according to the laws of Athelstan, the first king of England, consisted of lifting a stone out of boiling water, where the hand had to be inserted as deep as the wrist; the triple ordeal deepened the water to the elbow. The person allowed the ordeal of cold water, the usual mode of trial for witchcraft, was flung into a pool. If the accused floated he or she was guilty; if the accused sank he or she was acquitted. In the wager of battle the defeated party was allowed to live as a “recreant,” that is, on retracting the perjury that had been sworn.

By the middle of the 13th century the ordeal had died out in England and on the Continent.

**9. Criminal Punishment**, penalties imposed by the government on individuals who violate criminal law. (Criminal law prohibits behavior deemed harmful to society as a whole, whereas civil law governs private interactions between individuals.) People who commit crimes may be punished in a variety of ways. Offenders may be subject to fines or other monetary assessments, the infliction of physical pain (corporal punishment), or confinement in jail or prison for a period of time (incarceration). In general, societies punish individuals to achieve revenge against wrongdoers and to prevent further crime—both by the person punished and by others contemplating criminal behavior. Some modern forms of criminal punishment reflect a philosophy of correction, rather than (or in addition to) one of penalty. Correctional programs attempt to teach offenders how to substitute lawful types of behavior for unlawful actions.

Throughout history and in many different parts of the world, societies have devised a wide assortment of punishment methods. In ancient times, societies widely accepted the law of equal retaliation (known as *lex talionis*), a form of corporal punishment that demanded “an eye for an eye.” If one person’s criminal actions injured another person, authorities would similarly maim the criminal. Certain countries throughout the world still practice corporal punishment. For instance, in some Islamic nations officials exact revenge-based corporal punishments against criminals—such as amputation of a thief’s hand—under the law of *hudūd*. Monetary compensation is another historic punishment method. In England during the early Middle Ages (5th century to 15th century) payments of “blood money” (*wergeld*) were required as compensation for death, personal injury, and theft.

Penology, the study of criminal punishment, is a subfield of criminology. Criminologists theorize about why people commit crimes and deviate from society’s norms of behavior. They also study how society punishes criminals because different methods of punishment may cause people to alter their behavior in differ-

ent ways. Thus, criminologists devise theories that not only explain the causes of crime but that also address its prevention and control.

Although some societies still use ancient forms of harsh **physical punishment**, punishments have also evolved along with civilization and become less cruel. Punishments range in severity depending on the crime, with the most severe forms applied to individuals who commit the most serious crimes. In most industrialized societies, contemporary punishments are either fines or terms of incarceration or both. Contemporary criminal punishment also seeks to correct unlawful behavior, rather than simply punish wrongdoers.

Certain punishments require offenders to provide **compensation** for the damage caused by their crimes. There are three chief types of compensation: fines, restitution, and community service.

A fine is a monetary penalty imposed on an offender and paid to the court. Most criminal statutes in the United States and Canada contain provisions for the imposition of fines. However, fines have not been widely used as criminal punishment because most criminals do not have the money to pay them. Moreover, fining criminals may actually encourage them to commit more crimes in order to pay the fines.

The term restitution refers to the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused. This damage may include psychological, physical, or financial harm to the victim. In most cases, crime victims must initiate the process of obtaining restitution from the offender. Thus, when the criminal is prosecuted, the victim must inform the court of financial losses or medical expenses. Otherwise, the judge may fail to require restitution. Judges may impose restitution in conjunction with other forms of punishment, such as probation (supervised release to the community) or incarceration.

In the United States, the Victim and Witness Protection Act of 1982 authorizes restitution (along with incarceration) as a punishment for individuals who violate federal criminal laws. Under this act, judges may impose restitution when initially sentencing offenders for federal crimes. Alternatively, restitution may be included as a condition of an offender's parole program. (Prisoners who receive parole obtain an early release from incarceration and remain free, provided they meet certain conditions.) In most U.S. states criminal laws also authorize restitution as a punishment option. Criminals in Canada may also be required to pay restitution to victims for personal injuries or property damage.

Offenders sentenced to community service perform services for the state or community rather than directly compensating the crime victim or victims. Some of

the money saved by the government as a result of community service work may be diverted to a fund to compensate crime victims. Courts may also sentence offenders to community service to defray a portion of the administrative expenses of prosecution. Judges and parole authorities have discretion to determine the nature of the community service to be performed by the offender.

The most serious or repeat offenders **are incarcerated**. In the United States about one-fourth of all persons who are convicted of a crime are incarcerated. Canada incarcerates about one-third of all convicted offenders. However, inmates in Canada are eligible for parole at earlier points in their sentence. Criminals may be incarcerated in jails or in prisons. Jails are locally operated facilities that house criminals sentenced to less than one year of incarceration. Jails typically house persons convicted of misdemeanors (less serious crimes), as well as individuals awaiting trial. Prisons are state or federally operated facilities that house individuals convicted of more serious crimes, known as felonies. Offenders sentenced to a year or more of incarceration are housed in prisons rather than jails. Canada uses a similar bifurcated system of local correctional centers and provincial and federal prisons.

Restrictions on incarcerated offenders vary. Some offenders are kept in solitary confinement or maximum security with no opportunity to interact with other inmates. In minimum-security facilities, the most common form of incarceration, inmates are housed together in large cells or in dormitory-like facilities.

Prisons deprive inmates of virtually all liberty and control over their lives. Each aspect of an inmate's daily life is regulated by others and highly structured. Many prisons offer self-help educational and counseling programs. In some prisons, inmates may be able to work at different trades to acquire vocational and technical skills. However, a majority of inmates do not utilize these rehabilitation-oriented programs because the programs typically are not compulsory. Instead, prisons often function as long-term warehouses where offenders are merely housed and forgotten. Rates of *recidivism* (repeated criminal behavior) are fairly high for former inmates in the United States, averaging about 60 percent. Rates in Canada are substantially lower, at 40 percent.

In a variation of incarceration known as *shock probation*, first-time offenders are placed on probation after having served only a short amount of the incarceration that they had expected to serve. Some offenders receive a *split sentence*, serving some time in jail before being released on probation. The theory behind these practices is that the jail time, albeit brief, will shock the criminal into acceptable behavior. In another variation, called *intermittent sentencing*, offenders spend weekends in jail but return to the community during the week. This practice enables offenders to maintain jobs and remain in contact with their families while also being punished.

In the United States and Canada, younger offenders may be sentenced to highly regimented, military-style correctional programs known as boot camps. Generally, offenders volunteer to participate in boot camp programs to avoid other types of incarceration. At boot camps, officials subject offenders to strict discipline and physical training. They also provide educational or vocational programs. Boot camps serve as an alternative to traditional, long-term incarceration and attempt to train offenders to be law-abiding. Typically, boot camp sentences range from two to six months.

Throughout history, societies have used **corporal punishments** to inflict physical pain on wrongdoers. Tribal societies find these punishments particularly appealing, since they are immediate and direct, and often debilitating. Such societies often lack the facilities to confine offenders, and corporal punishment offers a more direct application of penalties for violating community rules. Many people believe that corporal punishments, which graphically demonstrate the consequences of crime, help deter future wrongdoing. Harsh physical punishment also satisfies the goal of retribution (revenge).

In Europe during the Middle Ages, entire families would take revenge against members of rival families for crimes or wrongs committed by one or more members of the rival family. Some of these blood feuds lasted for many years—even several generations. In some tribal societies, entire tribes would feud with other tribes, and members of rival tribes would hunt and kill one another. Because ongoing feuds among kin groups were disruptive, various European countries drafted agreements setting societal policies concerning punishment. For example, in 1215 King John of England signed the Magna Carta, which provided that accused criminals could not be executed or incarcerated prior to a trial by a jury of their fellow citizens.

Governmental and religious authorities also used many forms of corporal punishment, often to torture persons into confessing to a crime or heresy (unorthodox religious belief). During the 13th century the Roman Catholic Church established the Inquisition, a judicial institution charged with finding, trying, and punishing heretics. Forms of torture used by inquisitors included flogging, boiling, and stretching on a device known as the rack. A person who underwent the rack torture was forced to lie on a long board. After the person's hands and feet were tied to mechanisms at opposite ends of the board, pressure on the mechanisms was increased in opposite directions. Frequently the person's arms and legs would pop from their sockets. This painful torture was sometimes fatal and commonly resulted in permanent physical injuries.

The colonists who settled North America used several types of corporal punishment, including the use of the ducking stool. In this punishment, a criminal was tied to a chair at the end of a long pole and lowered into a lake or river and

nearly drowned. Branding—the searing of flesh with a hot iron—was another form of punishment used by the colonists. Persons convicted of adultery (having sexual relations with someone other than one's spouse) were sometimes branded with the letter *A* on their faces or foreheads. During the late 1700s many of these corporal punishments were discontinued in favor of more humane methods, such as incarceration.

Some societies punish certain undesirable individuals, such as criminals and political and religious dissidents, with **banishment or exile**. In ancient times banishment was a common form of punishment, and it often amounted to capital punishment because authorities would deny food and shelter within a certain distance to those banished. The Old Testament of the Bible contains the story of Adam and Eve, who were banished from the Garden of Eden for their disobedience to God.

During the 18th and 19th centuries officials in various Chinese provinces used banishment as a punishment. It ranked second only to death as the most serious punishment imposed. China and other countries also used banishment as a means to colonize regions. For example, from 1788 to 1868 England banished more than 160,000 prisoners to Australia or Africa to work in labor colonies they established.

Banishment has also been used in modern times. In 1993, for example, tribal officials banished two teenaged members of the Tlingit tribe of Native Americans as punishment for a robbery. The offenders were sent from their home in Everett, Washington, to a desolate island off Alaska to live in isolation for several months.

**10.** The most extreme form of punishment is death. Execution of an offender is known as capital punishment. Like corporal punishment and banishment, **capital punishment** has been used since ancient times. The Old Testament of the Bible prescribes death as the punishment for over 30 crimes. The Romans executed Jesus Christ by crucifixion, a common form of capital punishment between the 6th century BC and the 4th century AD. In England in the 1800s more than 200 crimes were punishable by death.

In the late 18th century, social commentators began to criticize penal practices they considered brutal and unnecessary. Many of these philosophers condemned the use of capital punishment, initiating a debate that has continued to modern times. During the 19th century, legal reformers in England and the United States helped enact laws limiting the death penalty to the most serious crimes. Shortly after World War II (1939-1945), many countries in Western Europe, beginning with Italy and Germany, abolished capital punishment. Britain, Canada, and Australia followed suit. A similar abolition movement coincided with the

breakup of the Union of Soviet Socialist Republics in 1991, when several nations in Eastern Europe eliminated capital punishment. The use of the death penalty has become increasingly controversial, especially in the United States and Japan, the only industrialized democracies that continue to practice capital punishment.

In the U.S. system of government, power is divided between a central (federal) authority and smaller local units of government (the states). Federal law authorizes capital punishment for more than 40 offenses, including premeditated murder, treason, and murder related to aircraft hijacking, drug trafficking, and civil rights violations. The majority of states also authorize the death penalty for violations of state criminal law, including such crimes as treason, murder, and rape. As of early 2005, 12 states did not permit capital punishment. Methods for executing offenders vary among the states. The majority of states that have the death penalty execute offenders by means of lethal injection—the administration of fatal amounts of fast-acting drugs and chemicals. Other common methods include lethal gas and electrocution. Three states execute criminals by hanging and three states provide for execution by firing squad.

In the 1972 case of *Furman v. Georgia*, the Supreme Court of the United States ruled that the procedures leading to imposition of the death penalty in Georgia were unlawful. Although the Court indicated that capital punishment was not necessarily a “cruel and unusual punishment” in violation of the Constitution of the United States, it determined that allowing a jury unlimited discretion to choose between a death sentence and a prison sentence is unconstitutional. Because all of the states that provided for capital punishment at that time also used a standardless system—that is, a system in which the sentencing decision of jurors was unguided—this ruling invalidated every state’s death penalty statute. Following the *Furman* decision, many states passed new death penalty legislation. These laws still gave the jury the discretion to choose between imprisonment or death, but they also restricted the types of crimes for which death could be imposed and provided instructions to guide the jury’s determination of punishment. In 1976 the Supreme Court ruled such systems constitutional.

Opponents of capital punishment see it as barbaric and degrading to the dignity of the individual. Many believe it poses too great a risk of executing an innocent person. Supporters respond that the death penalty provides a uniquely effective punishment. They consider it a necessary form of retribution for terrible crimes. Opponents of the imposition of capital punishment in the United States assert that authorities apply the death penalty unfairly. These critics emphasize the disproportionate numbers of African Americans on death row and also note that the race of the crime victim provides a statistically clear determinant of whether an offender receives a sentence of death or imprisonment. Although about half of

all murder victims are nonwhite, 80 percent of death sentences are imposed for murders of whites. Those who believe capital punishment is not imposed unfairly attribute this trend to differences in the types of crimes involving white victims.

Those who support capital punishment believe it serves an important function of vengeance. Some proponents of the death penalty argue that those who kill should also be killed because death is the only fitting punishment for an individual who takes another's life. Supporters of capital punishment also believe that executing offenders will deter others from committing similar crimes.

**Modern forms of criminal punishment** include alternatives that contrast vividly with corporal punishments and large-scale warehousing of offenders in prisons. Modern programs increasingly emphasize an individualized approach to the rehabilitation and treatment of offenders.

In the United States and Canada, persons convicted of crimes are most often placed on probation. A person who receives probation remains in the community but is subject to supervision and must comply with various conditions. The conditions may include mandatory group or individual psychological counseling sessions, classes, or vocational training. Because growing numbers of offenders have drug or alcohol dependencies, drug rehabilitation programs are often included as a condition of probation.

Probationers who have committed more serious crimes require tight supervision, including house arrest and electronic monitoring. People under house arrest must remain in their house and may leave only for periods of work during the day. They must observe rigid curfews and allow probation officers to enter their homes at any time to inspect the premises for illegal drugs or other contraband. Electronic monitoring is often used in conjunction with house arrest. The offender must wear electronic bracelets or anklets that emit electronic signals and permit probation officers to detect whether the probationer is where he or she is supposed to be. Another type of electronic monitoring involves a telephonic device that reads the electronic signal of the probationer's bracelet. When probation officers call at random times, offenders must insert their bracelets into the device so that the officers can ascertain the offender's location.

Prison inmates who are within six months of their release date or who have recently been released may qualify for special transitional programs. Inmates who wish to enroll in colleges or perform work outside the prison during their final months of incarceration may request study- or work-release time. If such time is granted, prison officials will permit the inmates daily unescorted leaves from prison for such purposes. Vermont developed the first work- and study-release programs in the United States in 1906. In 1998 about 25,000 U.S. prisoners par-



ticipated in work- or study-release programs. Canada instituted work-release programs in 1992. In 1998 about 1,200 inmates in Canada received work releases.

Some inmates may be granted furloughs (temporary leaves) so that they can spend weekends visiting with their families at home. Furlough programs originated in Mississippi in 1918. By 1998 approximately 10,000 prisoners in the United States received furloughs each year. Canada does not utilize furloughs. However, a small portion of inmates are granted day parole.

Parole boards place some paroled inmates in halfway houses. These community residences, staffed by counselors and aides, assist offenders in making the transition back into community life. Halfway houses provide released prisoners with a place to sleep and eat. In addition, halfway-house personnel help parolees find jobs and get access to needed services. Halfway houses originated in England during the 1800s. Pennsylvania established the first halfway house in the United States in 1817. Today there are hundreds of halfway houses in the United States helping former prisoners cope with their freedom.

**11. Goals of Criminal Punishment.** The major driving force underlying all punishment is revenge, also referred to as retribution. The word *retribution* derives from a Latin word meaning “to pay back.” In retaliation for wrongdoing, societies seek to punish individuals who violate the rules. Criminal punishment is also intended as a deterrent to future criminality. Offenders who are punished may be deterred from future wrongdoing because they fear additional punishment. Others who contemplate crime may also be deterred from criminal behavior. Societies also impose punishments in order to *incapacitate* dangerous or unlawful individuals by restricting their liberty and to rehabilitate these wrongdoers and correct their behavior.

The various goals of criminal punishment may conflict with one another. For instance, the goal of incapacitation may be achieved by confining offenders for long prison terms. However, inmates who are warehoused in large prisons where they associate closely with other criminals and lack control over their life may develop additional antisocial behaviors. Consequently, punishment may perpetuate criminal dispositions and behaviors rather than eliminate them.

**Retribution** is probably the oldest goal of criminal punishment. The Babylonian Code of Hammurabi, dating from the 18th century BC, contained this principle of equal retaliation. Similarly, the laws of the ancient Hebrews demanded “an eye for an eye and a tooth for a tooth.” The corporal punishments used in England and the American colonies were based on retribution.

Over time many came to believe that the brutal punishments imposed on offenders far exceeded the seriousness of the crimes. French novelist Victor Hugo satirized criminal punishment in France during the 19th century in his novel *Les Misérables* (1862), in which a character is sentenced to 20 years of hard labor after stealing a loaf of bread to feed his family. When the character later escapes, officials hound him for years as though he had committed murder. Although extreme, this fictional account captured the vengeful nature of punishment in those times.

In the United States, the retributionist philosophy remains apparent in the sentencing practices of courts, the laws enacted by state legislatures and Congress, and the rules and regulations of various correctional programs. Common punishments include restitution; fines; and victim compensation for losses, pain, and suffering resulting from crimes. Furthermore, offenders perform hundreds of hours of public service work as restitution to the state in partial payment for the losses resulting from their crimes.

There is little evidence to indicate that criminals change their behavior as a result of government-imposed retribution. Many released prisoners and former probationers repeatedly commit crimes. The value of retribution to society may be ritualistic. That is, when formal measures of retribution are imposed citizens may feel satisfied that crime has been appropriately addressed.

Another goal of punishment is **deterrence**—the prevention of crime. There are two types of deterrence: specific and general. *Specific deterrence* refers to the preventive effect of a specific punishment, such as a large fine and a long prison sentence, on a specific individual for committing a specific crime. Many believe that imposing a sufficiently severe punishment on an offender will deter that individual from future crime. *General deterrence* is intended to apply to any person who contemplates committing a crime. For example, advocates of the death penalty believe that imposition of such a severe punishment on murderers will prevent others from killing people.

Modern punishments seek to incapacitate certain offenders who are believed to pose a threat to the community. **Incapacitation** involves restricting offenders' movement or liberty. In contemporary practice, the goal of incapacitation is associated with attempts to punish offenders in a manner proportionate to the seriousness of the crime.

Isolating criminals from society through confinement or incarceration is the most direct method of crime prevention. Containing offenders in prisons and jails prevents them from harming others or damaging property. For many offenders incapacitation is also psychologically painful. Most people consider incarceration a sound defensive strategy to protect the public and combat crime.

However, because many criminals remain undetected, unapprehended, and unrestrained, the defensive value of incarceration may be overrated.

In the United States, severe prison overcrowding frustrates efforts to incarcerate all offenders who deserve to be incarcerated. Even with new construction, it will remain impossible to incarcerate all eligible offenders. Furthermore, prison and jail construction is costly and often unpopular. In certain communities a “not in my backyard” syndrome typifies citizen reaction to proposed prison or jail construction.

Contemporary criminal punishment seeks to correct criminals and transform their behavior, rather than merely penalize wrongdoers. As early as 1787 the Society of Friends (Quakers) in Pennsylvania espoused inmate reform as a major aim of prisons. Prisons became known as *penitentiaries* because the Quakers believed that prisons could help criminals become penitent (remorseful) and change their behavior. However, it was not until the late 19th century that rehabilitation became an acknowledged goal of criminal punishment in the United States. **Rehabilitation** programs of this era differed from the reform-oriented practices promoted by the Quakers. Rather than requiring solitary religious study, prisons began to emphasize basic education and skills training. At its first convention in 1870, the National Congress on Penitentiary and Reformatory Discipline officially recognized rehabilitation as a valid and useful function of incarceration. Shortly thereafter, American prison administrator Zebulon Brockway established the Elmira Reformatory in Elmira, New York. The reformatory’s stated goals included rehabilitation and reform of inmates. Between 1876 and 1920 a fourth of the states modeled the construction and administration of their prisons on the Elmira Reformatory. These institutions provided vocational training and other programs to promote inmate rehabilitation.

The rehabilitation philosophy of punishment dominated in the United States through the first half of the 20th century. However, high recidivism rates among former inmates caused many experts to become skeptical of rehabilitation programs. Increasingly, the goal of rehabilitation has received lower priority in corrections. Today the primary emphasis of punishment in the United States is ensuring that offenders receive penalties commensurate with the seriousness of their offenses. The primary philosophy of Canadian corrections is rehabilitation. Since 1992, Canada has worked to reduce its incarcerated population by implementing various alternatives to incarceration and accelerating parole release of incarcerated offenders.

**12. Attitudes about Criminal Punishment.** During the late 1700s and early 1800s, several French, English, and Italian philosophers and social reformers achieved prominence through their criticisms of corporal punishments. For example, in *Des L’esprit des lois* (1748; translated as *The Spirit of the Laws*,

1750), French political theorist Montesquieu criticized the French penal code and the inhuman punishments suffered by prisoners. He believed that punishments should fit the crimes committed and that more humane conditions should be provided for incarcerated offenders. French philosopher and social critic Voltaire also objected to injustices against criminals, such as arbitrary sentencing practices and secret trials. Denis Diderot, another French philosopher, campaigned for political reforms to eliminate punishments he believed to be cruel and inhuman.

During the late 1700s, British philosopher and economist Jeremy Bentham, who founded the doctrine of utilitarianism, became an outspoken critic of penal policy in England. In *An Introduction to the Principles and Morals of Legislation* (1789), Bentham applied his philosophy of utilitarianism to crime and punishment. Bentham believed that criminals engage in crime for pleasure and calculate the gains and losses (or pleasures and pains) associated with criminal conduct. He argued that a utilitarian philosophy of punishment would be useful in deterring crimes by minimizing or eliminating the pleasures offenders obtain from wrongdoing. Bentham proposed that the punishment inflicted should offset the pleasure offenders achieve from their crimes. He also believed that people would be more effectively deterred from crime if they did not consider punishments arbitrary and capricious. Many of Bentham's ideas were adopted by the British legislature, including the limitation of capital punishment to only the most serious crimes.

One of the most influential writers of this time, Italian jurist and economist Cesare Beccaria, built on the work of Montesquieu and Voltaire. Like Voltaire, Beccaria objected to judicial tyranny and injustice, as well as torturous corporal punishments. Beccaria's work, *Tratto dei delitti e delle pene*, (1764; translated as *An Essay on Crimes and Punishments*, 1880), contained the basic principles of the classical school of criminology. These include (1) the best approach to crime is prevention and prevention is maximized by establishing written legal codes that define prohibited behaviors and the punishments for them; (2) law serves the needs of society rather than enforces moral virtues and therefore should be limited to the most serious offenses; (3) all persons should be considered innocent until proven guilty; (4) punishment should be swift and certain, with no regard for personalities or social characteristics of offenders; and (5) punishment should be retributive and the degree of retribution should fit the seriousness of the crime.

Many countries, including Canada, England, France, and Italy, have incorporated Beccaria's principles into their legal system and jurisprudence (legal philosophy). When Beccaria originally proposed his ideas, many considered them antithetical to the existing legal system. Prior to Beccaria's time, only those with wealth, property, and political influence possessed legal rights and privileges.

His work influenced several of the authors of the U.S. Constitution. The language of many U.S. criminal laws reflects Beccaria's ideas.

**13. Crime**, commission of an act or act of omission that violates the law and is punishable by the state. Crimes are considered injurious to society or the community, as distinguished from torts and breach of contract.

As defined by law, a crime includes both the act, or *actus rea*, and the intent to commit the act, or *mens rea*. Criminal intent involves an intellectual apprehension of factual elements of the act or acts commanded or enjoined by the law. It is usually inferred from the apparently voluntary commission of an overt act. Criminal liability is relieved in the case of insanity. Legal minors are also relieved of criminal liability, as are persons subjected to coercion or duress to such a degree as to render the commission of criminal acts involuntary. In most countries, crimes are defined and punished pursuant to statutes. Punishments may include death, imprisonment, exile, fines, forfeiture of property, removal from public office, and disqualification from holding such office.

Unless the act of which a defendant is accused is expressly defined by statute as a crime, no indictment or conviction for the commission of such an act can be legally sustained. This provision is important in establishing the difference between government by law and arbitrary or dictatorial government.

Under common law, a crime was generally classified as treason, felony, or misdemeanor, but many offenses could not be defined exactly, and the rule was adopted that any immoral act tending to the prejudice of the community was, per se, a crime, and punishable by the courts. Crimes are now usually classified as *mala in se*, which includes acts, such as murder, so offensive to morals as to be obviously criminal; and *mala prohibita*, which are violations of specific regulatory statutes, such as traffic violations, that ordinarily would not be punishable in the absence of statutory enactments prohibiting the commission of such acts. In most cases, crimes, including treason, that are *mala in se* are called felonies and are punished more severely than those that are *mala prohibita*, most of the latter falling into the category of misdemeanors.

**14. Treason**, criminal offense involving the attempt, by overt acts, to overthrow the government to which the offender owes allegiance, or to betray the state to a foreign power.

Two grades of treason existed in early English law: high treason, which was directed against the Crown, and petty treason, which consisted of a crime against a subject, such as a wife killing her husband, or a servant murdering his master.

In early English statutes the more serious offenses were compassing or imagining the death of the sovereign, adhering to the sovereign's enemies and giving them aid and comfort, and levying war against the sovereign. Statutes were changed from time to time between the reign of Edward III and that of Elizabeth I. After the Restoration the Stuart judges used "constructive treason" to discourage resistance to the Crown. They extended the offenses to include words as well as deeds. In 1663, a writer was convicted of treason for writing an article suggesting that the king was accountable to the people.

Article III, Section 3, of the U.S. Constitution follows the English law: "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court."

In the early days of the American colonies the codes defining treason used such terms as desertion, mutiny, sedition, attempts to subvert or alter government, and "public rebellion." Toward the end of the 17th century colonial law followed more closely the English law of treason. During the French and Indian War some colonies considered trading with the enemy treasonous. Massachusetts in 1706 declared "correspondence" with the enemy to be treason. During the 1680s, Virginia attempted to punish the destruction of young tobacco plants, in order to control prices, as treason. In colonial days the penalty for conviction of treason followed the English law, providing for attainder, forfeiture, or loss of property, and the loss of all rights of inheritance. The sentence included the practice of hanging and quartering. Often, however, the colonial governor received a reversal of the judgment from the Crown.

Just before the American Revolution, efforts were made to prosecute certain leaders for treason. Those who participated in the Boston Tea Party and in burning the ship *Gaspée* in Rhode Island were suspect. Convictions could not be obtained in the colonies, because juries would not convict and witnesses could not be found even after offers were made to give cash rewards and full pardons to informers against those who burned the *Gaspée*.

During the American Revolution, charges of treason were brought against American supporters of the British government. Congress authorized the death penalty for American soldiers who supported King George III. Several men were hanged for enlisting soldiers in the king's army and for various other violations, such as furnishing supplies to the British. Many convicted traitors were pardoned.

The most famous treasonous activity of the Revolution was the planned surrender to the British of the fort at West Point, New York, by the American general

Benedict Arnold. His plan was discovered in 1780 when the British soldier John André was captured with documents detailing the surrender.

In 1790, Congress fixed the penalty for treason as death by hanging. The accused was to enjoy certain procedural rights: a copy of the indictment; a list of jurors and witnesses at least three days before trial; representation by counsel; compulsory process for witnesses on behalf of the accused; and preemptory challenge of 35 members of the jury panel.

Perhaps the most celebrated American trial for treason in the 19th century was that of the statesman Aaron Burr, who completed his term as vice president in March 1805. He was unpopular with many persons because he had killed Alexander Hamilton in a duel. In conspiracy with others, Burr proposed a grandiose scheme for establishing a kingdom west of the Appalachians, raiding Spanish lands, and settling the lands in the Washita Valley. Burr was tried for treason but was acquitted after a long trial. The case turned partly on the point that Burr was not present when the one overt act that was charged took place.

Few cases of treason occurred in U.S. courts for more than a century after Burr's trial. During the American Civil War, no judicial determination was made as to whether or not leaders and supporters of the Confederacy were guilty of treason against the U.S. Jefferson Davis, the president of the Confederacy, was indicted, but he never came to trial.

In the 20th century, several Americans were accused of treasonous acts during World War II. Iva Ikuko Toguri D'Aquino, a Japanese American born in Los Angeles and known as Tokyo Rose, conducted broadcasts in English to American servicemen in the Pacific area. She was convicted of treason and served a long prison term. Mildred Elizabeth Gillars of Portland, Maine, known as Axis Sally, served a sentence for broadcasting for the Germans.

**15. Felony**, in common law, the second in seriousness of three classifications of crimes. The first classification is treason and the third, covering all minor offenses, is misdemeanors. The distinction between felonies and misdemeanors is artificial and corresponds roughly to that between grave offenses and those less heinous in character. Formerly, a felony was any crime punishable by the criminal's forfeiture of any lands or goods, or both; other punishment might be added to the forfeiture, according to the degree of guilt. In England, for a long time, most felonies were punishable by death.

In some states of the U.S., little differentiation is made between felonies and misdemeanors. The punishment for each particular crime is prescribed by statute, and the word *felony*, is used, if at all, in a loose and indefinite sense. In general, crimes that are punishable by death or by imprisonment in a state prison

or penitentiary, with or without hard labor, are felonies, whether or not a less severe punishment may be inflicted at the discretion of the court or jury. No crime is a felony unless made so by statute, or unless it was a felony in common law.

**16. Misdemeanor**, in criminal law, term applied to any offense other than a felony. In the U.S., the criminal codes of the states vary in their classifications of the offenses considered misdemeanors, but misdemeanors are always the less serious crimes. Examples of such crimes are criminal libel, assault in the third degree, conspiracy in the third and fourth degrees, criminal tampering, and possession of gambling records. Prosecution for a misdemeanor is generally by information and not by indictment, and persons found guilty are generally punished by fine or imprisonment in a prison other than a state penitentiary.

**17. Public Defender**, lawyer appointed by a local government to represent indigent persons who are accused of a crime. Although the right to counsel varies from country to country, most have now recognized the need for defense counsel in criminal cases. Some form of assigned counsel is usually provided to the needy. The U.S. Supreme Court has upheld the right to counsel of all persons accused of felonies, regardless of their ability to pay. For any case that involves the possibility of imprisonment, the poor are guaranteed a publicly provided defense lawyer during the police questioning, pretrial hearing, trial, and appeal.

**18. Evidence**, the means by which disputed facts are proved to be true or untrue in any trial before a court of law or an agency that functions like a court. Because American law is committed to a rational rather than a formalistic system of evidence, no value is assigned to the form or the quantity of evidence offered. Effectiveness is generally determined by how persuasive the evidence seems, especially to a jury.

In a few cases formal rules are enforced. Treason must be proved by the testimony of two witnesses, and in several states two witnesses are required for a perjury conviction. Some transactions, such as wills, transfers of land, and the sale of very valuable goods, must be evidenced by written documents.

The burdens of producing evidence on a given point and of persuading the judge or jury of its truth are assigned by law to one side or the other in a court trial. Best known is the rigorous requirement that the prosecution in a criminal case must prove the defendant's guilt beyond a reasonable doubt. Lesser burdens placed on other litigants typically involve proving their case by a preponderance of the evidence. Thus a person may be found not guilty of manslaughter for a death occurring in a traffic collision when guilt is not proved beyond a reasonable doubt. That person can, however, still be held liable for damages in a civil action for the same death, and on the same evidence, because negligence can be shown by a preponderance of the evidence.



Rules of admissibility determine which items of evidence judges or juries may be permitted to hear (or see or read). Modern codes declare that all “relevant” evidence should be admitted for consideration unless specifically excluded by law. Certain facts that are logically relevant and of considerable probative force are still not legally admissible evidence because of their supposed tendency to “confuse and mislead the jury.”

Legal codes declare that evidence is relevant when it has a tendency “in reason” to prove or disprove disputed facts. Thus, direct testimony of an eyewitness is relevant because it can show that an event occurred. Using an article found at a scene of a crime to show that its owner was present is less probative, because it could have been placed or dropped there by another person. Its probative force is weak when viewed alone, but coupled with other equally weak evidence it may suffice to prove a fact. This indirect or circumstantial evidence can be effective in a court case.

Relevant circumstantial evidence may be excluded, however, when it can be misused. For example, a defendant's prior criminal record cannot be admitted as evidence to prove that the person is guilty of a present crime. In a lawsuit, the fact that the defendant is insured is excluded because it diverts attention from the problem of legal fault to the improper question of ability to pay damages.

Hearsay evidence consists of statements made out of court by someone who is not present to testify under oath at a trial. Even if relevant, hearsay evidence generally is excluded unless some exception can be found. This rule is a distinctive characteristic of Anglo-American law and is virtually unknown in other legal systems. One reason for the exclusion of hearsay is the practice of cross-examination of witnesses in open court by opposing lawyers; written or oral assertions made by a person not present cannot be subjected to cross-examination.

Various exceptions are made, however, to the exclusion of hearsay evidence. Not everything that a witness “heard said” is considered hearsay, for sometimes the very speaking of words is important apart from their truth. For instance, the threat “Your money or your life” proves an intent to rob. Moreover, not all hearsay is excluded from consideration. The fact that an accused person has confessed guilt may support a conviction despite denials or silence at a trial. A confession is an admission by a person to the action in question—a classic hearsay exception. A confession is not admissible, however, when obtained by threats or promises of favor.

The recognized exceptions usually invoke either or both of two principles: (1) The statement was made by a speaker who had reason to be truthful, and (2) the speaker is now unavailable to testify. The classic example is a “dying declara-

tion” that may prove the cause of death of a speaker who knew that death was imminent, because the deceased had little reason to lie and cannot now testify. Other exceptions to the hearsay rule involve written evidence such as birth and death records.

Nearly all persons with knowledge relevant to the case can testify; only those limited by extreme youth or mental incapacity are precluded. Ordinary witnesses may state only their own knowledge and are required to express facts rather than opinions. A special category called expert witnesses also exists. Experts sometimes utilize hearsay and routinely express opinions. Physicians, for example, can testify as to the causes of death and injury; through training and experience, they are better qualified to form an opinion than the jurors.

Legal evidence is not limited to the sworn testimony of witnesses. Specific objects, when identified by oral testimony, may often be introduced in evidence when their existence or appearance tends to prove or disprove an alleged fact. Thus, models, parts of machinery, weapons, clothing, and documents may generally be introduced in evidence.

Except for the accused party, all persons can be compelled to be witnesses in a trial, but not every question asked must be answered. Facts that need not be disclosed on demand are known as privileged information. Information may be privileged even when the response would serve the cause of truth and justice.

Only powerful social interests, however, can justify refusal to answer questions, so privileges are few. Among those established are the need of the nation to protect military and diplomatic secrets, often called executive privilege. No person has to provide information that is self-incriminating, either as a witness in a trial or in response to police questioning. This protection is guaranteed by the 5th Amendment of the U.S. Constitution. Although technically not a privilege, a related rule is that evidence obtained by unlawful search or seizure by police is inadmissible in court; it is considered more important to maintain legal protection for all than to convict guilty parties.

In addition, some disclosures made in confidence need not be revealed. Attorneys cannot repeat what their clients have told them privately. One spouse can neither be forced nor permitted to reveal the secrets of the other spouse; indeed, some states excuse one spouse from testifying at all when the other is being prosecuted or sued. These historic protections have generally been expanded to include a few special relationships; in some jurisdictions, attorneys, physicians, and members of the clergy are not permitted to testify on confidential communications received by them in their professional capacity.

**19. Forensic Science or Medical Jurisprudence**, also called forensics, the application of science to law. Forensic science uses highly developed technologies to uncover scientific evidence in a variety of fields.

Modern forensic science has a broad range of applications. It is used in civil cases such as forgeries, fraud, or negligence. It can help law-enforcement officials determine whether any laws or regulations have been violated in the marketing of foods and drinks, the manufacture of medicines, or the use of pesticides on crops. It can also determine whether automobile emissions are within a permissible level and whether drinking water meets legal purity requirements. Forensic science is used in monitoring the compliance of various countries with such international agreements as the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention and to learn whether a country is developing a secret nuclear weapons program. However, forensic science is most commonly used to investigate criminal cases involving a victim, such as assault, robbery, kidnapping, rape, or murder.

The medical examiner is the central figure in the forensic investigation of crimes involving a victim. It is the responsibility of the medical examiner to visit the crime scene, conduct an autopsy (an examination of the body) in cases of death, examine the medical evidence and laboratory reports, study the victim's medical history, and put all this information together in a report to the district attorney.

Medical examiners are usually physicians specializing in *forensic pathology*, the study of structural and functional changes in the body as a result of injury. Their training and qualifications most often include a medical degree and an apprenticeship in a medical examiner's office. Depending on the requirements of the particular state, city, or county, the medical examiner may also be required to be certified as a forensic pathologist by the American Board of Pathology. At present, the United States has no national system of medical examiners and has no federal law requiring that coroners be licensed physicians.

Within the broad area of forensic science, there are many subspecialties, including pathology (the examination of body tissues and fluids), toxicology (the study of poisons, including drugs), *odontology* (the study of teeth), psychiatry, anthropology (the study of human beings), biology, chemistry, and physics. The medical examiner may call upon forensic scientists who are specialists in these various fields for help in investigating a crime. For example, whenever it is suspected that drugs or poisons are involved in a crime, the medical examiner must obtain the services of a toxicologist. Toxicologists detect and identify any drugs or poisons present in a person's body fluids, tissues, and organs. This type of investigation is conducted not only on the victim but, when possible, also on the suspected perpetrator of the crime.

Forensic odontologists examine and characterize the teeth of unidentified bodies when fingerprints or other identification is not available. The dental charts of missing individuals can then be compared with the forensic odontologist's report to identify the body.

Forensic anthropologists are trained to determine the sex, height, weight, and ethnic group of a deceased person from an incomplete body. Marks on the bones often indicate past injuries, diseases, and occupational stresses suffered by the individual. Investigators can identify a body by comparing old X rays and the medical history of a missing person with the findings of the forensic anthropologist.

Forensic scientists may choose to be certified by the American Board of Criminalistics, a professional organization that has developed examinations to certify individual forensic scientists in their particular area of expertise.

The medical examiner investigates many different types of violent crime to determine whether a violent death was an accident, a suicide, or a homicide (murder). In all cases, the medical examiner must conduct an investigation of the crime scene and also an autopsy.

In cases involving gunshot wounds, the medical examiner looks for gunpowder residues on the clothing of the victim and around wounds. This information is used to estimate how far away the gun was when the victim was shot and to determine whether the gun was fired by the victim or someone else.

In the case of knife wounds, the medical examiner must distinguish between a *cut* (an injury that is longer than it is deep) and a *stab wound* (an injury that is deeper than it is long). The examiner also looks for *defense wounds*, cuts caused when an intended victim grabs the knife of an assailant in self-protection.

Cuts, rather than stabs, are associated with suicide. Usually the body has numerous superficial parallel cuts, indicating repeated and hesitant trials before the individual was able to make the final deep cut. Such cuts are called *hesitation wounds*, and they indicate a suicide rather than a homicide, which typically consists of a single deep gash.

Medical examiners are also called upon to investigate cases of *asphyxiation*—that is, death from lack of oxygen in the blood. Asphyxiation may be caused in a number of different ways, such as hanging, which may be an accident, suicide, or homicide, or strangulation, which is homicide. Obstruction of the victim's air passage by an object in the throat or compression of the victim's chest by a person or an object can also result in asphyxiation. Finally, asphyxiation can be caused by the replacement of oxygen in the red blood cells by another gas, as in carbon monoxide poisoning, which can be the result of suicide, homicide, or accident.

In a death involving carbon monoxide poisoning, a closed garage door and no marks on the body are usually taken as an indication of suicide, whereas the presence of tools around the car and grease on the victim's hands points to accidental death. The presence of a wound caused by a blow to the head or the absence of carbon monoxide in the blood of the victim would indicate an attempt to make a homicide look like a suicide.

District attorneys routinely call upon medical examiners to give expert testimony in a trial, especially concerning the findings of an autopsy and the results of laboratory tests. *Expert testimony* is that given by a specialist who has been recognized by the court as having expert knowledge about evidence in the case. Such testimony is governed by different rules than the testimony of ordinary witnesses in a trial. *Ordinary testimony* is restricted to statements concerning what the witness actually saw or heard. An ordinary witness is prohibited from stating opinions about the case and from quoting statements made by other people. In contrast, an expert witness is allowed to express an opinion about the validity of the evidence in a case and may quote the statements of other experts in support of an opinion.

The combination of a medical and legal approach to dealing with crimes used in the United States today had its origin in England in the 12th century, when King Richard I established the Office of the Coroner. Although the coroner's main duty was to keep a record of all criminal matters in the county, he was also responsible for investigating all deaths thought to be the result of suicide or homicide.

With time, the need for a more scientific investigation of unnatural deaths became apparent, and coroners began calling on physicians for help. Over the centuries, it became clear that medical schools needed to prepare doctors for this responsibility. As a result, in 1807 the University of Edinburgh in Scotland established a Department of Legal Medicine.

The early American colonists brought the coroner system with them, including the appointment of coroners by a representative of the crown. After the formation of the United States, elected officials appointed coroners. As medical involvement in the investigations of violent and unexplained deaths increased, communities began to require that the individual in charge of such investigations have a specific academic background. In 1877 Massachusetts adopted a statewide system requiring that the coroner's office be replaced by an Office of the Medical Examiner, to be headed by a physician. A number of other states also adopted this requirement. In 1915 New York City established a comprehensive program in which the medical examiner was specifically authorized to investigate all deaths resulting from criminal violence, accidents, or suicides, and those that occurred suddenly to people who appeared to be in good health.

Forensic science as practiced today is a high-technology field using electron microscopes, lasers, ultraviolet and infrared light, advanced analytical chemical techniques, and computerized databanks to analyze and research evidence.

**20. Development of Criminology.** At the beginning of the 19th century, scholars began to apply the concepts and technologies of the rapidly developing biological and behavioral sciences to the study of crime. For the first time criminologists developed typologies of crime and criminals and attempted to identify patterns between these typologies and various biological, psychological, and social characteristics of offenders.

The founding of modern scientific criminology is generally credited to the so-called Italian school and to the work of its three principal exponents—Cesare Lombroso, Enrico Ferri, and Raffaele Garofalo. The first edition of Lombroso's most important work, *L'uomo delinquente* (The Criminal Man, 1876), attracted a great deal of attention because it appeared to demonstrate the feasibility of a genuinely scientific study of criminal behavior.

Lombroso asserted that criminals are a distinct physical and biological type. He believed that the true criminal could be identified by observing certain physical traits, including a long lower jaw, asymmetric cranium, and other detectable conditions. These traits, according to Lombroso, did not cause criminal behavior, but they revealed an inherent propensity (inclination) to crime. Lombroso taught that the propensity toward crime was the result of atavism, a reversion to a more primitive state of human development.

One of Lombroso's students, Enrico Ferri, accepted the existence of a criminal type but also focused on factors other than inherited physical characteristics as predictors of crime. He considered social factors such as population trends, religion, and the nature of the family. Ferri also proposed a more elaborate classification of criminal types, including the born or instinctive criminal, the insane criminal, the passionate criminal, the involuntary criminal, the occasional criminal, and the habitual criminal. According to Ferri, the last two types were not innate criminals but rather the products of unfortunate family or environmental circumstances. By explaining criminal behavior on the basis of social factors as well as inherited traits, Ferri expanded the scope of criminology.

Italian lawyer Raffaele Garofalo's major contribution to modern criminology is the concept of natural crime, which he argued was the principal concern of criminologists. According to Garofalo, natural or true crime is conduct that, when evaluated against the average moral sense of the community, offends the basic altruistic (unselfish) sense of humankind. The true criminal is one who lacks the basic altruistic sentiments of pity and honesty. Garofalo believed that the true criminal is a distinct biological or psychic type and that the altruistic deficien-

cies were organic or inherited. Still, Garofalo acknowledged that certain forms of criminal behavior might be encouraged by social and environmental circumstances.

The Italian school made a valuable contribution to criminology by stimulating thought and writing about crime and criminals. It focused attention on the offender as an appropriate object of study, which the 18th-century reformers had not done. Finally, the work of the Italian school framed the so-called nature-versus-nurture debate (whether biological or social factors create behaviors) that became a principal theme throughout the development of modern criminology

Scholars in the United States soon became interested in European thought and writing in the field of criminology. Two important events in the early development of scientific criminology in the United States were the National Conference on Criminal Law and Criminology held in Chicago, Illinois, in 1909 and the establishment of the American Institute of Criminal Law and Criminology. The institute translated several important European works not previously available to the English-reading audience. Thereafter, criminology became a recognized subspecialty of study in many U.S. universities and in public and private research agencies.

Much of the development of modern criminology beyond that of the Italian school took place in the United States. The disciplines of psychology and sociology dominated criminological thought and research throughout the first half of the 20th century. Scholars developed theories of criminal behavior that were offshoots of more general psychological and sociological theories. For example, theories of crime that attributed criminal behavior to the social disorganization of urban areas developed as part of more general theories regarding the relationship of humans to their environment (*see Ecology*). The same general theories were used to explain the distribution of other social phenomena such as mental illness.

During this time period criminologists developed a diverse collection of theories of criminal behavior based upon very different disciplinary assumptions. Eventually, sociology came to dominate the emerging field of criminology in the United States. Most of the work in criminology was done by sociologists, and most of the more popular theories emphasized the role of social factors in encouraging criminal behavior.

The dominance that social science disciplines had over the evolution of criminology in the United States led to a much greater emphasis on empirical testing than theorizing. The members of the Italian school and their successors in Europe did very little empirical testing of theories. Scholarship in Europe followed methods of deduction and argument. Practitioners of the emerging social sci-

ences in the United States adopted a more scientific approach to building theory, emphasizing the collection and analysis of data on the social causes of criminal behavior.

In the late 1960s and early 1970s criminology began to emerge from the more established social sciences and became a discipline in its own right. The number of instructional programs in criminology and criminal justice by themselves increased significantly. Existing professional associations, such as the American Society of Criminology (ASC), grew substantially, new professional organizations such as the Academy of Criminal Justice Sciences (ACJS) were formed, and the number of criminology journals increased. Much of this development was due to the availability of government funding for criminological research and statistical analysis.

The evolution toward an independent criminology freed the discipline from the dominance of sociology. Theories of criminal behavior became more multidisciplinary and included a greater variety of causal factors, including biological, psychological, and sociological factors. New technologies helped increase the emphasis on empirical testing of theories, which had begun in the era of modern criminology. Large-scale surveys of victims and self-report surveys of criminals provided data on crime and criminals independent of police and correctional records. In keeping with the new multidisciplinary nature of criminology, public and private funding encouraged the formation of multidisciplinary groups of researchers to engage in data collections.

## ЧАСТЬ III

### II семестр

### UNIT 1

#### Особые случаи употребления пассивного залога

В английском языке ряд глаголов: **to ask, to give, to invite, to offer, to order, to pay, to promise, to show, to tell, to teach** и некоторые другие могут принимать два дополнения: прямое (кого? что?) и косвенное (кому?):

They showed **the witness** (кому?) **his things** (что?).

В пассивном залоге с этими глаголами возможны две конструкции:

1) **His things** were shown to the witness. – *Его вещи были показаны свидетелю* (Совпадает с употреблением пассивного залога в русском).



2) **The witness** was shown his things. – *Свидетелю (кому?) показали его вещи* (Пассивный залог невозможен в русском языке).

Во второй конструкции подлежащим стало косвенное дополнение. При переводе его следует поставить в дательный падеж, а остальную часть предложения переводим неопределенно-личным оборотом, если не указан деятель (**by** + существительное или местоимение в объектном падеже (см. пример выше). При наличии дополнения с предлогом **by** оно становится подлежащим русского предложения: **The witness was shown his things by the policeman.** – **Полицейский** показал его вещи свидетелю.

**Упр. 1. Постройте как можно больше предложений и переведите их, обращая внимание на то, что их дословный перевод на русский невозможен:**

Pete and Mary	was furnished	his photograph.
The accused	were imposed	a fine.
The robber	were promised	evidence.
The witness	was remanded in	the post of a judge.
They	will be shown	on bail.
We	have been promised	a large sum of money.
	was released	custody for a week.

### Составные глаголы в пассивной форме

Многие глаголы получают свое смысловое значение только в сочетании с предлогом, частицей или существительным.

**Запомните:**

**а) Глаголы с предлогами:**

**to look at** – смотреть на, **to look after** – присматривать за, **to look for** – искать кого-либо, что-либо, **to arrive at/in** – достигать чего-либо, принимать (решение), **to deal with** – иметь дело с кем-либо, рассматривать, излагать, **to insist on** – настаивать на чем-либо, **to laugh at** – смеяться над, **to rely on (upon)** – полагаться на кого-либо, **to speak (about)** – говорить о чем-либо, **to send for** – посылать за кем-либо, **to refer to** – ссылаться на что-либо, **to depend on** – зависеть от чего-либо, **to listen to** – слушать кого-либо, **to comment upon** – толковать, объяснять.

**б) Фразеологические сочетания:**

**to do away with** – избавиться от чего-либо, **to lose sight of** – потерять из виду, **to make use of** – использовать, **to take care of** – заботиться о, **to make a fool of** – делать дурака из кого-либо, **to pay attention to** – обращать внимание на кого-либо, что-либо.

В тех случаях, когда в качестве подлежащего пассивной конструкции употребляется предложное дополнение, предлог **сохраняет** свое место **после глагола** и стоит под ударением:

Everyone listened **to the inspector** with great attention. Все слушали инспектора очень внимательно. – **The inspector** was 'listened 'to with 'great attention. Инспектора все слушали очень внимательно. The police looks **for the evidence**. – Полиция ищет доказательства. **The 'evidence** was 'sent 'for. *За доказательствами послали.*

При переводе предлог ставится впереди английского подлежащего, превращая его в предложное дополнение. Некоторые английские глаголы с послелогом переводятся на русский глаголами, требующими прямого дополнения:

to listen to smb – слушать кого-либо, to look for smb – искать кого-либо и др.

**Упр. 2. Переведите шутку, обращая внимание на предлоги:**

He was **talked about**.

He was **sent for**.

He was **waited for**.

He was **looked at**.

He was **listened to**.

He was **laughed at**.

**Упр. 3. а) Определите сказуемое; б) переведите смысловой глагол с послелогом; в) определите время сказуемого; г) переведите предложение:**

1. After a long and heated discussion the compromise was arrived at.
2. These terms will be insisted upon.
3. This problem will be dealt with in a number of articles.
4. This case is much written about.
6. The internal management of the company is regulated by a document called the articles of associations.
7. This problem was not spoken about.
8. The solicitor was sent for.
9. Mafia was much spoken about.
10. They will be waited for.
11. Law clerk is responsible for the administrative functions of the court.
12. Police cautions are used particularly for young offenders.

**Упр. 4. Письменно постройте как можно больше предложений. Переведите их на русский:**

The barristers

His new article

The lawyer

is always listened to

was sent for

were looked at

everywhere.

with great attention.

by many .

The papers	are looked for	everywhere.
His advice	was referred to	by many people.
She	is listened to	carefully.
The Chairman	will be spoken to	seriously.

**Упр. 5. Скажите то же самое, поставив сказуемое в страдательный залог:**

**Образец:** They sent for the barrister – The barrister was sent for.

1. The police established his guilt beyond doubt. 2. The jury acquitted him of murder. 3. They will make a statement in Parliament tomorrow. 4. Someone murdered a man outside the house last morning. 5. Ordinary criminals do not commit a good many murders. 6. They do not accept ignorance of the law as an excuse for breaking it.

### **Английские переходные глаголы, соответствующие русским глаголам с предложным косвенным дополнением**

В английском языке имеется ряд глаголов, которые, являясь переходными, требуют прямого дополнения, а соответствующие им русские глаголы являются непереходными и имеют после себя предлог.

К ним относятся: to affect (smb, smth) – влиять на (кого-либо, что-либо), to answer (smth) – отвечать на что-либо, to attend (smth) – присутствовать на (чем-либо), to enjoy (smth) – получать удовольствие от (чего-либо), to follow (smb, smth) – следовать за (кем-либо, чем-либо), to join – присоединяться к (кому-либо, чему-либо), to need (smb, smth) – нуждаться в (ком-либо, чем-либо), to watch – следить за (кем-либо, чем-либо).

Трудность перевода таких страдательных оборотов заключается в том, что соответствующие русские глаголы не могут употребляться в страдательном залоге.

<i>Active Voice</i>	<i>Passive Voice</i>
An interesting discussion <b>followed</b> the sitting. За заседанием <b>последовала</b> интересная дискуссия.	An interesting discussion <b>was followed</b> by the sitting. За заседанием <b>последовала</b> интересная дискуссия.

Как видно из примера, на русский язык такие глаголы в пассивном залоге переводятся соответствующими действительными оборотами, причем перевод предложения следует начинать с предлога, превращая подлежащее английского предложения в предложное косвенное дополнение.

The meeting **was attended** by a great number of people.

**На митинге** присутствовало большое количество людей.

При отсутствии дополнения с предлогом **by** такие пассивные обороты переводятся на русский язык неопределенно-личными предложениями, которые начинаются с предложного дополнения.

**Your help** is needed.

**В вашей** помощи нуждаются.

**The problem** is not spoken about.

**Об этой проблеме** не говорят.

**Упр. 6. Определите сказуемое предложения, переведите смысловый глагол, подобрав соответствующий предлог. Начните перевод предложения с этого предлога:**

**Образец:** Young F.S. Fitzgerald was influenced by a spirit of competition. – На молодого Ф.С. Фитджеральда повлиял дух соперничества.

1. The treaty will be signed tomorrow. 2 The police were called by the watchman and the thief was arrested. 3. The warehouse is guarded by dogs. A man who tried to get in was seen and chased. 4. The woman was tried, found guilty and sent to prison. 5. We were asked by the police. 6. They listened to the chief with great attention. 6. His strange behavior was commented upon.

**Упр. 7. Составьте письменно как можно больше предложений. Переведите их на русский язык.**

The claim	are needed	by thousands of people.
These discussions	was followed	by all our workers.
All your questions	will be watched	with great interest.
The offender	will be answered	in three days.

## UNIT 2

### Длительные и перфектные времена глаголов в Passive Voice

<i>Continuous (процесс)</i> <i>to be being V<sub>3</sub></i>	<i>Perfect (завершенность)</i> <i>to have been V<sub>3</sub></i>
I am being asked	I have been asked
He } She } is being asked	He } She } has been asked
It } We } You } are being asked	It } We } You } have been asked
They }	They }
I } He } She } was being asked	I } He } She } had been asked

It We You        were being asked They	It We You        had been asked They
-	<div> I        } shall have been asked  We      }  He      }  She     }  It       }  You     } will have been asked  They    } </div>

Времена страдательного залога употребляются по тем же правилам, что и времена действительного залога.

Так как глагол в форме Continuous Passive показывает действие в его развитии, он переводится на русский язык формами глагола несовершенного вида с окончанием – ся или неопределенно-личным предложением.

A very interesting case is being discussed now. – Очень интересное дело обсуждают сейчас.

При переводе глагола в Perfect Passive необходимо подчеркнуть законченность действия, поэтому его всегда переводят глаголом совершенного вида.

A very interesting case has been discussed. – Очень интересное дело обсудили.

**Упр. 1. Переведите следующие предложения, сказуемые которых обозначают действия в процессе развития:**

1. His report was being listened to attentively when the door suddenly opened. 2. This question is not connected with the problem which is being discussed now. 5. The judge is being waited for. 6. The new law is still being worked at. 7. Don't worry. Speeches are being prepared by professional speech-writers.

**Упр. 2. Переведите следующие предложения, сказуемые которых обозначают действия завершенного характера:**

1. When you rang up, the work had just been finished. 2. Come at 11. The documents will have been checked and the letters will have been typed when you come. 3. French public law has never been codified. 4. He wrote he had been accepted to the college 5. Traditionally, judges had been appointed by the executive, but the citizens of a new nation wanted public control of government officials. 6. Several American courtrooms recently have been constructed on the circular model. 7. The law of the world has influenced by Roman Law. 8. Laws

had been put into writing by Greeks by the 16<sup>th</sup> century B.C. 9. Some years ago a fraud trial had to be abandoned.

**Упр. 3. Найдите сказуемые в следующих предложениях, определите их залог, время и характер действия. Предложения переведите.**

1. When we returned the judges had been already chosen. 2. In fact Jim knew about the change of plans. He had been told. 3. By what time will the work have been finished? 4. How much has Susan been fined for speeding *штрафовать за превышение скорости*? 5. Two men are being questioned *допрашивать* at the Police Station in connection with armed robbery *вооруженное ограбление*. 6. Another man has been arrested for the crime *преступление*. 7. Missing *пропавшая* schoolgirl Sheila Patterson, aged eleven, has been found alive and well. Now she is being looked after at Leicester Police station. 8. I couldn't use my car last week, it was being repaired According to English law, people are innocent until they are proved guilty.

**Упр. 4. Переведите на русский, обращая внимание на время сказуемого.**

1. This question is still being discussed. 2. Mary is proud. Her advisory opinion has been praised *хвалить*. 3. Her remark *замечание* was not answered. 4. Tom is happy. The information has been received through the Internet 5. The guests *гости* were upstairs. They were being shown the prisoners. 6. We were joined by the whole group. 7. Do you know that your voice *голос* is being recorded *записывать*? 8. A burglar alarm has been installed in the apartment. 9. The documents will have been typed before the boss returns. 10. The Cultural Revolution (1966-76) in China has also been cited as a cause of crime; it is said to have confused notions of right and wrong and to have destroyed respect for authority. 11. The child was greatly affected by the scene in the court. 12. When I entered the hall the people were being instructed what to do. 13. Experimental schemes have been started to enable offenders to make direct reparation to their victims, either by paying financial compensation or by undertaking some service for them. 14. How long has this man staying in jail?. 16. They realized that the evidence hadn't been received.

**Упр. 5. Поставьте вопросы к выделенным словам.**

1. She was sentenced to **12 months** in prison for careless driving.
2. The verdict of "not guilty" on all charges has been brought **by the jury**.
3. My friend has been released from prison **this year**.
4. **The woman** was charged with possessing a shotgun.
5. An attempted murder must be **severely** punished.
6. **His** 10-year-old son had been killed after being knocked of his bicycle and crushed by a lorry.

**Упр. 6. Раскройте скобки, поставив глагол в соответствующей форме:**

1. The offenders who committed crimes (to punish).
2. No objections to the plan (to offer) so far, but it (not to introduce) until it (to put) to vote.
3. The indictment (to amend).
4. New witnesses (to cross-examine) by the prosecuting counsel.

**Упр. 7. Составьте предложения, вставив один из подходящих глаголов (в правильной форме) : “establish, proclaim, concern, achieve, serve, conduct, abolish, announce”.**

1. All the felonies were punishable with death, but the capital punishment...in 1965.
2. The fusion of courts ...by the Judicature Acts of 1873 and 1875.
3. The resolution ... by the jury.
4. Whom ...the criminal proceeding... by?
5. Some statements of a judge become effective after they ...
6. Whom ...the Crown court ...by?

2 курс

### UNIT 3 Prisons

#### MODAL VERBS

<i>Present Indefinite</i>	<i>Past Indefinite</i>	<i>Отрицательная форма</i>	<i>Перевод</i>	<i>Что обозначает</i>	<i>эквиваленты (синонимы)</i>
can	could	cannot can't could not	могу, можем, сможешь	1) физическая или умственная возможность, умение; 2) вежливая просьба	to be able (to)
may	might	may not might not	можно, возможно,	1) разрешение 2) предположе-	to be allowed (to)

			могу, быть может	ние	
must	had to	must not mustn't need not needn't	должен, надо	долженствование	to have (to)
to have (to) has (to)	had (to)	don't have (to), doesn't have (to), didn't have (to)	приходится вынужден, надо (было)	необходимость, вызванная обстоятельствами	-
to be (to) am } is } (to) are }	was (to) were (to)	is not (to) was not (to)	должен, надо	необходимость совершения за- ранее запланиро- ванного (обусловлен- ного) действия	-
should	-	should not shouldn't	следует, надо	совет, желательность (субъективное мнение)	ought (to)
ought (to)	-	ought not oughtn't	следует, надо	необходимость, обусловленная ло- гикой вещей, мо- ральный долг	-

**Упр. 1. Пользуясь таблицей, переведите предложения. Обратите внимание на перевод модальных глаголов и их эквивалентов:**

1. He couldn't pay his debts. 2. We will be able to finish this work in time. 3. In England and Wales a private person may institute criminal proceedings. 4. You ought to help me with these documents. 5. In the case of property, the courts have to find a balance between two principles. 6. In certain circumstances courts may also order forfeiture of property involved in the commission of crime. 7. The police may arrest a person without a warrant under the arrest scheme. 8. Court may order the confiscation of proceeds gained by a criminal from drug trafficking and this principle is to be extended to other very serious offences. 9. Now, at least ten of twelve jury members must agree before a verdict can be given. 11. The prosecution should also inform the defense of witnesses whose evidence may help the accused. 12. You ought to know it. 13. I am to come at 5. 14. I'm typing the letter you had to type in the morning. 15. The public needs to be protected from a dangerous offender. 16. The defendant cannot be tried again for the same offence.



**Упр. 2. Переведите, обращая внимание на различные значения двух отрицательных форм глагола *must*.**

**Отрицательная форма**

They must not go there. <i>Выражает категорическое запрещение. В переводе – нельзя, не должен.</i> Им нельзя идти туда.	They needn't go there. <i>Выражает отсутствие необходимости и долженствования. В переводе – не надо, не нужно.</i> Им не надо идти туда.
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1. You mustn't do it. 2. Peter must get a firearm certificate from the police today. 3. Customs needn't be made by governments, and they need not be written down. 4. We must not stay here long. 5. Children must not smoke. 6. You needn't get a part-time job. 7. You needn't call the police. 8. You mustn't drink alcohol in public .

**Упр. 3. Поставьте частицу *to* перед инфинитивами после модальных глаголов, где необходимо.**

I can ... see; he ought ... know; he will be able ... change; he was allowed ... speak; I may ... arrive; he could ... go; I must ... do; he has ... ask; they are ... defend; they have ... defend; he should ... help; we had ... build; they may ... build; they were allowed .. answer; he will be able ... make; he has ... arrive; she must ... change; you will be able ... get; they should ... tell; they ought ... tell the truth.

**Упр. 4. Сделайте предложения отрицательными и вопросительными.**

1. Only the government can overturn a decision of the House of Lords. 2. I could park there. 3. I may smoke at the performance. 4. You must leave the room at once. 5. In the opinion of many people, the law is a necessary evil that should be used only when everyday, informal ways of setting disputes break down. 6. We will have to change our style of living. 7. We are to hand in our projects on Monday. 8. There are also restrictions on who may conduct a case in court. 9. They could do it themselves. 10. Alice can give you her permission.

**Упр. 5. Поставьте следующие предложения в прошедшее и будущее время.**

1. The executors have to work hard. 2. I can go shopping with you. 3. The court of England may discharge a person absolutely or conditionally if it believes that punishment should not be inflicted and a probation order is not appropriate. 4. They are to read all articles from this book. 5. We must help him. 6. You may ask any questions you like. 7. Problems of evidence can arise even when there is a detailed written. 8. We must discuss this problem in detail. 9. She has to take part in the conference. 10. Whether there is will or not, it may take some time to deal with the dead person's property. 11. You must pay your

taxes. 12. I can drive very fast. 13. They are to answer these questions. 14. They have to return a verdict quickly.

**Упр. 6. Раскройте скобки, выбрав нужный модальный глагол.**

1. Sometimes we (can, must) break rules and do not suffer any penalty. 2. When we buy train ticket a lawyer (may, have to) tell us it represents contact with legal obligations. 3. (Have to, Can) you please comment only on this case? 4. We learn how we (may, should) behave in society through the instruction of family and teachers, the advice of friends, and our own experiences. 5. To achieve (чтобы достичь) progress in any subject we (may, must) discuss things. 6. You (can't, shouldn't) worry. 7. When we are introduced to new people we (may, should) try to appear friendly (казаться дружелюбными). 8. You (must, can) be there on time. 9. I (may, have to) get up early.

**Упр. 7. Переведите, указав значения модальных *to be* и *to have*.**

<b>To have to – to be to</b> <i>необходимость</i>		
To have to + inf – <i>вынужденная необходимость</i> To be to + inf – <i>необходимость по договоренности, плану или приказу</i>		
I have to go there <i>Я вынужден идти туда</i>	I had to go there <i>Я вынужден был идти туда</i>	I'll have to go there <i>Я вынужден буду идти туда</i>
I am to go there <i>Я должен идти туда</i> (договорились)	I was to go there <i>Мне предстояло идти туда</i>	

1. We are to meet Jane at the station. 2. Helen is to go to the court. 3. Ann has to prepare all documents herself as her lawyer is away. 4. They had to wait long as she didn't return in time. 5. The judge isn't in his office. You will have to come here again. 6. What time were they to come here yesterday? 7. My witness is to arrive on Sunday. 8. We are to come only in the most important cases. 9. The meeting starts at 5 a.m., so we shall have to return earlier. 10. The conversation is to take place after discussion. 11. When people buy an initial house or apartment they have to borrow a lot of money from a mortgagee such as a bank or a building society.

**Упр. 8. Поставьте нужную форму глагола *to be*. Предложения переведите.**

1. The proceeding ... to begin at eight. 2. She ... to come and help. 3. You ... to sign this paper. 4. We ... to discuss various problems. 5. I ... to leave tomorrow. 6. You ... to practise much. 7. We ... to wait for them at the door. 8. He ... to speak with confidence. 9. They ... to stay at that meeting yesterday.

10. They ... to start on Monday. 11. New legislation...to be introduced to help single-parent families.

**Упр. 9. Поставьте нужную форму глагола to have. Предложения переведите.**

1. She ... to send a telegram because it was too late to send a letter. 2. I ... to finish some work in my office. 3. If I don't ring up before six o'clock, then you ... to go to the court alone. 5. The people ... to summon up their courage for the battle. 6. You ... to do it alone, without anybody's help. 7. They ... to read this article. 8. I didn't feel well yesterday but I ... to go to the Criminal Investigation Department because I was to take an exam. 9. The case is rather difficult that's why you ... to speak with your adviser.

**Упр. 10. Передайте содержание следующих предложений, употребив сказуемое в пассивном залоге. Предложения переведите:**

**Образец:** *You must do it.* – *It must be done.*

Вам нужно это сделать. – Это нужно сделать.

*You can do it.* – *It can be done.*

Ты можешь это сделать. – Это можно сделать.

1. You must insist on the payment. 2. You can find the document you need in any library. 3. We must send these contracts at once. 4. You must check these accounts. 5. You can overturn this decision. 6. The judge can make a decision very soon. 7. You must hear the case the day after tomorrow. 8. I can easily forgive this mistake. 9. You can understand court proceedings. 10. You must do this work very carefully.

**Упр. 11. Неопределенное местоимение one может быть подлежащим для обозначения неопределенного лица. Такие предложения на русский язык переводятся неопределенно-личными предложениями.**

One can see – можно видеть

One must know – нужно знать

One needn't hurry – не надо спешить

One must not be late – нельзя опаздывать

1. One must know the rights. 2. If one wants to work, one can always find time for it. 3. One can easily do it. 4. One must work hard at this agreement if one wants to find a balance. 5. One mustn't represent different amount of monetary compensation. 6. What can one prove? 7. One may take a code and read it. 8. One needn't pay my debts. 9. One must establish his guilt 10. One must hear the arguments. One mustn't enter land without the owner's permission.

## TEXT I

**Упр. 1. Прочитайте следующие слова:**

**Imprisonment** [im'prizənmənt] – тюремное заключение; **primarily** ['praɪməri] – главным образом; **confinement** [kən'faimənt] – лишение свободы, заключение под стражу; **convicted person** – осужденный; **transportation** – транспортировка (ссылать за моря как вид уголовного наказания); **abolition** [æbə'liʃən] – отмена; **concern** [kən'sə:n] – забота, беспокойство; **diminish** [di'miniʃ] – уменьшаться; **compound** [kəm'paʊnd] – усугублять; **predominantly** [pri'dɒminəntli] – главным образом; **in custody** – содержащийся под стражей; **previous conviction** – судимость; **burglary** ['bɜ:gləri] – ночная кража со взломом; **robbery** ['rɒbəri] – грабеж с насилием или разбой.

*Соотнесите термин и его дефиницию:*

<b>Detention facility</b>	facility where convicted offenders serve their sentence; includes country jails and state and federal prisons.
<b>Correctional facility</b>	federal state penal institution which offenders serve sentences longer than one year.
<b>Jail</b>	houses persons arrested and undergoing processing, awaiting trial or awaiting transfer to a correctional facility.
<b>Prison</b>	is place of confinement administered by local officials and designed to hold persons for more than 48 hours but usually less than one year.

*Упр. 2. Прочитайте и переведите текст:*

### PRISONS

The idea of imprisonment as a form of punishment is relatively modern. Until the late 18th century, prisons were used primarily for the confinement of debtors who could not pay, of accused persons waiting to be tried, and of those convicted persons waiting for their sentences—death or transportation. Since the late 18th century, with the decline of capital punishment (death penalty), the prison has come to be used also as a place of punishment. With the abolition of transportation, the prison has become the principal sanction for most serious crimes. Concern over prison conditions has not diminished over the years. Problems of security and the protection of prisoners from violence on the part of other prisoners have been compounded by the difficulties arising from overcrowding, as prison populations in most countries continue to grow. The people who make up the populations of most prison systems have many characteristics in common. The populations of most prison systems are predominantly male—in England males outnumber females by 28 to

1 (although the number of women in prison is rising at a higher rate than the number of men)—and relatively young— nearly 70 percent of those in custody are under the age of 30. [To be in custody means to be kept in prison by the police until you go to court, because the police think you are guilty.] Most offenders in prison have a number of previous convictions; the offenses they have committed are most commonly burglary, theft, violence, or robbery. A similar picture is revealed by U.S. statistics; the most common offenses for which prisoners are in custody are burglary and robbery. [Burglary is the crime of getting into a building to steal things. Violence is behaviour that is intended to hurt other people physically. Robbery is the crime of stealing things from a bank, shop etc, especially using violence.]

**Упр. 3. Восстановите правильный порядок слов в вопросах:**

1) What prisons were used primarily for until the late 18th century? 2) Why the prison has come to be used as a place of punishment? 3) When the prison has become the principal sanction for most serious crimes? 4) What not diminished over the years has? 5) What have problems come into being as prison populations in most countries continue to grow? 6) What make people up the populations of most prison systems? 7) What the most common offenses for which prisoners are in custody?

**Упр. 4. Согласитесь или не согласитесь со следующими высказываниями:**

1) The idea of imprisonment as a form of punishment is old. 2) Prisons were used for the confinement of debtors who didn't want to pay. 3) Prisons were used for the confinement of accused persons waiting to be freed. 4) Prisons were a deterrent to innocent persons. 5) With the abolition of death penalty, the prison has come to be used as a place of punishment. 6) With the decline of transportation, the prison has become the principal sanction for most serious crimes. 7) Concern over prison conditions includes the protection of prisoners from violence on the part of warders and prisoners of conscience. 8) Concern over prison conditions includes the difficulties arising from overcrowding of mass and solitary cells. 9) Prison populations cease to grow. 10) Prison populations are predominantly female and relatively old.

**Упр. 5. Восстановите порядок слов в следующих предложениях:**

1) The idea is of imprisonment as a form of punishment relatively modem. 2) Prisons used were for the confinement of debtors who could not pay. 3) Prisons were for the confinement of accused persons waiting to be tried used. 4) Prisons for the confinement of those convicted persons waiting for their sentences were used. 5) With the decline of death penalty, the prison a place of punishment has come to be used as. 6) With the abolition of transportation, the prison the principal sanction for most serious crimes has become. 7) Concern

over prison conditions the protection of prisoners from violence on the part of other prisoners includes. 8) Concern over prison conditions the difficulties arising from overcrowding includes. 9) Prison populations to continue grow. 10) Prison populations predominantly male and relatively young are.

**Упр. 6. Переведите следующие слова и выражения с русского языка на английский:**

Тюремное заключение; тюремный надзиратель; содержащийся под стражей; лишение свободы; осужденный; обвиняемый; транспортиция; камера одиночного заключения; приговор; должник; судимость; ночная кража со взломом; грабеж с насилием или разбой; санкция; население; узник совести; правонарушение; безопасность; защита; насилие; продолжаться; виновный; общая камера.

**Упр. 7. Закончите следующие предложения:**

1) The idea of imprisonment as a form of punishment is ... 2) Prisons were used for ... 3) With the decline of death penalty, the prison has come to be ... 4) With the abolition of transportation, the prison has become ... 5) Concern over prison conditions includes ... 6) Prison populations continue ... 7) Prison populations are ...

## TEXT II

**Упр. 1. Прочитайте следующие слова:**

**Serve a sentence** - отбывать наказание; **long sentence** - длительный срок лишения свободы; **short sentence** - краткий срок лишения свободы; **detain** [di'tein] – содержать под стражей; **security** - режим в тюрьме; **maximum-security prison** - тюрьма с максимальной изоляцией заключенных; **strict / high security** - строгий режим; **medium security** - режим средней строгости; **minimum security** - общий режим; **likely** - склонный; **escape** - побег; **constitute** - составлять; **confine** - держать взаперти; **open prison** - тюрьма открытого типа (неохраняемая); **abscond** [əb'skɒnd] - скрываться от правосудия; **treatment** - исправление преступников; **detention centre** - центр для содержания под стражей задержанных правонарушителей; **discipline** ['disiplin] - дисциплина.

**Упр. 2. Прочитайте и переведите текст:**

### TYPES OF PRISONS

Prisons are classified administratively as local or central prisons. Local prisons serve a variety of purposes - holding prisoners awaiting trial or sentencing and prisoners serving shorter sentences, up to about 18 months. There the worst overcrowding occurs. Prisoners serving longer sentences are detained in central prisons. Central prisons are large maximum-security prisons holding more than 1,000 offenders in conditions of strict security. For security, prisoners are classified into four categories, from A (prisoners likely to attempt escape, and constituting, if successful, a significant danger to the public) to D (prisoners who can be trusted to work in conditions of minimal security). Prisoners who are not considered a danger to the community may be confined in low-security or open prisons, where there is normally no obstacle to a prisoner's absconding. Women are normally held in separate institutions. Young people who have done something illegal are kept in detention centres because they are too young to go to prison. The purpose of these institutions is rather treatment or correction than punishment. Detention centres for young offenders serving sentences that must not exceed four months are based on the principle of strict discipline and physical activity; research has failed to show, however, that it is an effective deterrent to further crime.

**Упр. 3. *Согласитесь или не согласитесь со следующими высказываниями:***

1) Prisons are classified administratively as rural or municipal prisons. 2) Local prisons hold prisoners awaiting their release from prison. 3) Local prisons hold prisoners serving longer sentences. 4) The worst overcrowding occurs in and characterizes central prisons. 5) Prisoners serving shorter sentences are detained in central prisons. 6) Central prisons are open prisons. 7) Central prisons hold prisoners in conditions of low security. 8) Prisoners who are likely to attempt escape, and constituting, if successful, a significant danger to the public must be confined in low-security prisons. 9) Prisoners who are not considered a danger to the community may be confined in high-security prisons. 10) There are normally some obstacles to a prisoner's absconding in open prisons. 11) Females are normally held together with males. 12) Young offenders are kept in large maximum-security prisons. 13) Young offenders must not go to prison. 14) The purpose of detention centres is rather punishment than treatment. 15) Young offenders are to serve sentences that must not exceed twelve months. 16) Detention centres are based on the principle of permissiveness and mental activity. 17) Detention centres are an effective deterrent to further crime.

**Упр. 4. *Ответьте на вопросы по тексту:***

1) Are prisons classified administratively as local or central prisons? 2) Where are prisoners awaiting trial or sentencing held? 3) What occurs in local

prisons? 4) Prisoners serving longer sentences are detained in central prisons, aren't they? 5) Are central prisons prisoners held in conditions of strict security? 6) Prisoners who are not considered a danger to the community may be confined in low-security prisons, may not they? 7) Is there normally obstacle to a prisoner's absconding in open prison? 8) Women normally are held in separate institutions, are not they? 9) Where are young offenders kept? 10) What is the purpose of detention centres? 11) What do you know about the discipline in detention centres? 12) Detention centres are not an effective deterrent to further crime, are they?

**Упр. 5. Переведите следующие слова и выражения с русского языка на английский:**

Режим в тюрьме; задержание; тюрьма с максимальной изоляцией заключенных; режим средней строгости; сельский; общий режим; содержать под стражей; держать взаперти; неохраняемая тюрьма; скрываться от правосудия; строгий режим; незаконный; исправление преступников; побег; городской; центр для содержания под стражей задержанных правонарушителей; отбывать наказание; поведение, не представляющее опасности; освобождение из тюрьмы; вседозволенность.

**Упр. 6. Закончите следующие предложения:**

1) Prisons are classified administratively as ... 2) Local prisons hold prisoners awaiting ... 3) Local prisons hold prisoners serving ... 4) The worst overcrowding occurs in and characterizes ... 5) Prisoners serving longer sentences are detained in ... 6) Central prisons are ... 7) Central prisons hold prisoners in conditions of ... 8) Prisoners who are likely ... must be confined in ... 9) Prisoners who are not considered a danger to the community may be confined in ... 10) There is normally no obstacle to ... in open prisons. 11) Women are held in ... 12) Young offenders are kept in ... 13) Young offenders are too young to go ... 14) The purpose of detention centres is ... 15) Young offenders are to serve ... 16) Detention centres are based on ... 17) Detention centres are not...

### TEXT III

**Прочитайте и переведите текст:**

#### MILESTONES IN THE HISTORY OF CORRECTIONS

<b>Prehistoric times, preliterate societies, clans, tribes</b>	Sacrifices to spirits of animals and birds (a tradition which lived on in the later practice of tar-ring and feathering)
<b>3500-500 B.c.</b>	Early civilizations: Conciliation — and vic-tim compensation (Code of Hammurabi, 1750 B.c.);



	<p>confinement of wrongdoer (slavery); exile and outlawry (declaring wrongdoer a wolf); private/tribal vengeance; capital punishment. (The wolf-outlaw lives on in fairy tales like "Little Red Riding Hood")</p> <p>Ancient empires Egypt, Greece, Rome: Emergence of idea of a goddess of justice who weighs the crime and the punishment</p> <p>Ancient Israel: Mosaic law limits punishment to the amount of harm done: an eye for an eye</p> <p>Rome: Forced labor (mining, galley slavery), public executions (the Christians to the lions)</p> <p>Middle Ages, Europe: Blood feuds (Germanic law), capital punishment, corporal punishment (branding), compensation (fines); ever-increasing severity of these punishments</p> <p>Europe: Galley slavery reintroduced; landlocked cities sell prisoners to port cities as galley slaves</p> <p>Holland and England create first houses of correction (Amsterdam; Bridewell, England); imprisonment becomes principal form of punishment; capital and corporal punishment continue, esp. flogging</p> <p>British Empire: England uses deportation of convicts to America (and later Australia); in England itself, prisoners incarcerated in "prison hulks"</p> <p>Prison reform:</p> <p>Italy and France: Enlightenment reformers like Cesare Beccaria press for humanization of punishment</p> <p>England: Jeremy Bentham invents panopticon prison (central control of all cells)</p> <p>United States: "Penitentiary wing" is built in Philadelphia's Walnut Street Jail</p> <p>United States: John Augustus, Boston cobbler, invents practice of probation</p> <p>Britain: Alexander Maconochie, governor of a penal colony in Norfolk Islands in the Pacific, invents practice of parole</p> <p>United States: Reformatory movement</p> <p>1870: First Prison Administrators meeting, Cincinnati. National Prison Association founded</p>
<b>ca 1200 B.c.</b>	
<b>500 b.c.-a.d. 375</b>	
<b>a.d. 400-1500</b>	
<b>14th-17th centuries</b>	
<b>Late 16th-19th centuries</b>	
<b>18th-19th centuries</b>	
<b>Mid-19th century</b>	
<b>Late 19th century</b>	

<p><b>Mid-20th century</b></p>	<p>1876: Elmira, New York: Penitentiary built according to reformatory principles: lockstep, isolation, parole for "deserving"</p> <p>United States:</p> <p>post 1945: Medical treatment — model, but rigid and disciplinary practice; prison riots</p> <p>1960s: Beginnings of humane approach; well-meaning treatment methods; only superficial change</p> <p>Prisoners' rights movement begins</p> <p>Supreme Court begins to involve itself in protecting inmate rights</p>
<p><b>Late 20th century</b></p>	<p>United States:</p> <p>1975: Just deserts approach; fixed sentences; prison construction, overcrowding; prison ships used again in New York City</p> <p>1980s-1990s: Cost-beneficial but tough alternatives</p>

### Вопросы для самоконтроля

1. Назовите, из каких компонентов состоит сказуемое в пассивном залоге. Какой из них несет смысловую нагрузку, а какой отвечает за видо-временную форму?
2. Совершается ли действие, выраженное глаголом в страдательном залоге, подлежащим?
3. Какой предлог употребляется перед дополнением, называющим производителя действия?
4. Как переводится предложение при употреблении в пассивном залоге глаголов, требующих после себя предлог (**These children are not looked after**)?
5. Поставьте глагол **to answer** во всех видо-временных формах пассивного залога.
6. В чем разница в значении модальных глаголов **can**, **may**, **must**?
7. Назовите форму прошедшего времени глаголов **can**, **may** и эквивалент **must** в прошедшем времени.
8. Назовите эквиваленты **can**, **may** и **must** в будущем времени.
9. В чем разница в значении модальных глаголов **to be**, **to have**?
10. После каких модальных глаголов и их эквивалентов инфинитив ставится с частицей **to** ?

### Задание на III семестр:

1. Знать ответы на все вопросы для самоконтроля.
2. Выполнить письменно контрольную работу № 3.

3. Уметь читать и устно переводить тексты по специальности; выписать и выучить незнакомые слова к этим текстам.

### Контрольная работа № 3

#### Вариант № 1

**I. Заполните таблицу, поставив предложения в соответствующие времена пассивного залога:**

Время	Предложение	Обстоятельство	Перевод
Present Simple	The judges are chosen.	twice a week.	
Past Simple		an hour ago.	
Future Simple		in the morning.	
Present Continuous		now.	
Past Continuous		when I came into the court.	
Present Perfect		just.	
Past Perfect		before they arrived.	
Future Perfect		by 12 o'clock.	

**II. Распределите предложения на 2 группы:**

1) предложения в *Active Voice*;

2) предложения в *Passive Voice*;

**Определите время каждого предложения. Предложения переведите:**

1. We have read about the law. 2. The law has been already broken down. 3. A surprisingly small proportion of criminal cases go for jury trial. 4. He was abolished death penalty. 6. I'll ask you to do this work. 7. I'll be asked to help him. 8. The meeting was canceled by the president. 9. I was given the money. 10. She has been sent 2 guns. 11. He is away on business. 12. Many of the accused were subjected to trial. 13. They haven't yet sent for the assistant. 14. We shall be discussing the article for the next 45 minutes. 15. We are here now.

**III. Вставьте can, may или must в нужной форме:**

1. I ... go and see him in a day or two. 2. ... you drive? 3. It ... rain tonight. 4. You ... use all my books. 5. May I take your article? – Yes, you ... 6. John ... be in the court by now. 7. ... you give me this code? 8. At 2 o'clock they ... go to the living-room for discussion. 9. ... I read the case? 10. You ... not smoke so much.

**IV. Сделайте предложения отрицательными и вопросительными:**

1. I can see him there. 2. We must go there at once. 3. Discovering the ration decidendi of a case is often difficult but it may involve the separation of the

relevant and irrelevant parts of a judgement. 4. You may take this case. 5. I can imagine how angry he is. 6. You must talk to the criminal.

***V. Подчеркните модальные глаголы и их эквиваленты. Предложения переведите:***

1. You ought to have another opinion. 2. Judges must be independent of the parties. 3. It cannot be true. 4. I had to do it yesterday. 5. You should do it now. 6. We were to meet our shareholders at the entrance of the office at a quarter to eight. 7. I shall have to take the people in the hall, as usual. 8. Some years ago a fraud trial had to be abolished. 9. You should be more careful. 10. I might get a nice reward. 11. Why couldn't you do it yourself? 12. The defense can challenge jurors. 13. If the defendant pleads not guilty, the prosecution must establish his guilt by means of oral evidence. 14. You ought to help him; he is in trouble. 15. Why do I have to do everything? 16. He must have been writing a letter when I came. 17. At your age you ought to be earning your living. 18. Is he to arrive tomorrow?

***VI. Переведите, обращая внимание на разные функции глагола to be. Глагол to be подчеркните:***

How are they to know that you are here? 2. In silence the defence was finished. 3. The laws of many European countries were developing on the basis of Roman law. 4. They were thus introduced by my chief. 5. When I returned to town the prison was still being built. 6. I never talk while I am working. 10. She is to say nothing of this to anybody. 11. The jury is still discussing the verdict. 12. The courts are interpreters of the law. 13. They are in the police. 14. What are you crying for? 15. You were to arrive yesterday. 16. You have been a good deal talked about.

***VII. Переведите, обращая внимание на разные функции глагола to have:***

1. Each country of the world has its own system of law. 2. I am a little frightened for I have lost my way. 3. Have you ever spoken about punishing the offender? 4. In each city had its own law. 5. I'd like to have a look at that expert. 7. The Napoleon Code has influenced the laws of many countries in America. 8. French public law has never been codified. 9. The Athenians did not consider it necessary to have legal experts for non-criminal cases. 10. Have you a message for me, Polly? 11. What have they done? 12. She had read much in several languages, and she could give legal advice to her client.

***VIII. Переведите текст, выписав слова юридической тематики.***

**THE HISTORY OF INSTITUTIONAL CORRECTIONS**

Imprisonment as a punishment was rarely used before the end of the Middle Ages. Before then, most of the Western world was dominated by the no-

tion that prisons should be used to contain people, not to punish them. It was the Dutch who in the mid-sixteenth century constructed the first prisons to be used for the purpose of "correcting" wrongdoers in "work houses."

### **The Workhouse Movement**

Amsterdam built one workhouse (tuchthuis, literally "house of compulsory reformation") for men and one for women. The men ground wood into sawdust; the women spun yarn. Two purposes were foremost in the minds of the reformers who created the workhouses: Useful labor was more humane and less degrading than barbaric punishments, and it was also more beneficial for the common good to put offenders to work. (See the Criminal Justice in Action box.)

The English, with their close commercial and intellectual ties to Holland, established their first workhouse at about the same time at the old Bridewell Castle in London. Many other Bridewells were subsequently opened in England.

As social scientists George Rusche and Otto Kirchheimer have demonstrated, the profit motive always played a significant role in devising punishments; witness the Romans who put prisoners to work in mines and rowing on galleys.

Early houses of correction did not replace other punishments entirely. Brutal public executions, a mark of the Middle Ages, continued to exist. Persons sentenced to death were hanged, burned at the stake, drawn and quartered, disemboweled, boiled, broken on the wheel, stoned to death, impaled, drowned, pressed to death in spiked containers, and torn by red-hot tongs. Noncapital punishments were also marked by extreme cruelty: Prisoners were branded, dismembered, flogged, and tortured by specially designed instruments. By those standards, the Dutch and English houses of correction were humane alternatives.

During the reign of Queen Elizabeth I (1558-1603), the English began to experiment with additional forms of punishment which the Queen characterized as "more merciful." In 1598, galley slavery (the ancient Roman punishment) was introduced. Slave galleys were also maintained by France, Spain, Denmark, and other European countries well into the eighteenth century. Conditions on the galleys were anything but merciful. Chained to crowded benches, exposed to all kinds of weather, whipped by brutal overseers, and fed on harsh rations, galley slaves often welcomed death. Nor did the Bridewells measure up to expectations. Designed to accommodate, "repress," and reform "the idle and sturdy vagabond and common strumpet," they could not handle the armies of social failures assigned to them. Soon these institutions turned into overcrowded slave-labor camps in which convict labor contributed to the wealth of the rulers of the countries.

To deal with the overflow of prisoners, the English introduced prison hulks, decommissioned and deteriorated warships that were converted into prisons, most of which were docked in the River Thames. By the 1840s, the British government had about twelve hulks that housed up to 4,000 inmates. These hulks

were overcrowded, unsanitary places of confinement, with high death rates due to communicable diseases. When prison ships were used during times of war

American War of Independence, Civil War, World War II) and emergency Northern Ireland), these terrible conditions led the world to outlaw imprisonment on ships for prisoners of war—but not for convicts.<sup>10</sup> Recently, in fact, New York City has commissioned a fleet of five ships to house convicts.

England (and France) devised yet another form of punishment that was important to the development of the New World. In the eighteenth century, English convicts were sentenced to be "transported" to the colonies. Virginia, Georgia, and other southern colonies received many convicts who labored to develop towns and plantations. After the American colonies won their independence, England transported convicts to Australia."

***IX. Определите грамматическое время и залог всех глаголов в последнем абзаце.***

### Вариант № 2

***I. Заполните таблицу, поставив предложения в соответствующие времена пассивного залога:***

<i>Время</i>	<i>Предложение</i>	<i>Обстоятельство</i>	<i>Перевод</i>
Present Simple	Cross-examining is held before a jury.	twice a week.	
Past Simple		an hour ago.	
Future Simple		in the morning.	
Present Continuous		now.	
Past Continuous		when I came into the room.	
Present Perfect		just.	
Past Perfect		before the bell rang.	
Future Perfect		by 12 o'clock.	

A new case is explained

***II. Распределите предложения на 2 группы:***

***3) предложения в Active Voice;***

***4) предложения в Passive Voice;***

***Определите время каждого предложения. Предложения переведите:***

1. She was sentenced to two concurrent ten-year prison sentences. 2. You will teach Law next year. 3. You will be taught Law next year. 4. But reform has been difficult to achieve. 5. I am being waited for. 6. They helped me a lot. 7. She is laughed at. 8. They were helped a lot. 9. The documents haven't been typed yet. 10. I interviewed some people to the job. 11. The appellate court is required to hear the case. 12. The reporter was given 20 minutes. 13. I am told

nothing. 14. They take the group by force. 15. We have such laws. 16. She told her nothing.

**III. Вставьте can, may или must в нужной форме:**

1. A fool may ask more questions than a wise man ... answer. 2. ... you help me with this case? – Of course, I ... . 3. Jack ... work for two hours without a rest. 5. You ... prepare every day. 6. We ... work at our supervision systematically. 7. One ... observe traffic rules. 8. ... I smoke here? 9. You ... call on me if you need my help.

**IV. Сделайте предложения отрицательными и вопросительными:**

1. He can help us in this case. 2. She could work very fast. 3. We must go now. 4. You must consult a lawyer. 5. She may take my book. 6. You may follow my advice.

**V. Подчеркните модальные глаголы и их эквиваленты. Предложения переведите:**

1. We'll have to wait for a solicitor. 2. I was to do this work. 3. May I use your phone? 4. You must not smoke so much. 5. She was and remains a riddle to me. She may not be a riddle to you. 6. He ought never to have married a woman 18 years younger than himself. 7. You should be more careful. 8. What am I to do? 9. Why should I do it? 10. It couldn't be true. 11. You ought to say a word or two about yourself. 12. He may have been in the court for about two hours. 13. We worked that land for maybe a hundred years. 14. You should consult a lawyer. 15. What a pity you have to go now. 16. Am I to come tomorrow? 17. I'm afraid I must be off. 18. I don't see why we shouldn't jump to conclusions.

**VI. Переведите, обращая внимание на разные функции глагола to be. Глагол to be подчеркните:**

1. Erik says that you may be coming to New York. 2. We are to go there tonight. 3. Where is he to be found? 4. What were you doing at that time? 5. He was not answered. 6. He may be ill. 7. They are in the next room. 8. My barrister says I am to leave alone. 9. She was my manager. 10. We are to wait for them at the entrance. 11. What is to become of him? 12. I haven't been given a chance to explain. 13. We were told some interesting news. 14. Peter is busy. 15. I am telling you the truth.

**VII. Переведите, обращая внимание на разные функции глагола to have:**

1. He had his papers seen. 2. Let's have a smoke in the corridor. 3. She has no time for me. 4. You have to go to the federal magistrates. 5. Where have you been since last Monday? 6. I have known him for many years. 7. Those two had not spoken to each other for three days and were in a state of rage. 8. Did you have to walk all the way home? 9. They will have to compensate for your losses.

10. I had breakfast at home. 11. She has not information on economic crimes.  
12. She knows what she has to do.

***VIII. Переведите текст, выписав слова юридической тематики.***

**The Penitentiary Movement**

Jails for the detention of persons pending trial or execution of sentence are an ancient institution, in England dating at least to 1166, when Henry II ordered their construction. By the seventeenth century, English jails increasingly housed convicted offenders and drunks. It was that institution which the early settlers brought with them to the northern and southern colonies. The jails at York Village, Maine (1653), and Williamsburg, Virginia (1701), are still in place and may be visited.

Philadelphia's Walnut Street Jail played a crucial role in the history of corrections. William Penn's "Great Law" of December 4, 1682, provided for the establishment of houses of correction as an alternative to corporal and capital punishment in Pennsylvania. (Penn's law retained capital punishment and whipping for the more serious offenses.) After independence, Pennsylvania continued to follow the liberal ideas of William Penn. In Philadelphia, the physician William Rush took up the cause of penal reform with his work, *An Enquiry into the Effects of Public Punishment upon Criminals* (1787). Rush helped organize the Pennsylvania Society for the Abolition of Slavery and was instrumental in the creation of the Philadelphia Society for Alleviating the Miseries of Public Prisons (1787). As a result of Rush's work, and consistent with the Quaker idea of "redemption - through penitence," a small extension called the penitentiary wing was added to the Walnut Street Jail. The penitentiary was born.

The idea of the penitentiary was simple enough: Like medieval monks in their monastery cells, convicts were to do penance in places designed for that purpose. The penitentiary wing was used to house prisoners in solitary confinement, for even at work prisoners were not allowed to communicate with each other.

The Quaker idea of redemption through labor and religious reflection, instead of capital and corporal punishment, seemed persuasive. Moreover, for a few years after the Walnut Street penitentiary wing was opened, the crime rate in Philadelphia appeared to drop. New York (1791), New Jersey (1798), Virginia (1800), Kentucky (1800), and later other states adopted the penitentiary concept and reduced the use of capital punishment.

But on Walnut Street in Philadelphia reality looked different. Barely a decade after the penitentiary wing had been inaugurated, the visiting committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons reported "idleness, dirt, and wretchedness" in the facility. Prisoners were not at all penitent useful labor could not be provided, and the authorities were unable to maintain the institution in a condition conducive to the improvement of prisoners. Dr.



Rush, convinced that the idea of the penitentiary was basically sound, began to campaign for better conditions and better management. After much lobbying by Dr. Rush and the Pennsylvania Society, the state legislature approved the construction of two new penitentiaries, the Western in Pittsburgh and the Eastern in Philadelphia. They received their first inmates in 1826 and 1829.

***IX. Определите грамматическое время и залог всех глаголов в последнем абзаце.***

## ЧАСТЬ IV

### III семестр

#### UNIT 1

#### Capital Punishment

#### **Функции глаголов to be и to have (обобщение)**

<b>Функция</b>	<b><i>to be</i></b>	<b><i>to have</i></b>
1. Смысловой глагол	Справа нет другого глагола. Имеет значение “быть, находиться”. We <u>are</u> in the Institute now.	Справа нет другого глагола. Имеет значение “иметь”.  He <u>has</u> a good library.
2. Вспомогательный глагол	Справа стоят другой глагол в 3 форме или с суффиксом <b>–ing</b> . Не переводится. She <u>is</u> reading a book. We <u>were</u> invited there.	Справа стоит другой глагол в 3 форме. Не переводится.  He <u>has</u> committed this burglary.
3. Глагол-связка	<b>To be</b> в этом случае является первой частью составного именного сказуемого и	

	не переводится. Справа стоит основная часть сказуемого, выраженного существительным, прилагательным, местоимением, инфинитивом, герундием или наречием: She is a good solicitor. His aim is to become a lawyer.	-
4. Модальный глагол для выражения долженствования	Справа стоит другой глагол в инфинитиве (с частицей to). Переводится словами “надо, должен...” I was to acquitted him of murder.	Справа стоит другой глагол в инфинитиве (с частицей to). Переводится словами “пришлось, придется, надо...” I shall have to stay at home as my mother is ill.
5. Первый компонент устойчивого сочетания с существительным или другой частью речи	Значения таких словосочетаний надо найти в словаре и запомнить: to be fond of – увлекаться; to be afraid of – бояться; to be late – опаздывать; to be proud of – гордиться.	Значения таких словосочетаний надо запомнить: to have dinner – обедать; to have a smoke – покурить; to have a look – взглянуть.
6. Первый компонент объектного причастного оборота	-	Оборот состоит из have + существительное (или местоимение) + причастие II. Оборот указывает, что действие, выраженное причастием, выполняется по настоянию (просьбе, требованию) подлежащего: She has her hair cut short. – Она коротко постриглась (т.е. ее постригли).

**Упр. 1. Определите функции глагола to be и переведите предложения:**

1. She is an experienced lawyer. 2. We were to meet on Sunday. 3. Where are you going? 4. Were you in the court last summer? 5. Don't forget that we are to meet in the evening. 6. He is in the prison now. 7. There will be an interesting case next week. 8. He is reading up for his report. 9. They are to come in 20 minutes. 10. You were to tell us about it. 11. I am afraid of nothing.

**Упр. 2. Переведите, учитывая разные функции глагола to be:**

He was to listen to you; he was listening; he was listened to; he was a rich person; it is defense; it is to defense; he is defending; it is a difficult case; they are caused; they are to cause; he will be changed; he is changed; he is to change.

**Упр. 3. Определите функции глагола to have и переведите предложения:**

1. I have plenty of papers to read. 2. Have a look at these footprints! 3. I have to pay my bills today. 4. I have already heard about this criminal. 5. She has just asked the militiaman. 6. They have accurate information every day. 7.

We have breakfast in the morning. 8. He had to stay at home because we had spent all our money. 9. We had a meeting after the process yesterday. 10. We had to wait for him for half an hour. 11. They had had dinner before we came. 12. Next week I shall have to preserve evidence. 13. I'll have the car brought round. 14. The man had his leg amputated. 15. We have to find his revolver. 16. They will have a new injured woman soon.

**Упр. 4. Переведите, учитывая разные функции глагола to have:**

I have arrived; I have to arrive; he had to betray; he had betrayed; he had the case to investigate; I will have to understand; he has helped; he has to help; he will have to help; he had to help; he has asked; they have to ask; you had asked; she has to ask.

## UNIT 2

### The Infinitive Инфинитив

Инфинитив – неличная форма глагола, обладающая признаками и глагола, и существительного.

Формальным признаком инфинитива является частица **to** (to go, to do, to help).

Частица **to** не ставится:

- 1) после модальных глаголов (**can, may, must, need, could, might, should**): She can **swim** well. They should **do** it.
- 2) после глаголов **to make** (в значении “заставлять” в активном залоге), **to let** (разрешать): She let them **go**.
- 3) после выражений **had better** (лучше бы): You'd better **sing** us. А также **would rather** (предпочел бы): I would rather **do** it later.

**Упр. 1. Найдите инфинитив в предложении. Объясните случаи, где инфинитив употреблен без частицы to. Предложения переведите:**

1. He wanted the Court to resolve a question of great constitutional importance. 2. They promised to inform us about their work. 3. His parents let him work on a fixed-term contract. 4. To commit a crime is bad. 5. Jane wants to commit suicide. 6. The chief clerk makes the workers work. 7. You had better think about it. 8. Let me know what's happening. 9. They will go to the court to sue for a divorce. 10. You needn't decide at once how to act. 11. Don't make him issue a warrant. 12. His friend made him serve a witness with a summons.

**Упр. 2. Раскройте скобки, употребив инфинитив с частицей to или без нее:**

1 Let him (to help) you with your work 2. He would rather die than (to betray) his friends. 3. Have you ever heard him (to complain) of difficulties? 4. I want (learn) Law. 5. She seems (to know) a great deal about criminology. 6. Have you enough (to pay) the bills?

### Свойства инфинитива

1. Инфинитив имеет формы залога (т. е. может быть активным и пассивным).

2. Инфинитив имеет формы относительного времени (т. е. выражают одновременность по отношению к другому действию (Indefinite Infinitive, Continuous Infinitive) или предшествование по отношению к другому действию (Perfect Infinitive).

Перевод инфинитива на русский язык зависит от его формы.

### The Infinitive

	<i>Active</i>	<i>Passive</i>
Indefinite	to write	to be written
Continuous	to be writing	-
Perfect	to have written	to have been written
Perfect Continuous	to have been writing	-

**Упр. 3. а) пользуясь таблицей, дайте остальные формы следующих инфинитивов:**

to ask, to do, to help, to make, to translate, to pass, to take, to answer;

**б) определите форму данных инфинитивов:**

to trouble (беспокоить), to have troubled, to be working, to have been told, to be invited, to have been working, to be done, to be doing, to have invited, to have lost, to stay, to be answered, to have made, to have been made, to have been reading, to have phoned, to have been asked, to have met, to be met, to have been helped, to be helping, to be helped, to have sent, to have been questioned.

**Упр. 4. Укажите форму инфинитива. Сравните значения различных форм:**

1. I like to ask questions. Я люблю задавать вопросы. 2. I like to be asked many questions. Я люблю, когда мне задают много вопросов. 3. They happened, at the moment, to be asking something about the case. В этот момент они как раз что-то спрашивали о деле. 4. I remember to have asked this question. Я помню, что задавал этот вопрос. 5. I remember to have been asked this question. Я помню, что мне задавали этот вопрос. 6. For about twenty minutes they seemed to have been asking one and the same question formulating it in different ways. Минут двадцать они, казалось, задавали один и тот же вопрос, по-разному формулируя его.

**Упр. 5. Переведите:**

1. After ten years a barrister may ask to be made a Queen's Counsel, or Q.C. 2. Laws are not made to be broken. 3. To visit her was all that I wanted. 4. He is proud to have been offered this post. 5. My greatest wish was to tell her everything. 6. For a moment she seemed to be hesitating. 7. He demanded to know the truth. 8. All I want to do is to help you. 9. He seemed to have received all he wanted. 10. Alice arrived in time to hear Tom's remark. 11. I am sorry not to have seen her. 12. They demanded to be shown the authentic documents.

**Упр. 6. а) вставьте подходящую по смыслу форму инфинитива: Passive или Active:**

1. The members of the jury want ... The witnesses want ... (to understand, to be understood). 2. We expected the hearing ... next month. He expected ... the attention of the audience (to hold, to be held). 3. Some changes had ... He wanted ... some changes in the speech (to make, to be made). 4. There were a lot of things ... He was nowhere ... (to see, to be seen).

**б) Вставьте подходящую по смыслу форму инфинитива Indefinite или Perfect:**

1. It's good ... work for the day (to finish, to have finished). 2. She admits ... the same mistake in her previous paper (to make, to have made). 3. He was sorry not ... the idea earlier (to give up, to have given up). 4. She confessed ... the man before (to see, to have seen). 5. The negotiations seem ... to an end (to come, to have come). 6. The relations between the two countries seem ... the lowest point (to reach, to have reached).

**Употребление и способы перевода инфинитива**

Инфинитив употребляется в английском языке в целом ряде функций.

*Инфинитив - подлежащее*

<i>To make mistakes is easy.</i> <i>It is easy to make mistakes.</i>	Ошибки <i>делать</i> легко.
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*Инфинитив – дополнение*

He asked us <i>to help</i> .	Он просил нас <i>помочь</i> .
We found <i>it</i> difficult <i>to help</i> him.	Нам было трудно <i>помочь</i> ему.

*Инфинитив – часть сказуемого*

The job of a judge is <i>to decide</i> questions of law.	Работа судьи состоит в том, <i>чтобы решать</i> вопросы права (правосудия).
They must <i>punish</i> the offenders.	Они должны <i>наказать</i> преступников.

Особое внимание нужно обратить на инфинитив-определение и инфинитив-обстоятельство.

Инфинитив в функции определения следует переводить придаточным определительным предложением, начиная его словом “который”.

При переводе предложения с инфинитивом в функции обстоятельства перед инфинитивом логично поставить слово “чтобы”.

*Инфинитив-определение*

Here is an example <i>to be followed</i> .	Вот пример, которому <i>нужно следовать</i> .
The examples <i>to be found</i> in this paper are interesting.	Примеры, которые <i>содержатся (можно найти)</i> в этой статье, интересны.
Can you give me some work <i>to do</i> .	Дайте мне какое-нибудь дело (работу), <i>которую я мог бы выполнить</i> .

*Инфинитив-обстоятельство*

He stopped for a minute <i>to rest (in order to rest)</i> .	Он остановился на минуту, <i>чтобы отдохнуть</i> .
We were too tired <i>to discuss</i> the matter.	Мы <i>слишком</i> устали, <i>чтобы обсуждать</i> этот вопрос.
You are old enough <i>to earn</i> your own living.	Ты уже <i>достаточно</i> взрослый, <i>чтобы самому зарабатывать</i> на жизнь.

**Упр. 7. Переведите, обращая внимание на различные функции инфинитива:**

1. To qualify for jury service it is necessary to be a registered elector between the age of 18 and 65. 2. He wants to accept your offer. 4. The jury is ready to be helping the judge. 5. He is glad to be found ‘not guilty’. 6. The Emperor Justinian in Constantinople ordered to make a clear, systematic code of all the laws. . 7. The prosecutor is satisfied to have been working at this case with Mr.X. during the trial. 8. To protect the interests of the public and to punish and

deter the criminal is the court's duty. 9. This is the problem to be solved as soon as possible. 10. It is not the result of government attempts to codify every legal relation. 11. I need time to prepare. 12. There exist different methods to punish the offenders. 13. She was the last to speak at the meeting. 14. We were the first to ring him up and to tell the news. 15. I have something interesting to tell you. 16. There was nothing interesting in the court to attract our attention. 17. To clarify this matter one must work hard. 18. The "sources" of law are the sources to which the courts turn in order to determine what it is. 19. The function of the jury is to determine the facts, having heard the judge's summing up and his directions on question of law.

**Упр. 8. Переведите на русский язык, обращая внимание на различные формы инфинитива.**

1. The attorneys' decision to prosecute or not affects the wealth, freedom, rights, and reputation of individuals and organisations in the district.
2. The solicitor is satisfied to be helping in preparing the case of theft.
3. The offender was very happy to have had the pleasure of making the priest's acquaintance.
4. The attorney is satisfied to have been investigating this case with his assistants during the trial.
5. The barrister was glad to have been asked to train law students.
6. Mr White is delighted to be found "not guilty".

### UNIT 3

#### The Participles    Причастия

Participle I	V + ing: reading, doing
Participle II	V3/Ved: translated, done

В английском языке различают причастие первое (Participle I) и причастие второе (Participle II).

Вы уже встречались с ними, изучая времена английского глагола, где Participle I и Participle II являлись частью сказуемого и входили в состав времен: Participle I – в состав времен группы Continuous, а Participle II – в состав времен группы Perfect и форм пассивного залога.

He is **reading** now. – Он читает сейчас (Participle I).

They will have **finished** the work by 5 p.m. – Они закончат работу к 5 вечера; In all societies relations between people are **regulated** by prescriptive laws. – Отношения регулируются предписывающими законами (Participle II).

Кроме того, Participle I и Participle II могут быть в предложении определением и обстоятельством. Тогда Participle I переводится на русский язык действительным причастием с помощью суффиксов **-ащ, -ящ, -ущ, -ющ** или деепричастием (словом, отвечающим на вопрос *что делая?* в зависимости от его функции в предложении): reading – читающий, читая; doing – делающий, делая.

Participle II переводится на русский язык страдательным причастием с помощью суффиксов **-анн, -енн**: read [red] – прочитанный, читаемый; done – сделанный, делаемый; asked – заданный, задаваемый.

**Упр. 1. а) Разделите причастия на 2 группы: I и II:**

Speaking, seen, standing, asked, destroyed, written, shut, living, falling, interested, given, singing, repeated, sent, chosen, broken, eaten.

**б) Образуйте причастие I и II:**

To work, to walk, to give, to send, to arrest, to write, to read, to offer, to form, to go, to bring, to do, to approach, to take, to break, to forget, to grow, to know, to change, to plan.

**Упр. 2. Переведите на русский язык, обращая внимание на Participle I:**

1. The voting stations are open from 7 in the morning till 9 at night. 2. There are a few cases of a court refusing to grant a divorce at all because the couple in question was elderly and would never recover from the financial shock. 3. There is one practicing lawyer per 1200 people. 4. Entering the room, she turned on the light. 5. Coming to the court, she saw that the hearing had already begun. 6. Looking out of the window, he saw his friend coming to his office. 7. Hearing the verdict we stopped talking. 8. She went into the room, leaving the door open. 8. The judge is the presiding officer of the court. 9. There are also laws regulating transactions in the years before the legislation.

**Упр. 3. Переведите на русский язык, обращая внимание на Participle II:**

1. Alongside with professional judges there are unpaid judges. 2. When governments make laws for their citizens, they use a system of courts backed by the power of the police to enforce these laws. 3. A defendant found guilty by the magistrates may appeal against the finding or against the punishment to the local Crown Court. 4. There are many kinds of unwritten agreement between people. 5. Common Law consists of principles and rules of conduct based on the ancient customs of the country and recognized by the Courts as Law. 6. Law is unwritten. 7. The House of Lords can not reflect bills passed by the House of Commons. 8. The most important models were the codes produced in the seventh century under the direction of the Roman Emperor Justinian Statute law consists of all laws passed by parliament.



**Упр. 4. Переведите на русский язык, обращая внимание на Participle I и Participle II:**

- a) A word spoken in time may have very important results.
- b) While speaking to Nick some days ago I forgot to ask him about his sister.

**Упр. 5. Раскройте скобки, заменив инфинитив на правильную форму Participle I.**

1. (to return) the verdict of the jury the judge delivered his judgement of punishment.
2. (to concern) with assuring the uniformity of federal law, the function of the Supreme Court is assuming larger and larger importance nowadays.
3. (to experience) a great increase in criminal activity of nearly every crime Britain made the measures on preventing it tougher.
4. The defending counsel when he had his turn called new witnesses, (to include) the accused man himself.
5. Crime is one of the most (to disturb) elements of modern life in America.
6. (to settle) all controversies between states, the Court acts like the International Tribunal.
7. (to take into account) the mental condition of the offender the judge delayed the sitting till the medical examination.
8. (to control) by Central Government, the police are responsible for the maintenance of public order.
9. (to be) a well-known figure in public life, the American judge decided to be a candidate for Congress.
10. The main function of Parliament is to make laws (to regulate) the life of the country.

**Упр. 6. Переведите на английский язык, употребив либо Participle I, либо Participle II.**

Помогающий, приносящий, сломанный, растущие силы, известный писатель, работающие судьи, забытое дело, посылающий, данная задача, играющие дети, спящая девочка, принятый закон, обвиненный мальчик, написанное письмо, прочитанный документ, изученный материал, принятые меры, нарушенный закон.

**Упр. 7. Переведите на русский язык, обращая на форму причастия.**

1. Ladies and gentlemen of the jury, I intend to prove to you, that the defendant, Michael Perkins, cold-bloodedly decided to kill Penelope Hennessy for money, and that having made his decision, he set about planning exactly how to kill her.
2. He wasn't asked to take on the chairmanship of the society, being considered insufficiently popular with all members.
3. But, having committed the perfect crime, he became careless and began to make mistakes.
4. He

stopped payments for the Atlantic Monthly Press, saying that its financial state has been misrepresented to him. 5. I heard the problem being solved.

**Упр. 8. Переведите предложения с Participle II на русский язык.**

1. According to the witness's testimony, you were present when the crime was committed.
2. The case will be heard in court next week.
3. Have you claimed the insurance yet?
4. A certain sum of money must be paid as punishment for breaking law or order. Peter Rowny was fined J500 for dangerous driving.
5. It is required (of me) that I give evidence.
6. The management have considered Mr Blaire's application carefully, but couldn't offer him the job.
7. He testified under oath that he had not been at the scene of the crime.
8. I think, the judgement will be given in favour of the accused.
9. Andrew Brown had a distinct impression that he was being followed.
10. The new law will have come into force by the future elections to Parliament.

**Упр. 9. Подчеркните причастия и переведите следующие предложения:**

1. The Court as a Chamber composed of seven judges delivered the following judgement.
2. Having deliberated in private for five days they delivered the following judgement.
3. The Tyrer case was referred to the Court by the European Commission for Human Rights.
4. The case originated in an application lodged with the Commission.
5. On 7 March 1972, being then aged 15, he pleaded guilty to unlawful assault.
6. The teacher had reported the four boys for taking beer into the school.

**Переведите на русский язык:**

assault occasioning bodily harm  
 behaviour tending to a breach of the peace  
 a fine not exceeding thirty pounds  
 a term not exceeding six months  
 the number of strokes to be inflicted  
 reasons for interfering with the sentence  
 the idea embodied in the document  
 expanding exports  
 a growing number of politicians  
 guaranteed benefits  
 the developing world

the concept often used in practice  
situations including this incident  
codified legal provision

**Упр. 10. Раскройте скобки, вставив соответствующее причастие:**

1. The Client must reimburse the Hotel for any costs or expenses (to incur) by the Hotel.
2. The Client shall use the rented property only for the uses as specifically (to enumerate) in Article I.
3. The Client must advise or make other statements (to regard) the Event.
4. The Hotel reserves the right to increase any and all prices (to state) in the Contract.
5. Payment obligations (to include) the Deposit shall be discharged in the following bank account...

## UNIT 4

### Gerund Герундий

Герундий – одна из неличных форм глагола, выражающая **название** действия. Кроме глагольных свойств, герундий имеет свойства имени существительного. В русском языке соответствующей формы нет; по значению к герундию близки такие русские отглагольные существительные, как *хождение, ожидание, воспевание* и т. п.

Формы герундия совпадают с формами Participle I: V + ing: to work – working, to read – reading.

Значение герундия может передаваться существительным, инфинитивом, деепричастием (в функции обстоятельства), глаголом в личной форме и придаточным предложением:

**Reading** English books every day Ежедневное *чтение* английских  
will improve your knowledge of the книг улучшит ваше знание языка.  
language.

I remember **hearing** this song in my Я помню, что *слышал* эту песню в

childhood.

детстве.

Выбор способа перевода герундия зависит от его формы и функции в предложении.

### Глагольные свойства герундия

#### Формы герундия

Tense Voice		
	Active	Passive
Indefinite <i>одновременность</i>	telling	being told
Perfect <i>предшествование</i>	having told	having been told

**Упр. 1. Рассмотрите предложения, иллюстрирующие значение разных форм герундия:**

Indefinite Tense <i>действие происходит одновременно со сказуемым</i>	Perfect Tense <i>действие предшествовало действию сказуемого</i>
He <b>likes</b> <b>telling</b> stories. <i>Он любит рассказывать истории.</i> He <b>liked</b> <b>telling</b> stories. <i>Он любил рассказывать истории.</i>	He <b>is</b> proud of <b>having done</b> the work. <i>Он гордится, что сделал эту работу.</i> He <b>was</b> proud of <b>having done</b> the work. <i>Он гордился, что сделал эту работу.</i>

**Упр. 2. По форме сказуемого определите, одновременно ли его действие действию сказуемого или предшествовало ему. Предложения переведите:**

1. I remember (*помнить*) having read the book before. 2. She likes sitting in the sun. 3. He talked without stopping. 4. Can you remember having seen the man before? 5. I avoided (*избегать*) speaking to them about that matter. 6. Excuse my interrupting (*прерывать*) you. 7. Excuse my having interrupted you. 8. They accuse (*обвинять*) him of having robbed (*грабить*) the house.

Active Voice	Passive Voice
Действие выполняет подлежащее предложения или лицо, выраженное притяжательным местоимением/существительным, которые стоят перед герундием.	Действие герундия выполняется над подлежащим или лицом, обозначенным притяжательным местоимением/существительным, которые стоят перед герундием.
1. There are different methods of prosecuting offenders. <i>Существу-</i>	1. I know of her being persecuted for her beliefs.

ют различные методы преследования правонарушителей.	Я знаю, что ее преследуют за ее убеждения.
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**Упр. 3. Переведите предложения, обращая внимание на залог герундия:**

1. I am against being helped in this work, I can do it myself. 2. They are against helping him. 3. Mankind (человечество) is interested in atomic energy being used only in peaceful purposes (цели). 4. I never mind (возражать) seeing a good film twice. 5. He keeps asking me the time and I keep telling him to buy himself a watch. 6. She doesn't like being interrupted. 7. They must not come to the party without being invited.

**Свойства существительного, присущие герундию**

Герундий, как и существительное, может выполнять в предложении функции подлежащего, части сказуемого, прямого и предложного дополнения, определения, обстоятельства.

**Упр. 4. Изучите таблицу:**

Функция	Особенности	Примеры	
дополнение	занимает первое место в предложении	<b>Cross-examining was held before a jury.</b>	Перекрёстный допрос проходил перед судом присяжных.
	третье место в предложении	1. This trial needs <b>participating</b> experts. 2. The prosecutor spoke about <b>punishing</b> the offender.	1. Этот судебный процесс требует участия экспертов. 2. Обвинитель говорил о наказании преступника.

часть сказуемого	после to be; to stop <i>прекращать</i> ; to finish <i>заканчивать</i> ; to continue, to keep on, to go on <i>продол- жать</i> ; to begin, to start <i>начинать</i>	1. The judge started <b>asking</b> the wit- nesses questions by the defence. 2. The young man stopped <b>reading</b> the notices.	1. Судья начал за- давать вопросы свидетелям, вы- ставленным за- щитой. 2. Молодой чело- век перестал чи- тать объявления.
определение	всегда с предлогом после абстрактных существительных, как: opportunity (of) <i>воз- можность</i> ; way (of) <i>способ</i> ; experience (in) <i>опыт</i> ; interest (in) <i>интерес к</i> ; reason (for) <i>причина, основа- ние</i> ; chance (of) <i>воз- можность</i>	1. I see no other way <b>of doing</b> it. 2. There are differ- ent opinions <b>on</b> <b>abolishing</b> penalty death.	1. Я не вижу друго- го способа сде- лать это. 2. Существуют раз- личные мнения об отмене смерт- ной казни.

действия обстоятельство времени, образа действия или сопутствующего	<p>всегда с предложением:  after, on <i>после того, как</i>;  before <i>до того, как</i>;  by <i>существительным в творительном падеже или деепричастием</i>; instead of <i>вместо того, чтобы</i>;  besides <i>кроме</i></p>	<p>1. After reading about a law system in Great Britain I understood its essence.</p>	<p>1. Прочитав о судебной системе Великобритании, я понял ее суть.</p>
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**Упр. 5. Переведите на русский язык, определив формы и функции герундия:**

1. Selling shares is one of the ways in which companies raise capital. 2. She suspected (*подозревать*) him of deceiving (*обманывать*) her. 3. She denied (*отрицать*) having been at home that evening. 4. Sometimes we can break rules without suffering penalty. 7. He talked without stopping. 8. Miss Brown was in the habit of asking Mr. Dick his opinion. 9. He solved the problem of inviting the best lawyers. 10. He solved the problem, by inviting the best lawyers. 11. Ring us up before leaving home. 12. Instead of reading up for his speech, he is watching TV. 13. Some laws prevent companies from transferring funds to third parties.

### Сложные герундиальные обороты

Подобно существительному, герундий может определяться притяжательным местоимением или существительным в притяжательном (иногда в общем) падеже. Это сочетание называется сложный герундиальный оборот.

При переводе на русский язык это существительное или местоимение становится подлежащим придаточного предложения, а герундий – сказуемым. Такой оборот часто вводится словами *то, что; о том, что*.

#### Сравните:

I don't mind <b>listening him in the court</b> .	Я не против того, чтобы послушать его в суде.
I don't mind <b>his coming to the court</b> .	Я не против того, чтобы <b>он</b> пришёл в суд.
She insisted on <b>being allowed</b> to interrogate him	Она настаивала, чтобы ей разрешили допросить его.
She insisted on <b>her son being interrogated</b> .	Она настаивала, чтобы ее сына допросили.

**Упр. 6. Переведите на русский язык, обращая внимание на сложный герундиальный оборот:**

1. I am told of your being very busy. 2. Do you mind my smoking here? 3. My friend insists (*настаивать на*) on my taking part in this meeting. 4. I am not very friendly with him, so I was surprised by his asking me to dinner. 5. The thieves (*воры*) broke into the shop without anyone seeing them. 6. He doesn't mind his daughter going to the cinema once a week. 7. The government insists on these measures being taken. 8. There is no hope of our coming in time.

**Упр. 7. Выучите значение следующих глаголов и словосочетаний, после которых употребляется герундий. Предложения переведите:**

Would you mind ... - Будьте любезны ...;

I don't mind ... - Я не возражаю ...;

It is worth ... - Стоит (что-либо делать) ...;

I cannot help ... - Я не могу не ...;

to succeed in ... - удаваться ...;

to fail ... - потерпеть неудачу, не суметь сделать что-либо.

#### Образец:

1. Would you mind passing me the code?

*Будьте любезны, подайте мне кодекс.*

2. I don't mind your staying with your friend.

*Я не возражаю, если ты погостишь у своего друга.*

3. His speeches are worth listening to.

*Стоит послушать его выступления (речи).*

4. I cannot help laughing at his stories.

*Я не могу не смеяться над его рассказами.*

5. He succeeded in mastering his speciality.

*Ему удалось овладеть специальностью.*



6. They failed passing the exam.

*Они не сдали экзамен.*

1. You look wonderful today. I can't help looking at you. 2. She can't help telling him about this matter. 3. I couldn't help inviting them to our party. 4. Do you mind my presenting in the court? 5. Do you mind our publishing the results of our work? 6. The *proceeding* is worth seeing. 7. The article is worth seeing. 8. This country is worth visiting. 9. She succeeded in organizing the discussion. 10. They succeeded in getting the permission to see their son. 11. They failed keeping their promise. 12. John failed finding any job in London. 13. He didn't come that evening. He failed catching the last train.

## TEXT I

*Упр. 1. Прочитайте следующие слова:*

**Felony** ['feləni] - фелония (категория тяжких преступлений, по степени опасности находящаяся между государственной изменой и мисдиминором); **provide** - предусматривать; **capital crime** - преступление, караемое смертной казнью; **benefit of clergy** - неподсудность духовенства светскому суду (привилегия духовного звания); **ordain** [ɔ:'deɪn] - посвящать в духовный сан; **subject** - подлежащий; **secular** ['sekjulə] - светский; **convict** [kən'vɪkt] - признать виновным; **ecclesiastical** [ɪkli:'zi'jstɪkəl] - церковный; **literacy** [lɪtərəsi] - грамотность; **recite** - декламировать; **psalm** [sa:m] - псалом; **execute** ['eksɪkju:t] - казнить; **erratic** [ɪ'rɪtɪk] - беспорядочный; **entitle** - давать право; **reprieve an offender** - отсрочить исполнение приговора осужденному; **petition for mercy** - подавать ходатайство о помиловании; **execution** [eksɪ'kju:ʃən] - приведение в исполнение приговора к смертной казни, смертная казнь; **gallows** ['gɒləʊz] - виселица; **royal pardon** - королевское помилование; **eventually** [ɪ'ventʃuəli] - со временем; **spectacle** ['spektəkəl] - зрелище; **in private** - при закрытых дверях; **restrict** [rɪs'trɪkt] - ограничивать; **shoot** - застрелить; **cause** - быть причиной; **explosion** [ɪks'pləʊʒən] - взрыв; **second occasion** - повторный случай.

*Упр. 2. Прочитайте и переведите текст:*

**Capital punishment and its application.**

Death was formerly the penalty for all felonies in English law. In practice the death penalty was never applied as widely as the law provided. Many offenders who committed capital crimes were allowed what was known as benefit of clergy. The origin of benefit of clergy was that offenders who were ordained priests were subject to trial by the church courts rather than the secular courts. If the offender convicted of a felony could show that he had been ordained, he was allowed to go free, subject to the possibility of being punished by the ecclesiastical courts. In medieval times the only proof of ordination was literacy and it became the custom by the 17th century to allow anyone convicted of a felony to escape the death sentence by giving proof of literacy. All that was required was the ability to read or recite one particular verse from Psalm 51 of the Bible, known as the "neck verse" for its ability to save one's neck; most offenders learned the words by heart. The application of the death penalty was extremely erratic, as in any capital case the judge was entitled to reprieve the offender so that he could petition for mercy; but the judge was not obliged to do this, and if he decided to "leave the offender for execution," the death sentence was normally carried out immediately, without appeal. In practice, many offenders who were convicted of capital crimes escaped the gallows as a result of reprieves and royal pardons. Until the mid-19th century executions in England were public, and throughout the 18th century great crowds attended the regular executions in London and other cities. Often an execution was followed by scenes of violence and disorder in the crowd, and it was commonly believed that pickpockets were busy among the spectators at executions. Public opinion eventually turned against the idea of executions as spectacles, and after 1868 executions were carried out in private in prisons. Parliament (in 1957) restricted the death penalty to certain types of murder, known as "capital murders"—murder in the course of theft, murder of a police or prison officer in the execution of his duty, murder by shooting or causing an explosion, and murder on a second occasion. All other murders were to be punished by a life sentence (life imprisonment).

**Упр. 3. *Согласитесь или не согласитесь со следующими высказываниями:***

1) Death was the penalty for all misdemeanours. 2) Death penalty was applied as widely as the law provided. 3) Many offenders who committed capital murders were allowed what was known as benefit of clergy. 4) Many offenders who were ordained priests were subject to trial by the secular courts rather than the church courts. 5) If the offender convicted of a felony could show that he had been ordained, he was allowed to repair a damage. 6) Anyone convicted of a felony was allowed to escape the death sentence by giving proof of morality. 7) The application of the death penalty was well-ordered. 8) The judge was entitled to reprieve the offender so that he could repent of his sins. 9) The judge was obliged to reprieve the offender. 10) If the judge decided to leave the offender for execution, the death sentence was carried out momentarily. 11) Many offenders

who were convicted of misdemeanours didn't escape the gallows. 12) Executions in England were carried out in private in prisons. 13) Few people attended the regular executions in London. 14) Scenes of pacification in the crowd followed an execution. 15) It was believed that robbers were busy among the spectators at executions. 16) Public opinion supported the idea of executions as spectacles.

**Упр. 4. Восстановите порядок слов в следующих предложениях:**

1) Death the penalty for all felonies was. 2) Death penalty was never as widely as the law applied provided. 3) Many offenders were what was known as benefit of clergy allowed. 4) Many offenders who were were ordained priests subject to trial by the church courts. 5) If the offender allowed convicted of a felony could show that he had been ordained, he was to go free. 6) Anyone convicted of a felony to escape the death sentence by giving proof of literacy was allowed. 7) The application of the death penalty erratic was. 8) The judge was to reprieve the offender entitled. 9) The judge not obliged to reprieve the offender was. 10) If the judge decided to leave, the death sentence was carried out immediately the offender for execution. 11) Many offenders who were convicted of capital crimes the gallows as a result of royal pardons escaped. 12) Great crowds the regular executions in London attended. 13) Scenes of violence in the crowd an execution followed. 14) Pickpockets busy among the spectators at executions were.

**Упр. 5. Переведите следующие слова и выражения с русского языка на английский:**

Возместить ущерб; нравственное поведение; упорядоченный; раскаиваться; умиротворение; фелония; преступление, караемое смертной казнью; неподсудность духовенства светскому суду; посвящать в духовный сан; признать виновным; казнить; давать право; отсрочить исполнение приговора осужденному; подавать ходатайство о помиловании; приведение в исполнение приговора к смертной казни; виселица; королевское помилование; повторный случай.

**Упр. 6. Закончите следующие предложения:**

1) Death was ... 2) Death penalty was never applied as ... 3) Many offenders who committed capital crimes were allowed ... 4) Many offenders who were ordained priests were subject to ... 5) If the offender convicted of a felony could show ... he was allowed ... or was subject to ... 6) Anyone convicted of a felony was allowed ... 7) The application of the death penalty was ,v. 8) The judge was entitled ... 9) The judge was not obliged ... 10) If the judge decided ... the death sentence was ... 11) Many offenders who were convicted of capital crimes escaped ... as a result of ... 12) Executions in England were ... 13) Great crowds attended ... 14) Scenes of ... followed ... 15) It was believed that pickpockets ... 16)

Public opinion turned ... 17) After 1868 executions were carried out in ... 18)  
Capital murders are ...

## TEXT II

*Упр. 1. Прочитайте следующие слова:*

**Abolition** - отмена; **capital murder** - убийство, караемое смертной казнью; **dissatisfaction** - недовольство; **execution** - приведение в исполнение приговора к смертной казни; **view** - рассматривать; **unjustified** - необоснованный; **escape the death penalty** - избежать смертной казни; **deliberate poisoner** - умышленный отравитель; **subject / liable** - подлежащий; **emotional crime** - преступление под влиянием аффекта; **seize a gun** - схватить огнестрельное оружие; **abolish the death penalty** - отменять смертную казнь; **replace** - заменять; **life sentence** - приговор к пожизненному тюремному заключению; **release** - освобождать; **serve a sentence** - отбывать наказание.

*Упр. 2. Прочитайте и переведите текст:*

### Capital punishment and its abolition

The operation of the system of capital murder created great dissatisfaction, as it led to some executions that the public viewed as unjustified, while other types of murderers escaped the death penalty. In particular, deliberate poisoners were not subject to the death penalty, but the emotional murderer who had happened to seize a gun was liable to execution. In 1965 the Murder Act abolished the death penalty for all murders and replaced it with a life sentence in all cases. The judge was given the power to recommend that the offender sentenced to life imprisonment should not be released before he had served a certain minimum period. The abolition of capital punishment in England in November 1965 was welcomed by most people with humane and progressive ideas. To them the abolition of death penalty seemed a departure from feudalism, from the cruel pre-Christian spirit of revenge: an eye for an eye and a tooth for a tooth. Today public opinion in Britain has changed. People who before stated that capital punishment was not a deterrent to murder - for there have always been murders in all countries with or without the law of execution - now feel that killing the assassin is the lesser of two evils. Capital punishment, they think, may not be the ideal answer, but it is better than nothing, especially when, as in England, a life sentence only lasts eight or nine years.

*Упр. 3. Согласитесь или не согласитесь со следующими высказываниями:*

- 1) The operation of the system of capital murder created great satisfaction.
- 2) The operation of the system of capital murder led to some executions that the public viewed as well-thought-out.
- 3) No types of murderers escaped the death

penalty. 4) Deliberate poisoners were subject to the death penalty. 5) The emotional murderer was not liable to execution. 6) Capital punishment was abolished for felony crimes. 7) Life sentence was replaced with a death penalty in all cases. 8) The offender sentenced to life imprisonment should be released before he had served a certain period. 9) Murderers and rapists welcomed the abolition of capital punishment. 10) The abolition of death penalty seemed to people a great catastrophe. 11) People stated that capital punishment was a deterrent to murder.

**Упр. 4. Переведите следующие слова и выражения с русского языка на английский:**

Отмена смертной казни; утверждать; дохристианский; расставание; изменяться; мщение; высшая мера наказания; казаться; тяжкое убийство, караемое смертной казнью; общественное мнение; умышленный; средство устрашения; феодализм; приветствовать; гуманный; жестокий; око за око и зуб за зуб; убийца; длиться; пожизненное тюремное заключение; недовольство; приведение в исполнение приговора к смертной казни; рассматривать; необоснованный; избежать смертной казни; умышленный отравитель; преступление под влиянием аффекта; схватить огнестрельное оружие; отменять смертную казнь; заменять; освобождать; отбывать наказание; обоснованный.

**Упр. 5. Закончите следующие предложения:**

1) The operation of the system of capital murder created ... 2) The operation of the system of capital murder led to ... 3) Some types of murderers escaped ... 4) Deliberate poisoners were not subject to ... 5) The emotional murderer was liable to ... 6) Capital punishment was abolished for ... 7) Death penalty was replaced with ... 8) The offender sentenced to life imprisonment should not be ... 9) Most people with humane and progressive ideas welcomed ... 10) The abolition of death penalty seemed to people a departure from ... 11) People stated that ... 12) People feel that ... 13) Capital punishment is better than ...

### TEXT III

**Упр. 1. Прочитайте следующие слова:**

**Cessation** [se'seiʃən] - прекращение; **constitutional issue** - вопрос, имеющий конституционное значение; **enact** - предписывать в законодательном порядке, постановлять; **discrimination** - неодинаковое отношение; **enact legislation** [i'nʃkt ledʒis'leiʃən] - принимать законы; **discretion** [dis'kreʃən] - усмотрение; **provide for** - предусматривать; **mitigation** [miti'geiʃən] - смягчение; **aggravation** [ʒgrə'veiʃən] - усиление; **exercise**

[ˈeksəsaɪz] **of discretion** - осуществление усмотрения; **arbitrary** [ˈɑːbɪtrəri] - произвольный; **framework** - правовые рамки.

**Упр. 2. Прочитайте и переведите текст:**

**Capital punishment and its constitutionality**

In the United States, where the existence of the death penalty is primarily a matter of state law, capital punishment was permitted by many states for murder and in some states for offenses such as rape and kidnapping. Executions were common; between 150 and 200 persons were executed each year in the decade before World War II. In the postwar years the number of executions declined to about 50 each year by the late 1950s. During the 1960s doubts grew as to whether the application of the death penalty was constitutional. These doubts led to a complete cessation of executions for a decade, until the Supreme Court of the United States settled the constitutional issues in 1972. The Supreme Court enacted that the death penalty itself did not violate the Constitution but that the manner of its application in many states did. Some states enacted legislation that if there was no discretion in the application of the death penalty, there could be no question of discrimination in its application. [Discretion is the ability and right to decide exactly what should be done in a particular situation. Discrimination is the practice of treating one particular group in society in an unfair way.] Other states enacted legislation that provided for the death penalty to be imposed only after a special hearing, at which matters of mitigation and aggravation were to be considered, so that the discretion would be exercised in a systematic rather than an arbitrary manner. The constitutionality of these new laws was considered by the Supreme Court in 1976, which decided that laws making the application of the death penalty automatic were unconstitutional but that those providing a framework for the exercise of discretion were constitutional.

**Упр. 3. Согласитесь или не согласитесь со следующими высказываниями:**

1) The existence of the death penalty is primarily a matter of the Supreme Court in the United States. 2) Capital punishment was permitted by many states for theft. 3) Capital punishment was permitted in some states for hooliganism. 4) Executions were uncommon in the United States. 5) The Supreme Court decided that laws making the application of the death penalty automatic were constitutional. 6) The Supreme Court decided that laws providing a framework for the exercise of discretion were unconstitutional.

**Упр. 4. Переведите следующие слова и выражения с русского языка на английский:**

Существование смертной казни; правонарушение; изнасилование; похищение человека с целью выкупа; приведение в исполнение приговора к

смертной казни, казнить; сомнения; применение смертной казни; конституционный; неконституционный; полное прекращение; вопрос, имеющий конституционное значение; предписывать в законодательном порядке; неодинаковое отношение; принимать законы; усмотрение; предусматривать; смягчение; усиление; осуществление усмотрения; произвольный; правовые рамки; закон штата; разрешать; тяжкое убийство.

**Упр. 5. Закончите следующие предложения:**

1) The existence of the death penalty in the United States is ... 2) Capital punishment was permitted by ... for ... 3) Executions were ... in the United States. 4) Doubts grew as to whether ... 5) The Supreme Court of the US settled ... 6) The Supreme Court enacted ... 7) Some states of the US enacted legislation that ... 8) Other states of the US enacted legislation that ... 9) Special hearing considered some matters of ... 10) The Supreme Court decided that laws making ... 11) The Supreme Court decided that laws providing ...

### Вопросы для самоконтроля

1. Какие формы инфинитива передают действие, происходящее одновременно с действием, выраженным сказуемым? Приведите примеры.
2. Какие формы инфинитива передают действие, предшествующее действию, выраженному сказуемым? Приведите примеры.
3. В чем разница между активным и пассивным инфинитивом? Приведите примеры.
4. После каких слов частица **to** не употребляется перед инфинитивом?
5. Как образуется Participle I и какие функции выполняет и как переводится на русский язык (в функции определения и обстоятельства)? Приведите примеры.
6. Как образуется Participle II и как переводится на русский язык? Приведите примеры.
7. Какие свойства, общие с существительным, имеет герундий?
8. Какая разница между простой и перфектной формами герундия?
9. Назовите словосочетания, после которых англичане предпочитают употреблять герундий.

### Задание на IV семестр

1. *Знать ответы на все вопросы для самоконтроля.*
2. *Прочитать и перевести тексты по специальности.*
3. *Письменно выполнить контрольную работу № 4.*

### Контрольная работа № 4

#### Вариант № 1

**I. Раскройте скобки, употребив глагол в нужной видо-временной форме.**

1. We (to have) a lecture on criminology next Monday. 2. A number of important documents (to sign) already. 3. The accused (to guarantee) the right to defence. 4. When the felon (to commit) the crime he knew it was unlawful. 5. When all the evidence (to give) counsels for both sides made speeches.

**II. Подчеркните в следующих предложениях инфинитив и определите его форму и функцию.**

1. Witnesses for the prosecution may be cross-examined. 2. The House of Lords has no power to throw out a bill relating to money 3. The defendant preferred to make a statement through his solicitor. 4. The object of punishment is to reform and educate the guilty person. 5. The judge must have discharged one of the jurors. 6. He went to Oxford to study law.



**III. Переведите предложения, содержащие конструкции с неличными формами глагола.**

1. A bill being signed by the Queen, it becomes an act of Parliament. 2. For the International Court of Justice to give an advisory opinion on any legal questions it must have a request from the General Assembly or the Security Council. 3. We expect him to conduct the defence. 4. They heard the plaintiff give evidence. 5. The arrest of the criminal is reported to have been affected. 6. Any state machine is known to reflect the interests of the ruling class.

**IV. Подчеркните инфинитив и укажите его форму. Предложения переведите:**

1. To discover the ratio of a case all facts found by the judge to be material must be considered. 2. Andrew was the third to be interviewed. 3. There is always a question or two to be considered. 4. It is so difficult to arrive at a decision. 5. I was glad to have seen this man. 6. I happened to be spending a day in Paris. 7. He looked too young to have taken part in this conference. 8. I am glad to have been working at this court all these years. 9. He hoped to be with appointed by the Queen. 10. Nothing can be done, I'm afraid. 11. He could have prepared the speech much better. 12. It's very nice of you to have come. 13. Can he be waiting for us? 14. I think you should have told him you were sorry.

**V. Переведите, обращая внимание на разные функции глагола to have:**

1. As I was to be there at 5 o'clock, I had to take a taxi. 2. I did not have to walk, I took a tram. 4. Have you ever taken part in this conference? 5. I am tired. I shall go and have a nap before dinner. 6. I'd like to have a look at that part of the world. 7. She wants to have her case discussed. 8. You will have many new friends.

**VI. Прочтите предложения, найдите Participle I и II. Переведите на русский язык:**

1. As jurors are not selected on the basis of ability, cases involving complex facts may be beyond their competence. 2. The found papers were brought to the court. 3. The lost document was returned to Helen. 4. The woman speaking to the solicitor is my aunt. 5. Passing the shop I saw a broken window. 6. She sat looking out of the window. 7. I saw the offender smiling. 8. All evidence brought to the court was wrong. 9. She sent all the letters written by her late father. 10. Knowing many laws she spoke convincingly.

**VII. Переведите на русский язык, обращая внимание на разные формы герундия:**

1. Watching football matches may be exciting enough, but of course it is more exciting playing football. 2. Can you remember having seen the man before? 3. She was terrified of having to speak to anybody, and even more, of be-

ing spoken to. 4. He never agreed to their going on that dangerous voyage. 5. He did not approve of her drinking so much coffee. 6. The teacher of mathematics did not approve of his pupils dreaming. 7. At last he broke the silence by inviting everybody to walk into the dining-room. 8. I understand perfectly your wishing to start the work at once. 9. The place is worth visiting.

***VIII. Переведите текст, выписав слова юридической тематики.***

**Eighth Amendment:**

**Protection against Cruel and Unusual Punishment**

The courts had been reluctant to apply this constitutional provision to the execution of sentences, but ultimately had to. Prison overcrowding was the issue. Many cases have reached the courts, and new standards have evolved.

Crowding alone does not amount to cruelty in violation of the Eighth Amendment. Courts must, in each case, determine whether and to what extent crowding has caused "deprivation of basic human needs," before they can order relief from the offending conditions. "Basic needs" are needs that, if not met, result in wanton pain." Courts must consider the quality and amount of medical and mental health services, the extent of violence, the quality of food, and the availability of recreational opportunities.

In determining the extent to which deficiencies in these areas are the consequence of crowding - as distinct from inadequate funding, poor administration, or sheer indifference - the lower courts hear a wide range of evidence, including testimony from corrections officials, inmates, and experts. Not surprisingly, corrections administrators themselves often blame any failures to meet minimum standards of humane treatment on crowded conditions.

Expert witnesses in the fields of corrections, public health, psychology, and medicine testify about the connection between overcrowding and a facility's ability to meet basic needs. Inmates testify about the misery of cramped cells, sleeping on cement floors, clogged toilets, overtaxed medical facilities, lack of recreational services, and inability to protect themselves from other inmates.

Four factors must be taken into consideration before overcrowding can be held to amount to cruel and unusual punishment:

1. The actual level of crowding, that is, the cubic footage of living space designated for each inmate
2. The location of the inmates' beds, for example whether mattresses are placed on the floors of cells, dayrooms, corridors, or elsewhere
3. How much time away from their sleeping quarters inmates are afforded on a daily basis, and how much space these other areas provide
4. In the case of pretrial confinement, its duration

If crowding is extreme, if the sleeping arrangements are unsanitary, and if deprivations endure for many weeks, a finding of unconstitutional crowding is likely.

***IX. Определите грамматическое время и залог всех глаголов во 2-ом абзаце.***

**Вариант № 2**

***I. Раскройте скобки, употребив глагол в нужной видо-временной форме.***

1. In a year we (to study) criminal law. 2. The case is rather complicated. The jury still (to discuss) a verdict. 3. The convicted person just (to take) to prison. 4. Don't come in! The court (to sit). 5. The doctor said that the victim (to kill) a few hours before.

***II. Подчеркните в следующих предложениях инфинитив и определите его форму и функцию.***

1. To grant pardon is the prerogative of the Crown. 2. They must have been arrested over a year ago. 3. The victim is the first person to be interviewed. 4. He seems to be investigating a criminal case. 5. A student must pass a group of examinations to obtain a law degree. 6. The aim of the preliminary investigation is to draw up an indictment.

***III. Переведите предложения, содержащие конструкции с неличными формами глагола.***

1. The lower chamber having passed the bill, it went to the upper chamber. 2. For any state to become a member of the United Nations it is necessary to accept the obligations under its Charter. 3. They want the execution of the sentenced to be postponed. 4. Nobody expected her to testify against her brother. 5. The Queen's Counsels are expected to appear only in the most important cases. 6. He was reported to be preparing an account of the indictment.

***IV. Подчеркните инфинитив и укажите его форму. Предложения переведите:***

1. 1. My friend was glad to have been given such an interesting assignment. 2. To know her is to love her. 3. I wanted to be answered at once. 4. We are happy to have been working together all these years. 5. He likes to speak with us on this subject. 6. I ought not to have stayed there so long. 7. I hoped to have written you a long letter. 8. I don't like to be interrupted. 9. This work must be finished today. 10. The facts are too few to be spoken about. 11. He must have forgotten my address. 12. To see is to believe. 13. She looked too young to have been working as a teacher for three years. 14. We happened to be staying at the same hotel.

***V. Переведите, обращая внимание на разные функции глагола to be. Глагол to be подчеркните:***

1. Erik says that you may be coming to New York. 2. We are to go there tonight. 3. Where is he to be found? 4. What were you doing at that time? 5. I am fond of animals. 6. He was not answered. 7. He may be ill. 8. They are in the next room. 9. My sister says I am to leave you alone. 10. She was my friend. 11. They are in the language laboratory. 12. What are you crying for? 13. You were to arrive yesterday. 14. I am telling you the truth. 15. You have been a good deal talked about.

***VI. Переведите, обращая внимание на разные функции глагола to have:***

1. He had his watch mended. 2. Let's have a smoke in the corridor. 3. She has no time for me. 4. You have to go to the dentist. 5. Where have you been since last Thursday? 6. I have known him for many years. 7. These two had not spoken to each other for three days and were in a state of rage. 8. Did you have to walk all the way home?

***VII. Прочтите предложения, найдите Participle I и II. Переведите на русский язык:***

1. The woman making the speech was a good speech-writer. 2. All people seen the victim were unfamiliar to him. 3. The lost document was returned to Helen. 4. Speaking about this matter he was very angry. 5. Passing the shop I saw the criminals running along the road. 6. She sat looking out of the window. 7. I saw her smiling. 8. He spoke to the witnesses found by the police. 9. She sent all the letters written by her father. 10. Taking part in court proceedings he was very busy.

***VIII. Переведите на русский язык, обращая внимание на разные формы герундия:***

1. After being corrected by the teacher, the students' papers were returned to them. 2. I wondered at my mother's having allowed the journey. 3. On being told the news she turned pale. 4. All the happiness of my life depends on your loving me. 5. I object to his borrowing money from you. 6. I stretched out my hand to prevent her from attacking you. 7. He keeps insisting on my going to the south. 8. Do you mind my asking you a difficult question? 9. She could not help smiling.

***IX. Переведите текст, выписав слова юридической тематики.***

**Capital Punishment**

The ultimate penalty is death (capital punishment). It is carried out by hanging (Kenya, for example); electrocution, gassing or lethal injection (U. S.); beheading or stoning (Saudi Arabia); or shooting (China). Although most coun-

tries still have a death penalty. 35 (including almost every European nation) have abolished it; 18 retain it only for exceptional crimes such as wartime offences; and 27 no longer carry out executions even when a death sentence has been passed. In other words, almost half the countries of the world have ceased to use the death penalty. The UN has declared itself in favor of abolition, Amnesty International actively campaigns for abolition, and the issue is now the focus of great debate.

Supporters of capital punishment believe that death is a just punishment for certain serious crimes. Many also believe that it deters others from committing such crimes, opponents argue that execution is cruel and uncivilized. Capital punishment involves not only the pain of dying but also the mental anguish of waiting, sometimes for years, to know if and when sentence will be carried out. Opponents also argue that there is no evidence that it deters people from committing murder any more than imprisonment does. A further argument is that, should a mistake be made, it is too late to rectify if once the execution has taken place.

As the debate about capital punishment continues, the phenomenon of death row (people sentenced but still alive) increases. In 1991, no one was executed in Japan, but three people were sentenced to death, bringing the total number on death row to fifty. Sakae Menda lived under sentence of death for thirty three years before obtaining a retrial and being found not guilty. The debate also involves the question of what punishment is for. Is the main aim to deter? This was certainly the case in the 18th century England when the penalty for theft was supposed to frighten people from stealing and compensate for inability to detect and catch thieves. Is it revenge or retribution? Is it to keep criminals out of society? Or is it to reform and rehabilitate them?

***X. Определите грамматическое время и залог всех глаголов в последнем абзаце.***

## ЧАСТЬ V

### IV семестр

#### UNIT 1

Инфинитив является составной частью нескольких конструкций: Complex Object (Сложное дополнение), Complex Subject (Сложное подлежащее), For+Infinitive Construction (Инфинитивная конструкция с предлогом **for**).

#### Complex Object    Сложное дополнение

Ранее уже отмечалось, что инфинитив может выполнять в предложении функцию дополнения:

I want (*чего?*) to go to London. - Я хочу (*чего?*) поехать в Лондон.

Но если перед инфинитивом (или Participle I) стоит существительное в общем падеже или местоимение в объектном падеже (**me, us, you, him, her, it, them**), то это существительное (или местоимение) и инфинитив образуют сложное дополнение.

I want **Jane to go** to London.

Complex Object является эквивалентом дополнительного придаточного предложения и переводится на русский язык дополнительным придаточным предложением, вводимым союзами: **чтобы, что, как, когда**.

Таким образом, предложение **I want Jane to go to London** на русский язык переводится *Я хочу, чтобы Джейн поехала в Лондон*.

#### **Сложное дополнение. Complex Object**

I	wish	you	to be happy.	Я желаю, чтобы вы были счастливы.
He	wants	me	to tell him everything.	Он хочет, чтобы я сказал ему всё.
She	likes	her son	to be at home.	Она любит, когда ее сын дома.
I	should like	them	not to be late.	Я бы хотел, чтобы они не опоздали.
My friends	hope	Mike	to finish the experiment.	Мои друзья надеются, что Майк закончит эксперимент.
He	saw	a man	run across the street.	Он увидел, что (как) человек перебегает улицу.
I	heard	them	talk about it.	Я слышал, как они говорили об этом.

**Примечание 1:** инфинитив в сложном дополнении употребляется без частицы **to** после глаголов **to see** *видеть*, **to notice** *замечать*, **to watch** *наблюдать*, **to make** *заставлять*, **to let** *разрешать*, **to feel** *чувствовать*, **to hear** *слышать* и некоторых других.

**Примечание 2:** после глаголов **hear, see, feel, watch, notice** может употребляться также сложное дополнение с причастием I вместо инфинитива. В этом случае не просто констатируется факт, а подчеркивается продолжительность действия, выраженного причастием: **I saw the man cross the road.** – *Я видел, что человек перешел улицу* (констатация факта); **I saw the man crossing the road.** – *Я видел, как человек переходил улицу* (продолжительность действия).

**Упр. 1. Укажите Complex Object. Предложения переведите:**

1. We consider this congress to be one of the biggest events of our time. 2. Have you ever heard him speak at the meeting? 3. I should like you to do this work at once. 4. Some of the delegates may wish the report to be translated into their native language. 5. I expect them to be discussing this question now. 6. We suppose them to have changed the time-table. 7. Nothing could make him stay there. 8. The pupil wanted the teacher to ask him. 9. The patient wants the doctor to examine him. 10. The doctor made me take the medicine. 11. I hope my friends to come to my birthday party. 12. The old man hoped the dog to show him the way.

**Упр. 2. Вставьте частицу to, где необходимо (см. примечание 1):**

1. He would rather die than... betray his friends. 2. Have you ever heard her ... complain of difficulties? 3. Everybody noticed Peter ... leave the room. 4. Have you enough ... pay the bills? 5. They made me ... do it. 6. We were watching the offender ... come up to the judge. 7. We can't let you ... go so early. 8. She seems ... know a great deal about criminology. 9. I wish him ... be healthy, wealthy and wise. 10. We are waiting for the witnesses ... arrive.

**Упр. 3. Переведите (см. примечание 2):**

1. Nobody has noticed him come in. 2. Nobody has seen him go upstairs. 3. He heard footsteps coming from the direction of the library. 4. Bridget heard Luke drive up. She came out on the steps to meet him. 5. As I looked out at the garden I heard a motor-truck starting on the road. 6. One night in late November I heard him make a remark about his coming marriage. 7. I heard him saying the other day he could do with a few more pounds a week. 8. I held her close against me and could feel her heart beating. 9. We saw the troops marching along the road.

**Упр. 4. Закончите предложения, употребив Complex Object:**

1. Our friends wanted (чтобы мы пошли в суд). 2. We saw (как судья читал приговор). 3. This man is a very experienced barrister. Have you heard (как он выступает с речью)? 4. I watched (как молодой человек готовил защиту). 5. We didn't notice (как он вышел). 6. We want (чтобы вы получили малое наказание). 7. I saw (как он представляет доказательства). 8. We consider (что он преступник).

**Упр. 5. Закончите предложения:**

1. I want you to ... 2. I'd like the judge to ... 3. We hope our offenders to .... 4. I didn't expect you to ... 5. We saw our chairman .... 6. I wanted my mother to ... 7. I know you to ....

**Упр. 6. Переведите предложения, обращая внимание на употребление частицы to перед инфинитивом.**

1. Они заставили его выплатить выкуп. 2. Обстоятельства заставили его задержаться в городе. 3. Это позволит нам принять ваше предложение. 4. Все видели, как он выхватил сумочку из рук женщины. 5. Мы видели как его арестовали. 6. Я слышал как дверь судебного зала открылась. 7. Я видел, что публика встретила вердикт с удовлетворением. 8. Все хотели, чтобы судья начал заседание как можно скорее. 9. Никто не заметил, что следователь вышел из комнаты. 10. Таможенник видел, что такси остановилось у двери.

**Упр. 7. Переведите следующие предложения, обращая внимание на перевод Complex Object.**

1. Do you expect the jury to believe that you could not be heard and that there was no time for the accused to run away?
2. A local authority prefers the child to remain at home under supervision or place him or her with foster parents or in a community home.
3. The panel does not want the child to remand so long.
4. By "hearsay" we mean what one has heard others say about an event.
5. When a Bill is introduced in the House of Commons, it is meant to receive a formal first reading.
6. I heard the door of the court hall open.
7. I saw the public meet that verdict with satisfaction.
8. Everyone wished the judge to start proceedings as soon as possible.
9. We all knew him to be a very experienced barrister.
10. On hearing the verdict the accused felt his heart beat with joy.



## UNIT 2

**Complex Subject    Сложное подлежащее**

Оборот “сложное подлежащее” состоит из двух компонентов: **существительного** в общем падеже (или **местоимения** в именительном падеже), расположенного перед сказуемым, и **инфинитива**, расположенного после сказуемого.

В предложении **He is said to know Chinese** *He ... to know* – Complex Subject, но переводить нужно начинать со сказуемого, выражающего чужие мысли по поводу действия, о котором идет речь в предложении.

Complex Subject употребляется после определенных глаголов и словосочетаний, а именно:

is	known – <i>известно (было известно)</i>	} , что ...
are	said – <i>говорят (говорили)</i>	
was	believed – <i>полагают (полагали)</i>	
were	considered – <i>считают (считали)</i>	
	supposed – <i>предполагают (предполагали)</i>	
	expected – <i>полагают (полагали)</i>	
	seem (seemed) – <i>кажется (казалось)</i>	}
is	likely – <i>вероятно</i>	
are	unlikely – <i>маловероятно</i>	
	sure [ʃʊd] – <i>точно, обязательно, непременно, безусловно</i>	

После того, как перевели сказуемое неопределенным личным предложением или вводным предложением, переводим само Complex Subject. Его первый элемент делаем подлежащим придаточного предложения, а второй (инфинитив) – сказуемым. Полученное придаточное предложение присоединяем к главному союзом “что”.

Таким образом, **He is said to know Chinese** переводится: *Говорят, что он знает китайский.*

**Упр. 1. Назовите Complex Subject. Предложения переведите:**

1. They were seen to leave the house early in the morning. 2. Phil Bosin was known to be a young man without fortune. 2. These laws are said to have been discovered as early as 1762. 4. We are sure to come back. 5. He is said to be guilty. 6. She was not expected to answer, but she did. 7. He was thought to be honest and kindly. 8. The book is believed to have been written in the 15<sup>th</sup> century. 9. But he is sure to marry her. 10. This fire is certain to produce a panic

in the morning. 11. They seemed to have quite forgotten him already. 12. Only yesterday we happened to see Mr. Dick.

**Упр. 2. Преобразуйте следующие предложения, употребив Complex Subject.**

**Образец:** *It is expected that summer will start soon. – Summer is expected to start soon.*

1. It is believed that everything will be O.K. 2. It is known that she drives a car well. 3. It is supposed that there is a secret tunnel between them. 4. It is expected that the company will lose money this year. 5. It seems that the people all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other. 6. It is likely that we will learn new words. 7. It is expected that he get a good reward 8. It is said that this man is guilty. 9. It is believed that the jury will return next Sunday. 10. The court is unlikely to give a different sentence. 11. The data proved to be wrong. 12. The young offender is said to have been brought to the court.

**Упр. 3. Переведите предложения, обращая внимание на способы перевода Complex Subject.**

1. The data proved to be wrong.
2. A local authority is known to be responsible for making decisions in this district.
3. The girl is considered to be in need of care and protection.
4. The young offender is said to have been brought to court.
5. He is certain to be present today.
6. The child is likely to attend under a supervisor a day or an evening centre.
7. He is said to have been permitted to leave.
8. The Lords are allowed only to delay the passage of a Public Bill, but they cannot reject it.
9. The people of Great Britain seem to believe that the two-party system suits them best.
10. The young offender was seen to be working very hard.

## UNIT 3

**Оборот *for* + существительное (или местоимение) + инфинитив**

Инфинитивный оборот с предлогом *for* состоит из предлога **for** + **существительное** в общем падеже (или **местоимение** в именительном падеже) + **инфинитив**. Оборот переводится придаточным дополнительным предложением, связанным с главным союзами *чтобы*, *что* или простым предложением, поставив существительное/местоимение после *for* в дательный падеж.

**It is necessary for you to know it.** – *Необходимо, чтобы вы знали это. Вам необходимо знать это.*

***Упр. 1. Переведите следующие предложения:***

1. The bill was too complicated and intricate for Parliament to approve it after the first reading. 2. It will take a number of years for the two sides to come to an agreement. 3. The matter was too difficult for the solicitor to clarify it within a day. 4. We are waiting for the jury to announce their verdict. 5. He waited for the papers to be published. 6. There is only one thing for you to do. 7. The policeman let the person go for him not to break the curfew. 8. The judge waited for the policeman to close the door.

***Упр. 2. Из данных слов и выражений составьте предложения, употребляя конструкцию "For + Infinitive":***

It is necessary	journalists	take a different view.
It is important	economists	take some interest in politics.
It is essential	politicians	confront reality /face facts.
It is impossible	philosophers	deny the progress of science.

***Упр. 3. Закончите следующие предложения:***

1. It is necessary for her ... . 2. It is advisable *желательно* for them ... . 3. They waited for us ... . 4. It was important for them ... . 5. There was no reason for him ... .

***Упр. 4. Обратите внимание на перевод конструкции "for + Noun + the Infinitive".***

1. The Bill was too complicated for Parliament to approve it after the first reading.
2. The matter was too difficult for the solicitor to clarify it within a week.
3. The policeman let the person go for him not to break the curfew.
4. The prisoner waited silently for the judge to pass sentence.

## UNIT 4

**Перевод слов с суффиксом –ed**

1) Глагол с суффиксом –ed является **сказуемым**, если в предложении нет другого глагола и (или) если слева от него стоят:

а) личное местоимение в именительном падеже или другое подлежащее:

**Fortunately she recognized the boy.** – К счастью, она узнала мальчика.

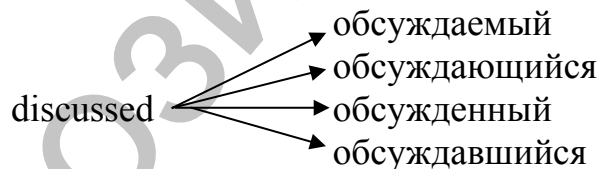
б) неопределенные наречия always, often, usually, sometimes, never ... :

**They often played in small groups.** – Они часто играли маленькими группами.

в) глагол **to be** или **to have**:

**She is not well and has changed very much of late.** – Она нездорова и сильно изменилась в последнее время. **The room was dimly lighted from the ceiling by a single electric lamp.** – Комната слабо освещалась с потолка единственной электрической лампочкой.

2) В остальных случаях слово с суффиксом –ed является причастием II. Справа от него часто стоят словосочетания с предлогами **by**, **in** и др. Перевод причастия II обусловлен контекстом и временем глагола-сказуемого:



**Упр. 1. а) Прежде чем переводить предложение, определите, являются ли слова с суффиксом –ed сказуемыми или выполняют другую функцию;**

**б) Предложения переведите:**

1. The results received by the government were discussed at the conference. 2. The article prepared by my friend is of great interest for me. 3. I was very much surprised. 4. They say the programmes will be based on episodes from young offenders' life. 5. No nation was ever ruined by trade. 6. Established by the Constitution, The Supreme court is the highest court in the United States. 7. The question asked by the prosecutor was very difficult. 8. I have not yet looked at the newspaper. 9. At last you have come: I have waited for you for about an hour. 10. The child began a sitdown strike expressed by negativences.

11. The legal profession is divided into two branches: barristers and solicitors. 12. It is a mistake to discipline the child out of habit determined by his temperament. 13. The pupil's pride in successful achievement strengthened his newly established work habits. 14. They always used such methods. 15. We spoke of some frequently used methods of work.

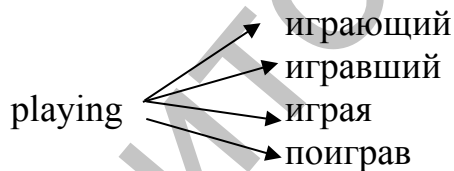
### Перевод слов с суффиксом –ing

1) Слово с суффиксом **–ing** является частью сказуемого только в том случае, если слева от него есть глагол **to be (am, is, are, were, was, been), will (shall) be**. Это может быть:

а) простое глагольное сказуемое в Present, Past или Future Continuous:  
**Rain was falling heavily by that time.** – *К тому времени уже шел сильный дождь.*

б) составное именное сказуемое:  
**His hobby is reading.** – *Его хобби – чтение.*

2) В остальных случаях это либо причастие I, либо герундий. Перевод причастия I обусловлен контекстом и временем глагола-сказуемого:



3) Герундий может переводиться существительным, деепричастием, инфинитивом или целым придаточным предложением:

**Smoking is not allowed here.** – *Курение (курить) здесь запрещено.* **I am surprised at her son's coming in time.** – *Я удивлен тем, что ее сын пришел вовремя.*

**Упр. 2. а) Прежде чем переводить предложение, определите, входят ли слова с суффиксом –ing в состав сказуемого или выполняют другую функцию;**

**б) Предложения переведите:**

1. Cases involving people under 17 are heard in juvenile courts. 2. Opening the door, he went out on the terrace. 3. I never talk while I am working. 4. He is coming to us tomorrow to stay till next month. 5. Nick wanted the judge to start proceedings. 6. Anna hearing his steps, ran to the door to meet him. 7. I am afraid I took your papers, when I was leaving your house tonight. 8. God knows what I shall be saying in a minute. 9. Watching them with excited eyes, Simon

discussed their character. 10. But back in his office, looking down at his desk, his sense of humor left him. 11. I was going to thank you for giving evidence in a court of law. 12. He saw me watching him. 13. He passed us without stopping. 14. We had both sat for a long time, not speaking in the quiet. I knew she was not listening. 15. He went out and was heard laughing in the hall. 16. I noticed him working in the room. 17. Commitment for trial without evidence is useless. 18. Avoiding difficulties is not my method. 19. Deciding is acting.

## **Supplementary Reading**

### **Justitia: Goddess of Justice**

The corrections department prison van that ferries prisoners from courthouse to jail displays the service's symbol: the goddess of justice, blindfolded, holding the scales of justice in her left hand and a sword in her right hand. And so the goddess of justice shuttles back and forth between conviction for crime and service of sentence, seemingly forever.

#### **Justice in the ancient world**

How did we get this idea of a goddess of justice who weighs crime and punishment, which she then executes with her sword? It appears that all ancient states had a goddess of justice among their many deities. For the Egyptians she was Maat. Egyptians seem to have been the first people to depict the scales of justice—and they were used to weigh hearts. Maat withheld judgment until people had completed their lives; then she weighed their hearts on her scales. If the life value of the heart tipped the scale, she would guarantee a pleasurable afterlife. If not, the jackal—watching the scales of justice—would get the heart as a meal.

The Greeks revered Dike (pronounced Deeke) as their goddess of justice. Daughter of the chief god Zeus and the goddess Themis, Dike was given a place right next to Zeus. The Romans named her Jus-titia (justice) and depicted her holding the scales of justice, a staff sym-

bolizing authority, and an olive branch and horn of plenty. In Rome's early days Justitia was as interested in handing out peace and rewards as she was in weighing crime and punishment. But the later Romans dropped the horn of plenty and olive branch and left her holding only the scales and the sword. Later, Justitia appears blindfolded, so that she may not be biased by seeing the person before her—the origin of the term "blind justice."

Gulliver reported a whole different notion of justice among the Liliputians. Their goddess of justice was far from blind; in fact, she had six eyes: two in front, two in back, and one on each side. She held a sword in her left hand, not the strong right hand; in the right hand she held a bag of gold to give out rewards.

The ancient Germans had a kind of goddess of justice, too: Aunt Holly. Nowadays she can be found in the company of Santa Claus, handing out presents to children at Christmas. But in the ancient fairy tale "Aunt Holly," she tars and feathers the delinquents and showers gold on the good.

With the advent of Christianity, the goddess of justice was demoted to a saint, Santa Justitia, and people became a bit suspicious about her ability or willingness to deal out justice in an evenhanded manner. A medieval woodcut shows Santa Justitia without blindfold and with her scales uneven—one justice for the rich, one for the poor. In Western civilization, Justitia has come to symbolize penal justice in the sense of distributive justice, in which punishment is meted out in accordance with the gravity of the crime.

But today we shy away from the word "punishment." American criminal justice practitioners have switched from "punishment" to "corrections." This may be little more than a change in labels, well-meaning but misleading: The prison van, meantime, with the goddess Justitia painted on its side, still shuttles between courthouse and jail house.

### **SOME ASPECTS OF THE PRISONER'S LIFE**

Prisons have been described as institutions, in which every aspect of life is subject to control. In addition to daily routines such as mealtimes, times of rising and retiring, and bathing, many other aspects of the prisoner's life are subject to control. This control is a means of maintaining security, controlling the introduction of weapons or contraband substances, and preventing escapes. Most prisons limit the number of visits that a prisoner may receive from his family or friends. In England the Prison Rules allow a convicted prisoner one visit every four weeks, although the prison governor may increase or limit visits at his discretion. Only relatives and friends of the prisoner may visit him, although adequate facilities must be available for visits by legal advisers if the prisoner is engaged in any litigation (for instance, divorce proceedings). Visits normally take place within the sight of an officer, and in some cases within his hearing. In many prisons, visits are conducted with the prisoner sitting on one side of a table and his visitor on the other, with a wire partition between them; the visitor may be searched for contraband. In other prisons the conditions for visiting may be less restrictive—the visitor and the prisoner may be allowed to meet in a room without any physical barrier but still in the sight of officers. Conjugal visits, in which the prisoner's spouse comes to stay with the prisoner for a period of several days, are not permitted in England, but some U.S. states do permit them. Correspondence of prisoners in England is subject to censorship by the prison authorities, and prisoners may not write more than one letter each week. Control of the prison is maintained by a number of disciplinary sanctions, which may include forfeiture of privileges, confinement within a punishment cell, or the loss of remission or good time. Generally, prisons are governed by rules set-

ting out a code of conduct and listing prohibited behaviour; the code must be given to the prisoner on his arrival in the prison. Typically, the prohibited offenses include mutiny and violence to officers; escaping, or being absent from a place where the prisoner is required to be; and possessing unauthorized articles.

### **Parole and Life Licence**

In England and Wales prisoners serving determinate sentences of more than 12 months become eligible for consideration for release on parole licence when they have served one third of the sentence, or six months, whichever expires the later. (In Scotland they also qualify after 12 months.) About three-quarters of prisoners serving sentences of less than two years receive parole. However, for those serving sentences of over five years for violence and drug trafficking parole is granted only in exceptional circumstances, or otherwise for a few months at the end of the sentence. The parole licence remains in force until the date on which the prisoner would otherwise have been released from prison. It prescribes the conditions, including the maintenance of contact with a supervising officer, with which the offender must comply. In 1987 about 5.2 per cent of prisoners granted parole in England and Wales, and virtually none in Scotland, were recalled to prison. Parole is not available in Northern Ireland, which has more generous remission terms.

The release of prisoners serving life sentences is at the discretion of the Home Secretary or in Scotland the Secretary of State for Scotland, subject to a favourable recommendation by the Parole Board or the Parole Board for Scotland and after consultation with the judiciary. The Secretaries of State are not, however, bound to accept such a recommendation for release, nor are they bound by the views of the judiciary. At the discretion of the Home Secretary, people serving life sentences for the murder of police and prison officers, terrorist murders, murder by firearms in the course of robbery and the sexual or sadistic murder of children are normally detained for at least 20 years. At the end of 1987 there were about 2,400 life sentence prisoners detained in prisons in England and Wales of whom about 140 had been detained for 15 years or more. On release, life sentence prisoners remain on licence for the rest of their lives and are subject to recall should their behaviour suggest that they might again be a danger to the public. In Northern Ireland the Secretary of State reviews life sentence cases on the recommendation of an internal review body in such a way as to reflect their gravity and to take account of Northern Ireland's special circumstances.

### **Discharge and After-care in Prisons**

All prisons in England and Wales make pre-release preparations. Prisoners serving four years or more are considered for outside employment before release. For those selected, work is found outside the prison for about the last six months of sentence: during the period prisoners may live in a separate part of the prison or in a hostel outside. Normal wages are paid so that they resume support



for their families. (In Scotland prerelease arrangements differ from these in some respects.) Periods of home leave may be granted to those serving medium- or longer-term sentences to help them maintain family ties and to assist them with their resettlement. In Northern Ireland arrangements exist for prisoners serving fixed sentences to have short periods of leave near the end of their sentences and at Christmas; life sentence prisoners are given a nine-month pre-release programme which includes employment outside the prison.

The aim of after-care, run by the probation service (in Scotland, the local authority social work departments), is to assist offenders on return to society. Compulsory supervision is given to most offenders under 21 when released, adult offenders released on parole, and those released on licence from a life sentence. A voluntary system is offered to others. Assistance is also provided by voluntary societies, some of which are affiliated to the National Association for the Care and Resettlement of Offenders. There is also a Scottish Association for the Care and Resettlement of Offenders. Hostels and accommodation may be provided, often with government financial help. The Northern Ireland Association for the Care and Resettlement of Offenders, also a voluntary group, is mainly concerned with assisting petty criminals and alcoholics towards rehabilitation and social awareness.

### **Privileges and Discipline in Prisons**

Prisoners may write and receive letters and be visited by relatives and friends, and those in open establishments may make telephone calls. Privileges include a personal radio, books, periodicals and newspapers, and the opportunity to make purchases from the canteen with money earned in prison. Depending on facilities prisoners may be granted the further privileges of dining and recreation in association, and watching television.

Breaches of discipline are dealt with by the prison governor, or by the boards of visitors (visiting committees in Scotland), who have power to order forfeiture of remission. Boards of visitors (and visiting committees) consist of lay people, two of whom must be magistrates.

### **POLICE AGENCY AND ITS DETECTIVES**

**Scotland Yard** is located south of St. James's Park in Westminster. The original headquarters of Scotland Yard were in Whitehall (the street in London where many of the government departments are). Scotland Yard was so named because it was part of a medieval palace (Whitehall Palace) that had housed Scottish royalty when the latter were in London on visits. The London police force was created in 1829 by an act introduced in Parliament by the home secretary, Sir Robert Peel (hence the nicknames "bobbies" and "peelers" for policemen). The Metropolitan Police's duties are the detection and prevention of crime, the preservation of public order, the supervision of road traffic, and the li-

censing of public vehicles. The administrative head of Scotland Yard is the commissioner, who is appointed by the crown on the recommendation of the home secretary. Beneath the commissioner are various assistant commissioners overseeing such operations as administration, traffic and transport, criminal investigation and police recruitment and training. Scotland Yard set up its Criminal Investigation Department (CID) in 1878. The CID initially was a small force of plainclothes detectives who gathered information on criminal activities. Criminal Investigation Department deals with all aspects of criminal investigation and includes the fingerprint and photography sections, the Fraud Squad (the department in the British police force that examines fraud in business), the Flying Squad (a special group of police officers in Britain whose job is to travel quickly to the place where there has been a serious crime), the metropolitan police laboratory, and the detective-training school. Scotland Yard keeps extensive files on all known criminals in the United Kingdom. It also has a special branch of police who guard visiting dignitaries, royalty, and statesmen. Finally, Scotland Yard is responsible for maintaining links between British law-enforcement agencies and Interpol.

**Federal Bureau of Investigation** is the police department in the US that is controlled by the central government, and is concerned with crimes in more than one state. [Compare CIA. The Central Intelligence Agency (the CIA) is the department of the US government that collects information about other countries, especially secretly.] The Federal Bureau of Investigation is the largest investigative agency of the United States federal government. Generally speaking, the Federal Bureau of Investigation is responsible for conducting investigations where a federal interest is concerned. In pursuance of its duties, the bureau gathers facts and reports the results of its investigations to the attorney general of the United States and his assistants in Washington, and to the United States attorneys' offices in the federal judicial districts of the nation. The Federal Bureau of Investigation is a part of the Department of Justice, responsible and subordinate to the attorney general of the United States. The bureau, headquartered in Washington, has field offices in large cities throughout the United States. In addition, the FBI maintains liaison posts in several major foreign cities to facilitate the exchange of information with foreign agencies on matters relating to international crime and criminals. The head of the Federal Bureau of Investigation, whose title is director, was appointed by the attorney general until 1968; thereafter, by law, he became subject to appointment by the president of the United States with the advice and consent of the Senate. The bureau has a large staff of employees, including between 6,000 and 7,000 special agents who perform the investigative work. These special agents, the majority of whom have 10 years or more of service with the Federal Bureau of Investigation, are usually required to have either a legal or an accounting education.

**Interpol** (International Criminal Police Organization) - organization that exists to facilitate the cooperation of the criminal police forces of more than 125 countries in their fight against international crime. A general secretariat headed by a general secretary controls the everyday workings of Interpol. Each affiliated country has a domestic bureau (called the National Central Bureau, or NCB) through which its individual police forces may communicate either with the general secretariat or with the police of other affiliated countries. Television and motion pictures have portrayed Interpol agents as wandering from country to country, making arrests wherever they please; such representations are false, since the nations of the world have different legal systems and their criminal laws, practices, and procedures differ substantially from one another. No sovereign state would permit any outside body to bypass its police or disregard its laws. The main weapon in the hands of Interpol is not a universal detective; it is the extradition treaty. Interpol's principal target is the international criminal, of which there are three main categories: those who operate in more than one country, such as smugglers, dealing mainly in gold and narcotics and other illicit drugs; criminals who do not travel at all but whose crimes affect other countries - for example, a counterfeiter of foreign bank notes; and criminals who commit a crime in one country and flee to another. At its headquarters in Lyon, France, Interpol maintains voluminous files of international criminals and others who may later fall into that category, containing particulars of their identities, nicknames, associates, and methods of working, gathered from the police of the affiliated countries. This information is sent over Interpol's telecommunications network or by confidential circular. There are four types of confidential circular. The first type asks that a particular criminal be detained in order that extradition proceedings can be started. The second does not ask for detention but gives full information about the criminal and his methods. The third describes property that may have been smuggled out of the country in which a crime was committed. A fourth deals with unidentified bodies and attempts to discover their identity.

**Edgar Hoover** (1895-1972) - public official who, as director of the Federal Bureau of Investigation (FBI) from 1924 until his death in 1972, built that agency into a highly effective arm of federal law enforcement. Hoover studied law at night at George Washington University, where he received degrees as bachelor of laws in 1916 and as master of laws in the following year. He reorganized and rebuilt the FBI on a professional basis, recruiting agents on merit and instituting rigorous methods of selecting and training personnel. He established a fingerprint file, which became the world's largest; a scientific crime-detection laboratory; and the FBI National Academy. In the early 1930s the exploits of gangsters in the United States were receiving worldwide publicity. Hoover publicized the achievements of the FBI in tracking down and capturing well-known criminals. Both the FBI's size and its responsibilities grew steadily under his management. In the late 1930s President Franklin D. Roosevelt gave

him the task of investigating both foreign espionage in the United States and the activities of communists and fascists. When the Cold War began in the late 1940s, the FBI undertook the intensive surveillance of communists and other left-wing activists in the United States. Hoover's animus toward radicals of every kind led him to aggressively investigate both the Ku Klux Klan and black activists in the 1960s. [Ku Klux Klan is a secret American political organization of Protestant white men who oppose people of other races or religions.] At the same time, he maintained a hands-off policy toward the Mafia, which was allowed to conduct its operations practically free of FBI interference. Hoover used the FBI's surveillance to collect damaging information on politicians throughout the country, and he kept the most scurrilous facts under his own personal control. He used his possession of these secret files to maintain himself as the FBI's director and was able to intimidate even sitting presidents by threatening to leak this damaging information about them. By the early 1970s he had come under public criticism for his authoritarian administration of the FBI and for his persecution of those he regarded as radicals. He retained his post, however, until his death at age 77, by which time he had been the FBI's chief for 48 years and had served 8 presidents.

**Allan Pinkerton** (1819-1884) - Chicago detective and founder of a famous American private detective agency. Pinkerton was the son of a police sergeant. After completing his apprenticeship to a cooper, he immigrated to the United States in 1842 and settled in Chicago. Moving the next year to the nearby town of Dundee in Kane County, he set up a cooper's shop there. While cutting wood on a desert island one day, he discovered and later captured a gang of counterfeiters. Following this and other similar achievements, he was appointed deputy sheriff of Cook County in 1846, with headquarters in Chicago. In 1850 Pinkerton resigned from Chicago's police force in order to organize a private detective agency that specialized in railway theft cases. The Pinkerton National Detective Agency became one of the most famous organizations of its kind. Its successes included capture of the principals in a \$700,000 Adams Express Company theft in 1866 and the thwarting of an assassination plot against President-elect Lincoln in February 1861 in Baltimore. In 1861, during the Civil War, Pinkerton, under the name E.J. Allen, headed an organization whose purpose was to obtain military information in the Southern states. After the Civil War Pinkerton resumed the management of his detective agency. During the strikes of 1877 the Pinkerton Agency's harsh policy toward labour unions caused it to be severely criticized in labour circles, although Pinkerton asserted he was helping workmen by opposing labour unions. Pinkerton published his memoirs *Thirty Years a Detective* in 1884.

**Francois-Eugene Vidocq** (1775-1857). A venturesome, some-times rash youth, Vidocq had bright beginnings in the army, fighting in the Battles of

Valmy and Jemappes in 1792. After having spent several periods in prison, mostly for petty offenses, and having tried his hand at a number of trades, Vidocq approached the police and offered to use his knowledge of the criminal world in exchange for his freedom. The police agreed, and Vidocq founded the *police de surete* ("security police") in 1810 and became its chief. A convict and a daredevil jail-breaker, Vidocq ran the Surete with the philosophy that to know and capture criminals one had to be a criminal oneself. His experience of life among thieves contributed to the effectiveness of his organization. Vidocq directed a network of spies and in-formers in a war against crime that was completely successful. His knowledge of the underworld and his reliance on criminals to catch criminals were the reasons for his success. In 1817, with only 12 full-time assistants, he was responsible for more than 800 arrests. He resigned in 1827 to start a paper and card-board mill, where he employed former convicts. The business was a failure, and he again became chief of the detective department. Dismissed in 1832 for a theft that he allegedly organized, Vidocq created a private police agency, the prototype of modern detective agencies. It was, however, soon suppressed by the authorities. Known all over France as a remarkably audacious (brave and shocking) man, Vidocq was a friend of such authors as Victor Hugo, Honore de Balzac, Eugene Sue, and Alexandre Dumas *pere*. Several works were published under Vidocq's name, but it is doubtful that he wrote any of them. The figure of Vidocq is believed to have inspired Balzac's creation of the criminal genius Vautrin, one of the most vivid characters to appear in his *The Human Comedy*.

**Mafia** is a large organised group of criminals who control many illegal activities especially in Italy and the US. In the United States, the organization had adopted the name Cosa Nostra ("Our Affair"). The Mafia arose in Sicily during the Middle Ages, where it possibly began as a secret organization dedicated to overthrowing the rule of the various foreign conquerors of the island. The Mafia owed its origins and drew its members from the many small private armies, or *mafie*, that were hired by absentee landlords to protect their landed estates from bandits. During the 18th and 19th centuries, the energetic ruffians in these private armies organized themselves and grew so powerful that they turned against the landowners and became the sole law on many of the estates, extorting money from the land-owners in return for protecting the latter's crops. The Mafia's moral code was based on *omerta*—i.e., the obligation never, under any circumstances, to apply for justice to the legal authorities and never to assist in any way in the detection of crimes committed against others. The right to avenge wrongs was reserved for the victims and their families, and to break the code of silence was to incur reprisals from the Mafia. By about 1900 the various Mafia "families" controlled most of the economic activities in their respective localities. In the early 1920s Benito Mussolini came close to eliminating the Mafia by arresting and trying thousands of suspected mafiosi and sentencing them to long

jail terms. Following World War II, the American occupation authorities released many of the mafiosi from prison, and these men proceeded to revive the organization. The Mafia's activities henceforth were directed more to industry, business, and construction, as well as the traditional extortion and smuggling. During the late 1970s the Mafia in Palermo became deeply involved in the refining and transportation of heroin for the United States. The enormous profits sparked fierce competition between various clans within the Mafia, and the resulting spate of murders led to a lot of trials in 1987.

**Al Capone** (1899-1947) - the most famous American gangster, who dominated organized crime in Chicago from 1925 to 1931. Capone's parents immigrated to the United States from Naples in 1893; Al, the fourth of nine children, quit school in Brooklyn after the sixth grade and joined Johnny Torrio's gang. In a silly quarrel in a brothel-saloon, a young hoodlum slashed Capone with a knife or razor across his left cheek, prompting the later nickname "Scarface." Torrio moved from New York to Chicago in 1909 to help run the brothel business there and, in 1919, sent for Capone. It was either Capone or Frankie Yale who assassinated Torrio's boss, Big Jim Colosimo, in 1920, making way for Torrio's rule. As Prohibition began, new bootlegging operations opened up and brought a lot of money. [Prohibition is the period from 1919 to 1933 in the US when the production and sale of alcoholic drinks was forbidden by law. Bootlegging is illegally making or selling alcohol.] In 1925 Torrio retired, and Capone became crime czar of Chicago, running gambling, prostitution, and bootlegging. He expanded his territories by the gunning down of rivals and rival gangs. His wealth in 1927 was estimated at close to \$100,000,000. The most notorious of the bloodlettings was the St. Valentine's Day Massacre on Feb. 14, 1929. Disguising themselves as policemen, members of the Al Capone gang entered a garage at 2122 North Clark Street, lined their opponents up against a wall, and machine-gunned them in cold blood. In June 1931 Capone was indicted for income-tax evasion and in October was tried, found guilty, and sentenced to 11 years in prison and \$80,000 in fines and court costs. He entered Atlanta penitentiary in May 1932 but was transferred to the new Alcatraz prison in August 1934. In November 1939, suffering from the late stage of syphilis, he was released and entered a Baltimore hospital. Later he retired to his Florida estate, where he died in 1947, a powerless recluse.

**Lucky Luciano** (1896-1962) - the most powerful chief of American organized crime in the early 1930s and a major influence even from prison, 1936-45, and after deportation to Italy in 1946. [To deport means to make someone who is not a citizen of a particular country leave that country, especially because they do not have a legal right to stay.] Luciano immigrated with his parents from Sicily to New York City in 1906 and, at the age of 10, was already involved in mugging, shop-lifting, and extortion. [Mugging is an attack on someone in

which they are robbed in a public place. Shoplifting is the crime of stealing things from shops, for example by hiding them in your bag, or under your clothes. To extort means to illegally force someone to give you money by threatening them.] In 1916 he spent six months in jail for selling heroin. He earned his nickname "Lucky" for success at evading arrest and winning craps games. In 1920 he directed bootlegging, prostitution, narcotics distribution, and protection racket. [Bootlegging is illegally making or selling alcohol. Protection racket is a system in which criminals demand money from you to stop them from damaging your property.] In October 1929 he was abducted by four men in a car, beaten, stabbed repeatedly with an ice pick, had his throat slit from ear to ear, and was left for dead on a beach—but survived. Lucky Luciano never named his abductors. He took an active part in the bloody gang war of 1930-31. By 1934 Luciano had become *capo di tutti capi* ("boss of all the bosses"). Then, in 1935, New York special prosecutor Thomas E. Dewey bore down on Luciano, gathering evidence of his brothel and call-girl empire. In 1936 he was indicted, tried, convicted and sentenced for a 50-year term. From his prison cell Luciano continued to rule and issue orders. In 1946 his sentence was commuted and he was deported to Italy, where he settled in Rome. In Naples, Lucky Luciano continued to direct the drug traffic into the United States and the smuggling of foreigners to America. [Smuggling is the crime of taking things illegally from one country to another.] Lucky Luciano died of a heart attack in Naples in 1962.

**Joseph Valachi** (1903-1971) - American gangster, member of Lucky Luciano's mob family, who turned informer in 1962. [In-former is someone who is involved in a criminal organization, but who secretly tells the police about its activities in return for money.] Valachi held a rank in the Mafia equivalent to that of a sergeant. In 1959 Valachi was convicted of narcotics violations and sentenced to 20 years in prison. In June 1962, in the federal prison at Atlanta, crime boss Vito Genovese, a fellow inmate, suspecting him (incorrectly) of having become an informer, gave him the kiss of death (a sign that he was to be killed). Valachi panicked, killed a fellow prisoner who he mistakenly thought was his assassin, and, in revenge against the death threat, told all to the U.S. Bureau of Narcotics and Dangerous Drugs, the FBI, and the Justice Department. [Federal Bureau of Investigation is the police department in the US that is controlled by the central government, and is concerned with crimes in more than one state.] Valachi was the first Mafia's member ever to describe its history, membership, and inner workings. Robert Kennedy called his testimony the "biggest breakthrough in fighting against organized crime and racketeering in the United States." [Robert Kennedy is the then U.S. attorney general and adviser during the administration of his brother President John Kennedy. Attorney general is the chief lawyer of the government in the US.] Investigations, indictments, and convictions followed Valachi's testimony. His memoirs were published as *The Valachi Papers* in 1968.

## Glossary

### A

abduct – насильно увозить

abolish – отменять

abolition – отмена

abscond – скрываться от правосудия

abuse – жестоко обращаться, злоупотреблять, насиловать, совращать малолетних

abuse – жестокое обращение, злоупотребление, насилие, совращение малолетних

acquit of – оправдывать

acquittal – оправдание

allegation – заявление перед судом

allege – ссылаться в доказательство, утверждать без основания

alleged – утверждаемый голословно; мнимый, предполагаемый

arson – поджог

arsonist – поджигатель

### B

barrister – адвокат, барристер

breach – нарушение закона, обязательств

burglary – ночная кража со взломом

burglar – вор-взломщик, ночной грабитель

### C

caution – предостережение

caution – предостерегать

challenge – обвинение, отвод присяжных

challenge – давать отвод, не принимать дело к рассмотрению

charge – обвинение

charge – обвинять

claim – возбуждать иск

claim – иск

commit (crime) – совершать преступление

common law – общее право

commute – смягчать наказание

complaint – жалоба, протест

concession – признание факта

confinement – лишение свободы, заключение под стражу

contract – заключить договор, вступать в к.-л. юридические отношения

convict – осужденный

convict – осуждать, признавать виновным;

conviction – осуждение, признание виновным; previous conviction – прежняя судимость

court – суд; судебное заседание



crime – преступление  
 criminal – уголовный, криминальный  
 criminal – преступник  
 Criminal Law – уголовное право  
 Criminal Procedure – уголовный процесс  
 culprit – подсудимый; преступник  
 custody – тюремное заключение; опека

**D**

defendant – ответчик, обвиняемый, подсудимый;  
 detain – задерживать, арестовывать;  
 detainee – лицо, содержащееся под стражей;  
 detention – задержание, арест  
 discharge – освобождать заключенного, снимать вину  
 divorce – развод  
 divorce – разводиться  
 divorcee – разведенный

**E**

evidence – улика, свидетельское показание  
 extort – совершить вымогательство  
 extortion – вымогательство  
 extradite – выдавать преступника

**F**

fine – штраф  
 fine – штрафовать  
 forensic – судебный  
 forgery – подделывание, фальсификация  
 fraud – мошенничество  
 frisk – обыскивать

**G**

gallows – виселица  
 grounds – мотив  
 guardian – опекун, попечитель  
 guilt – вина  
 guiltless – невиновный  
 guilty – виновный

**H**

homicide – убийство

**I**

incur – подвергать ч.-л.  
 impede – мешать, препятствовать  
 impediment – помеха, преграда, препятствие  
 impose – налагать ограничения  
 imprison – заключать в тюрьму

imprisonment – заключение в тюрьму  
 indictable offence an – правонарушение, являющееся основанием для уголовного преследования по обвинительному акту  
 injure – ранить, повредить  
 injured – потерпевший  
 injury – повреждение, ущерб, травма  
 investigate – расследовать  
 investigation – расследование  
 investigator – следователь  
 issue – спорный вопрос, разногласие, проблема  
 issue – рассматривать вопрос в суде

**J**

judge – судья  
 judgment – судебное разбирательство, процесс  
 judicial – судебный, законодательный  
 judicial decision – решение суда  
 judiciary – суд, судоустройство, судебный  
 jurisdiction – подсудность, юрисдикция  
 jury – присяжные  
 justice – правосудие; судья  
 justice of the peace – мировой судья  
 juvenile – несовершеннолетний; juvenile delinquency – преступность несовершеннолетних

**K**

kidnapping – похищение человека с целью выкупа

**L**

law – закон  
 law-abiding – законопослушный  
 lawful – законный  
 lawyer – адвокат  
 lay down – сложить полномочия  
 legal – правовой, юридический, законный  
 Legal History – история права  
 legal system – юридическая система  
 legislate – осуществить что-либо в законодательном порядке  
 legislation – законодательная деятельность, закон, законопроект  
 legislator – законодатель, правовед  
 legislature – законодательная власть, орган  
 litigant – тяжущаяся сторона в судебном процессе  
 litigation – тяжба; судебный процесс

**M**

magistrate – судья (мировой), должностное лицо  
 manslaughter – непредумышленное убийство

mitigation – смягчение  
 mortgage – закладная  
 mortgage – закладывать  
 mortgagee – кредитор по закладной  
 murder – убийство  
 mutinous – мятежный, восставший  
 mutiny – мятеж, восстание  
 mutineer – мятежник, бунтовщик  
 mutiny – поднять мятеж

## **O**

offence – правонарушение  
 offender – правонарушитель  
 overrule an objection – отклонить возражение  
 oversee – надзирать

## **P**

petition for mercy – подавать ходатайство о помиловании  
 plaintiff – истец  
 plead guilty – признать себя виновным  
 probation – условное освобождение преступника на поруки (особ. несовершеннолетнего)  
 proceedings pl – судебное разбирательство, судебное преследование  
 prorogue – отсрочить, назначить перерыв в работе  
 prosecute – преследовать в судебном порядке, выступать в качестве обвинителя  
 prosecution – судебное преследование, обвинение( сторона в судебном процессе)  
 prosecutor – обвинитель, прокурор

## **R**

rape – изнасилование  
 ratify – ратифицировать, одобрять, санкционировать  
 release – освобождение из заключения  
 release – освободить из заключения  
 remand in custody – возвращение под стражу  
 remission – помилование  
 remit v – передавать дело в суд  
 reparation, reparations n, pl n – компенсация  
 repeal – аннулировать, отменять закон  
 robbery – ограбление  
 rob – грабить, воровать

## **S**

sentence – приговор; serve a sentence – отбывать наказание  
 sentence – выносить приговор

solicitor – юрисконсульт, солиситер, адвокат, дающий советы клиенту и подготавливающий дела для барристера и выступающий только в судах низшей инстанции

statute – статут, закон, законодательный акт

sue – преследовать судом, подавать в суд, возбуждать иск

suspended sentence – условный приговор

## **T**

term – срок

testify – давать показания, свидетельствовать

theft – кража

thief – вор

trespass – посягать, причинять вред;

trespass – посягательство, причинение вреда;

trespasser – правонарушитель;

trial – судебное разбирательство, судебный процесс

## **V**

victim – жертва;

violent – жестокий;

violence – насилие, жестокость

## **W**

warrant – ордер ( на арест, обыск);

will – завещание;

writ - судебная повестка

Таблица глаголов, изменяющихся не по общим правилам

<i>Неопределенная форма The Infinitive</i>	<i>Прошедшее время Past Indefinite</i>	<i>Причастие про- шедшего време- ни Participle II</i>
1. be [bi:] быть	was [wɔː], were [wɜː]	been [biːn]
2. become [biˈkʌm] становиться	became [biˈkeɪm]	become [biˈkʌm]
3. begin [biˈɡɪn] начинать	began [biˈɡæɪn]	begun [biˈɡʌn]
4. blow [bləʊ] дуть	blew [blu:]	blown [bləʊn]
5. break [breɪk] ломать	broke [brəʊk]	broken [brəʊkn]
6. bring [brɪŋ] приносить	brought [brɔːt]	brought [brɔːt]
7. build [bɪld] строить	built [bɪlt]	built [bɪlt]
8. burn [bɜːn] гореть	burnt [bɜːnt]	burnt [bɜːnt]
9. buy [baɪ] покупать	bought [bɔːt]	bought [bɔːt]
10. can [kæn] мочь	could [kʊd]	
11. catch [kætʃ] ловить	caught [kɔːt]	caught [kɔːt]
12. come [kʌm] приходить	came [keɪm]	come [kʌm]
13. cost [kɔːst] стоить	cost	cost
14. cut [kʌt] резать	cut	cut
15. deal [di:l] иметь дело с ...	dealt [delt]	dealt [delt]
16. do [du:] делать	did [dɪd]	done [dʌn]
17. draw [drɔː] рисовать	drew [dru:]	drawn [drɔːn]
18. drink [drɪŋk] пить	drank [dræŋk]	drunk [drʌŋk]
19. drive [draɪv] ехать	drove [drouv]	driven [drɪvn]
20. eat [i:t] есть	ate [et]	eaten [i:tn]
21. fall [fɔːl] падать	fell [fel]	fallen [fɔːln]
22. feel [fi:l] чувствовать	felt [felt]	felt
23. find [faɪnd] находить	found [faʊnd]	found
24. fly [flaɪ] летать	flew [flu:]	flown [fləʊn]
25. forget [fɔːget] забывать	forgot [fɔːgɔt]	forgotten [fɔːgɔtn]
26. get [get] получать	got [gɔt]	got
27. give [ɡɪv] давать	gave [geɪv]	given [ɡɪvn]
28. go [ɡəʊ] идти	went [went]	gone [ɡɔn]
29. grow [ɡrəʊ] расти	grew [ɡru:]	grown [ɡrəʊn]
30. hang [hæŋ] вешать	hung [hʌŋ]	hung
31. have [hæv] иметь	had [hæd]	had
32. hear [hiə] слышать	heard [hɜːd]	heard
33. hide [haɪd] прятать	hid [hɪd]	hidden [hɪdn]
34. hurt [hɜːt] причинять	hurt [hɜːt]	hurt
35. keep [ki:p] хранить	kept [kept]	kept
36. know [naʊ] знать	knew [nju:]	known [naʊn]
37. learn [lɜːn] учиться	learned [lɜːnd] learnt [lɜːnt]	learned learnt
38. leave [li:v] оставлять	left [left]	left
39. lend [lend] давать взаймы	lent [lent]	lent
40. let [let] позволять	let	let
41. lose [luːz] терять	lost [lɔst]	lost
42. make [meɪk] делать	made [meɪd]	made [meɪd]

43. mean [mi:n] значить	meant [ment]	meant
44. meet [mi:t] встречать	met [met]	met
45. put [put] класть	put	put
46. read [ri:d] читать	read [red]	read [red]
47. ride [raid] ездить верхом	rode [roud]	ridden [ridn]
48. rise [raiz] подниматься	rose [rouz]	risen [rizn]
49. run [rʌn] бежать	ran [ræn]	run [rʌn]
50. say [sei] сказать	said [sed]	said [sed]
51. see [si:] видеть	saw [sɔ:]	seen [si:n]
52. sell [sel] продавать	sold [sould]	sold
53. send [send] посылать	sent [sent]	sent
54. set [set] устанавливать	set	set
55. show [ʃou] показывать	showed [ʃoud]	shown [ʃoun]
56. sit [sit] сидеть	sat [sæt]	sat
57. sing [siŋ] петь	sang [sæŋ]	sung [sʌŋ]
58. speak [spi:k] говорить	spoke [spouk]	spoken [spoukn]
59. spend [spend] проводить	spent [spent]	spent
60. stand [stnd] стоять	stood [stu:d]	stood
61. sweep [swi:p] подметать	swept [swept]	swept
62. swim [swim] плавать	swam [swæm]	swum [swʌm]
63. take [teik] брать	took [tuk]	taken [teikn]
64. tear [teə] рвать	tore [tɔ:]	torn [tɔ:n]
65. tell [tel] рассказывать	told [tould]	told [tould]
66. teach [ti:t] обучать	taught [tɔ:t]	taught
67. think [θiŋk] думать	thought [θɔ:t]	thought
68. throw [θrou] бросать	threw [θru:]	thrown [θroun]
69. understand [ˌʌndəˈstænd] понимать	understood [ˌʌndəˈstu:d]	understood
70. wear [weə] носить	wore [wɔ:]	worn [wɔ:n]
71. win [win] выигрывать	won [wʌn]	won
72. write [rait] писать	wrote [rout]	written [ritn]

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