I. Introduction to Law

Legal studies warm-up

1. Discussion: How did you feel this morning when you entered this building?

   a) What might be the reasons or motivation for the undergraduates to have decided to study law?
   b) What are the usual objectives the law students want to achieve?
   c) What are the lawyers required and expected to be able to do?
   d) What will the law degree equip you for?
   e) What are the compulsory and optional subjects you have to study in the first year? Describe one of them.
   f) List some other subjects you are going to study at the Faculty of Law in Brno.

2. Listening: Should I go to law school?

   Answer the questions in the table first for yourself and then according to the recording.

<table>
<thead>
<tr>
<th></th>
<th>Yourself/ In your opinion</th>
<th>Recording</th>
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<tbody>
<tr>
<td>Why do I want to become a lawyer?</td>
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<td>I want to practice law</td>
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<td>What are the benefits for any student?</td>
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<tr>
<td>• Intellectual stimulation</td>
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<td>• Improving critical thinking</td>
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<td>• Sharpening attention to detail</td>
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<th>Is a law degree a ticket to any profession?</th>
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**key**

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<tr>
<td>What are the benefits for any student?</td>
<td>• Intellectual stimulation • Improving critical thinking • Sharpening attention to detail</td>
</tr>
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</table>
Is a law degree a ticket to any profession?

No, otherwise the speaker would be an astronaut or a plumber now.

Source: Legal Lad

What is law?

3. 1 Read the text and explain the difference (and give examples) between:

- descriptive and prescriptive laws
- informal rules, formal rules and laws
- civil legal action and criminal legal action

The English word law has its origin in the Old Norwegian word literally meaning “laid down” which may refer both to something observed as a natural phenomenon, such as the sun rising and setting every day, or to a rule set by human beings for regulating their mutual coexistence. Hence, two kinds of laws may be distinguished, namely, descriptive and prescriptive ones. The former describe how something behaves, the latter prescribe how one should behave, e.g. how fast people ought to drive or that is not acceptable to hurt others.

It stands to reason that if something is prescribed there must be a sanction, also termed penalty or punishment, for breaking such a prescription, or, in legal terms, a rule. Sanctions may be classified according to seriousness or institutions providing for these rules. Society in general may be regarded as the most informal kind of institution and at this level sanctions may only take the form of criticism, ridiculing or invectives, i.e. negative reactions, so some hard-skinned individuals may live happily through their lives completely ignoring this kind of sanction.

At a more formal level of institutions created by the society, such as schools, sports clubs or churches, sanctions are felt more strongly. One may be subject to a warning preceding suspension of membership or the ultimate penalty which is expulsion from the respective institution.

The powers that come into play at the most formal level are those that the State dispose of, i.e. police and courts, and the rule-makers. This kind of level is what we are most interested in at the English Law for Lawyers Course so let us examine this in more detail taking as an example a model situation from the area of sports. Suppose, an ice hockey player rams his opponent so hard that the unfortunate is left badly injured and unable to walk for a long period of time. At the most informal level of social rules he
may be exposed to booing, abusive words or even some objects such as coins being thrown at him, which is of course not tolerated by the referees as this behavior crosses the line between the informal rules and the more formal rules of social institutions such as sports clubs. At this more formal level the rough player may face suspension or financial penalty, or both, followed by or accompanied with sanctions at the most formal level, i.e. that of the government-made laws. These have the form of statutes in civil law countries and/or precedents in common law countries. Two kinds of legal action may ensue. First, the injured player, called party harmed or aggrieved party, may bring a civil action against the player who caused him harm. This kind of dispute could be dealt with in a civil court resulting in the claim being enforced by the court if the other player refused to settle privately. The usual award of the civil court to the winning party is damages, i.e. financial compensation. The other kind of legal action could be criminal prosecution conducted by the State as certain kinds of behavior are considered harmful to the well-being of the whole society and not simply a private matter between two individuals. In a criminal trial the loser of the case may be convicted and sentenced to a fine or even to imprisonment.

Even in a well-ordered society, people have disagreements and conflicts arise. The law must provide a way to resolve these disputes peacefully. We need law to ensure a safe society in which people's rights are respected. An essential principle is that the same law applies to everybody, including the police, governments and public officials, who must carry out their public duties according to the law.

Created by the team of authors.

3.2 Discuss the following:

a) Give examples how our behaviour is regulated by rules.

b) What happens if somebody breaks a law?

c) Give at least three reasons why we need law.

key:

a) there are rules for games, for social clubs, for sports and for adults in the workplace, rules imposed by morality and custom telling us what we should and should not do + laws

b) the person is punished: pays a fine, pays damages, or goes to prison

c) to ensure: a safe and peaceful society, human rights to be respected, equality, ...

3.3 Collocations - which words from the first and second column go together?

| to break |
| to settle |
| to carry out |
| to resolve |
| duties |
| disputes |
| rights |
to respect laws

to break laws/duties
to settle disputes
to carry out duties
to resolve disputes,(laws - e.g. Legislators resolve laws.)
to respect rights/laws, duties

3.4 Go back to the text and find more useful collocations concerning legal English.

to be subject to…, to face suspension, aggrieved party

4. Group work: Create your definition of law. Below are some words to help you, feel free to use any of them (or none of them):

<table>
<thead>
<tr>
<th>people</th>
<th>enforce</th>
<th>power</th>
<th>authority</th>
<th>oppression</th>
<th>reason</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>morality</td>
<td>control</td>
<td>rules</td>
<td>relations</td>
<td>body</td>
</tr>
<tr>
<td></td>
<td>society</td>
<td>regulate</td>
<td>system</td>
<td>conduct</td>
<td>customs</td>
</tr>
</tbody>
</table>

Ss writing definitions on pieces of paper/PPT/OHP slides/posters/Gdocs…
Class share - Groups read and explain their definitions, T comments (content, vocab)

5. It is not easy to define exactly what law is, most definitions describe what it does and what rules apply. Match the authors to the definitions. Which definition appeals to you?

T: check the authors, you can compare with the students’ definitions, comment on various approaches
Plato (Greek philosopher born 427 BC) and Aristotle (Greek philosopher born 304 BC) - Natural Law

Thomas Hobbes (English philosopher born 1588)

John Austin (English jurist born 1790) - Legal Positivism

Marxist theory


citáty z:
http://www.slideshare.net/kirstyallison27/english-legal-system
http://sixthformlaw.info/01_modules/other_material/law_and_morality/0_what_is_law.htm

a) A body of rules fixed and enforced by a sovereign political authority.  John Austin

b) Law is a tool of oppression used by capitalists to control the proletariat.  Marxist theory

c) "An embodiment of Reason”, whether in the individual or the community.  Plato

d) Law is the formal glue that holds fundamentally disorganised societies together.  Thomas Hobbes

e) LAW: (1) a binding custom or practice of a community: a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority (2) the whole body of such customs, practices, or rules  
Merriam-Webster English Dictionary

6. There are more Czech words which correspond to the English word “law” depending on the context. Which words are they? What are the translations of the following entries from the Oxford dictionary?
T: go through the entry with the class, make comments where necessary: translations, countable/uncountable

law
Pronunciation: /lɔː /

noun
1 [mass noun] (often the law) the system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties: shooting the birds is against the law they were taken to court for
breaking the law [as modifier]: law enforcement
- [count noun] an individual rule as part of a system of law: a new law was passed to make divorce easier and simpler
- systems of law as a subject of study or as the basis of the legal profession: he was still practising law
[as modifier]: a law firm, law students
• something regarded as having binding force or effect:
  
  *he had supreme control*—*what he said was law*

• *(the law)* informal the police: *he’d never been in trouble with the law in his life*

2 a rule defining correct procedure or behaviour in a sport: *the laws of the game*

3 a statement of fact, deduced from observation, to the effect that a particular natural or scientific phenomenon always occurs if certain conditions are present:
  
  *the second law of thermodynamics*

http://oxforddictionaries.com/definition/english/law?q=law

7. Language practice - *more exercises in IS (odpovědniky)*

7.1 Be careful about the **Czech term “právo”**. It is translated into English in two different ways depending on its nature:

• “objektivní právo”, e.g. “právo této země” is translated as “law”
• “subjektivní právo”, e.g. “má právo volit” is translated as “a right”

7.2 Translate the sentences into English:

a) Právo je živý a dynamický systém.

b) Právo na život je základním lidským právem.

c) Přečetl si práva a povinnosti pacienta.

d) Právo je závazné a vynutitelné.

a) **Law/The law is a living and dynamic system.**

b) **The right to life is a basic/fundamental human right.**

c) **He (has) read the patient rights and duties/responsibilities.**

d) **Law/The law is enforceable and binding.**

7.3 Adjectives and adverbs. A positive adjective derived from the word “law” is “legal or lawful”. What are negative adjectives?

legal X ______________ → adverbs: legally X ______________

lawful X ______________ → adverbs: ______________ X ______________

The use of “legal” or “lawful” depends on the context. Sometimes, both are possible.

7.4 Fill in the gaps with suitable expressions: (il)legal, (il)legally, (un)lawful, (un)lawfully:

a) He asked for ___________ advice.  **legal**
b) Their activities were unethical and _________. unlawful/illegal

c) The man was _________ killed. unlawfully

d) What makes people cross the border _________? illegally/unlawfully

e) There’s nothing wrong with my behaviour, it’s perfectly _________. legal/lawful

legal
1 [attributive] relating to the law: the European legal system, appointed or required by the law: a legal requirement
2 permitted by law: he claimed that it had all been legal

lawful
conforming to, permitted by, or recognized by law or rules: you cannot carry a weapon in public without lawful authority

illegal
contrary to or forbidden by law, especially criminal law: illegal drugs

unlawful
not conforming to, permitted by, or recognized by law or rules: the use of unlawful violence

http://oxforddictionaries.com

Poznámka z červeného ILECu, teacher’s book, p. 128: As a general rule the term “illegal” is often used to refer to something criminal, while something which is “unlawful” is a civil wrong, but not a crime. There are counter-examples: “unlawful entry” is a crime, while an “illegal contract” is not.

unlawful X illegal - T can show Googlefight to Ss, e.g. unlawful killing X illegal killing, ...  

7.5 Which collocations or phrases with “law” and “legal” do you remember? Classify them according to the following pattern and examples:

<table>
<thead>
<tr>
<th>adjective/noun + law</th>
<th>natural law, contract law, banking law, taxation law, company law, labour law, family law, welfare law, a new law</th>
</tr>
</thead>
<tbody>
<tr>
<td>...... law</td>
<td></td>
</tr>
<tr>
<td>noun + noun</td>
<td>law theory, law schools, law department, law enforcement, a law firm</td>
</tr>
<tr>
<td>law ......</td>
<td></td>
</tr>
<tr>
<td>adjective + noun</td>
<td>legal education, legal system, legal practitioners, legal profession</td>
</tr>
<tr>
<td>legal ......</td>
<td></td>
</tr>
</tbody>
</table>
verb + noun

to ...... law
to make the law, to study law, to break the law, to pass the law, to practice law, to apply the law, to propose a new law

noun + verb

law ......
the law regulates, the law provides, the law applies to

noun of + noun

law of ......
the law of a community, the laws of the game, the laws of thermodynamics, the law of the country

noun + of noun

...... of law
philosophy of law, a system of law

preposition phrases

within the law, by law, according to the law, to be against the law

II. Sources of law: Common Law and Civil Law

Sources of law refer to the origins from which rules of human conduct come into existence and derive their legal force. Originally, they included customs which were then developed and transformed into precedents, legislation and interpretations of both. How much precedents or legislation are used in particular legal systems distinguishes two main legal traditions in the world, the Anglo-American common law and the civil law based on Roman law. Most countries in the world follow one or the other, except for various Islamic countries with their own Sharia law.

1. Are the following features typical for common or civil law systems?

<table>
<thead>
<tr>
<th>precedents</th>
<th>codes</th>
<th>unwritten law</th>
<th>enacted law</th>
<th>statutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>judges are investigators</td>
<td>judges create law</td>
<td>jury</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

common law: precedent, unwritten law, judges create law, jury
civil law: codes, enacted law, statutes, judges are investigators
2. Read the text and fill in the table below.

Can be done as pair work: Student A finds information for Common Law, Student B for Civil Law, then they share the info. Special handout - one table on each side.

Common law is a peculiarly English development. Before the Norman conquest, different rules and customs applied in different regions of the country. But after 1066 monarchs began to unite both the country and its laws using the king’s court. Judges created a common law by drawing on customs across the country and rulings by monarchs. These rules developed organically and were rarely written down. By contrast, European rulers drew on Roman law, and in particular on a compilation of rules issued by the emperor Justinian in the 6th century that was rediscovered in 11th-century Italy. With the Enlightenment of the 18th century, rulers in various continental countries sought to produce comprehensive legal codes.

Today the difference between common and civil legal traditions lies in the main source of law. Although common-law systems make extensive use of statutes, judicial decisions are binding and are regarded as the most important source of law, which gives judges an active role in developing rules. To ensure consistency, courts abide by precedents set by higher courts examining the same issue, which is known as the doctrine of stare decisis. Civil Law, in contrast, is codified, codes and statutes are designed to cover all eventualities and judges have a more limited role of applying the law to the case in hand.

When it comes to court cases, judges in civil-law systems tend towards being investigators working within a framework established by a comprehensive, codified set of laws, while their peers in common-law systems act as arbiters between parties that present their arguments. A jury of ordinary people without legal training decides on the facts of the case. Civil-law systems are more widespread than common-law systems. Countries following a civil law system are typically those that were former French, Dutch, German, Spanish or Portuguese colonies. Common-law systems are found only in countries that are former English colonies or have been influenced by the Anglo-Saxon tradition, such as Australia, India, Canada (except Quebec) and the United States (except Louisiana).

Legal minds in civil-law jurisdictions like to think that their system is more stable and fairer than common-law systems, because laws are stated explicitly and are easier to recognize. But English lawyers take pride in the flexibility of their system, because it can quickly adapt to circumstance without the need for Parliament to enact legislation. In reality, many systems are now a mixture of the two traditions, giving them the best of both legal worlds.


<table>
<thead>
<tr>
<th>The main source of law + other sources</th>
<th>common law</th>
<th>civil law</th>
</tr>
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<tbody>
<tr>
<td>+ judicial decisions/precedents</td>
<td>create law arbiters between parties</td>
<td></td>
</tr>
<tr>
<td>+ statutes/legislation</td>
<td>apply law investigators</td>
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<th>Role of judges</th>
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<th>civil law</th>
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<td>create law arbiters between parties</td>
<td>apply law investigators</td>
<td></td>
</tr>
<tr>
<td>advantages</td>
<td>easier to adapt to new circumstances -&gt; more flexible</td>
<td>laws stated explicitly -&gt; more stable and fairer</td>
</tr>
<tr>
<td>history/influences/other typical features</td>
<td>after 1066: uniting the laws -&gt; common law customs, rulings jury</td>
<td>Roman law, emperor Justinian, rulers producing comprehensive legal codes</td>
</tr>
<tr>
<td>countries</td>
<td>England, Australia, India, Canada (except Quebec), the United States (except Louisiana) - former English colonies</td>
<td>Continental Europe, former French, Dutch, German, Spanish or Portuguese colonies, Quebec, Louisiana</td>
</tr>
</tbody>
</table>

3. **SPEAKING: Pair work.** Student A is a civil law judge, Student B is a common law judge. Discuss the advantages of your system of law.

4. Fill in the crossword and find the hidden word:

1. laws made by Parliament  *legislation*
2. the province in Canada with civil law  *Quebec*
3. a written law  *statute*
4. an official decision made by e.g. court  *ruling*
5. to make something law  *enact*
6. to arrange laws into codes  *codify*

5. The word hidden in the crossword is **EQUITY** = fairness, and at the same time an important feature of English law which developed as a way of dealing with the inflexibility of the English legal system:

By the fourteenth century, many people were dissatisfied with common law and the King of England was receiving many complaints. His subjects argued that judgments were unfair, the law was applied too strictly and the outcomes were unhelpful. This resulted in establishing a complementary system of law which dealt with problems where the common law could not help. It became known as the **doctrine of equity**.
Equity and common law offer different ways of compensating for loss, i.e. providing a remedy. Look at the pictures illustrating various types of remedy and imagine and describe a situation leading to the particular type of remedy.

**e.g.**

sell the precious painting as agreed on - >specific performance

stop spreading harmful gossip, stop walking across your neighbour’s garden - > injunction

pay for the injuries you caused - > damages

**LISTENING - EQUITY**

6. **Listening - Equity** - modrá učenice, Introduction to ILEC, UNIT 10, Listening 2 - Part 2, Audio 10.4

**Pre-listening:** Match the expressions to their explanations.
<table>
<thead>
<tr>
<th>to petition</th>
<th>a court order to enforce compensation for loss</th>
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<tbody>
<tr>
<td>remedy</td>
<td>monetary compensation</td>
</tr>
<tr>
<td>damages</td>
<td>to make a formal written request</td>
</tr>
<tr>
<td>injunction</td>
<td>to take priority</td>
</tr>
<tr>
<td>specific performance</td>
<td>a court order to do something, or to stop doing something</td>
</tr>
<tr>
<td>to prevail</td>
<td>a court order for a party to perform the actions required under a contract</td>
</tr>
</tbody>
</table>

the British cabinet = the most senior ministers, the key decision-making body of the British government

cHECK pronunciation: Lord Chancellor, Court of Chancery

7. Listen to a part of discussion about the history of equity and choose the correct answers (one or more to each question):

1.  
   b) Litigants are
      a.  the king’s advisors.
      b.  the parties in a legal case.
      c.  petitions from the Middle Ages.

2.  
   a), b) Lord Chancellor
      a.  dealt with petitions to the king.
      b.  used to have various judicial roles.
      c.  was removed by the Constitutional Reform Act.

3.  
   b), c) Examples of equitable remedies are
      a.  damages.
      b.  specific performance.
      c.  injunction.

4.  
   a) The Court of Chancery
      a.  was set up by the Lord Chancellor.
      b.  provided common law remedies initially.
      c.  is still in existence.

5.  
   a), c) Equity
      a.  should take preference if there are differences between the common law and equity.
      b.  was established by the Judiciary Act 1873.
      c.  is administered by the same courts as the common law.

8. Summary - History of equity. Fill in the gaps in the following summary and then in pairs ask
questions and check the answers. Use appropriate question words (what, who, why, whose) and the correct grammatical structures.

*Better - students first fill in the gaps individually, then the questions are asked in the class*

1. In the late Middle Ages, litigants petitioned to the king because ____________________________.

2. The king referred the cases to the _______________________________ who developed legal rules of his own called equity.

3. The court administering equity was called _______________________________.

4. For centuries, equity and common law existed side by side. If in conflict, _______________ prevailed.

5. In the 19th century, the Judicature Act 1873-1875 ___________________________ the Court of Chancery.

6. In this century, the Constitutional Reform Act 2005 abolished ___________________________ 's judicial roles.

7. Nevertheless, even now, we speak about equitable remedies, e.g. ____________________________.

1. litigants petitioned to the King because they were not satisfied with the inflexibility of common law/ common law didn’t provide fair remedies

2. the king referred the cases to the Lord Chancellor

3. the court administering equity was called the Court of Chancery

4. if equity and common law in conflict, equity prevailed

5. the Judicature Act 1873-1875 abolished the Court of Chancery

6. the Constitutional Reform Act 2005 abolished the Lord Chancellor’s judicial roles

7. even now, we speak about equitable remedies, e.g. injunction, specific performance

9. Revision - correct the mistakes: the words in bold are mixed up, put them to the right places:
A judicial **decisis** refers to a decision of the court used as a source for future **Chancery** to follow in cases where the facts are the same. This is known as “stare **judges**” which can be translated from Latin as “to stand by what has been decided”.

**Source** means the body of rules which was formulated and administered by the Court of **common** to supplement the rules and procedure of the common law.

While **civil** law is mainly based on the idea of precedent, **equity** law is based on legislation as the principal **precedent** of law.

A judicial **precedent** refers to a decision of the court used as a source for future **judges** to follow in cases where the facts are the same. This is known as “stare **decisis**” which can be translated from Latin as “to stand by what has been decided”.

**Equity** means that body of rules which was formulated and administered by the Court of **Chancery** to supplement the rules and procedure of the common law.

While **common** law is mainly based on the idea of precedent, **civil** law is based on legislation as the principal **source** of law.

http://nuweb2.northumbria.ac.uk/bedemo/Sources_of_English_Law/

### III. LEGISLATION

1. Read the text and find information about
   - types of legislation
   - process of passing an act
   - structure of acts

Even though the Anglo-American legal system is based on common law, nowadays legislation plays the most important part in law-making as it has always played in civil law countries. Many statutes are now in a form of codification of certain areas of law, e.g. the law concerning theft can now be found in the form of the Act on Theft. There is a similar trend in the USA where various uniform laws designed to eliminate differences in law among various states can be seen such as the Uniform Commercial Code.

Legislation, in general, may be divided into two strands, primary and secondary ones. The primary legislation is made by the supreme legislative body, called differently in various countries, Parliament being the most frequent designation. In Britain, laws falling within the scope of the primary legislation are broken down into public and private or local ones. The former apply to the entire community whereas the latter to a particular individual or group of individual. The secondary legislation, also called delegated legislation as the primary law-making body transfers the power to make laws to a subordinated one, is made by, e.g. ministries in the form of statutory instruments, or local authorities, in the form of by-laws (called ordinances in the USA).

A proposal for a statute is called a bill before being passed when it becomes an Act of Parliament which comes into effect after the royal assent or President’s signature is given or when it has its own starting date. In Britain an Act of Parliament is divided into a heading setting out the aim of the Act followed by parts that are divided into sections, subsections and paragraphs. On the other hand, American federal legislation and treaties and directives of the European Union are broken down into articles rather than
2. Which English words for “zákon” do you know? Which is expression do you use in which situation? Which word is used in a title of a law? Recall the names of the laws from the previous tasks and translate them into Czech.

the Judiciary Act 1873, the Constitutional Reform Act 2005: Zákon o…

3. PAIR WORK. Read one of the following pieces of legislation (TEXT 1, TEXT 2 or TEXT 3). Which country is it from? What is/could be the title? Underline new vocabulary/phrases that you find important.

T divides the class into thirds, each reading one text (the list of important vocabulary to each text can be given before reading), then class share - what each piece is about/clues to identify the country/title/vocabulary

TEXT 1

<table>
<thead>
<tr>
<th>Termination of Studies</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Article 55</strong></td>
</tr>
</tbody>
</table>

(1) Proper completion of studies consists in graduating in the applicable study programme. The date of completion corresponds to the date of passing the state examination required at the end of studies or the last part of this examination.

(2) Completion of studies and acquisition of an academic degree are documented by means of the higher education diploma and the state examination certificate.

<table>
<thead>
<tr>
<th>Article 56</th>
</tr>
</thead>
</table>

(1) Studies are also terminated in the following events:

a) A student has decided to quit the studies;

b) A student has failed to meet the requirements specified in the study programme as per Study and Examination Rules;

c) Withdrawal of the study programme accreditation;

d) Expiration of the study programme accreditation as per Article 80, subsection 4;

e) A student has been excluded from studies as per Article 65, subsection 1, letter c) or as per Article 67.

TEXT 1: CZ, Higher Educational Act 1998, PART V, Studies at a higher education institution

http://www.lexadin.nl/wlg/legis/nofr/eur/lxwecze.htm

jiný překlad:

19 **Transfer, modification or abolition** of functions by order

(2) An order under **subsection** (1) may in particular—
(a) **amend** or **repeal** any of the following—
(i) an enactment other than one contained in an Act passed, or Northern Ireland legislation **passed** or made, after the Session in which this Act is passed;
(ii) **subordinate legislation** other than subordinate legislation made **under an Act** passed, or Northern Ireland legislation passed or made, after the Session in which this Act is passed;
(iii) any other instrument or document, including a prerogative instrument;
(b) include—
(i) any supplementary, incidental or consequential **provision**, and
(ii) any transitory, transitional or saving provision, which the Lord Chancellor considers necessary or expedient for the purposes of, in consequence of, or for giving full effect to, provision made under subsection (1).


**TEXT 3**

**Section 7.**

All **bills** for raising revenue shall originate in the House of Representatives; but the Senate may **propos[e]** or concur with **amendments** as on other Bills. Every bill which shall have **passed** the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he **approve** he shall sign it, but if not he shall return it, with his **objections** to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law.

**TEXT 3:** USA, Constitution, Article I [The Legislative Branch], Section 7. [Passage of Bills]  [http://www.law.cornell.edu/constitution/](http://www.law.cornell.edu/constitution/)

**4. Structure of Laws:** What are parts of acts in English, and what are they in Czech?
Laws are cited with their title (also known as short title) and year, for example, Human Rights Act 1998. If referring to specific sections or parts, we write a comma and the relevant abbreviation and number, e.g. Human Rights Act 1998, s 15(1)(b). Study the following chart comparing the subdivision of Czech and UK/US laws and decide what the English abbreviations stand for:

pt ... part  
s ... section  
sub-s ... subsection  
para ... paragraph

<table>
<thead>
<tr>
<th>Czech Republic</th>
<th>UK</th>
</tr>
</thead>
<tbody>
<tr>
<td>částka</td>
<td>chapter</td>
</tr>
<tr>
<td>část, hlava, oddíl</td>
<td>part, title, subpart/chapter</td>
</tr>
<tr>
<td>paragraf</td>
<td>section</td>
</tr>
<tr>
<td>odstavec</td>
<td>subsection</td>
</tr>
<tr>
<td>písmeno (pododstavec)</td>
<td>paragraph</td>
</tr>
<tr>
<td>věta/bod</td>
<td>subparagraph</td>
</tr>
</tbody>
</table>

info from:  
http://www.law.ox.ac.uk/lrsp/overview/legislation.php - types of UK legislation and structure + Chromá

5. Below are examples of Dumb Laws. Choose one, make up a title and rewrite the law in a more detailed way: draft one section consisting of at least two subsections  
- one subsection consists of at least three paragraphs written in one sentence (see TEXT 1 and TEXT 2 about the structure)  
- use the expressions “fail to” (or “failure to”), “under/per/according to section(subsection)”

It is illegal to kiss on railways. (France)

No one may tie their pet dog to the roof of a car. (Alaska)

It is illegal to wear your boots to bed. (Oklahoma)

Chewing gum is illegal. (Singapore)

example:
Safety of traveling dogs

Section 12

(1) It is illegal to travel with a dog on the roof because
   a) a wrongly tied dog on the roof can fly away and endanger society;
   b) it can be shocking for the society to see a dog on the roof of a car;
   c) not every dog likes to travel on the roof of a car.

(2) A driver who violates Subsection (1) can be arrested for common threat as per Section 46 and cruelty to animals as per Section 52.

(3) Failure to comply with Subsection (1) can lead to imprisonment as per Section 86.

6. Language practice

6.1 What happens to a bill/law? Match the verbs to their explanations:

<table>
<thead>
<tr>
<th>The legislative body</th>
<th>drafts a bill.</th>
<th>debates a bill.</th>
<th>passes/enacts a bill.</th>
<th>amends a law.</th>
<th>repeals a law.</th>
<th>discusses</th>
<th>writes</th>
<th>changes</th>
<th>approves/adopts</th>
<th>cancels</th>
</tr>
</thead>
</table>

Which nouns can be formed from the verbs in the box by
- ment: enactment, amendment
- al: approval
- ion: discussion, adoption, cancellation

no change: draft, debate, repeal, change

6.2 The passive structures used in definitions and descriptions above can be understood more clearly
if you transform them into active ones:

a. Statutes are enacted by the legislative branch.

   The legislative branch........................................
b. All the rules of conduct have been approved by the government.

The government .........................................................

c. All the rules of conduct must be obeyed by all persons.

All persons ..............................................................

d. Rules are established by a governing authority.

A governing authority .................................

6.3 Complete the gaps with the following verbs either in their active or passive forms:

violate recognize establish enforce prescribe regulate

LAW: The principles and regulations established…. by a government and applicable to a people, whether in the form of legislation or of custom and policies recognized.. and enforced…. by judicial decision. Any written or positive rule or collection of rules …prescribed……. under the authority of the state or nation, as by the people in its constitution.

The Random House Dictionary of the English Language
http://faculty.cua.edu/pennington/law508/definitionslaw.htm

LAW: A body of rules, whether proceeding from formal enactment or from custom, which a particular state or community recognizes…. as binding on its members or subjects.

Oxford Dictionary of the English Language
http://faculty.cua.edu/pennington/law508/definitionslaw.htm

LAW: Rules of conduct of any organized society, however simple or small, that are enforced. by threat of punishment if they are violated……. Modern law has a wide sweep and regulates……. many branches of conduct.

Columbia Encyclopedia
http://faculty.cua.edu/pennington/law508/definitionslaw.htm

supplementary materials:

world legal history:
Common law:
- video on the history: http://www.youtube.com/watch?v=KeKcTe4HRPs
- studying the law and sources of law: https://is.muni.cz/auth/el/1422/podzim2013/MP111Z/um/43262470/43262477/STUDYING_THE_LAW.pdf

Roman law:
- history (Roman Law in European History, Peter Stein): https://is.muni.cz/auth/el/1422/podzim2013/MP111Z/um/43262470/43262477/Roman_Law_in_European_History__Peter_Stein_.pdf

Legislation:

Tricky words:

law - countable, uncountable - depending on the context - see the exercises above
damages (monetary compensation) X damage (harm) – uncountable
civil law – two meanings: civil law X common law, civil X criminal law

Suplementary reading:

more on law,morality and justice:
Philosophy of Law