# 英文报刊选读之二

王炳炎　陈晓扣　编

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成何体统?

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解放军外国语学院
西安交通大学出版社　合作项目

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# 前言

《英文报刊选读》是程度不同的两辑英语泛读教材。前一本相对简单，而后一本程度较深。经我们对文字及背景方面进行注释，并为所选的文章配上练习后，现将其奉献给读者。《选读》适合具有中等以上英语水平的读者阅读。《选读》可与《通向英语 8000 词》同时使用，一本作为重要阅读材料，另一本作为强化词汇材料，以达到提高阅读能力和扩充词汇的目的。

《选读》主要特点之一是所选的 33 篇文章原原本本出自当代英语报刊。编者对文章未作任何变动，因而，读者可以原汁原味地领略到当代美国英语的特色，增进对当代美国社会现状的了解。所选的文章语言流畅，文字新颖，口语化程度高。阅读这样的文章有助于读者学到纯正的美国英语，提高口头表达能力，尤其能学到正式文章中不常用的表达方式，以及在一般字典中找不到的用词方法。所选的文章犹如一面镜子，反映出美国当代社会的方方面面，如美国社会问题：吸毒，艾滋病，无家可归、流落街头；人们关注的热点：总统竞选、哈雷彗星、高科技农业；还有举人听闻的间谍在逃、追捕纳粹元凶，以及茶余饭后供读者消遣的电影明星和总统后代现况。另外，还有一些评论性文章。我们相信读者对所有的文章会感兴趣的。

《选读》的另一特点是每篇文章都配有详细的注解和大量的练习。我们对文章中出现的疑难部分，尤其

是超出大学英语6级的词汇、具有美国英语特色的表达方式和不常见的词汇，以及必要的背景知识(人名、地名、组织名称等)，作了注释。我们编写的练习有四种：选择题、正误判断题、翻译题和问答题。这四种练习题都是围绕考察综合理解能力而设计和编写的。前两种练习侧重考察对文章大意和作者意图的理解，后两种练习分别考察对细节的理解能力和综合归纳能力，同时又可以提高读者的翻译和写作的能力。我们认为题型多样有助于深化阅读理解，培养读者多方面的能力。为了帮助读者自我检测阅读理解的状况，我们在书后附有练习的全部答案。我们对练习答案未作任何解释。有部分问答题答案太长，我们只提供答案要点。所有答案只是参考性的，我们希望答案不会束缚读者的思考和想象力。答案除对练习本身有一定参考作用外，还能对读者理解疑难点起到某种正面导向作用。翻译题的英文原句在文章中用带有下划线的斜体标明，读者做翻译题时，可参阅原文，以便根据上下文，更确切地理解原句意思。由于翻译题主要考察读者精确理解，我们所给的答案力图忠实原文，在文字上未作过多修饰。

《选读》的编注工作由王炳炎教授和陈晓扣讲师平均负担，最后由王炳炎教授负责统稿。《选读》早期的选材工作由李绍山教授完成，章虹和王克参与部分编写和原稿整理工作，我们在此对他们表示感谢。在编注过程中我们得到西安交通大学出版社和解放军外国语学院图书馆的大力支持，我们在此深表感谢。

在编注中，我们充分查阅现有资料，但我们深感反映当代美国社会状况的资料不能完全满足编写工作需要，加上我们对文章的理解或有偏颇，注释和练习中难免出错，欢迎广大读者批评指正。

编　者

2000年11月于解放军外国语学院

# 目录

全民走上法庭的岁月

# The Year That Country Went to Court

Our zeal[1] for laying down the law brought 300,000 jury trials to a swamped system

**by Lewis H. Lapham**

*During the whole of 1982 the country never lacked for a courtroom sensation. Hardly a week passed that didn't bring fresh news of a trial in which the powers of light and darkness could be seen in desperate struggle for possession of the nation's soul.* In January Claus von Bülow appeared before a court in Newport[2], charged by the State of Rhode Island[3] with attempted murder and suspected by the media of decadence[4]. In the same month, a district judge in Little Rock, Ark.[5], having heard extensive testimony about the origins of the

universe, solemnly ruled against[6]"creation science"and the biblical assertion that the world had been created in six days. In April a 20-year-old woman in Cincinnati[7] brought charges against her parents, claiming they had joined a conspiracy[8] to kidnap her and subject her to[9] intimidation[10] and sexual abuse. In June a jury in Washington, D. C., found John W. Hinckley Jr. not guilty, by reason of insanity[11], of attempting to assassinate President Reagan[12] in full view of at least 100 million witnesses. In July the president of the Mobil Oil Company[13] went to trial with *The Washington Post*[14] in order to return what he construed[15] to be an insult. *In September a woman in Louisiana charged the state with violating the Constitution because it claimed to have traced her descent from a Negro slave and classified her as black instead of white.* In October John Z. De Lorean, lately of General Motors[16], Belfast[17] and the California celebrity[18] circuit, was arrested on charges of arranging a $ 50 million cocaine deal; the hearing on defense motions was set for the first week of 1983, which meant that during this year's Christmas season the reading public could look forward to further scandalous[19] bulletins from the frontiers of chicane[20].

Other nations leave the riddles of human existence to the jurisdiction[21] of ethics, politics or religion. Not so the Americans. Sooner or later they remand[22] all their questions to a court. They may phrase them in the different languages of the civil or the criminal codes[23]. *The nominal stakes[24] may be big money damages or long imprisonment, but always they seek the proofs of spiritual as well as temporal[25] salvation, asking of the utterable answers to the unutterable.* Who's got the right to do what to whom? Is sex immoral? What is the fair market price for a man's life? Does God exist?

No wonder the court calendar for 1982 reads like a tale from

the Arabian Nights[26]. Together with the cases cited, the year's transcript[27] records the decisions taken by the Justice Department[28] with respect to the assets of IBM[29] and AT&T[30]; the conviction of Wayne Williams for the murder of two of the 28 young blacks in Atlanta; the filing for reorganization under federal bankruptcy laws of the asbestos[31] manufacturer, the Manville Corporation[32]; the conviction for income-tax fraud of Rev. Sun Myung Moon, the Korean prophet and primum mobile[33] of the Unification Church[34]; the complaint brought in Salt Lake City[35] by Mrs. Vonda Mckinney and 1,192 plaintiffs[36] against the federal government, claiming it wantonly[37] scattered murderous radioactive debris[38]; the divorce proceedings in West Palm Beach[39], Fla., between Mr. and Mrs. Herbert Pulitzer Jr., in which each accused the other of high sexual crimes and misdemeanors[40] sufficiently licentious[41] to astonish the judge and delight the editors of afternoon newspapers.

## *A litigious[42] frame of mind that has been building since the Mayflower[43]*

In keeping with the restlessness of a society that makes up its wisdom as it goes along, the litigious habit of mind has been characteristic of the Americans ever since the Puritans[41] signed their first deal while still on board the Mayflower. For the last 362 years their heirs and assigns[45] have been busy at the task of rewriting the terms of the contract. The Declaration of Independence was a legal brief submitted to the court of the world's decent opinion, and even before the British lost the war at Yorktown[46] a good many newly redeemed[47] Americans were complaining about the plague of lawyers that infested[48] the land with their damnable quibbling[49] over rights to the newly acquired properties. Some years later Chief Justice[50] John Marshall[51], having become alarmed by Jefferson's[52]

radicalism, arrogated[53] to the Supreme Court[54] powers that it had not been granted specifically in the Constitution.

*The United States defines and redefines itself by the ceaseless making and remaking of its laws. It is in the courts that the country continues its revolution and gives expression to the dialectic[55] of claim and counterclaim, vision and revision.* Possibly this is why the Americans have had so little use for socialism. The federation of individualists prefers trial by individual legal combat to the clumsier logistics[56] imposed on the organizers of mass movements. Instead of going to the barricades, the citizens go to court, seeking stamps and licenses for what they believe to be their natural and inalienable[57] rights. Their furious sophistry[58] usually preserves them from directing their scheming energies into the less loquacious[59] forms of rebellion.

Other societies cast their images in bronze or stone, in monuments and public buildings and works of art. The United States raises up a vast and ghostly architecture of paper — transcripts, rulings, bills, acts, regulations, dissenting opinions[60] — and looks for its reflection in the mirror of the law. In 1982 the portrait that emerged in the glass was that of a society beginning to doubt the reality of what it had supposed were its most settled beliefs. Over the last decade the courts have been besieged[61] by an ever larger crowd of petitioners[62], all of them impatient and most of them angry. Their questions in 1982 became so many and so insistent that seven of the nine justices of the Supreme Court felt compelled to make worried and unprecedented speeches about their capacity to deal with a task to which the wisdom of Solomon[63] would have been unequal. They were being asked to read too many writs[64], offer too many opinions, examine too closely the text of man's inhumanity to man.

In November, speaking at a dinner in New York City, Chief

Justice Warren E. Burger[65] said that the courts had become so burdened with laws and litigation[66] that the American system of justice "may literally break down before the end of the century." Several other justices already had joined in the complaint about the crowding of a court docket[67] that presented them with questions as various as whether tax-exempt[68] status should be granted to schools and universities practicing racial discrimination and whether the law prohibiting unsolicited[69] mail-order advertising for contraceptives[70] violated the principle of corporate free speech. Speaking in Philadelphia shortly before the court convened for its October term, justice William J. Brennan[71] Jr. said that he and his associates were being taxed beyond the limits of human endurance.

In 1982 the civil and criminal courts in the United States staged roughly 300,000 jury trials, which, when combined with the even larger number of depositions, preliminary hearings and quasi-legal[72] proceedings held before various committees and regulatory agencies, conveys the impression of a country obsessed by a perpetual and exhausting dispute. Given the 35,000 new graduates let loose from American law schools during the course of the year, the community of lawyers was renewing itself at a more rapid rate than the republic of clients. Estimating the sum only in terms of direct costs(i.e.,legal fees, salaries and support services), Steven Brill, editor of *The American lawyer*, guesses that in 1982 the United States probably spent close to $60 billion on its passion for the law. After adding the indirect costs charged to the economy as a result of legal pettifogging[73] and delay, the annual expense conceivably approached $120 billion.

*Mindful[74] of the recession and fearful of pricing themselves out of the market, several well-established law firms made the extraordinary sacrifice of lowering their fees. To the best of anybody's recollection, such a thing never before had been seen*

*under an American sky*. Perhaps the lawyers had noticed that at least a few corporations had begun to question monthly statements asking as much as $100,000 simply for "services rendered"; in some mean-spirited circles, clients were demanding copies of restaurant checks.

As the costs of litigation increased, so also did the degrees of specialization. It was not uncommon in 1982 for both the defense and the prosecution to introduce, as was done in the Hinckley trial, a panel of expert witnesses speaking in the scientific equivalent of tongues. Experts for all occasions, many of them charging $1,000 a day for the use of their testimony, appeared in the nation's courtrooms to expound the arcana[75] of medicine, antitrust law, astronomy, journalistic practice and the tax code. It had become technically possible to identify bloodstains according to the composition of antigens[76] and enzymes[77], thus allowing for 13 variables instead of four. Law firms offering the full range of services employed counsel with special competence in the handling of lawn mower accidents. There were newsletters dealing exclusively in cases arising from the epidemic of swine flu and litigations relevant to the settlement of the Iranian debt.

The surplus complexity of the testimony coincided with the decreasing literacy of the citizens most likely to be empaneled[78] as a "jury of defendant's peers." The widening distance between the stratifications[79] of American society showed itself most plainly in the Von Bülow and Hinckley trials. Von Bülow, a European aristocrat who had married an heiress representative of the American dream, made no effort to conceal an attitude of undemocratic disdain[80]. He was one of Newport's summer people, but the jury consisted of winter people, local citizens who lived in one house instead of two and could remember the ages of their children. Even before he finished presenting what he knew to be a

problematic case, the assistant district attorney observed: "If I were his lawyer, I wouldn't put him on the stand[81] no matter what. Because assume that I examine him and I score no points. He will still have manifested himself to that jury to be an arrogant, pompous[82], hubristic[83] ass. They'll convict him just because they hate him so much they want to put him away."

The jurors in the Hinckley trial, all but one of them black, were asked to sit in judgment on a child of affluence whom one of the jurors described as "a sick white boy looking for someone to love him." The medical authorities spoke the language of psychiatry[84], which has become the religion of the social classes that can afford to hire spiritual tutors at rates of $100 an hour. The jury spoke the humbler language of Christianity, and on first receiving the case for judgment they joined together in listening to a member's recitation of the 24th Psalm[85]— "Who shall ascend to the hill of the Lord? Or who shall stand in His holy place?"

This confusion of realms, both secular[86] and divine, made it more difficult in 1982 to know what to say to whom. What truths still could be accepted as axiomatic[87]? On what body of moral doctrine could reasonable people come to reasonable agreement? The questions did not admit of easy answers, as Norman Mailer[88] discovered in January when he tried to say a good word on behalf of Jack Henry Abbott, an exconvict and confessed psychopath[89] standing trial in Manhattan for the murder of a waiter in an East Village restaurant. The killing took place in the summer of 1981, six weeks after Abbot's release from prison and a few days after the publication of his jailhouse memoir, *In the Belly of the Beast*, had been received with fawning[90] praise by the New York critics. Mailer had sponsored both Abbott's parole[91] and his literary success.

Abbott offered the excuse that he had spent most of his life in prison and that his crimes should be blamed on an unjust and

repressive society that forced him to consort[92] with felons[93]. Possibly impressed by the celebrities who showed up in court to listen to a celebrated tale, the jury accepted Abbott's explanation and found him guilty not of murder but of manslaughter[94]. Mailer defended the verdict as "fair."Speaking earlier to reporters outside the courtroom, he said that he hoped Abbott would not receive the maximum sentence because "culture is worth a little risk."

The remark provided headlines for the late editions, and for the next few days the simplicity of mailer's moral realpolitik[95] supplied the stuff of excited gossip for the audience to which Mailer plays Caliban[96]. A variation on the dream of nihilism[97] showed up later in Alan M. Dershowitz's much publicized book, *The Best Defense*. A Harvard law professor and occasional advocate, noted for the trendiness[98] of his opinions as well as the notoriety[99] of his clients, Dershowitz made the conventionally radical points about the "pervasive dishonesty" of the criminal justice system. So extensive was the general corruption that Dershowitz felt no pang of remorse[100] about his own complicity[101] in a system that he held in disdain. Dershowitz said, "I do not apologize for (or feel guilty about) helping to let a murderer go free — even though I realize that someday one of my clients may go out and kill again."

Neither Mailer's aphorism[102] nor Dershowitz's book drummed up[103] the furor[104] that might have been expected in the 1960s, but they were indicative of a society dissolving into moral as well as political factions. The absence of a common ethic, even of a common language, places the trial lawyer in the kind of existential void once reserved for the characters in a play by Samuel Beckett[105]. What will the jury expect? Of whom will it be constituted? What does the judge know? Who are these people sitting in judgment on our lives?

In 1982 some of the wealthier litigants went to the trouble of

hiring mock juries. Before these experimental audiences (what the advertising business would call a focus group), the lawyers rehearsed their case to see which of their arguments received the best ratings. Early last spring, prior to its defense of the suit brought by William Tavoulareas, the president of Mobil Oil, *The Washington Post* commissioned a poll of the local citizenry in order to discover which of two corporate images enjoyed the more flattering reputation among prospective jurors. The results persuaded the *Post* to choose trial by jury instead of by a judge alone. The choice proved disastrous to the paper's defense.

Together with the press of numbers and the decay of moral consensus, the courts in 1982 suffered the burden of increasingly bizarre petitions for redress[106]. Apparently there was no grievance too small or too problematic that couldn't be assayed[107], like an old prospector's sack of gold-bearing dust, in the balance of justice. Subjects that could not be mentioned in polite conversations as recently as five years ago had become matters fit for litigation.

In Manhattan last October a Supreme Court judge ruled that a husband who had declared himself a homosexual must be denied custody[108] of his three-year-old daughter. The judge observed in the defendant "hostile homosexual and heterosexual[109] drives···warring with each other." For this reason the judge pronounced the defendant incapable of providing a stable home and ordered him to refrain from introducing his daughter to any other homosexual.

A few weeks later, the Court of Appeals[110] in Seattle[111] ruled that U. S. Steel was not guilty of negligence for failing to inform an employee's wife that her husband was having an affair with another employee. Said the court, the company "owed no duty to its employees' spouses to monitor and safeguard their marriages."

In September McDonald's[112] filed suit against the rival Burger

King[113] chain for allegedly sponsoring "false and misleading" television commercials about the quality of McDonald's hamburgers. Two months later, Thomas's, the nation's leading muffin[114] baker, filed suit against three former employees to prevent them from revealing the company's "original and distinctive"English muffin recipe to their rival, Entenmann's.

The city comptroller[115] of New York issued a report indicating that in 1981 the city settled claims and lawsuits amounting to $120 million, a sum that had increased tenfold since 1968 and exceeded the annual budgets of some principal city agencies. The settlements were paid in redress[116] of injuries suffered in sewer and automobile accidents, in city hospitals, in encounters with potholes and police officers.

Conceivably the most extraordinary case in 1982 came before a jury in Cincinnati that was asked to consider the tragedy of a 20-year-old woman subjected to the fanaticism of her parents. During several days of testimony it was established that the young woman's parents objected to what they believed was a romance with another woman her own age. Convinced that their daughter had lost possession of her reason, the parents paid $8,000 for the services of a deprogramming[117] crew. Together with these agents of virtue, the parents arranged to have their daughter seized on a suburban street and taken to a lakeside cabin 400 miles away in Alabama. There,for seven days, she was harried[118] by her captors. First the deprogrammers harangued[119] the woman on the evils of homosexuality, and then, she claimed, one of their company raped her, presumably by way of demonstrating the healthy joy of heterosexual love. For cooperating with the prosecution, the parents received immunity[120]. The three remaining defendants were acquitted[121] of assault and sexual battery.

Judges as well as juries were inclined to rely on an increasingly