



“北京市人才强教深化计划——创新人才”项目

英语听力速记实训系列



法律

ENGLISH  
NOTE-TAKING  
COURSE  
IN  
LAW

英语听力速记实训教程

支江 刘晓晶 老青  
主编



内附光盘



世界出版 出版社

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# 法律英语听力速记实训教程

ENGLISH NOTE-TAKING COURSE IN LAW

老 青 刘晓晶 支 江 主编



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# 前 言

《法律英语听力速记实训教程》(含 DVD 软件光盘,以下简称《教程》)是 2009 年“北京市人才强教深化计划——创新人才”项目[编号: PXM2009\_014208\_071211,主持人:老青]的成果之一,也是 2007 年北京市级精品课程“英语速记”项目(主持人:老青)[京教函[2007]427 号,“北京市教育委员会关于公布 2007 年度北京高等学校市级精品课程名单的通知”]的延伸,即分专业系列实训课程教材之一。本《教程》由十个单元组成,具体内容和特点为:

1. 注重听→写(录/记)技能的训练。《教程》听力实训从词句的直接快速听写开始,如第 1~10 个单元 PART ONE 的 WORD DICTATION(法律基础术语机械性听写)、PART TWO 的 SPOT DICTATION 中的 WORD STRESS(法律术语在句中的听写)和 WORD RECOGNITION(句子中法律相关知识、语言知识如词义、词性、词形、搭配等辨析性听写)。在此基础上,《教程》拓展实训者从听英语到记英语的比较初级速记能力,即从词句的意义快速记录入门,如第 1~10 个单元 PART THREE 的 COMPOUND DICTATION(法律专业知识和英语知识结合),完成段中的释义性听写与关键词、摘要归纳的速记。

2. 注重单一技能到综合与拓展性技能的实训。第 1~10 个单元 PART FOUR 的 COMPREHENSIVE DICTATION(英汉双语理解与释义性听写)中的 LISTEN + PARAPHRASE(意义记录)、LISTEN + INTERPRETATION(翻译记录)等训练内容。此外,《教程》也为实训者设计了从手写英语到机打英语的立体式全真模拟交互训练体系(参见软件光盘及使用说明)。

3. 《教程》共十个单元。每个单元设立一个主题,共分为两个部分。第 1 单元为第一部分,是法律体系的概述;第二部分是第 2~10 单元,其中 2~9 单元为各类具体法律,涉及宪法、刑法、民法、程序法、家庭法、知识产权法、合同法和国际法。第 10 单元涉及公共安全的一些问题。教程内容设计循序渐进、点面结合、深浅有致。在强化英语听力训练的同时,帮助训练者了解并掌握法律专业的相关知识,有助于法律专业英语的普及与应用。

4. 每个单元后的 DID YOU KNOW(中文版小知识介绍)和 LANGUAGE NOTES(语言点注释)、单元分类词汇表(包括词句段以外的拓展性词语)和相关附录内容,是为方便实训者及广大英语爱好者学习,增加了教程知识性与趣味性。

5. 《教程》(含软件光盘)将技能模块拆解重构,各单元均包含了“听写→听记→听释→听译→听打”实训环节,可以作为高等职业院校英语听力课实训教材或法律专业技能强化训练匹配教材。

## 6. 实训教学课时分配的建议

总学时:36(每教学周3学时) 课程导学:3学时 课程测试:3学时

单元教学:30学时(平均每单元3学时,其中教师示范引导1学时,学生实际操练2学时)

《教程》(含软件光盘)先后得到了中国社会科学院研究生院、北京师范大学、中法网等单位的大力支持与帮助,在此向上述单位表示感谢!

由于编者水平有限,教程中难免有各种错误,敬请专家、读者批评指正。

编 者

2011 年 2 月于北京

# CATALOGUE

## **TRAINING PROGRAMS** ..... ( 1 )

**Unit One      Law & Legal System: Introdcion** ..... ( 3 )

**Unit Two      Constitutional Law** ..... ( 9 )

**Unit Three    Criminal Law** ..... ( 15 )

**Unit Four     Civil Law** ..... ( 21 )

**Unit Five     Procedural Law** ..... ( 27 )

**Unit Six      Family Law** ..... ( 33 )

**Unit Seven    Intellectual Property Law** ..... ( 39 )

**Unit Eight    Contract Law** ..... ( 46 )

**Unit Nine     International Law** ..... ( 53 )

**Unit Ten      Public Security** ..... ( 59 )

## **TRANSCRIPTS & KEYS** ..... (67)

## **VOCABULARY** ..... (157)

## **REFERENCES** ..... (173)

# **TRAINING PROGRAMS**



# **Unit One Law & Legal System: Introduction**

## **Part One Word Dictation**

### **Activity 1**

#### **Group 1**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### **Group 2**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### **Group 3**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### **Group 4**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### **Group 5**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

### **Activity 2**

#### **Group 1**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### **Group 2**

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

## Part Two Spot Dictation

### Activity 1

**Word Stress:** Listen and fill in each blank with the exact word or phrase you hear.

1. The present \_\_\_\_\_ of the People's Republic of China began developing in the late 1970's.
2. It is widely accepted in China that \_\_\_\_\_ must be reformed if they are to play the essential role of regulating China's developing market.
3. The oldest extant and complete \_\_\_\_\_ was compiled in AD 653 during the Tang Dynasty.
4. The Chinese character for Fa ( “法” ) denotes a meaning of “ \_\_\_\_\_ ”, “straight” and “just”.
5. Ideally, individuals were to be \_\_\_\_\_ before the law.
6. The need for reconstructing a legal system to restrain \_\_\_\_\_ of official authority was seen.
7. In \_\_\_\_\_ laws, the PRC has been influenced by a number of sources.
8. After the transfers of sovereignty, Hong Kong continues to practise \_\_\_\_\_.
9. The basic principles of Chinese \_\_\_\_\_ include generality and flexibility.
10. The idea of \_\_\_\_\_ was introduced to China from the West.

### Activity 2

**Word Recognition:** Listen and choose the appropriate word to fill in each blank.

1. Often laws are drafted on a trial \_\_\_\_\_. (base / basis / basic)
2. This process of creating a legal infrastructure has led to many situations where the laws are \_\_\_\_\_.  
(miss / missed / missing)
3. The laws are sometimes \_\_\_\_\_. (confusing / confused / confuse)
4. This law is \_\_\_\_\_ with that one. (contradiction / contradictory / dictionary)
5. Judicial decisions in China have more precedential value than in most \_\_\_\_\_ law jurisdiction.  
(civil / civilized / civilizable)
6. Legal \_\_\_\_\_ became a government priority in the 1990s. (inform / perform / reform)
7. Hong Kong and Macau are outside of the legal \_\_\_\_\_ of the People's Republic of China, except on constitutional issues. (judicial / jurisdiction / judiciary)
8. The \_\_\_\_\_ of “yi fa zhi guo” (“governing the nation in accordance with law”) has been part of the Chinese Communist Party's official policy since the mid-1990s. (concept / exception / conceptional)
9. Chinese law \_\_\_\_\_ certainty through the shared values of Chinese society. (drives / deprives / derives)
10. The law codes which were \_\_\_\_\_ were modeled closely after that of Germany. (adopted / adapted / adoption)

## Part Three Compound Dictation

### Activity 1

**Retelling Dictation:** Listen and complete the passage with the words or phrases according to what you've heard from the speaker.

In traditional China, \_\_\_\_\_ powers were vested in the emperor. While the emperor \_\_\_\_\_ laws, which were \_\_\_\_\_ on all of his subjects, the same law did not bind the emperor. The emperor was the \_\_\_\_\_ judicial power. He could determine the guilt of \_\_\_\_\_ individuals, dictate the penal sentence, or modify the judgments given by lower judicial authorities.

### Activity 2

**Summary:** Listen and sum up the passage with the words or phrases according to what you've heard from the speaker.

Under the American legal system, \_\_\_\_\_ Constitutional Law originates from the U. S. \_\_\_\_\_. \_\_\_\_\_ Constitutional Law originates from the individual state constitutions. Statutes and Ordinances are legislation passed on the federal, state, or local levels. \_\_\_\_\_ Law is based on the concept of \_\_\_\_\_. Common law applies mostly at the state level. Administrative Law is made by administrative agencies.

## Part Four Comprehensive Dictation

### Activity 1

**Listen,** write down 5 expressions in English and then match them with the Chinese numbered 1-10.

A.	1. ( ) 无罪辩护
B.	2. ( ) 无罪推定
C.	3. ( ) 证据不足
D.	4. ( ) 呈交诉状或提出请求
E.	5. ( ) 正当程序
	6. ( ) 法庭聆讯
	7. ( ) 不成文法
	8. ( ) 执法
	9. ( ) 认罪
	10. ( ) 非法行为

## Activity 2

*Listen and write down each sentence in English, and then choose the Chinese from A - C that matches in meaning to what you've heard.*

1. \_\_\_\_\_.  
A) 司法指法庭是否有权聆讯一个特定的案件。  
B) 司法权指法庭是否有权聆讯一个特定案件。  
C) 司法指法庭是否有权聆听一个特定的案件。
2. \_\_\_\_\_.  
A) 被告通常有权上诉。  
B) 被告通常可以在权限期内上诉。  
C) 被告通常在一定期限内有一次上诉的权利。
3. \_\_\_\_\_.  
A) 1982 年的宪法没有明确国际法在中国法律中的地位。  
B) 1982 年的宪法没有指定国际法和中国法律的关系。  
C) 1982 年的宪法没有明确如何对待中国法律项下的国际法。
4. \_\_\_\_\_.  
A) 律师问陪审员以便发现是否有偏袒一方的情况。  
B) 律师诘问陪审员以期发现任何可能存在的偏见。  
C) 律师追问陪审员以看出他们是否公正。
5. \_\_\_\_\_.  
A) 西方媒体对中国法制的报道为压倒性地一边倒。  
B) 西方媒体对中国法制的覆盖范围是压倒性的负面信息。  
C) 西方媒体对中国法律体制的报道普遍都是负面的。

## NOTES

### Did You Know?

法系这一术语，是 19 世纪以来随着比较法学的兴起而提出来的。后来在西方法学中被广泛采用。法系是按照法历史传统和法的外部特征对法进行的分类。西方学者对划分法系的标准说法不一，其中大陆法系和英美法系是最主要的两大法系。

大陆法系又称民法法系 (the civil law system)、罗马—日耳曼法系或成文法系。在西方法学著作中多称民法法系，中国法学著作中惯称大陆法系，指包括欧洲大陆大部分国家从 19 世纪初以罗马法为基础建立的、以 1804 年《法国民法典》和 1896 年《德国民法典》为代表的法律制度以及其他国家或地区仿效这种制度而建立的法律制度。它的主要历史渊源是罗马法和日耳曼法，此外还有教会法、商法和城市法。大陆法系的特征有：(1) 大陆法系系统地、直接地接受罗马法的影响。法国民法典、德国民法典的结构、内容、原则、形式都深受罗马法的影响。这两部著名的民法典是

大陆法系的核心和标志，大陆法系有两个分支，一个以法国民法典为代表的拉丁分支，一个以德国民法典为代表的日耳曼分支，各具特色。(2) 大陆法系一般不存在判例法，成文法是它的法律形式，重视法典的编纂，由各部门法构成完整的成文法体系。指定法律注重层次和体系，讲究相互和谐与配合。法学教授、专家对法律的制定和发展有较重要的影响。通常说，英美法系是法官造法，而大陆法系是教授立法。(3) 明确立法与司法的分工，强调成文法典的权威性。虽然也允许法官有自由裁量的余地，并承认判例和习惯在解释法律方面的作用，但一般不承认法官的造法职能，强调立法是议会的权限，法官只能适用法律，决案必须援引制定法，不能以判例作为依据。

英美法系 英美法系又称普通法系，是指以英国中世纪以来的法律，特别是以它的普通法为基础，发展起来的法律制度的体系。普通法是与衡平法、教会法、习惯法和制定法相对应的概念，由于其中的普通法对整个法律制度的影响最大，所以，英美法系又称为普通法系。美国的法律源于英国传统，但从 19 世纪后期开始独立发展，已经对世界的法律产生了很大的影响。英美法系的分布范围主要包括英国（苏格兰除外）、美国（路易斯安那州除外）、加拿大（魁北克除外）、澳大利亚、新西兰、印度、巴基斯坦、新加坡、南非等国和中国的香港。英国法传统的传播主要是通过殖民扩展实现的。英美法系的基本特点是：(1) 判例法是法律的主要渊源。例如作为英国法律主要构成部分的普通法和衡平法都是由王室法院和大法官法院的司法判例长期积累而成，判例法为英国法律的主要渊源。(2) 遵循先例原则和判例汇编具有重要意义。遵循先例原则的基本含义就是包含在以前判决中的法律原则对以后同类案件有约束力。(3) 法官和法学家对法律的发展起着重要作用。在英国法中，法官和法学家起了重要的作用。英国法是以判例法为基础的，判例法是英国法的基本构成部分和主干，而判例法则是由法官在长期审判活动中所做出的判决积累而成的，因此法官的判决起着立法的作用。

## Language Notes

1. Hong Kong and Macau are outside of the legal jurisdiction of the People's Republic of China, except on constitutional issues.

除了宪法方面的问题以外，香港和澳门都不隶属于中华人民共和国的司法管辖权。

2. presumption of innocence: 无罪推定

3. file a petition: 呈交诉状或提出请求

4. due process: 正当程序

5. unwritten law: 不成文法

6. enforcement of law: 执法

7. In traditional China the emperor was vested with the executive, legislative and judicial powers.

传统上，中国帝王将行政权、立法权和司法权集于一身。

8. While the laws created by the emperor were binding on all of his subjects, the same law did not bind the emperor.

帝王制定的法律对其子民均有约束力，却不约束帝王本人。

9. As the supreme judicial power, the emperor could determine the guilt of accused individuals, dictate the penal sentence, or modify the judgments given by lower judicial authorities.

作为最高司法权力机关，帝王有权定夺被告个体的罪行，宣布刑事判决，或对级别较低司法机关的判决进行改判。

10. Statutes and Ordinances are legislation passed on the federal, state, or local levels.  
法规和条例是于联邦、州或地方上通过的立法。
11. Common Law is based on the concept of precedence – on how the courts have interpreted the law. Under Common Law, the facts of a particular case are determined and compared to previous cases having similar facts in order to reach a decision by analogy.  
普通法基于判例先例——即法庭之前对于法律的解读。依据普通法，一个特定案件的事实需要和此前案例的事实进行比较，通过类比的方式进行判决。
12. Common Law applies mostly at the state level. It originated in the 13th century when royal judges began recording their decisions and the reasoning behind the decisions.  
普通法主要在各个州适用。普通法起源于 13 世纪，那时皇家法官开始记录他们所作的判决及判决背后的论据。

# Unit Two Constitutional Law

## Part One Word Dictation

### Activity 1

#### Group 1

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### Group 2

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### Group 3

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### Group 4

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### Group 5

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

### Activity 2

#### Group 1

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

#### Group 2

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.

## Part Two Spot Dictation

### Activity 1

**Word Stress:** Listen and fill in each blank with the exact word or phrase you hear.

1. After the founding of the People's Republic, the transition of Chinese society from a new-democratic to a socialist society was \_\_\_\_\_ step by step.
2. Both the victory of China's new-democratic revolution and the successes of its socialist cause have been \_\_\_\_\_ by the Chinese people of all nationalities.
3. China's \_\_\_\_\_ in revolution and construction are inseparable from support by the people of the world.
4. This Constitution \_\_\_\_\_ the basic system and basic tasks of the state in legal form.
5. All power in the People's Republic of China \_\_\_\_\_ the people.
6. The state organs of the People's Republic of China apply the principle of \_\_\_\_\_.
7. The National People's Congress and the local people's congresses at different levels are instituted through \_\_\_\_\_.
8. All administrative and \_\_\_\_\_ organs of China are created by the people's congresses.
9. All nationalities in the People's Republic of China are \_\_\_\_\_.
10. Citizens of the People's Republic of China enjoy \_\_\_\_\_.

### Activity 2

**Word Recognition:** Listen and choose the appropriate word to fill in each blank.

1. Citizens of the People's Republic of China enjoy freedom of religious \_\_\_\_\_. (believe / belief / brief)
2. Citizens of the People's Republic of China have the right as well as the \_\_\_\_\_ to work. (duty / studio / dude)
3. All legislative powers in the USA are vested in the Congress of the United States, which consists of a \_\_\_\_\_ and House of Representatives. (senator / Senate / snake)
4. The Senate of the United States shall be \_\_\_\_\_ of two Senators from each State. (composed / consisted / imposed)
5. The \_\_\_\_\_ power of the United States of America shall be vested in a President. (execution / execute / executive)
6. The \_\_\_\_\_ of the United States shall be Commander in Chief of the Army and Navy. (President / preside / persistent)
7. The \_\_\_\_\_ power of the United States shall be vested in one Supreme Court and in subordinate courts. (justice / judicial / judge)
8. \_\_\_\_\_ the Chinese Constitution, the National People's Congress (NPC) is the highest organ of state power in China. (In / With / Under)

9. The primary \_\_\_\_\_ of state power in the PRC are the National People's Congress (NPC), the President, and the State Council. (organs / organization / oranges)
10. When the National People's Congress (NPC) is not in session, its \_\_\_\_\_ organ, the Standing Committee, exercises state power. (permit / permission / permanent)

## Part Three Compound Dictation

### Activity 1

**Retelling Dictation:** Listen and complete the passage with the words or phrases according to what you've heard from the speaker.

The National People's Congress (NPC) is the highest organ of state \_\_\_\_\_ in China under the Chinese Constitution. It \_\_\_\_\_ annually for about 2 weeks so that it could review and \_\_\_\_\_ major new policy directions, laws, the budget, and major personnel changes. After previous endorsement by the Communist Party's Central Committee, the State Council presents these \_\_\_\_\_ to the NPC for consideration. Various NPC committees hold active debate in closed \_\_\_\_\_, and changes may be made to accommodate alternate views, although the NPC generally approves State Council policy and personnel recommendations.

### Activity 2

**Summary:** Listen and sum up the passage with the words or phrases according to what you've heard from the speaker.

In the past, China's Constitution has been \_\_\_\_\_ largely irrelevant to \_\_\_\_\_ legal and policy \_\_\_\_\_ in China. However, the Chinese Constitution is becoming more significant in legal reform and broader civil rights protections in China. Constitutionalism is \_\_\_\_\_ in China largely through the \_\_\_\_\_ of popular support for it.

## Part Four Comprehensive Dictation

### Activity 1

**Listen**, write down 5 expressions in English, and then match them with the Chinese numbered 1-10.