INTRODUCTION

English for Lawyers I is part of a two semester English course offered to first year law students. As opposed to the general English they studied before joining higher education, the course attempts to help students understand and use the language of law and develop academic skills. It does this through a wide variety of exercises based on authentic texts from different genres used in the legal profession. On completion of English for Lawyers I, students are expected to:

- write paragraphs and essays effectively
- participate in class discussions (debates and panel discussions) with confidence and fluency
- give effective presentations
- comprehend and summarize texts related to legal matters
- listen to and take notes from lectures and presentations effectively
- answer examination questions, especially essay questions, effectively

Unit 1: Introduction to Academic Skills for Law Students

This is an introductory unit that aims to give students general orientation about study skills and English language learning. It tries to set the stage for the rest of the course by helping the teacher and students create a positive environment and reflect on the students' past learning experiences that could be inhibiting or encouraging to present engagement. Like the remaining parts of the course, this unit presents skills in an integrated manner.

Themes and Materials: Short biography, lecture texts, extracts of speeches by famous people and newspaper research reports.

Skills:

Vocabulary Development Strategy: In this chapter students will explore general methods they can use to increase their vocabulary. This unit lays the foundation for the remaining chapters of the course concerning vocabulary learning.

Speaking: Although the chapter appears to focus on speaking activities, they are integrated with other skills. Students will practice conversation, academic presentation or public speaking skills. They will be given models to analyze and learn from before they are required to make their own speech in front of their classmates. They will make mini presentations in their respective group discussions, prior to presenting before the whole class.

Listening: The unit will also provide notes and exercises on developing comprehension of lectures and note taking.

Reading: Students practice reading for main idea comprehension and information transfer. The reading activity in this chapter also involves an extensive reading exercise, which requires students to read biographies outside of the classroom.

Writing: Students will practice writing and making notes, summarizing biographies of famous people, and drafting answers for essay questions in law.

Part I: Creating the classroom climate

This part deals with establishing a positive classroom environment in order to increase students' confidence to communicate in English. The students will introduce each other, learn about others through interviewing and discussion about past learning experiences and their expectations of the English language course. These activities will help them increase social cohesion and use English for authentic communication in the classroom.

Task 1: Making friends

a) What would you do the first time you meet a person?

Read the following conversations and learn how people make acquaintances.

Informal introduction

Extract 1

A: Hi, I'm Jill Watson.

B: I don't believe we've met. I'm Greg.

Extract 2

A: Have you met, Jason?

Jason, this is Matilda.

M: Hi

J: Hello

How many people are involved in this conversation?

Extract 3

a) While reading the conversation below, answer the following questions.

- Who are the people talking?
- Do they want to be friends? Why?

A: Excuse me, do you mind if I sit down?

B: No. Let me move my bag.

A: Thanks. By the way, do you live in the dorm? I think I've seen you there.

B: Yes, I just moved in last week.

A: I live in the dorm, too.

B: Oh, really? Do you like it?

A: Yeah, it's okay. I have people from different regions so it would be a good opportunity to learn about Ethiopian cultures.

B: Oh, alright. Well, it is almost time for my class. By the way, my name is Dilamo.

A: Hi, Dilamo. I'm Serkalem.

B: Nice meeting you, Serkalem. I'll probably see you around.

A: Okay. Bye, Dilamo.

b) Meet many more people in your class

First introduce yourself to students you don't know in your class. Learn as much as you can about your friends. Introduce your new acquaintances to your old friends in class.

(Students should stand and move around in the classroom.)

Formal Introduction

I'd like to introduce you to my dear friend, Mrs. Pleasant. //Allow me to introduce myself/my colleague, Ms. Winters. //Let me introduce you to my colleague, Dean Richards.

Mr. Richards, this is David Porter from Aerospace Inc.

How do you do?

How do you do? // It's a pleasure meeting you.

c) Practice formal introduction in pairs.

One of you takes the role of a professor, the other a student. The student will introduce herself/himself formally.

NB: Important body language to remember: smile, maintain eye contact, give a firm handshake.

Task 2: Talk about expectations of college life

a) Talk about your expectations of academic work and social life in the college, i.e. challenges and opportunities.
b) In groups of 4, discuss your expectations of English for Lawyers.
c) In groups of 3, discuss why you have chosen to study law and what you plan to do with your qualification.

d) In groups of 4, pretend you are going to meet senior law students to find out how they have survived the demands of college education. Prepare your questions beforehand. Present your findings to the class.

Task 3: Reflection on English language learning experiences

The following activities will help you to diagnose your areas of strength and weakness in the English language and to set objectives to maximize what you can gain from English for Lawyers.

Complete the table below individually.

a) How do you rate your ability in the following areas?

Language skill	V. good	Good	Satisfactory	Poor	Reasons
Speaking					
Listening					
Reading					
Writing					
Vocabulary					
Grammar					

b) What do you intend to do to improve your English language competence?

Compare your answers with others.

Task 4: Increasing your vocabulary

a) Vocabulary is very important in language proficiency. Successful students use different strategies to develop their vocabulary.

Which of these have you used?

- Translation
- Using different dictionaries
- Learning similar or opposite meanings
- Concept relationship
- Contextual meanings

Identify other strategies you have used and compare your answers with other students near you**.**

What does knowing a word mean?

Spelling?

Meaning?

Inflections?

Pronunciation?

b) You can use different kinds of dictionaries to develop your vocabulary.

- What do you use to find meanings of technical terms in law?
- What do you use to find synonyms and antonyms?
- What dictionary do you use to learn the pronunciation of a word?

c) Find synonyms, inflections, and pronunciations of the following words in the dictionary.

Thorough
Thoughtful
Authority

d) Learning legal terms

Below are some legal terms. Use Black's Law Dictionary to find their meanings.

Plaintiff
Charge
Litigation
Jurisprudence
Accession
Debt

e) Learning contextual meanings

When you read or listen to what others say you do not have to know every word or the meaning of a new word. You can use the context of the communication to guess the meaning. You can use different clues to do that.

f) Find the contextual meaning of the words underlined in the following passage.

The Sources of English law

The courts are the interpreters and declarers of the law, the 'sources' of law are therefore the sources to which the courts turn in order to determine what it is. Considered from the aspect of their sources, laws are traditionally divided in to two main categories according to the solemnity of the form in which they are made. They may either be written or unwritten.

These traditional terms are misleading, because the expression 'written' law signifies any law that is formally enacted, whether reduced to writing or not, and the expression' unwritten' law signifies all unenacted law. For example, as will appear, judicial decisions are often reduced to writing in the form of law reports, but because they are not formal enactments they are 'unwritten' law. Since the fashion was set by the Code Napoleon many continental countries have codified much of their law, public and private; on the continent, therefore, the volume of written law tends to preponderate over the volume of written law tends to preponderate over the volume of unwritten. But in England unwritten law is predominant, for more of our law derives from judicial precedents than from legislative enactment.

This does not, of course, mean that none of our law is codified, for many parts of it are; such as the law relating to the sale of goods (Sale of Goods Act 1979) and the law relating to partnership (Partnership Act 1890). All that is meant is that, as yet at least, although parliament casts increasing multitudes of statutes upon us, we have not adopted the system of wholesale codification which prevails in many continental countries.

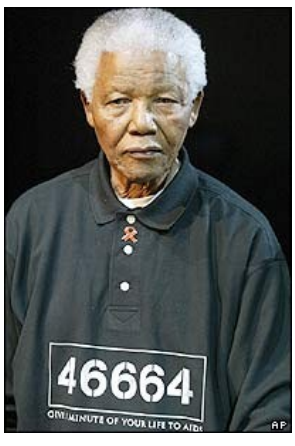
Two principal and two subsidiary sources of English law must be mentioned. These principal sources are Legislation, and Judicial precedent; the subsidiary sources are Custom and Books of Authority.

g) Now discuss in groups of 3 the techniques that you have used to guess the meaning of words in the passage above.

Task 5: Learning from famous people, read Nelson Mandela's profile

Mr. Nelson Mandela is a lawyer by profession, who spent his prime ages fighting apartheid. Read his short biography and match the topics with the appropriate sections in the text below.

lashed with Inkatha	***Sentenced to li***
Stepped down	***imprisonment***
Joined the ANC	***Released after campaign***
Charged with high treason	***Won Nobel Prize for Peace***
Went underground	***Raised by royalty***



Nelson Mandela remains one of the world's most revered statesman, who led the struggle to replace

the apartheid regime of South Africa with a multi-racial democracy. Despite many years in jail, he emerged to become the country's first black president and to play a leading role in the drive for peace in other spheres of conflict. He won the Nobel Peace Prize in 1993.

Since stepping down as president in 1999, Mr Mandela has become South Africa's highest-profile ambassador, campaigning against HIV/AIDS and securing his country's right to host the 2010 football World Cup. Mr Mandela - diagnosed with prostate cancer in 2001 - has also been actively involved in peace negotiations in the Democratic Republic of Congo, Burundi and other African countries. He has also encouraged peace efforts in other areas of the world. Mr Mandela, 85, explained his decision to withdraw from public life as a desire to spend more time with his family and friends and engage in "quiet reflection".

Mr Mandela was born in 1918 into the Madiba tribal clan - part of the Thembu people - in a small village in the Eastern Cape of South Africa. Born Rolihlahla Dalibhunga, Mr Mandela was given his English name, Nelson, by a teacher at his school. His father, a counselor to the Thembu royal family, died when Nelson Mandela was nine, and he was placed in the care of the acting regent of the Thembu people, chief Jongintaba Dalindyebo.

He joined the African National Congress in 1943, first as an activist, then as the founder and president of the ANC Youth League. Eventually, after years in prison, he also served as its president. He married his first wife, Evelyn Mase, in 1944. They were divorced in 1957 after having three children. Mr Mandela qualified as a lawyer and in 1952 opened a law practice in Johannesburg with his partner, Oliver Tambo. Together, Mr Mandela and Mr Tambo campaigned

against apartheid, the system devised by the all-white National Party which oppressed the black majority.

In 1956, Mr Mandela was charged with high treason, along with 155 other activists, but the charges against him were dropped after a four-year trial. Resistance to apartheid grew, mainly against the new Pass laws, which dictated where blacks were allowed to live and work. In 1958, Mr Mandela married Winnie Madikizela, who was later to take a very active role in the campaign to free her husband from prison.

The ANC was outlawed in 1960 and Mr Mandela went underground. Tension with the apartheid regime grew, and soared to new heights in 1960 when 69 black people were shot dead by police in the Sharpeville massacre. It was the end of peaceful resistance and Mr Mandela, already national vice-president of the ANC, launched a campaign of sabotage against the country's economy. He was eventually arrested and charged with sabotage and attempting to violently overthrow the government. Conducting his own defence, Mr Mandela used the stand to convey his beliefs about democracy, freedom and equality.

"I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities," he said.
"It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die."
In the winter of 1964 he was sentenced to life in prison. In the space of 12 months between 1968 and 1969, Mr Mandela's mother died and his eldest son was killed in a car crash but he was not allowed to attend the funerals. He remained in prison on Robben Island for 18 years before being transferred to Pollsmoor Prison on the mainland in

1982. As Mr Mandela and other ANC leaders languished in prison or lived in exile, South Africa's black township children helped sustain the resistance. Hundreds were killed and thousands were injured before the schoolchildren's uprising was crushed.

In 1980, Mr Tambo, who was in exile, launched an international campaign to release Mr Mandela. The world community tightened the sanctions first imposed on South Africa in 1967 against the apartheid regime. The pressure produced results, and in 1990, President FW de Klerk lifted the ban on the ANC, and Mr Mandela was released from prison. The ANC and the National Party soon began talks about forming a new multi-racial democracy for South Africa.

But violent clashes broke out between supporters of the Inkatha Freedom Party, a Zulu group led by Chief Buthelezi, and ANC supporters. Despite attempts to resolve the problems through talks, the violence escalated and the Inkatha targeted ANC strongholds, with support from the white police force. Relations with Mr de Klerk grew tense as the violence persisted, but the two leaders continued to meet sporadically, in an attempt to stop the bloodshed. In 1992, Mr Mandela divorced his wife, Winnie, after she was convicted on charges of kidnapping and accessory to assault.

In December 1993, Mr Mandela and Mr de Klerk were awarded the Nobel Peace Prize. Five months later, for the first time in South Africa's history, all races voted in democratic elections and Mr Mandela was elected president. The ANC won 252 of the 400 seats in the national assembly. Mr Mandela's greatest problem as president was the housing shortage for the poor, and slum townships continued to blight major cities.

He entrusted his deputy, Thabo Mbeki, with the day-to-day business of the government, while he concentrated on the ceremonial duties of a leader, building a new international image of South Africa. In that context he succeeded in persuading the country's multinational corporations to remain and invest in South Africa.

Mr Mandela gave up the presidency of the ANC in December 1997 in favour of Mr Mbeki, his nominated successor. He stepped down as president after the ANC's landslide victory in the national elections in the summer of 1999, in favour of Mr Mbeki. Since his retirement he has continued travelling the world, meeting leaders, attending conferences and collecting awards. Six years ago he married Graca Machel, the widow of the former president of Mozambique.

(Source: http://news.bbc.co.uk/2/hi/africa/1454208.stm, accessed 21 January, 2007)

a) Information transfer

Read the biography again and complete the event outline for his life.

1918 - ----------

--------- Charged with high treason, but charges dropped

1964 - ----------

-------- Freed from prison

1993 ----------

---------- Elected first black president

1999 ----------

b) In groups, discuss what you can learn from the life of Mr. Mandela.

c) Extensive reading: In groups of 4, read the biography of your favorite famous Ethiopian or foreign personality (inventor, philosopher or politician) whose contribution is exemplary and present to your class.

Part II: Learning Styles

Your learning style is your preferred way of learning new things.

Every one of us is a unique person. We differ in the way we think, feel or act or learn. We have different learning preferences. Some people prefer to learn by listening to others, others may learn more through touching and movement and hands on activities. As a college/university student you might have had many years of experience that have reinforced your learner characteristics.

Task 6: Reflection

You need to know your predispositions to maximize your learning. Some of them could be helping you to succeed, others could be inhibiting you from learning.

a) How do you learn best? By
Seeing (Visual)
Hearing (Aural)
Reading/writing (learning by reading and writing)
Touching or holding or feeling (Kinesthetic)

b) Match the above categories with the description below.

1) I like to SEE new concepts visualized for me in a drawing. For example, when I learn about a new physiological process, I like to see a diagram that shows me how it works. For me, that's better than listening to someone explain it._____
2) I like to have my HANDS ON things as I learn about them. Of course, this works well in science labs. _____

A_____ learner will benefit by drawing diagrams, whereas a more_____ learner might do better by listening to the lecturer or tapes of the classroom discussion.

A person can have more than one of these learning styles—many of us do. Learners with more than one strong preference are called "multimodal" because they learn well in different modes, not just one.

b) In order to know your own preferences, now think of how you've learned things in the past and what worked best for you. Or you can do the learning style survey questionnaire at http://www.engr.ncsu.edu/learningstyles/ilsweb.html, accessed 9 April 2007)

Another useful way of looking at learning styles is to determine whether you are: an ACTIVE learner or REFLECTIVE learner; a SENSING or INTUITIVE learner; a VISUAL or VERBAL learner; or a SEQUENTIAL or GLOBAL learner.
Figure 1: Learning Styles Index

Sensory learners prefer concrete, practical, and procedural information.	Intuitive learners prefer conceptual, innovative, and theoretical information. They look for the meaning.

They look for the facts.	

Visual learners prefer graphs, pictures, and diagrams. They look for visual representations of information.	Verbal learners prefer to hear or read information. They look for explanations with words.

Active learners prefer to manipulate objects, do physical experiments, and learn by trying. They enjoy working in groups to figure out problems.	Reflective learners prefer to think things through, to evaluate options, and learn by analysis. They enjoy figuring out a problem on their own.

Sequential learners prefer to have information presented linearly and in an orderly manner. They put together the details in order to understand how the big picture emerges.	Global learners prefer a holistic and systematic approach. They see the big picture first and then fill in the details.

Sensory Learners – If you rely too much on sensing, you may tend to prefer what is familiar, and concentrate on facts you know instead of being innovative and adapting to new situations. Seek out opportunities to learn theoretical information and then bring in facts to support or negate these theories.

Intuitive Learners – If you rely too much on intuition you risk

missing important details, which can lead to poor decision-making and problem solving. Force yourself to learn facts or memorize data that will help you defend or criticize a theory or procedure you are working with. You may need to slow down and look at detail you would otherwise typically skim.

Visual Learners – If you concentrate more on pictorial or graphical information than on words, you put yourself at a distinct disadvantage because verbal and written information is still the preferred choice for delivery of information. Practice your note taking and seek out opportunities to explain information to others using words.

Verbal Learners – When information is presented in diagrams, sketches, flow charts, and so on, it is designed to be understood quickly. If you can develop your skills in this area you can significantly reduce time spent learning and absorbing information. Look for opportunities to learn through audio-visual presentations (such as CD-ROM and Webcasts.) When making notes, group information according to concepts and then create visual links with arrows going to and from them. Take every opportunity you can to create charts and tables and diagrams.

Active Learners – If you act before you think, you are apt to make hasty and potentially ill-informed judgments. You need to concentrate on summarizing situations, and taking time to sit by yourself to digest information you have been given before jumping in and discussing it with others.

Reflective Learners – If you think too much you risk doing nothing… ever. There comes a time when a decision has to be made or an action taken. Involve yourself in group decision-making whenever possible

and try to apply the information you have in as practical a manner as possible.

Sequential Learners – When you break things down into small components you are often able to dive right into problem solving. This seems to be advantageous but can often be unproductive. Force yourself to slow down and understand why you are doing something and how it is connected to the overall purpose or objective. Ask yourself how your actions are going to help you in the long run. If you can't think of a practical application for what you are doing then stop and do some more "big picture" thinking.

Global Learners – If grasping the big picture is easy for you, then you can be at risk of wanting to run before you can walk. You see what is needed but may not take the time to learn how best to accomplish it. Take the time to ask for explanations, and force yourself to complete all problem-solving steps before coming to a conclusion or making a decision. If you can't explain what you have done and why, then you may have missed critical details.

Now find out whether you are an active (A) or reflective (R) learner. Which of the following statements describes you?

- I am a "Let's try it out and see how it works" type of person. (A)
- I like group work. (A)
- I like working alone. (R)
- I am "Let's think it through first" is the reflective learner's response. (Reflective)
- Sitting through lectures without getting to do anything physical but take notes is hard for me. (Can be both A & R, but more of an A)

Everybody is active sometimes and reflective sometimes. Your preference for one category or the other may be strong, moderate, or mild. A balance of the two is desirable. If you always act before reflecting you can jump into things prematurely and get into trouble, while if you spend too much time reflecting you may never get anything done.

Which of these strategies can fit Active or Reflective?

1. If your class allows little or no class time for discussion or problem-solving activities, you should try to compensate for these lacks when you study.
2. Study in a group in which the members take turns explaining different topics to each other. Work with others to guess what you will be asked on the next test and figure out how you will answer. You will always retain information better if you find ways to do something with it.
3. If your class allows little or no class time for thinking about new information, you should try to compensate for this lack when you study.
4. Don't simply read or memorize the material; stop periodically to review what you have read and to think of possible questions or applications. You might find it helpful to write short summaries of readings or class notes in your own words. Doing so may take extra time but will enable you to retain the material more effectively.

SENSING AND INTUITIVE LEARNERS

Read the statements below and find out if you are a sensing learner or an intuitive learner.

1. I tend to like learning facts. _____

2. I often prefer discovering possibilities and relationships. _____
3. I often like solving problems by well-established methods and dislike complications and surprises. _____
4. I like innovation and dislike repetition. _____
5. I am more likely to resent being tested on material that has not been explicitly covered in class. _____
6. I tend to be patient with details and good at memorizing facts and doing hands-on (laboratory) work. _____
7. I may be better at grasping new concepts and am often more comfortable with abstractions and mathematical formulations. _____
8. I tend to be more practical and careful. _____
9. I tend to work faster and to be more innovative. _____
10. I don't like courses that have no apparent connection to the real world. _____
11. I don't like "plug-and-chug" courses that involve a lot of memorization and routine calculations. _____

Everybody is sensing sometimes and intuitive sometimes. Your preference for one or the other may be strong, moderate, or mild. To be effective as a learner and problem solver, you need to be able to function both ways. If you overemphasize intuition, you may miss important details or make careless mistakes in calculations or hands-on work; if you overemphasize sensing, you may rely too much on memorization and familiar methods and not concentrate enough on understanding and innovative thinking.

What strategies can work for me if I am a sensing learner or intuitive learner?

What strategies can work for me if I am a visual, verbal, sequential or global learner?

Read the notes annexed to the chapter to do this exercise.

Task 7: Maximizing brain function

Another mechanism to be effective in your study is knowing how your mind works.

a) Make notes for the following questions, then discuss in groups.

- ***Do you like sleeping during the day?***
- ***How many hours do you normally sleep?***
- ***Do you know your performance peek? When is it?***

b) Read the research report below and discuss its implications for your study.

Sleeping helps students revise

Sleeping is a vital part of the learning process. Students who stay up all night revising might be doing more harm than good to their exam chances, say researchers in the United States. Researchers at Harvard Medical School in Boston say that losing out on sleep disrupts students' ability to learn and remember.

The study reports that sleep is an important aspect of the learning process and that if students miss out on sleep their ability to perform academic tasks declines. And even if students tried to catch up on missed sleep, the negative impact on performance was still apparent three days after the initial loss of sleep. This would mean that even if students were sleeping the night before an exam, their performance

could be adversely affected by an all-night revision session from a few days before.

Sleep deprivation

Researchers measured the way that a group of students were able to learn sequences of patterns over four days - with some of the group being deprived of sleep on the first night and others enjoying a full night's sleep.

And the researchers concluded that there was a link between lack of sleep on the first night and a subsequent under-performance in memory tests several days later. The suggestion is that sleep plays an important part in the way that people learn, with the sleep process helping to make new information "stick".

"Our research shows that you need sleep that first night if you want to improve on a task," said Robert Stickgold, a psychiatrist at Harvard Medical School.

"We think that getting that first night's sleep starts the process of memory consolidation. It seems that memories normally wash out of the brain unless some process nails them down. My suspicion is that sleep is one of those things that does the nailing down," he said. (Source: http://cogweb.ucla.edu/ep/Sleep.html, BBC Wednesday, 22 November, 2000, 11:58 GMT, Accessed 2 February 2007)

- Do you have a nap any time during the day?
- Are you a day or night person?
- What time of the day do you prefer to do your assignments?

Part III: Understanding Lectures

A lecture is one mode of delivery. It is a mode of communication between the teacher and students. Communication involves sender [S], receiver [R], message [M], channel [C], and feedback [F]. Effective lecture means an effective relationship between these elements.

Task 8: Reflection on practice

a) In groups, reflect on your successful and unsuccessful experience of attending seminars/lectures in English.

b) Which of the following describes your practice in lecture classes?

Listening and Note Taking
While I listen to a lecture, I take notes.------
I copy anything the instructor writes on the board.----------
When I listen, I have writing materials at hand to record the speaker's main ideas.----------
I use a system for taking notes.----------
My notes are good enough to use when I prepare for tests.--------
I feel that I record the main ideas when I take notes from a lecture.----------

c) Individually identify the difficulties you have following lectures in English. Then share your problems and possible strategies of overcoming them.

d) Discuss possible barriers to effective listening to lectures.

Task 9: Organization of the Lecture Texts

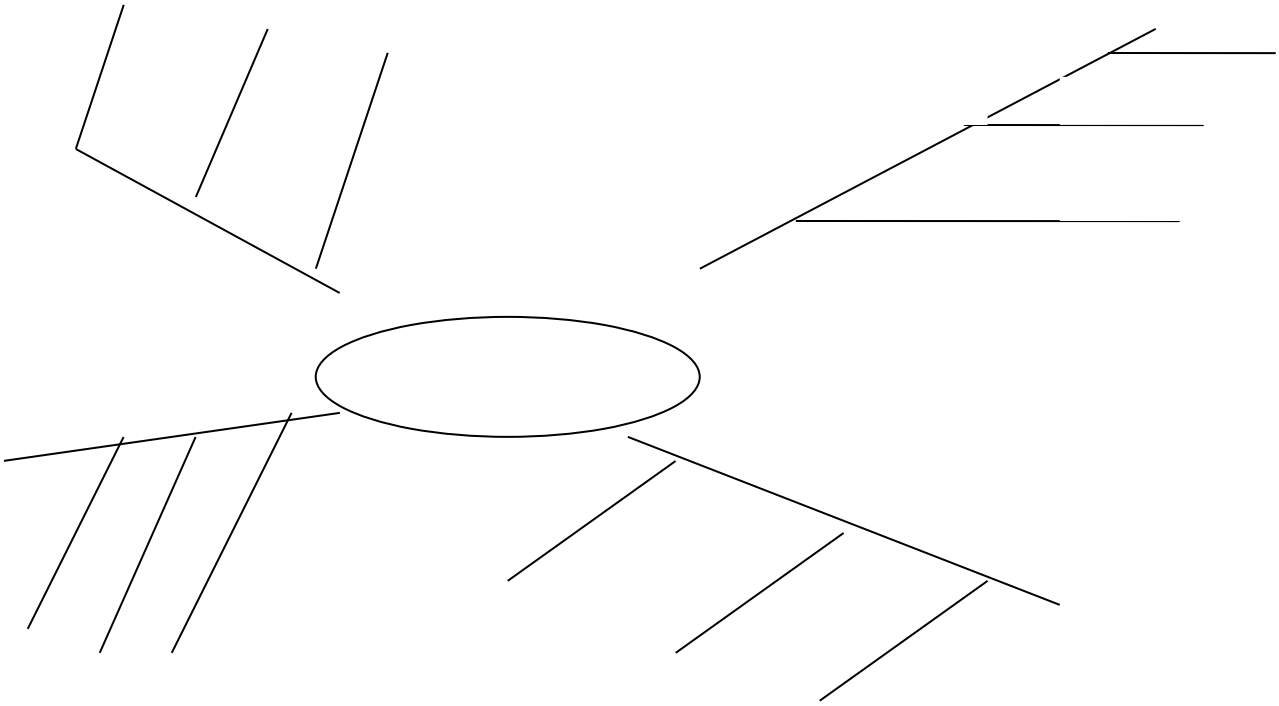
In addition to the elements discussed above, effective lecture note taking depends on understanding the organization of the lecture. The lecture has three major parts: introduction, body and conclusion.

a) Try to recall the lecture you have attended most recently. Discuss in groups the function of the introduction, body and conclusion.

Task 10: Mind mapping lecture notes

Lecture texts have a specific logical structure, which students fail to recognize. This leads to taking linear note making, i.e. writing what the speaker says word for word. In this section, you will practice mind mapping as a technique of organizing your notes.

a) Below is a mind map of a lecture you are going to hear on ‘Marriage customs’. As the teacher reads the text aloud fill in the space in the mind map given below. (The lecture text is annexed to the unit).



Task 11: Coping with the speed of lecture

New university students usually complain about keeping pace with the speed of lectures. If you are coming directly from high school you might as well be facing a similar problem.

a) In groups find out how you can manage the amount of information in the lecture and the pace of the session.

b) Using symbols and abbreviations to make short notes

Use symbols or abbreviations to write the following words or phrases

*Therefore*_____

*Leads to*_____

Results from _____

Between _____

In addition _____

*Without*_____

Part IV: Public Speaking Skills

Oral presentation provides a learning experience and teaches life-long skills that will be beneficial to learners in all school subjects as well as later in their careers. It will help students in many ways: to bridge the gap between language study and language use; to use the four language skills in a naturally integrated way; to collect, inquire, organize and construct information; to enhance teamwork as well as active and autonomous learning.

Task 12: Reflection

Make some notes on the following and discuss your answers in pairs.

a) Have you ever spoken in English in front of a group of people?
   What did it feel like coming in front of people for the first time?
b) Which of the following matter in public speech?

Identify characteristics of an effective and ineffective presentation you have attended.

Appearance

Dress
Posture
Movement
Gestures
Facial expression
Eye contact
Body language

Voice

Projection

Tone

Passion

Pace

Pronunciation

Message

Know the audience

Master the subject matter

Organization (beginning, development and closure)

Punch the start, smooth flow in the middle, and memory hooks

Content appropriateness

Repeat message

Rehearsal

Avoid giving too much information

Language

Avoid jargon or bombastic expressions

Use simple words

Avoid fillers or false starts and rambles

Task 13: Academic Presentation

Academic presentation has its own requirements and styles different from that of public speaking discourse. The text below provides you some ideas you can use to improve your academic presentation skill.

At one time, most university teaching took the form of giving formal lectures. Nowadays, many university teachers try to involve their students more actively in the learning process. One of the ways in which this is done is by conducting seminars. In a seminar, usually

one student is chosen to give his ideas on a certain topic, which is then discussed by the other students (as the participants) in the seminar.

There are two main stages involved in presenting a seminar paper. One is the preparation stage which involves researching and writing up the topic. The other stage is the presentation stage when you actually present the paper to your audience.
Before presentation you need to make all the necessary preparations. In other words you have to do research and write up your ideas. What follows is rehearsal, practicing the speech on your own or in the presence of your friends who may give you comments to improve. Rehearsal allows you to refine or master the organization of your thoughts and the language you use.

There are two ways in which presentation can be done. The first method is to circulate copies of the paper in advance to all the participants. This gives them time to read it before the seminar, so that they can come already prepared with their own ideas about what you have written. The second method is where there is no time for previous circulation, or there is some other reason why the paper cannot be circulated. In that case, of course, the paper will have to be read aloud to the group, who will probably make their own notes on it while they are listening. The second one is normally the most efficient way of conducting a seminar.

You will probably be expected to introduce your paper even if it has been circulated beforehand. There are two good reasons for this. One is that the participants may have read the paper but forgotten some of the main points. The second reason is that some of the participants may not in fact have had time to read your paper,

although they may have glanced through it quickly. They will therefore not be in a position to comment on it, unless they get some idea of what it is all about.

When you are introducing your paper, what you must not do is simply read the whole paper aloud. This is because:

First, if the paper is a fairly long one, there may not be enough time for discussion. From your point of view, the discussion is the most important thing. It is very helpful for you if other people criticize your work: in that way you can improve it.

Second, a lot of information can be understood when one is reading. It is not so easy to pick up detailed information when one is listening. In other words, there may be lack of comprehension or understanding.

Third, it can be very boring listening to something being read aloud. Some of your audience may have read your paper carefully and will not thank you for having to go through all of it again.

1. *Decide on a time limit for your talk. Tell your audience what it is. Stick to your time limit. This is very important.*
2. *Write out your spoken presentation in the way that you intend to say it. This means that you must do some of the work of writing the paper again, in a sense. You may think that this is a waste of time, but it isn't. If a speaker tries to make a summary of his paper while he is standing in front of his audience, the results are usually disastrous.*
3. *Concentrate only on the main points. Ignore details. Hammer home the essence of your argument. If necessary, find ways of*

making your basic points so that your audience will be clear about what they are.

4. *Try to make your spoken presentation lively and interesting. This doesn't necessarily mean telling jokes and anecdotes. But if you can think of interesting or amusing examples to illustrate your argument, use them.*
5. *If you are not used to speaking in public, write out everything you have to say, including examples, etc. Rehearse what you are going to say until you are word perfect.*
6. *When you know exactly what you are going to say, reduce it to outline notes. Rehearse your talk again, this time from the outline notes. Make sure you can find your way easily from the outline notes to the full notes, in case you forget something.*
7. *At the seminar, speak from the outline notes. But bring both sets of notes and your original paper to the meeting. Knowing that you have a full set of notes available will be good for your self-confidence.*
8. *Look at your audience while you are speaking. The technique to use is this: First read the appropriate parts of your notes silently (if your are using outline notes, this won't take you long). Then look up at your audience and say what you have to say. Never speak while you are still reading. While you are looking at your audience, try to judge what they are thinking. Are they following you? You will never make contact with your audience if your eyes are fixed on the paper in front of you.*
9. *Make a strong ending. One good way of doing this is to repeat your main points briefly and invite questions or comments.*

To sum up, you should know that listening is very different from reading. Therefore, something listened to has to be prepared in a

different way from something that is intended to be read. (Source: M. Wallace (1980) Study Skills in English: CUP)

How to make presentations unforgettable

Too many presentations are easy to forget. And that's a big problem because the only reason the presenter gave the talk was to communicate something to you! However, there are three basic things that you can do to ensure that your verbal messages are understood - and remembered - time and time again. Although somewhat obvious and deceptively simple, these are:

- Understand the purpose of the presentation
- Keep the message clear and concise
- Be prepared
- Be vivid when delivering the message
- Use examples to bring your points to life
- Keep your body language up-beat - don't stay stuck behind a rostrum
- Don't talk to fast. Less is more here too. Pauses are effective.
- Use a variety of tones of voice
- Use visual aids.

Task 14: Learning from famous public speakers

Public speaking or oratory demands great communication skills that involve natural and learned talents. Speeches are made to achieve different purposes: to inform, to persuade, to mobilize, and so on.

Below are speeches by two famous Americans.

a) What is each speaker trying to achieve?

b) Identify the following parts in each speech:

Introduction
Body
Closing

a) By President Abraham Lincoln, Length of speech = 1 min. 31 sec.

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men--living and dead--who struggled here, have consecrated it, far above our poor power to add or detract.

The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

It is rather for us to be here dedicated to the great task remaining before us: that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion;

that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

b) By Reverend Martin Luther King Jr.: 9 minutes

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity.

But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check -- a check that will give us upon demand the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to open the doors of opportunity to all of God's children. Now is the time to lift our nation from the quicksand of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.
But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.

We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern

cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident: that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at a table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state, sweltering with the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with a new meaning, "My country, 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the pilgrim's pride, from every mountainside, let freedom ring."

And if America is to be a great nation this must become true. So let freedom ring from the prodigious hilltops of New Hampshire.

Let freedom ring from the mighty mountains of New York.

Let freedom ring from the heightening Alleghenies of Pennsylvania!

Let freedom ring from the snowcapped Rockies of Colorado!

Let freedom ring from the curvaceous peaks of California!

But not only that, let freedom ring from Stone Mountain of Georgia!

Let freedom ring from Lookout Mountain of Tennessee!

Let freedom ring from every hill and every molehill of Mississippi.

From every mountainside, let freedom ring.

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last! Free at last! Thank God Almighty, we are free at last!"

c) Discuss in groups the possible contexts in which these speeches were delivered.

d) Discuss the language qualities of public speaking or oratory displayed in the above speeches.

For example, there are repetitions used. What do the speakers achieving with it?

What other skills

e) Sit in groups and practice reading them aloud. Try to make the speech as natural as possible.

Task 15: Preparing and Practicing Your Own Speech

Group and individual presentation

a) Now in groups, think of a topic you are interested in and plan your presentation.
b) Having learned from the group task, now prepare a 3 minute individual presentation.

When you prepare bear the following in mind

Set objectives (what you want to achieve with the speech)

Gather information

Organize (first broad road map, then details with clear transitions)

Use memory hooks

Rehearse until you are very confident that you have your ideas at your finger tips

Anticipate different kinds of questions the audience might ask

Check your information and language before you face the audience

During the presentation

Make a good impression at the beginning (don’t speak too fast or too slow, project well)

Be relaxed

Smile

Show enthusiasm

Don’t fidget

Avoid other mannerisms

Involve the audience, ask questions, and use members of the audience for demonstration or answering questions

NB: To evaluate your performance, the teacher will use the form annexed to this unit.

Part V: Time Management

One of the factors affecting our academic success is our habits in using time.

Task 16: In your group, discuss the following questions.

What does time mean?

What does time management mean?

Why do we bother about managing time?

- Time is irreversible
- Time is a resource
- Time is precious

Task 17: Reflect on your habits.

Read the following passage and summarize the important points you can learn about time management.

Felix's story is a typical one of procrastination, putting something off- and off. If you looked in the dictionary under procrastination, you'd see my picture there. I was the worst! And the funny thing is, being lazy or avoiding work wasn't the cause. When I was putting something off, I would do anything—clean the house, change the oil in my car, change the oil in a friend's car, do laundry. Doing these things didn't help me when I was up at 5 a.m. the morning a project was due. When turning in a project, I was often tempted to slip it under the prof's door and run. I knew the quality was not very good- that I had not done my best.

Well, one day I was at a movie with Mariesela, my girlfriend. Then I remembered for the twentieth time that I should have been working on my accounting project. I couldn't even enjoy the movie because I was feeling so guilty. When we stopped for food afterward, I told Marisela how I felt about ruining another good time by feeling guilty. "Felix," she said, "just doing the project would be easier than suffering all the guilt. So, do it." She was right.

The next day she helped me list all the parts of the project and when I should complete each part to finish the project on time. After that, everything changed. I developed the habit of making schedules and sticking to them. When I was on schedule or even ahead of schedule, I could say, "you're right where you should be." The guilt was gone.

What do you do when you're procrastinating?

_____

_____

_____

_____

How do you feel when you know you've avoided something for a long time?

_____

_____

_____

_____

How do you spend your day?
When do you start studying the subject seriously?

Part VI: Improving Examination Skills

As university students you face a different level of demand in assessment compared to your high school education. You need to be aware that legal education operates on different assumptions and practices in this regard. This part helps you to develop skills of managing study and answering law essay questions in English.

Task 18: Managing study and time

a) The statements below will help you identify how well you manage your time.
Write T if the statement describes something that is true for you. Write F if the statement describes something that is false for you.

1. I follow a daily schedule.
2. I don't procrastinate.
3. I set priorities among the tasks that I schedule.
4. I study in 20-to 30-minute time blocks.
5. I have a specific place to study.
6. When I study, I listen/I don't listen to my favorite music.
7. I don't study similar subjects like English and law together.

b) Tick next to the sentence(s) that describe your practice in test preparation and test taking.

I prepare well in advance for tests.
I feel calm when I take tests.
I remember what I really know when I take a test.
I complete exams in the time scheduled for them.
I know how to use my notes, textbooks, and handouts to prepare for tests.
After an exam, I go over the answers I got wrong and try to learn the right answers.

c) We read for different purposes and we therefore don't read all texts alike.

Inventory your general reading habits by ticking the appropriate sentence(s).

I like reading.
I keep my place and don't skip lines or words when I'm reading.
I think I read as fast as most other students.
As I read, I don't sound words out by moving my lips.
I usually read groups of words at a time rather than one word at a time.
I am confident that I've understood most of what I've read.
I read well enough for most purposes.
I use a method, such as Survey – Question - Read – Recite - Review (SQ3R) or

Preview-Read-Write-Recite (PRWR), to study textbook material.
I read textbooks at a different speed than I read fiction and magazine articles.
I preview a chapter before I begin to read it.
I read a handout over many times as a way of learning the material.
The more I reread, the more I remember.
I am able to remember materials regardless of whether the text interests me.

Task 19: Managing stress in college

Stress is common in the university, but it gets worse during exam periods.

a) In groups of 4 discuss:
   What does ‘stress’ mean?
   What causes students’ stress?
   What measures do you take if you feel stressed personally?

b) Read the article on stress and answer the questions following it.

Beat stress, drink tea

October 4, 2006 10:59:44 AM PST

Regular cups of tea can help speed recovery from stress, researchers from University College London (UCL) said on Wednesday. Men who drank black tea four times a day for six weeks were found to have lower levels of the stress hormone cortisol than a control group who

drank a fake tea substitute, the researchers said in a study published in the journal Psychopharmacology.

The tea drinkers also reported a greater feeling of relaxation after performing tasks designed to raise stress levels. Andrew Steptoe, of UCL's department of Epidemiology and Public Health, and one of the report's authors, said the findings could have important health implications.

"Slow recovery following acute stress has been associated with a greater risk of chronic illness such as coronary heart disease. Although it does not appear to reduce the actual levels of stress we experience, tea does seem to have a greater effect in bringing stress hormone levels back to normal."

In the study, 75 tea-drinking men were split into two groups, all giving up their normal tea, coffee and caffeinated drinks. Half were given a fruit-flavored caffeinated tea mixture made up of the usual constituents of a cup of black tea. The others were given a caffeinated substitute, identical in taste but without the active tea ingredients. Neither the participants nor the researchers knew who was drinking real or false tea. At the end of six weeks the participants were given a series of tests designed to raise their stress levels, including being given five minutes to prepare and deliver a presentation.

The researchers found that stress levels, blood pressure and heart rate rose similar amounts in both groups. But 50 minutes after the tasks cortisol levels had fallen an average of 47 percent among the tea drinkers, compared to 27 percent in the fake tea group. Steptoe said it was not known which ingredients in tea were responsible for the effects found in the study.

a) Evaluative reading

The above passage presents some evidence on how drinking tea could help control stress. Do you agree?

b) Contextualizing reading

Some people claim that chewing chat or drinking alcohol reduces stress. Get in groups and argue for or against the validity of such claims.

Task 20: Answering essay questions

Essay questions are common in legal education. Students need to learn to understand essay questions and write relevant answers. The lecturer uses language to set a standard level of performance from the students. Usually instruction words (such as define, discuss, examine, and explain, and so on) and key words are where we can find the teacher's expectation.

a) Below are some sample questions from law courses. In groups, identify the instruction words and key words. (one group takes one question)

Sample subjective type questions from Law

Ethiopian Civil Service College, Faculty of Law
Jurisprudence Mid-term examination, 27 June 2005

Instructions

- *This a closed book exam.*
- *Attempt all questions.*
- *Before starting to write your answers, make sure that you have understood the question in its entirety.*

- *Limit yourself only to necessary discussions.*

Question 1:
Discuss the natural law theory of Thomas Aquinas and his contribution to the development of law.

Question 2:
Discuss and examine the differences and interrelationship between law and positive morality.
Question 3:
Explain the differences between common law and continental law.

b) Group task: First discuss the meaning of the following concepts in groups and then write your definition individually.

- What is public law?
- Define private law.

NB: The subject lecturers can be consulted for a comprehensive answer.

Annex 1, Unit 1: Lecture text on marriage customs

Today we are going to look at the social custom of marriage from a sociological point of view. All societies make provisions for who may mate with whom. The benefits of the social recognition of marriage for children are obvious. It gives them an identity, membership of a socially recognized group and some indication of who must support them.

Now almost all societies have marriage, but there are wide variations in marriage systems. I will give three of the important areas of variation, and some details of each area. The three areas I shall deal

with are: firstly, the number of mates each marriage partner may have; secondly, the locality of the marriage (that is, where do the newly married partners set up home?); and thirdly, what arrangements there are for the transfer of wealth after the marriage. Let me deal with each of these in turn.

First, how many mates? In existing human societies there are three possibilities. Most societies recognize POLYGAMY, or the right of a man to take more than one wife. In a few societies (not in Africa) there is POLYANDRY, in which a woman is married to two or more men at the same time. Finally, especially in Europe and societies of European origin, there is MONOGAMY. Monogamy limits one man to one wife and vice-versa.

The second area of variation is, as we have said, the locality of the marriage. Here there seem to be three possibilities: at the husband's home, at the wife's home, or in some new place. The old term for the arrangement when a wife moves to her husband's family's household is a PATRILOCAL marriage; a more modern term is VIRILOCAL. The opposite, when the man moves, it termed MATRILOCAL or UXORILOCAL marriage. The third possibility when they set up a new household somewhere else is called NEOLOCAL marriage.

The last area of variation is transfer of wealth on marriage. Here, once more, we seem to have three possibilities. Firstly we have BRIDEWEALTH. In this system wealth is transferred by the husband or his relatives to the bride's family.

This, of course, is the system familiar in Africa. We should remember that the bride wealth may take the form of the husband's labour services to his father-in-law rather than giving cattle or money. In

some other societies the opposite system prevails and the wife brings with her a portion or DOWRY in the form of money or other wealth such as land. This was the system of, for example, traditional European societies, and is still practices in the Irish countryside. The third possibility is for the transfer of wealth to take the form of gifts to help the young couple set up the new household. This system is associated with the neolocal type of marriage. In England, these gifts are called wedding-presents. The near kin (that is, the near relatives) of both bride and groom contribute and so do friends, neighbors and workmates. The presents customarily take the form of useful household goods, such as saucepans, tea sets or blankets. (Source: Wallace 1991, Study Skills, pp)

Annex 2, Unit 1: Student Evaluation Form

Evaluation form for class presentation, Unit 1 Part IV

Individual/Group number: ____Date: _____Topic_____

- Preparation (if necessary)
  - ___came to the class early to set up equipment
  - ___made sure all equipment was in working condition
  - ___turned in assignment sheet
- Organization
  - ___clear introduction
  - ___logical development
  - ___strong conclusion
  - ___typed and clear outline
- Content
  - ___variety of resources
  - ___amount of research conducted
  - ___originality
- Presentation

    - ___held audience's attention
    - ___spoke with note cards
    - ___eye contact
    - ___time control
    - ___volume of voice
    - ___effectiveness of visual aids
- Oral skills
    - ___adapted the information for the audience (communicative English)
    - ___clarity & fluency
    - ___provided discussion questions or class activities
    - ___involved the audience
- Overall Individual/Group Rating_____
- Teacher comments_____

Annex 3: Unit 1, Sample Law Definition Questions and Answers

1. Define Law briefly.

Law is a set of mandatory rules of conduct made by a competent authority, the parliament of a country for example. It prescribes what one is allowed and what one is not allowed to do. It is mandatory in such away that violation of the rules results in punishment. Yet, it needs to be noted that such rules to be taken as law should be made by a competent authority. Competent authority is an organ of the government that has power to make laws, which in the context of the FDRE constitution is the House of Peoples' Representatives.

2. What are adjective laws?

Adjective laws are laws that stand to enforce substantive laws. It almost covers all rules of law other than substantive laws. In this, the most important are procedural laws both criminal procedure and civil procedure. Law of evidence is also part of the adjective laws.

Annex 4, Unit 1, More tips on answering Essay Questions

- Make notes on back of exam sheet, e g, ACRONYMS.
- Read directions carefully; e g, should you answer all questions?
- Survey all questions before answering and note worth of each question.
- Mark key question words.
- Number all parts of the question.
- Jot notes alongside each question as you read it for the first time.
- Start with the easiest questions to gain confidence.
- Before you answer, make sure you understand question with precision—ASK the instructor if you are unsure.
- When beginning to answer a question, jot down any additional points and number your points and ideas in the order that you will use them.
- Your attitude when writing should be that this paper is targeted at someone who is virtually ignorant of your topic and thus you should explain everything that falls outside the realm of "common knowledge."
- Use facts and logic, not your feelings about something; exams are testing your understanding of a subject matter. Answer the question directly and forcefully in the first sentence and include some of the words in the question to keep you focused.

- Include only one main idea per paragraph—state your important idea clearly and precisely, and then follow this statement immediately supporting factual or logical evidence.

With multi-paragraph answers:

- use transition words to give continuity;
- don't save the best until last;
- end with a summarizing statement or two.
- incorporate instructor's pet ideas;
- be neat—research has shown that when the same paper is written neatly or sloppily, the graders on average rated the neat paper a letter grade higher.
- Write on only one side of the sheet and leave a generous margin.
- Double space to make later editing easier.

Unit 2: Meaning and Types of Law

Themes and Materials: The theme of this unit is the meaning of law (formal and informal). The materials include texts giving basic definitions of customary and formal laws, and describing the practice of customary laws in some Ethiopian ethnic groups.

Language Development: In this unit students are exposed to activities that integrate vocabulary, grammar and skills, as outlined below.

Vocabulary Development: The students will reflect on their vocabulary building strategies with the aim of learning new ones. In this unit they will learn some legal terms and the roots of some legal terms, they will identify meanings in context and use the dictionary to learn synonyms, inflections and pronunciation of English words.

Grammar: This part of the course material will offer review some grammar items related to definition and description. The grammar exercises are presented in a more communicative way.

Skills:

Speaking: In various parts of the unit**,** students are given the opportunity to practice speaking through brainstorming, discussion and presentation in class.

Listening: This unit will also help students exercise listening comprehension and note taking.

Reading: The activities in this part are devoted to developing reading for academic skills such as understanding definitions, understanding main ideas, details, inferencing, text organization, and coherence.

Writing: Students will practice writing short definitions and extended definitions. In order to make English language learning relevant to studying law, they will also practice answering definition questions in law.

Because it is a more demanding skill than others, writing comes at the end of the unit. All activities in the grammar, vocabulary and skills sections lead up to writing.

Part I: Brainstorming

Task 1: Talking about what you already know

What do the following pictures remind you of?



Customary laws are managed in the community



The village court is a powerful way of defending women's rights

Discuss the following questions in groups.

- Who made the first law and why?
- Can we live without law?
- Do you know any customary laws practiced in your area?
- What do customary laws mean?

- Are customary laws harmful or useful?
- How do they differ from formal laws?

Task 2: Listening, The power of Lend Mecho, Hadiya Customary Law

There are many customary laws practiced in Ethiopia. In this section you are going to listen to one of them, 'The power of lend mecho'

a) As you listen to the teacher reading the text, answer the following questions.

1. What does the talk present?
2. How do Hadiya women resolve disputes?
3. Why do the women usually succeed where the men fail to resolve conflicts?
4. How do the women persuade criminals to confess?
5. What is the consequence of not confessing in Hadiya tradition?

b) In groups of 3, discuss and summarize the procedure involved in 'lend mecho.'

Task 3: Presentation: Group Project

In groups of 4, study a customary law or a traditional way of conflict resolution in Ethiopia and present to the class. Employ the presentation techniques you learned in Unit 1 of this course book.

Part II: Reading

Task 4: Reading 1: Sinke, the Oromo stick of justice

When an Arsi Oromo girl gets married, she is given a long, thin stick, the same height as herself. This stick is called a sinke. It shows that she is married – like the wedding ring worn by Western women. It is also a powerful symbol of authority and justice within Oromo society. The woman takes her sinke with her whenever a special ceremony takes place, or whenever she needs it. A woman first receives her sinke at her wedding. It is given to her along with a chocho – a specially decorated woven pot for milk, which she holds in her hand.

A woman can use her sinke to enforce female rights and resolve conflicts according to murti amba, the traditional law of the Oromo. If she sees a group of people fighting, for example, some women carrying their sinkes will intervene, ululating to stop the fight and attract other villagers' attention. They will place their sinkes between the fighters to separate them while the village elders come to resolve the dispute. The men will not dare to continue fighting in the presence of the sinkes, and they are bound traditionally and culturally to respect the decisions that are made.

A woman can also use her sinke as a way of making an appeal. If her family has no cattle or money, she takes her sinke and appeals for a birpba, or "contribution". Her neighbors and people from her ethnic group will feel duty-bound to help – usually by donating livestock to the unfortunate family. A mother whose baby has died, or a woman who is infertile, can use her sinke to appeal for a child to foster. She takes her sinke, a tunto (a baby's milk bottle made of grass) and a kaldo (a leather sling used for carrying a baby) to another family which has a baby. The family will feel obliged to give their baby to her to foster.

A woman who is late in marrying can even use a sinke to get a husband. She borrows a sinke and sneaks to a man's house unnoticed. She first throws the sinke into the house, then goes in and sits down inside. The unsuspecting man has no choice but to accept her as his wife – or to find someone else in his family or ethnic group to marry her. Women also use their sinkes to appeal to God to intercede in the case of calamities such as drought, flood, disease and famine. They gather near a riverbank holding their sinkes, green grass and a qarruu (a small lump of wet mud taken from the riverside), and pray for help, while the men sacrifice an animal as an offering. They will repeat the ceremony until the disaster is over. (Source: Culture and Change: Ethiopian Women Challenging the Future, published by International Institute of Rural Reconstruction(IIRR), 2003.

a) Main idea comprehension

Identify the uses of Sinke described in the passage.

b) Understanding details

1. What does the stick given to an Oromo girl signify?
2. What is chocho?
3. What is the traditional law of the Oromo called?
4. What is described in the passage as 'a powerful symbol of authority and justice'?
5. What does 'the unsuspecting man' refer to in the passage?

c) Contextualizing reading

Discuss the following in groups.

1. Compare the role of women in dispute settlement in Oromo culture with that of Hadiya women presented in the lecture above.

2. How do these other traditions work along the Ethiopian formal law?

Task 5: Reading 2, What is law?

LAW refers to rules established by a governing authority to institute and maintain orderly coexistence. It is an act of a state legislature that has been signed by the head of state, such as the President, or the Queen in countries like Great Britain. Public bills, when signed, become public laws.

In the Middle Ages, law was considered to have been dictated by Divine Will, and revealed to wise men. The most ancient legal precedents and customs were considered to be the best law, and much of Continental Europe wound up modeling secular law after the old Roman law. In Byzantium, secular and sacred laws were somewhat intermingled, with secular law taking precedence. In Western Europe, however, religious and secular law were separate bodies. Church law was known as Canon Law, and applied to the clergy, to the secular world in matters of the administration of the Sacraments such as marriage, and to the immunity of the clergy from secular law. This is the root of the conflict between Church and State. St. Augustine arranged law through three levels:
Divine law, a perfect system comprehended through faith and reason;
Natural law, which could be understood by all creatures, lacked the perfection of faith, and could be improved by philosophy; Temporal (secular) law, obedience to which was
enjoined on all Christians, save where it conflicted with Divine or Canon law.

In its most general and comprehensive sense, law signifies a rule of action, and is applied indiscriminately to all kinds of action, whether

animate or inanimate, rational or irrational. In its more confined sense, law denotes the rule, not of actions in general, but of human action or conduct.

Law is generally divided into four principal classes, namely: natural law, the law of nations, public law, and private or civil law. When considered in relation to its origin, it
is statutory law or common law. When examined as to its different systems it is divided into civil law, common law, or canon law. When applied to objects, it is civil, criminal or penal.

It is also divided into natural law and positive law. Laws can be classified as written law, lex scripta, and unwritten law, lex non scripta; or into merchant law, martial law, municipal law and foreign law. When considered as to their duration, laws are immutable and arbitrary or positive. When viewed as to their effect, they are prospective or retrospective.

a) Reading for main ideas

Answer the following questions based on the reading passage below.

1. How can law be defined?
2. On what basis can law be divided?

b) Reading for details

1. When do bills become laws in countries like Great Britain?
2. What causes conflict between church and state?
3. Mention three groups of law identified by St Augustine.
4. How are general and strict definitions of law differentiated?
5. In terms of its origin, law can be _____ and _____

c) Inferencing

Are the following statements true or false?

1. According to the passage secular laws always applied to Christians.
2. Canon laws in Western Europe applied to the clergy alone.

Task **6***: Reading 3, Customary Law vs. Formal Law*

[The following text is modified from Bruce Benson's The Enterprise of Law, available from Laissez Faire Books posted at ***http://jim.com/custom.htm***, retrieved on 17 April 2007). Read it and answer the questions that follow.]

1) Law can be imposed from above by some coercive authority, such as a king, a legislature, or a Supreme Court or law can develop "from the ground" as customs and practice **evolve**. Law imposed from the top — authoritarian law — typically requires the support of a powerful minority; law developed from the bottom up — customary law — requires widespread acceptance.

2) Customary law is recognized, not because it is backed by the power of some strong individual or institution, but because each individual recognizes the benefits of behaving in accordance with other individuals' expectations, given that others also behave as he expects. Alternatively, if a minority coercively imposes law from above, then that law will require much more force to maintain social order than is required when law develops from the bottom through **mutual** recognition and acceptance.

3) Reciprocities are the basic source both of the recognition of duty to obey law and of law enforcement in a customary law system. That is, individuals must "exchange" recognition of certain behavioral rules for their mutual benefit.

4) Because the source of recognition of customary law is reciprocity, private property rights and the rights of individuals are likely to constitute the most important primary rules of conduct in such legal systems. After all, voluntary recognition of laws and participation in their enforcement is likely to arise only when substantial benefits from doing so can be internalized by each individual. Punishment is frequently the threat that induces recognition of law imposed from above, but incentives must be largely positive when customary law prevails. Individuals must expect to gain as much or more than the costs they bear from voluntary involvement in the legal system. Protection of personal property and individual rights is a very attractive benefit.

5) Under customary law, offenses are treated as **torts** (private wrongs or injuries) rather than crimes (offenses against the state or the "society"). A potential action by one person has to affect someone else before any question of legality can arise; any action that does not, such as what a person does alone or in voluntary cooperation with someone else but in a manner that clearly harms no one, is not likely to become the subject of a rule of conduct under customary law.

6) James Buchanan asked, if government is dismantled “how do rights re-emerge and come to command respect? How do 'laws' emerge that carry with them general respect for their 'legitimacy'?” He contended that collective action would be necessary to devise a “social contract” or “constitution” to define rights and to establish the institutions to enforce those rights. But collective action can be achieved through individual agreements, with useful rules spreading to other members of a group. Demsetz explained that

property rights will be defined when the benefits of doing so cover the costs of defining and enforcing such rights. Such benefits may become evident because a dispute arises, implying that existing rules do not adequately cover some new situation. The parties involved must expect the benefits from resolving the dispute (e.g., avoiding a violent confrontation), and of establishing a new rule, to outweigh the cost of resolving the dispute and enforcing the resulting judgment, or they would not take it to the adjudication system.

7) Dispute resolution can be a major source of legal change since an **adjudicator** will often make more precise those rules about which differences of opinion exist, and even supply new rules because no generally recognized rules cover a new situation. If the relevant group accepts the ruling it becomes part of customary law, but not because it is coercively imposed on a group by some authority backing the court. Thus, good rules that facilitate interaction tend to be selected over time, while bad decisions are ignored.

8) Dispute resolution is not the only source of legal evolution under customary law. Individuals may observe others behaving in a particular way in a new situation and adopt similar behavior themselves, recognizing the benefit of avoiding confrontation. Institutions for enforcement similarly evolve due to recognition of reciprocal benefits.

9) Consider the development of dispute resolution procedures. No state-like coercive authority exists in a customary system to force disputants into a court. Because rules of customary law are in the nature of torts, the aggrieved party must pursue prosecution. Under such circumstances, individuals have strong reciprocal incentives to form mutual support groups for legal matters. The

makeup of such groups may reflect family (as it frequently did in primitive societies), religion (as in some primitive groups), geographic proximity (as in Anglo-Saxon England), functional similarity (as with commercial law), or contractual arrangements (as in medieval Ireland and in medieval Iceland). The group members are obligated to aid any other member in a valid dispute, given that the member has fulfilled his obligations in the past. Thus, ability to obtain support in a dispute depends on reciprocal loyalty.

10) Should a dispute arise, reciprocal support groups give individuals a position of strength. This does not necessarily mean, however, that disputes are settled by warfare between groups. Violence is a costly means of solving a dispute: if the accuser and his support group attack the accused, the accused's group is obliged to **avenge** the attack. Consequently, arrangements and procedures for non-violent dispute resolution should evolve very quickly in customary law systems.
11) The **impetus** for accepting adjudication in a customary legal system (as well as in an authoritarian system) is the omnipresent threat of force, but use of such force is certainly not likely to be the norm. Rather, an agreement between the parties must be negotiated. Frequently, a mutually acceptable arbitrator or mediator is chosen to consider the dispute, but this individual (or group) will have no vested authority to impose a solution on disputants. The ruling, therefore, must be acceptable to the groups to which both parties in the dispute belong. The only real power an arbitrator or mediator holds under such a system is that of persuasion.

12) If the accused offender is found guilty, the "punishment" tends to be economic in nature: **restitution** in the form of a fine or indemnity to be paid to the plaintiff. Liability, intent, the value of the damages, and the status of the offended person all may be considered in determining the indemnity. Every invasion of person or property is generally valued in terms of property.

13) A judgment under customary law is typically enforceable because of an effective threat of total ostracism by the community (e.g., the primitive tribe, the merchant community). Reciprocities between the groups, recognizing the high cost of refusal to accept good judgments, takes those who refuse such a judgment outside their support group and they become **outcasts** or "outlaws." The adjudicated solutions tend to be accepted due to fear of this severe boycott sanction.

14) Carl Menger proposed that the origin, formation, and ultimate process of all social institutions (including law) is essentially the same as the spontaneous order Adam Smith described for markets. Markets coordinate interactions, as does customary law. Both develop as they do because the actions they are intended to coordinate are performed more effectively under one system or process than another. The more effective institutional arrangement replaces the less effective one.

15) The evolutionary process is not one of deliberate design. In the case of primitive societies, for example, early kinship or neighborhood groups were effective social arrangements for internalizing reciprocal legal benefits — as well as other benefits arising out of cooperative production, defense, religious practices, and so on — relative to previously existing

arrangements. Others saw some of those benefits and either joined existing groups or copied their successful characteristics and formed new groups. Neither the members of the earliest groups nor those who followed had to understand what particular aspect of the contract actually facilitated interactions that led to an improved social order.

a) Main idea comprehension

1. What are the distinctions between customary law and authoritarian law?

   _____

2. Which kind of law requires more force to keep order?

   _____

3. What makes the two types of laws discussed here common?

   _____

   _____

   _____

4. Identify the possible sources of legal change discussed in the passage.

   _____

5. What is the power a mediator holds in customary law?

   _____

6. Indicate briefly the procedure that could be followed in conflict resolution in customary law practices.

   _____

   _____

7. What form of punishment does customary law encourage if a person is found guilty?

   _____

b) Understanding organization of text

Usually one paragraph is devoted developing one main idea. For example: paragraph 5 develops how offences are treated in customary law. Read the passage again and identify the main idea in the following paragraphs.

Paragraph 2: _____
Paragraph 4: _____
Paragraph 8: _____
Paragraph 14: _____

c) Punctuation marks for coherence

In speech and writing we employ different techniques to maintain coherence of ideas. We can use transition markers such as however, moreover, therefore, etc.

Identify the function of punctuation marks in the following extracts taken from the reading passage (3).

1… Law can be imposed from above by some coercive authority, such as a king, a legislature, or a supreme court, or law can develop "from the ground" as customs and practice evolve. Law imposed from the top — authoritarian law — typically requires the support of a powerful minority; law developed from the bottom up — customary law — requires widespread acceptance…

2…A judgment under customary law is typically enforceable because of an effective threat of total ostracism by the community (e.g., the primitive tribe, the merchant community)…

Part III: Valuable Development Strategies

Vocabulary is very important in language proficiency. Successful students use different strategies to develop their vocabulary.

Which of these have you used?

- Translation
- Using different dictionaries
- Learning similar or opposite meanings
- Concept relationship
- Contextual meaning

Identify other strategies you have used and compare your answers with other students near you**.** What does knowing a word mean?

Spelling?
Meaning ?
Inflections ?
Pronunciation ?
a) Learning contextual meanings
Find the contextual meaning of the following words taken from the reading passage (3) above.
Evolve (parag. 1)_____
Mutual (parag. 2)_____
Torts (parag. 5) _____
Adjudicator (parag. 7)_____
Avenge (parag. 10)_____
Impetus (parag. 11)_____
Restitution (parag. 12) _____
Outcast (parag. 13) _____

b) Using the dictionary information

What can the dictionary tell you about a word?

Find synonyms, inflections, and pronunciations of the following words in the dictionary.

Thorough

Thoughtful

Authority

c) Learning legal terms

Another source of vocabulary development is learning new terms in your field of study. Below are some legal terms. Match them with their meanings.

Laws: _____

Proclamations: _____

Decrees: _____

Regulations: _____

Rules: _____

Procedures: _____

d) Tracing roots of words

Like other languages, the English language has grown by borrowing words from other languages. For instance, many words used in law come from old languages such as Latin and Greek. See the examples below taken from the reading passage (1) above.

If ‘lex scripta’ means written law, what does ‘lex non scripta” mean?

If infanticide means killing of one’s child, what do the following words mean?

Homicide

Patricide

Genocide

Part IV: Understanding Grammar in the Law

Clauses in the provisions

A clause is part of a sentence. Depending on the number and types of clauses it consists of, a sentence in English can be simple (SS), compound (CS) or complex (CX). How do you categorize the following sentences?

- The Government has lifted the curfew.
- The new party aims to lift visa regulations the old regime imposed on foreigners who have entered the country illegally.
- The man to take charge of the organization of the upcoming exhibition is to be named soon.
- You either attend classes regularly or risk failing the exam.
- Help me with this one and I will accompany you to the post office.
- If you exercise regularly, you can control your sugar level.

a) Read the following statements taken from the Ethiopian Penal Code (2005)

i) Identify parts of the sentence.

ii) Identify where the main message lies in the sentence.

iii) Describe the function of parts of the sentence.

- *Whoever, of his own free will takes part, on the public highways or in a public place, in assemblies forbidden by law, is punishable with a fine not exceeding birr 2000.*
- *Any member of the Defense Forces or any commanding officer who, in time of war, abandons to the enemy, without having*

done everything in his commission, a depot, an establishment, a military camp or installation, munitions, arms, other means of war, bridges, viaducts, railways or any other object of importance to the national defense is punishable with rigorous imprisonment not exceeding twenty years, or in the gravest cases, with rigorous imprisonment for life.

- *Students, probationers or apprentices who disclose a secret which they have learned in the course of their professional training are liable to the punishment prescribed under breaches of professional secrecy.*
- *Where the breach is committed negligently, it is punishable, upon complaint, with a fine not exceeding one thousand birr or simple imprisonment not exceeding one year.*

Task 7: Understanding conditionals

a) Read the above sentences and rewrite them using conditional clauses.

b) Fill the blank with the appropriate words from the list.

In case of if and only if provided if thereon accordance
When where wherever except therein accordingly

1. Nothing in this code shall affect regulations and special laws of criminal nature

---------- that the general principles embodied in this code are applicable to those regulations and laws ---------- as otherwise expressly provided----------.

3. *---------- an act, declared to be a crime under the repealed legislation and Article 5 of Ethiopian Penal Code, was committed it shall be tried in ---------- with the repealed law.*

Task 8: Use of exceptions

Legal provisions sometimes use exceptions. Look at the following example.

'All persons except those 18 years or older must…'

A plainer version of this would be 'Each person under 18 years of age must…'

If possible, state a rule or category directly rather than describing that rule or category by stating its exceptions. Choose the more appropriate sentence. You may use an exception if it avoids a long and cumbersome list or elaborate description. When you use an exception state the rule or category first then state its exception.

Now rewrite the following in plain English.

1) *Mekelle, Awassa, and Nazareth (a list of all towns) must ration…*
2) *No difference in treatment of criminals may be made except as provided by this code, which are derived from immunities sanctioned by public international and constitutional law, or relate the gravity of the crime or the degree of guilt, the age, circumstances or special personal characteristics of the criminal, and the social danger which he represents.*

Task 9: Understanding Modes in the legal provisions

Modals can be used to express *necessity, obligation, certainty, probability*

a) Match the modal expressions with their functions.

Will, Must, should, shall, may, may not

_____imposes an obligation to act, but may be confused with prediction of future action

_____infers obligation, but not absolute necessity

_____predicts future action
_____imposes obligation, indicates a necessity to act
_____indicates discretion to act
_____indicates a prohibition

b) Now read the following extracts and identify the function of the expressions underlined.

- Whoever causes the death of a human being intentionally or by negligence, no matter what the weapon or means is used, commits homicide.
- The punishment to be imposed upon the person who is guilty of intentional or negligent homicide shall be determined according to the following provisions.
- Any person, who committed homicide, whether intentionally or negligently, shall be punished by lawful judicial process and in accordance with decisions rendered thereby.
- A pregnant woman who intentionally procures her own abortion is punishable with simple imprisonment.

c) Identify the difference between the following sets of sentences and discuss your findings.

1. A) The Governor shall approve it. B) The Governor must approve it. C) The Governor will approve it.
2. A) The fine for driving without a license **shall be** $10.00. B) The fine for driving without a license is $10.00.

Task 10: Using words economically

Writing becomes effective if we use words economically. This is called precision. Precision is affected by redundancies or circumlocution.

a) Write in the right column more direct and economical words for the expressions in the left column.

A	B
give consideration to	consider
is applicable to	
make payment	
give recognition to	
not honest	
did not remember	
did not pay any attention to	
did not remain at the meeting	
did not comply with or failed to comply with	

b) Write the following in simple words.

unless and otherwise----------

authorize and direct----------

necessary and desirable----------

If and only if----------

cease and desist----------

each and every----------

any and all----------

full and complete----------

order and direct ----------

means and includes----------

c) Match phrases in column ‘A’ with more appropriate words in column ‘ B’.

A	B
because of the fact that	like
call your attention to the fact that	his failure
for the period of	for
in many cases	sometimes
in many instances	often
in the nature of	since (because)
the fact that he had not succeeded	remind you
the question as to whether	whether

Task 11: Use of active and passive

The active voice eliminates confusion by forcing you to name the actor in a sentence. This construction makes clear to the reader **who** is to perform the duty. The passive voice makes sentences longer and roundabout. Who is responsible is much less obvious. Passive verbs have a form of the verb ‘to be’ (e.g. am, is, are, was, be, been) plus the past participle of a main verb. Examples of passive verbs:

- was received,
- is being considered,
- has been selected.

The passive voice reverses the natural, active order of English sentences. In the following passive example the receiver of the action comes before the actor.
Passive: The regulation [receiver] was written [verb] by the drafter [actor].

Active: The drafter [actor] wrote [verb] the regulation [receiver].

Passive constructions are confusing when used in regulations. Active sentences must have actors, but passive ones are complete without them.

The material will be delivered.	By whom?
The start date is to be decided.	By whom?
The figures must be approved.	By whom?

Putting the actor before the verb forces you to be clear about responsibility.

- The messenger will deliver the material.
- The contractor will decide the start date.
- The administrator must approve the figures.

The passive voice is appropriate when the actor is unknown, unimportant, or obvious. This does not usually apply in regulatory text.

- Small items are often stolen.
- The applications have been mailed.

A) The regulation was written by the drafter. B) The drafter wrote the regulation.

a) The following sentences are taken from the reading passage (2). Identify the passive or active verb forms in each sentence and explain for what purpose they have been used.

1. LAW refers to rules established by a governing authority.
2. This is the root of the conflict between Church and State.
3. It is an act of state legislature that has been signed by the head of the State.
4. St. Augustine arranged law through three levels.
5. In the middle Ages, law was considered to have been dictated by Divine Will, and revealed to wise men.
6. In its most general and comprehensive sense, law signifies a rule of action, and is applied indiscriminately to all kinds of action.
7. Law is generally divided into four principal classes.

b) Rewrite the following text by changing the passive voice into active.

How Parliament makes new laws

New laws can start in either the House of Lords or the House of Commons. They are usually proposed by the Government although they may be proposed by ordinary members. A law which is being proposed is called a Bill until it is passed; then it becomes an Act of parliament.

The Bill first of all goes through its first reading. This just means that the title of the bill is announced and a time is set for it to be discussed. The second reading is really a debate. The Bill may be rejected at this stage. If it is an important Bill this may cause the government to resign. On the other hand, it may be passed, or there may be no vote. If this happens, it goes on to the committee stage where a small group of members (perhaps between 3 and 5) meet and discuss it in detail. (For certain important bills the whole House can turn itself into a committee which means that the detailed discussion is carried on by all the members.) When the committee has finished its work it reports the Bill with all the changes that have been made, to the House. The Bill is discussed again at this stage and more changes can be made. This is called the report stage. Then the Bill is taken for its third reading which is a debate, just like the second reading. A vote is taken and the bill is either passed or rejected. If it is passed it goes to the other house'- i.e. not the one it Was started in. So if the Bill started in the House of Commons, it would go at this point to the House of Lords.

When the bill has been passed by both Houses, it goes to the Queen for the Royal Assent. A bill may not become law until the Royal Assent has been given, but this does not mean that the Queen decides on what will become law and what will not. It is understood that the Queen will always accept Bills which have been passed by both Houses. When the Queen gives her assent, the Bill becomes an Act, and everyone that it affects must obey the new law. (Source: Wallace 199, page 143)

c) Using the model above, describe the law making process in Ethiopia.

Part V: Writing definitions

Def-i-ni-tion (def' e-nish' en) n. 1. The act of defining a word, phrase, or term. 2. The act of making clear and distinct. 3. A determining of outline, extent, or limits.

We can write the definition of a concept, such as law, according to:

1. The category it belongs to
2. Its characteristics
3. Its functions
4. Its classification
5. Its origin

Go back to the reading passage again and identify which of the above elements of definition it fulfils.

Task 12: Short definition

Sentence level definition, X is

X means

X refers to

Here is a dictionary definition of 'love'--"*a strong feeling of fondness for another person, especially between members of a family or close friends*." (Longman Dictionary of English language and Culture, 1992). We can be asked to write short definitions in legal exams. See the example in the box.

Sample Short Law Definition Question and Answer

Q: What is evidence? Or define evidence in short.

Evidence is anything we use to prove or disprove a disputed fact before the court of law.

Task 13: An extended definition

When we write an extended definition (a paragraph or an essay) we can develop the definition by function or characteristics, e.g. X is … and it has the following characteristics.

A definition essay attempts to define a specific term. It could try to pin down the meaning of a specific word, or define an abstract concept. The analysis goes deeper than a simple dictionary definition; it should attempt to explain why the term is defined as such. It could define the term directly, giving no information other than the explanation of the term. Or, it could imply the definition of the term, telling a story that requires the reader to infer the meaning. The following is a diagrammatic representation of a definition for love.



Now read a sample definition essay below.

What is This Thing Called Love?

A wise man once said that love is a wonderful thing. Although this statement leaves sparse room for argument, it does little to define what love is beyond the vague realm of wonderful. It is my duty as a devout romantic to embark upon the seemingly difficult task of defining love by looking at the history, explaining what love is not, and examining the uses of love and the results of that usage.

(Origin and Causes)

2. The origin of the word is probably the most logical place to start. As with many words in the English language, love is a derivative of the Latin word "causemajoraproblemus" which

means "You're miserable when you got it and miserable when you don't." The word was created to explain the biological phenomenon that existed when certain individuals came into contact with each other and either remained together or went about their lives separately. Regardless of the outcome, the relationship was usually characteristic of throat lumps, knotted stomachs, weak knees, temporary loss of language, sweaty palms, dizziness, sneezing, and occasional nausea. Belligerent insanity also resulted. History clearly illustrates this. Can we ever forget the face that launched a thousand ships? The construction of Le Tour Eiffel? All of these were results of love and love lost.
(Negation)

3. Star-crossed lovers have stated that love is not hand nor foot nor any part belonging to a man. Matrimonial ceremonies also claim that love is not jealous or boastful. Let it be stated here that love also is not a delicious meal, a domesticated animal, or a latest trend. Love is not a strategic defense mechanism nor the best kept secret at the Pentagon. Love is not another seasoning to bottle and stick on the dust-lined shelves of the spice rack. Love is not to be confused with adhesive tape.

4. Instead, love is a great counterpart to late, evening thunder storms on hot July nights. Love goes well with cold pizza on picnic blankets. Love is cold, wet sand between bare toes. Love is a capitalistic sell-all for novels, Top-40 pop songs, summer movies, and greeting cards.

6. *In its simplest terms, love is a four-letter word. Much like other words of similar letter make up, when expressed it can evoke*

laughter, pleasure, pain, anger, and virtually any wave of reaction. Love also can be confused with feelings of indigestion and gas. Houses have been built, burned, and banished because of love.

From reading the above definition:

- What is the term that the speaker is trying to define?
- Is the term defined here presented with more complex reasoning than a dictionary definition?
- Identify the purpose of each paragraph in the above essay.

For example;

Paragraph 1: A thesis indicating the need to define love and in what aspects love is going to be treated.

Paragraph 2: _____

Paragraph 3: _____

Paragraph 4: _____

Paragraph 5: _____

Task 14: Giving extended definitions for law questions

a) Discuss in groups the following questions and one of you will take notes as you discuss. You can refer to Ethiopian Codes and appropriate dictionaries. Write the answers in groups. Remember the steps you discussed in unit 1 to answer essay questions.

- Understand the instruction word and the key words.
- Outline your answer
- Compose.

Questions

1. The doctrine of stare decisis is known in the common law legal system as a basis for judicial work in the courts.

Discuss this concept, and make your position clear as to whether this doctrine influenced the Ethiopian judicial system.

2. Select one definition of law (out of the various definitions of law) and discuss its main elements. Evaluate this definition from the point of view of the possible meanings of law in Ethiopian society.

NB: Sample answer for Q.1 has been given in Appendix 2 below.

Annex 1, Lecture text Unit 2, *The power of lend mecho*

Among the Hadiya of southern Ethiopia, women play a big role in resolving conflicts and solving crimes by encouraging people to confess.

Women arbitrate disputes by a process known as lend mecho. They normally intervene in protracted disputes that the male elders have failed to resolve. The women gather together, each holding a tuft of grass. They ask the people involved in the dispute to settle their differences.

If one party agrees to negotiate and the other declines, the women repeatedly ask the reluctant person to agree to a settlement. If he or she still declines, they sit with their backs to him or her to show their annoyance, and shout "lend mecho!" this means the person is condemned.

More often than not, the unwilling person repents. Such repenting is called bafa. The women untie their belts as a sign of forgiveness, and then reconcile the parties.

Women are also involved in a ritual that encourages people to confess to crimes without a witness. When such a crime is committed, elderly women in the community gather in an open field at dawn to perform gufa guda. They then invite the unknown evil-doer: "You who did this evil, come declare it to us and the community".

The guilty person is expected to send a woof (an emissary) to confess to the crime on his behalf. Later, the women make the matter public. They set a fine for the person to pay. From then on, the person is given an amnesty.

If the person does not confess, the women tie a raft of tall grass (usually used for thatch) to curse the person and his or her family.

When sisters intervene, all ends well.
Among the Kembatta of southern Ethiopia, a father arbitrates conflicts among his sons. If he cannot resolve a dispute, he summons the clan's elders to help. If the father dies before his sons, the elders become the first line of arbitration. If they fail, the married sisters intervene. They return to their maiden home to bring peace among their siblings. Their intervention usually works. It is believed that failing to heed their advice will result in misfortune.

Appendix 2, Unit 2, *Sample Essay Question and a possible answer*
Question

The doctrine of stare decisis is known in the common law legal system as a basis for judicial work in the courts. Discuss this concept, and

make your position clear as to whether this doctrine influenced the Ethiopian judicial system.

Sample Answer

In the common law legal system, there is a doctrine of stare decisis, which means stay-by or adhere to decided cases. According to this doctrine, courts of the same and lower level are duty bound to use pre-decided cases as a basis to decide future similar cases that may arise in the courts. While making use of the pre-decided cases as source of law, the courts are not bound to use all parts of the prior judgment. Pre-decided cases mainly hold two Parts: Racio-decidendi and Obiter-dictum. The common law courts use only racio-decidendi, which means legal principles and reasoning part of the judgment. They are not bound to use Obiter dictum, which means opinion entirely unnecessary. The former includes legal principles and reasons whereas the latter includes facts of the case.

The doctrine of stare decisis does not exist in civil law countries including Ethiopia. In Ethiopia, courts are not bound to use pre-decided cases as a basis for deciding future similar cases. Pre-decide cases are binding upon the two parties of the case: plaintiff and defendant, but not upon the whole society. In civil law countries including Ethiopia, courts are not considered as law makers. They interpret and use laws made by parliament. Hence court decisions are not binding laws in Ethiopia, except that courts may use such pre-decided cases of the higher courts as a persuasive source for argument in similar cases. That means courts may only use such pre-decided cases as optional reference for argument if the judges are convinced that the previous case will be of high importance in rendering judgment on the case in hand. Hence, the doctrine of stare

decisis did not influence the Ethiopian judicial system. (Contributed by Ato Woldemichael M., ECSC Institute of Legal Studies)

Unit 3: Democracy and Types of Government

Themes and materials: This unit deals with popular topics like democracy and government. It uses texts from different genres to help students learn legal language and skills. The structure, vocabulary and grammar in the texts are used as inputs for the language and skills activities.

Skills: The unit presents language and academic skills in an integrated manner.

Vocabulary: The unit offers practice opportunities for contextual meanings and synonyms.

Grammar: The unit also provides grammar exercises related to using direct and indirect speech in speaking and writing.

Speaking: Speaking activities in the unit include brainstorming, group discussion, and panel discussion.

Listening: Students will listen to a descriptive text and take notes in order to answer comprehension questions. Before the actual listening activity, students do brain storming and prediction exercises which can help them prepare for the listening comprehension.

Reading: Students will practice reading strategies such as scanning and skimming, activation/prediction before reading, main idea comprehension, coherence and inferences. Texts have narrative, descriptive and comparison/contrast structures that will expose them to rhetorical forms in speaking and writing.

Writing: The speaking, listening, reading, vocabulary and grammar activities in the unit prepare students for writing comparison and contrast which comes at the end.

Part I: Brainstorming

Task 1: Systems of government

Discuss the following in pairs and then share your ideas with other pairs.

a) What does government mean?

b) What do the following words refer to?

Authoritarian
Democratic
Centralized
Dictatorship

c) What gives rise to any type of government system?

Societal values
Culture of a political party
Individual person's personality

d) Who do you think are the sources of today's ideas of government?

Part II: Listening, Government types

Task 2: Prediction

You are going to listen to a lecture describing different types of governments that exist in the world. Before you listen to the lecture, guess which of the following words you will come across.

Constitutional	Due process of law
Monarchy	Enforce limits
Monarch	Unfair
Executive	Infringement
Regimes	Lobbying
Totalitarian	

Check if your friends have chosen the same words.

In your groups now discuss the possible meaning of the words above.

Task 3: Comprehension

As you listen, answer the following questions.

1. State the two main categories of government described in the lecture.

   _____

2. What is a constitution in short?

   _____

3. What is common between all constitutional governments?

   _____

4. Why is Botswana considered a constitutional monarchy?

   _____

5. In a parliamentary system the chief executive is the _____ whereas in _____ it is the president.

6. What do constitutional monarchies and republics have in common?

_____

a) Inferencing

Based on the listening text, write true or false to the following statements. Justify your answers.

1. The lecture argues that the parliamentary system is more democratic than the presidential system. _____

2. Even if the constitution permits unlimited power for the executive, a country with a constitution can be considered a constitutional government. _____

3. The constitution in a parliamentary system is not there to protect the individual's right. _____

b) Information transfer

Use your lecture notes to contrast ***constitutional*** and ***non-constitutional*** governments**.**

Constitutional	**Non-constitutional**

Part III: Reading

Reading 1, the Ancient Philosophers

Task 4: Scanning and Skimming

a) Scan the text below and indicate in which paragraph the following names appear.

Aristotle
Plato
Socrates
Kant
Heraclitus
Parmenides
Thrasymachus

b) Whose work does the passage discuss?
c) Identify which paragraph deals with the following topics.

The Nature of Justice
The Analogy of the Ideal Republic

The Allegory of the Cave and the Divided Line

1) The most famous of Socrates's pupils was an aristocratic young man named Plato. After the death of Socrates, Plato carried on much of his former teacher's work and eventually founded his own school, the Academy, in 385. The Academy would become in its time the most famous school in the classical world, and its most famous pupil was Aristotle.

2) We know much about Plato's teachings, because he wrote dialogues between Socrates and others that would explore philosophical issues. These dialogues would be used in his school as starting points for discussion; these discussions and Plato's final word on the dialogues have all been lost to us. The Platonic dialogues consist of Socrates asking questions of another and proving, through these questions, that the other person has the wrong idea on the subject. Initially, Plato seems to have carried on the philosophy of Socrates, concentrating on the dialectical examination of basic ethical issues: What is friendship? What is virtue? Can virtue be taught? In these early Platonic dialogues, Socrates questions another person and proves, through these questions, that the other person has the wrong idea on the subject. These dialogues never answer the questions they begin with.

3) However, Plato later began to develop his own philosophy and the Socrates of the later dialogues does more teaching than he does questioning. The fundamental aspect of Plato's thought is the theory of "ideas" or "forms." Plato, like so many other Greek philosophers, was stymied by the question of change in the physical world. Heraclitus had said that there is nothing certain or stable except the fact that things change, and Parmenides and the

Eleatic philosophers claimed that all change, motion, and time was an illusion. Where was the truth? How can these two opposite positions be reconciled? Plato ingeniously combined the two in his theory of forms.

4) The most famous of Plato's dialogues is an immense dialogue called The Republic. Next to his account of Socrates' trial, The Apology, The Republic is one of the single most influential works in Western philosophy. Essentially, it deals with the central problem of how to live a good life; this inquiry is shaped into the parallel questions (a) what is justice in the State, or what would an ideal State be like, and (b) what is a just individual? Naturally these questions also encompass many others, such as how the citizens of a state should be educated, what kinds of arts should be encouraged, what form its government should take, who should do the governing and for what rewards, what is the nature of the soul, and finally what (if any) divine sanctions and afterlife should be thought to exist. The dialogue, then, covers just about every aspect of Plato's thought. There are several central aspects to the dialogue that sum up Platonic thought extremely well: a) what the nature of justice is; b) the nature of an ideal republic; and c) the allegory of the cave and the divided line, both of which explain Plato's theory of forms.

5) The question which opens this immense dialogue is: what is justice? Several inadequate definitions are put forward, but the most emphatically presented definition is given by a young Sophist, Thrasymachus. He defines justice as whatever the strongest decide it is, and that the strong decide that whatever is in their best interest is just. Socrates dismisses this argument by proving that the strong rarely figure out what is in their best interest, and this can't be just since justice is a good thing.

6) After Thrasymachus leaves in a royal huff, Socrates starts the question all over again. If one could decide what a just state is like, one could use that as an analogy for a just person. Plato then embarks on a long exposition about how a state might embody the four great virtues: courage, wisdom, temperance, and justice. The remainder of the dialogue is a long exposition of what justice in a state is; this section is considered one of the first major, systematic expositions of abstract political theory. This type of thinking, that is, speculating about an ideal state or republic, is called "utopian" thinking (utopia is a Greek word which means "no-place").

7) Plato (speaking through Socrates) divides human beings up based on their innate intelligence, strength, and courage. Those who are not overly bright, or strong, or brave, are suited to various productive professions: farming, something, building, etc. Those who are somewhat bright, strong, and especially courageous are suited to defensive and policing professions. Those who are extraordinarily intelligent, virtuous, and brave, are suited to run the state itself; that is, Plato's ideal state is an aristocracy, a Greek word which means "rule by the best." The lower end of human society, which, as far as Plato is concerned, consists of an overwhelming majority of people in a state, he calls the "producers," since they are most suited for productive work. The middle section of society, a smaller but still large number of people, make up the army and the police and are called "Auxiliaries." The best and the brightest, a very small and rarefied group, are those who are in complete control of the state permanently; Plato calls these people "Guardians." In the ideal state, "courage" characterizes the Auxiliaries; "wisdom" displays itself in the lives and government of the Guardians. A state may be

said to have "temperance" if the Auxiliaries obey the Guardians in all things and the Producers obey the Auxiliaries and Guardians in all things. A state may be said to be intemperate if any of the lower groups do not obey one of the higher groups. A state may be said to be just if the Auxiliaries do not simply obey the Guardians, but enjoy doing so, that is, they don't grumble about the authority being exercised over them; a just state would require that the Producers not only obey the Auxiliaries and Guardians, but that they do so willingly.

8) When the analogy is extended to the individual human being, Plato identifies the intellect with the Guardians, the spirit or emotions with the Auxiliaries, and the bodily appetites with the Producers. Therefore, an individual is courageous if his or her spirit is courageous and an individual is wise if his or her intellect is wise. Temperance occurs when the emotions are ruled over by the intellect, and the bodily appetites are ruled over by the emotions and especially the intellect. An individual may be said to be just when the bodily appetites and emotions are not only ruled over by the intellect, but do so willingly and without coercion.

9)Far and away the most influential passage in Western philosophy ever written is Plato's discussion of the prisoners of the cave and his abstract presentation of the divided line. For Plato, human beings live in a world of visible and intelligible things. The visible world is what surrounds us: what we see, what we hear, what we experience; this visible world is a world of change and uncertainty. The intelligible world is made up of the unchanging products of human reason: anything arising from reason alone, such as abstract definitions or mathematics, makes up this intelligible world, which is the world of reality. The intelligible world contains

the eternal "**Forms**" (in Greek, idea) of things; the visible world is the imperfect and changing manifestation in this world of these unchanging forms. For example, the "Form" or "Idea" of a horse is intelligible, abstract, and applies to all horses; this Form never changes, even though horses vary wildly among themselves—the Form of a horse would never change even if every horse in the world were to vanish. An individual horse is a physical, changing object that can easily cease to be a horse (if, for instance, it's dropped out of a fifty story building); the Form of a horse, or "horseness," never changes. As a physical object, a horse only makes sense in that it can be referred to the "Form" or "Idea" of horseness.

10) Plato imagines these two worlds, the sensible world and the intelligible world, as existing on a line that can be divided in the middle: the lower part of the line consists of the visible world and the upper part of the line makes up the intelligible world. Each half of the line relates to a certain type of knowledge: of the visible world, we can only have opinion (in Greek: doxa); of the intelligible world we achieve "knowledge" (in Greek, epistemŽ). Each of these divisions can also be divided in two. The visible or changing world can be divided into a lower region, "illusion," which is made up of shadows, reflections, paintings, poetry, etc., and an upper region, "belief," which refers to any kind of knowledge of things that change, such as individual horses. "Belief" may be true some or most of the time but occasionally is wrong (since things in the visible world change); belief is practical and may serve as a relatively reliable guide to life but doesn't really involve thinking things out to the point of certainty. The upper region can be divided into, on the lower end, "reason," which is knowledge of things like mathematics but which require that some postulates be

accepted without question, and "intelligence," which is the knowledge of the highest and most abstract categories of things, an understanding of the ultimate good.

Task 5: Comprehension check

Read the passage again and write the answers to the following questions.

1. Who was Plato’s teacher?

   _____

2. What was Plato’s family background?

   _____

   _____

3. What did platonic dialogues intend to achieve?

   _____

   _____

4. What is the fundamental question in Plato’s famous writing?

   _____

   _____

5. What are the basic elements of Plato’s Philosophy?

   _____

   _____

6. Indicate roles Plato outlined for members of the society.

   _____

   _____

Meaning in context

Find the contextual meaning of the following words taken from the passage.

Lost to us (parag. 2)

_____

Dialectical (parag. 2)

_____

Stymied (parag.3)

_____

Illusion (parag. 3)

_____

Divine sanctions (parag. 4)

_____

Figure out (parag. 5)

_____

Referencing

What do the following refer to in the passage?

These dialogues (parag. 2)

_____

The Socrates of the latter (parag. 3)

_____

This inquiry (parag. 4)

_____

Task 6: Evaluative reading

Read the passage again and discuss the following questions in groups four. One of you will take notes.

1. Are you happy with Plato’s classification of a society?
2. Does he make a fair division of the human soul?
3. What do you think Plato would say about democracy?
4. Would a democratic state be courageous, wise, temperate, and just based on the system Plato sets up here?
5. What would Plato think of a democracy, which is based on elected representatives?
6. What is the "democratic individual" and how does this creature come about?
7. What happens to individuals in a democracy?

Task 7: Library research, extend reading on philosophers

Read about famous philosophers, such as Socrates, Aristotle or others whose biography and work fascinates you. Then present a summary of your findings to your class.

Task 8: Revision of tenses in English

Tense is expressed by the time the verb describes.

a) Identify the tenses used in the passage about Plato’s work and explain why the tenses have been used.

For example, in paragraph 1, line 1, we read ‘*The most famous of Socrates's pupils was an aristocratic young man named Plato.*’ The verb ‘was’ shows a past action, that Plato does not live any longer.

b) In groups, discuss the function of each tense. (This can be self study material for the students to revise the verb form used in each tense and functions)

Simple present

Simple past

Present progressive

Past progressive

Past perfect

Present perfect

Simple future

c) Choose the correct word to fill in the gap.

1. If she _____ about his financial situation, she would have helped him out.

   A) knew **B)** had been knowing **C)** had known **D)** have known

2. I'll _____ their cat while they are away on holiday.

   A) be looking into **B)** be looking at **C)** be looking after **D)** be looking over

3. He made his children _____ their homework every afternoon.

   A) do **B)** to do **C)** studied **D)** to study

4. The test was ____ difficult she had problems finishing it on time.

   A) such **B)** a **C)** as **D)** so

5. By the time she arrives, we _____ our homework.

   A) finish **B)** will have finished **C)** will finish **D)** were finished

6. She _____ lunch by the time we arrived.

   A) had finished **B)** finished **C)** have finished **D)** finishing

7. The sun _____ at 9 last night.

   A) sat **B)** setted **C)** set **D)** was setting

8. When I stopped _____ to Mary, she was picking some flowers in her garden.

   A) speaking **B)** speak **C)** to speak **D)** spoke

9. Despite _____ hard, he failed the exam.

A) he studied **B)** he has studied **C)** studying **D)** study

10. That room _____ for a meeting today.

A) is used **B)** is being used **C)** used **D)** is using

11. We _____ tennis every day when we were young.

A) use to play **B)** would play **C)** were playing **D)** were used to play

12. If I _____ you, I would wait a while to begin investing.

A) was **B)** am **C)** were **D)** would be

13. He'll give you a call as soon as he _____.

A) will arrive **B)** arrives **C)** is arriving **D)** is going to arrive.

Reading 2, Government and democracy

Task 9: Activating what you know

1. What does the word democracy conjure up in your mind?
2. Is the concept of democracy universal?

Task 10: Scanning and Skimming

a) The words in column 'A' are taken from the passage above. First locate them. Then match the words with their meaning in column 'B'

A	B
_____ 1. totalitarian	A. agreement
_____ 2. evoked	B. petition
_____ 3. will	C. brought to mind
_____ 5. tortuous	D. determination
_____ 6. legitimacy	E. authoritarian
_____ 7. consensus	G. sacred
_____ 8. hallowed	H. complicated
_____9. lobby	H. legality

c) Read the passage below and match the topics under Column ‘B’ with the paragraphs in Column ‘A’.

Column A	Column B
_____ 1. Paragraphs 1-7	A. Majority rule and minority rights
_____ 2. Paragraphs 8-10	B. Democratic society
_____ 3. Paragraphs 11-15	C. Government of the people

1. *Democracy may be a word familiar to most, but it is a concept still misunderstood and misused in a time when totalitarian regimes and military dictatorship alike have attempted to claim popular support by pinning democratic labels upon themselves. Yet the power of the democratic idea has also evoked some of history’s most profound and moving expressions of human will and intellect: from Pericles in ancient Athens to Vaclav Havel in the modern Czech Republic, from Thomas Jefferson’s Declaration of Independence in 1776 to Andrei Sakharov’s last speeches in 1989.*

2. *In the dictionary definition, democracy “is government by the people in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system.” In the phrase of Abraham Lincoln, democracy is a government “of the people, by the people, and for the people.”*

3. *Freedom and democracy are often used interchangeably, but the two are not synonymous. Democracy is indeed a set of ideas and principles about freedom, but it also consists of a set of practices and procedures that have been molded through a long, often tortuous history. In short, democracy is the institutionalization of freedom. For this reason, it is possible to identify the time-tested fundamentals of constitutional government, human rights, and equality before the law that any society must possess to be properly called democratic.*

4. *Democracies fall into two basic categories, direct and representative. In a direct democracy, all citizens, without the intermediary of elected or appointed officials, can participate in making public decisions. Such a system is clearly only practical with relatively small numbers of people—in a community organization or tribal council, for example, or the local unit of a labor union, where members can meet in a single room to discuss issues and arrive at decisions by consensus or majority vote. Ancient Athens, the world's first democracy, managed to practice direct democracy with an assembly that may have numbered as many as 5,000 to 6,000 persons—perhaps the maximum number that can physically gather in one place and practice direct democracy.*

5. *Modern society, with its size and complexity, offers few opportunities for direct democracy. Even in the northern United States, where the New England town meeting is a hallowed tradition, most communities have grown too large for all the residents to gather in a single location and vote directly on issues that affect their lives.*

6. *Today, the most common form of democracy, whether for a town of 50,000 or nations of 50 million, is representative democracy, in which citizens elect officials to make political decisions, formulate laws, and administer programs for the public good. In the name of the people, such officials can deliberate on complex public issues in a thoughtful and systematic manner that requires an investment of time and energy that is often impractical for the vast majority of private citizens.*

7. *How officials are elected can vary enormously. On the national level, for example, legislators can be chosen from districts that each elect a single representative. Alternatively, under a system of proportional representation, each political party is represented in the legislature according to its percentage of the total vote nationwide. Provincial and local elections can mirror these national models, or choose their representatives more informally through group consensus instead of elections. Whatever the method used, public officials in a representative democracy hold office in the name of the people and remain accountable to the people for their actions.*

8. *All democracies are systems in which citizens freely make political decisions by majority rule. But rule by the majority is not necessarily democratic: No one, for example, would call a system fair or just that permitted 51 percent of the population to oppress the remaining 49 percent in the name of the majority. In a democratic society, majority rule must be coupled with guarantees of individual human rights that, in turn, serve to protect the rights of minorities—whether ethnic, religious, or political, or simply the losers in the debate over a piece of controversial legislation. The rights of minorities do not depend upon the goodwill of the majority and cannot be eliminated by majority vote. The rights of minorities*

are protected because democratic laws and institutions protect the rights of all citizens.

9. *Diane Ravitch, scholar, author, and a former assistant U.S. secretary of education, wrote in a paper for an educational seminar in Poland: "When a representative democracy operates in accordance with a constitution that limits the powers of the government and guarantees fundamental rights to all citizens, this form of government is a constitutional democracy. In such a society, the majority rules, and the rights of minorities are protected by law and through the institutionalization of law."*

10. *These elements define the fundamental elements of all modern democracies, no matter how varied in history, culture, and economy. Despite their enormous differences as nations and societies, the essential elements of constitutional government—majority rule coupled with individual and minority rights and the rule of law—can be found in Canada and Costa Rica, France and Botswana, Japan and India.*

11. *Democracy is more than a set of constitutional rules and procedures that determine how a government functions. In a democracy, government is only one element coexisting in a social fabric of many and varied institutions, political parties, organizations and associations. This diversity is called pluralism, and it assumes that the many organized groups and institutions in a democratic society do not depend upon government for their existence, legitimacy, or authority.*

12. *Thousands of private organizations operate in a democratic society, some local, and some national. Many of them serve a*

mediating role between individuals and the complex social and governmental institutions of which they are a part, filling roles not given to the government and offering individual opportunities to exercise their rights and responsibilities as citizens of a democracy.

13. *These groups represent the interest of their members in a variety of ways—by supporting candidates for public office, debating issues, and trying to influence policy decisions. Through such groups, individuals have an avenue for meaningful participation both in government and in their own communities. The examples are many and varied: charitable organizations and churches, environmental and neighborhood groups, business associations and labor unions.*

14. *In an authoritarian society, virtually all such organizations would be controlled, licensed, watched, or otherwise accountable to the government. In a democracy, the powers of the government are, by law, clearly defined and sharply limited. As a result, private organizations are free of government control; on the contrary, many of them lobby the government and seek to hold it accountable for its actions. Other groups, concerned with the arts, the practice of religious faith, scholarly research, or other interests, may choose to have little or no contact with the government at all.*

15. *In this busy private realm of democratic society, citizens can explore the possibilities of freedom and the responsibilities of self-government—unpressured by the potentially heavy hand of the state.*

Task 11: Comprehension check

a) Now answer the following questions based on the information in the reading text above.

1. Enumerate the types of democracy described in the reading passage.

_____

_____

2. Explain the concept that “Democracy is a government of the people, by the people, and for the people.”

_____

_____

_____

_____

3. What is representative democracy?

_____

_____

_____

4. How is proportional representation ensured?

_____

_____

_____

5. Give the reason for the difficulty of implementing direct democracy in today’s world.

_____

_____

_____

6. Rule by majority does not always guarantee:

_____

7. Why are the rights of minorities protected?

_____

_____

_____

8. What are the crucial elements a constitutional government must have?

_____

_____

_____

9. Canada and Costa Rica, France and Botswana, Japan and India are examples of

_____

_____

_____

10. According to the text, what is pluralism?

_____

_____

_____

a) Coherence

What do the following words refer to in the passage?

1. such a system (paragraph 4)_____
2. their (paragraph 5)_____

3. their (paragraph 7)_____

4. these elements (paragraph 10)_____
5. their (paragraph 11)_____

6. their (paragraph 13)_____

7. such organizations (paragraph 14)_____
8. them (paragraph 14)_____

b) Inferencing

Write true or false based on the information from the reading passage. Justify your answers.

_____The writer advises citizens to look for options for liberty and everyday jobs of governments.

_____ According to the passage, democracy is defined as a set of constitutional rules and procedures that limit how a government operates.

_____ The writer maintains that modern society presents hardly any chance for direct democracy.

_____ In a democratic society people can do whatever they want.

_____ In today's complex society freedom is hard to achieve.

Part IV: Grammar: Comparison and Contrast

Task 12: Markers of Comparison and Contrast

Comparison refers to showing similarities, whereas in contrast, differences are presented.

a) Read the passage again and identify markers of comparison and contrast.

b) Complete the text below with the appropriate comparison/contrast markers.

however likewise another difference similarly whereas
also while but on the other hand

Even though Arizona and Rhode Island are both states of the U.S., they are different in many ways. For example, the physical size of each state is different. Arizona is large, having an area of 114,000 square miles, Rhode Island is only about a tenth the size, having an area of only 1,214 square miles. _____ is in the size of the population of each state. Arizona has about four million people living in it, _____ Rhode Island has less than one million. The two states also differ in the kinds of natural environments that each has. For example, Arizona is a very dry state, consisting of large desert areas that do not receive much rainfall every year. _____ Rhode Island is located in a temperate zone and receives an average of 44 inches of rain per year. In addition, _____ Arizona is a landlocked state and thus has no seashore, Rhode Island lies on the Atlantic Ocean and does have a significant coastline.

Part V: Panel Discussion

According to American Heritage Dictionary ‘panel discussion’ refers to: a discussion of a subject of public interest by a group of persons forming a panel, often before an audience.
Below are some tips for the moderator for conducting a panel discussion.

First, members who can deal with the topic chosen should be identified. This can be done by the moderator or the group can choose their own moderator who will organize the presentation. To conduct a panel discussion:

- Contact desired panel members
- Establish topics and produce major topic questions
- After the major topic questions have been decided, give them to the panelists beforehand so they can come up with to each question before the actual panel discussion begins
- Create a visual display of the questions and name cards for the panelists

Now that the preliminary work is finished it is important to consider the set up of the room where the panel is being held.

- make sure you have enough seating for the panel and audience
- place the panel where all members of the audience can see each panelist clearly
- put the moderator at the middle or at one of the ends of the panel
- If the panel is being held in a large space, set up microphones for the panelists

Finally, here are some helpful hints for conducting the panel.

- introduce the topic, its history, and the panelists and the order in which they will speak
- if rules have been set, like a time limit on the speaking time of the panelists, announce them to the audience
- also if there is audience participation inform the audience of those rules as well
- explain and clarify terms and ideas which the audience does not comprehend

- ask each panelist to summarize his or her position before moving on to the next panelist
- after all panelist have spoken it is usually followed by a forum, a question and answer session for the audience to ask questions and make comments

Task 13: *Watch a panel discussion on home video or television and note how it is conducted. In class reflect on whether it is run effectively or not.*

Note*: The instructor can show a video recorded panel discussion for modeling purposes or organize one with specialist subject lecturers.*

Task 14: Practice panel discussion

Procedure

- Students form a group of 7 and one of them will be a moderator and the other six will be panelists.
- Each group will choose one of the topics listed below and organize a panel discussion.
- Before each group presents the panel discussion, the teacher can model the panel discussion with a group of volunteers or students selected from the whole class. This can help the teacher and students to have a common understanding of the performance criteria of the panel discussion.
- For the modeling as well as the actual panels the students should be advised to rehearse.
- Time should be allocated equitably for each group (a maximum of 25 minutes for each).

- The audience needs to listen actively, ask and answer questions and give additional comments.

Topics

The teacher can give topics (such as those listed below) or allow students to choose the topic they prefer

- Compare the parliamentary system and the presidential systems of government and discuss which would really suit more multilingual and multiethnic countries like Ethiopia.
- Compare and contrast the law making process in Ethiopia with the process in other countries.
- Discuss similarities and differences between federation and confederation.

Part VI: Writing Comparison and Contrast

When you compare things, you show their similarities; when you contrast things, you show their differences. We can really understand only those things that are familiar to us or similar to things we already understand, so comparing and contrasting the unfamiliar with the familiar is one of the most important techniques for writing. You can, and probably do, use comparison and contrast to describe things, to define things, to analyze things, to make an argument—to do, in fact, almost any kind of writing.

When they are comparing and contrasting, most writers structure their essays one of four ways. First compare, then contrast (or vice versa).

1. First do one idea, then do the other.
2. Write only about the comparable and contrastable elements of each idea.
3. Only compare or only contrast.

i. First compare, then contrast (or vice versa).

ii. Writers using a comparison/contrast structure might begin by discussing the ways in which things are similar, and then they move to a description of the ways in which the two ideas are different. This method is probably the one used most commonly.

I.	Introduction
II.	X and Y are similar.
III.	X and Y are different.
IV.	Conclusion

Clearly, the sequence is important. If you begin with the comparison, then the contrast will get emphasis - the logical movement is from thinking about similarities to thinking about differences. If you begin by contrasting the ideas (and then move toward a comparison), the similarities get emphasis.

1. First do one idea, then do the other.

   Writers might compare and contrast ideas by treating one idea thoroughly before taking up the second one. This method is probably the one most students try first, but many evolve past it into something more flexible.

introduction
similarities (or differences)

differences (or similarities)
conclusion

A structure like this one seems more focused on the ideas being compared and contrasted than on the comparison and contrast itself. The similarities and differences between the ideas do not begin to emerge until the writer gets to the second idea. It is as if the writer is comparing and contrasting to each other.

2. Write only about the comparable and contrastable elements of each idea.

   Writers might compare and contrast ideas by taking important specific elements and looking at their similarities and differences. This method requires real control over your subject.

introduction
element #1
element #2
element #3
. . .
conclusio

n

A quick outline that compares and contrasts only relevant aspects of X and Y shows one way that such a paper might be structured.

A comparison/contrast essay like this one would probably focus only on those elements of the ideas that are explicitly comparable or contrasting.

3. Only compare or only contrast.

   It is always possible, of course, to write an essay that treats only the similarities or differences between ideas.

   - Writers who only compare two ideas sometimes briefly mention the contrast in the introduction and then move on so that they don't lead readers to think they can't make relevant distinctions.
   - Writers who only contrast ideas sometimes briefly summarize similarities in the conclusion so they don't leave the impression that they are thinking in opposites.

Task 15: Writing Comparison and Contrast Paragraphs

a) The following is a sample paragraph. As you read the paragraph identify
   - the topic sentence
   - method of paragraph development

I've lived in Vancouver for more than 20 years, but still have fond memories of my year in Quebec City; however, I would still prefer to live right here. One reason is climate. Quebec City hosts a "carnaval" every winter that features ice carving and citizens who drink a strong

liquor (Caribou) to keep warm. In Vancouver, on the other hand, winter often includes blossoming cherry and plum trees in January. Another reason to prefer Vancouver is its size. Quebec City is a small capital city, much like Victoria, and is thus a bit boring. In contrast, Vancouver is a bustling metropolis made up of one of the most multi-cultural populations in the world. My final reason for preferring Vancouver over Quebec City is language. In Quebec, the language is French, a language I don't speak very well. In Vancouver, however, the city is English speaking and I thus feel most comfortable here. So, although I remember my time in Quebec City fondly, I much prefer to live in the gentle climate of a big city like Vancouver.

b) Write a paragraph contrasting British trial systems (part III, reading 2 above) with the Ethiopian trial systems.

Task 16: Writing comparison and contrast essay

There are several ways to write this type of essay. The most important thing to remember is structure. Here is a format you can follow to write your compare and contrast essay in version A and B:

Type - A

Introduction

Your introduction — like the five-paragraph-essay, should open generally (with a quotation, anecdote, generalization), and lead into the thesis statement.

Topic 1

This next portion of your essay (which may consist of one paragraph or several) should cover only the first topic of the comparison and contrast. Compare/Contrast essays take two topics and illustrate how they are similar and dissimilar. Do not mention topic 2 in this first portion.

Topic 2

This next portion of your essay (which may also consist of one or more paragraphs) should cover the second of the two topics. Do not discuss Topic 1 in this section. Since you have already gone into great detail about it, you may allude to Topic 1 briefly; however, do not analyze Topic 1 in this section. This portion of the paper is to discuss Topic 2 in great detail.

Topics 1 and 2 together

Now that you have analyzed both Topic 1 and Topic 2 independently, it is time to analyze them together. This section may also be one or several paragraphs.

Conclusion

The conclusion — like the introduction — should be a generalization of the thesis. This paragraph should express your certainty and absolute knowledge on the subject matter. You should reaffirm your thesis (essentially restate it in new words) and show how you've proven it. Here is a quick breakdown on how the type A Compare-Contrast Essay should appear:

Paragraph 1: Introduction (with Thesis)

Paragraph 2: Topic 1 (Comparison a)

Paragraph 3: Topic 1 (Comparison b)

Paragraph 4: Topic 1 (Comparison c)

Paragraph 5: Topic 2 (Contrast a)

Paragraph 6: Topic 2 (Contrast b)

Paragraph 7: Topic 2 (Contrast c)

Paragraph 8: (Optional) — Comparisons/Contrasts together (any topic)

Paragraph 8: Conclusion

Type - B

Introduction

Your introduction — like the five-paragraph-essay — should open generally (with a quotation, anecdote, generalization), and lead into the thesis statement.

All Comparisons (Topics 1 and 2)

This section — which should consists of several paragraphs — should go through all similarities you find in the two topics on which you are writing. There should be at least three comparisons (essentially three short body paragraphs) in which you give an example from both topics of comparisons in each.

All Contrasts (Topics 1 and 2)

This section — which should consist of several paragraphs — should go through all differences you find in the two topics on which you are writing. There should be at least three contrasts (essentially three short body paragraphs) in which you give an example from both topics of comparisons in each.

Conclusion

This conclusion is wrapping up everything you have just proven in your paper. It should restate the thesis in a new, more official way, and you should feel quite confident in your writing.

Here is a quick breakdown on how the Compare-Contrast Type - B Essay should appear:

Paragraph 1: Introduction (with Thesis)

Paragraph 2: Comparison a (Topic 1&2)

Paragraph 3: Comparison b (Topic 1&2)

Paragraph 4: Comparison c (Topic 1&2)

Paragraph 5: Contrast a (Topic 1&2)

Paragraph 6: Contrast b (Topic 1&2)

Paragraph 7: Contrast c (Topic 1&2)
Paragraph 8: Conclusion

Here is a sample comparison and contrast essay. Match the following functions with the relevant parts of the essay.
Introduction: Explains the argument (the thesis is underlined)
Explains pro-choice
Explains pro-life
Conclusion

The Abortion Issue

One of the most divisive issues in America is the controversy surrounding abortion. Currently, abortion is legal in America, and many people believe that it should remain legal. These people, pro-choice activists, believe that it is the women's right to chose whether or not to give birth. However, there are many groups who are lobbying Congress to pass laws that would make abortion illegal. These people are called the pro-life activists.

Abortion is a choice that should be decided by each individual, argues the pro-choice activist. Abortion is not murder since the fetus is not yet fully human, therefore, it is not in defiance against God. Regardless of the reason for the abortion, it should be the woman's choice because it is her body. While adoption is an option some women chose, many women do not want to suffer the physical and emotional trauma of pregnancy and labor only to give up a child. Therefore, laws should remain in effect that protect a woman's right to chose.

Abortion is an abomination, argues the pro-life activist. It makes no sense for a woman to murder a human being not even born. The bible

says, "Thou shalt not kill," and it does not discriminate between different stages of life. A fetus is the beginning of life. Therefore, abortion is murder, and is in direct defiance of God's will. Regardless of the mother's life situation (many women who abort are poor, young, or drug users), the value of a human life cannot be measured. Therefore, laws should be passed to outlaw abortion. After all, there are plenty of couples who are willing to adopt an unwanted child.

If we take away the woman's right to chose, will we begin limiting her other rights also? Or, if we keep abortion legal, are we devaluing human life? There is no easy answer to these questions. Both sides present strong, logical arguments. Though it is a very personal decision, the fate of abortion rights will have to be left for the Supreme Court to decide.

Annex 1, Unit 3: Listening Text

Types of Governments

There are many types of governments in the regions of the world we study. Many governments use similar terms to describe different functions and organizational structures. This lecture reviews the basic structures of constitutional governments, including constitutional monarchies and republics. It also looks at non-constitutional governments, including autocratic and totalitarian regimes. Let us start by defining what a constitution is.

A constitution is a set of fundamental customs, traditions, rules, and laws that set forth the basic way a government is organized and operated. A nation may have a constitution, but that does not mean it has a constitutional government.

Constitutional Governments: A constitutional government is a government whose actions are limited by law and institutions. If a constitution permits unlimited political power held by one person, a few people, or only one political party, then it is not the basis for a constitutional government. If a constitution does not include ways to enforce limits on the power of government, it also is not the basis for a constitutional government. The separation of powers and the checks and balances system set forth in the United States Constitution are examples of limits of the actions of government. Each branch of the United States government — executive, legislative, and judicial— has the responsibility and the power to “check,” or limit, actions taken by the other branches.

In a constitutional government, the constitution is considered a higher law. The constitution, or higher law, provides for the protection of the rights of the individual against unfair and unreasonable infringement by the government and other individuals. This typically includes establishment of a private domain into which the government may not intrude. The individual also typically has “due process of law” — the right to follow the formal procedures written into the law which protect the rights of both innocent and guilty from the arbitrary power of the state. In the United States, these rights are set forth in the Bill of Rights and the due process clause of the Fourteenth Amendment.

Power is also limited by informal means. These include group pressure such as lobbying and demonstrations, and publicity given to government actions by the media. Another effective restraint is the awareness of citizens and public officials of the traditional limits of power on the government. When a person knows that they have

certain rights, they are more likely to both exercise them and protect them. Nearly all constitutional governments are representative democracies. Most are either constitutional monarchies or republics.

Constitutional Monarchies and Republics: Some governments have a monarch as head of state and are called constitutional monarchies. The United Kingdom, the Netherlands, and Sweden are examples of this form of government. Australia, Botswana, and Canada, as members of the British Commonwealth, accept the British monarch as their own and are considered constitutional monarchies as well. Constitutional states that have no monarch are called republics. Examples include Germany, the United States, Israel, and Venezuela. In both constitutional monarchies and republics, the practice and process of governing is by representative democracy. The type of representative democracy is either a parliamentary system or a presidential system.

In a parliamentary system, the chief executive is chosen from among members of the legislative body and is directly responsible to them. Often, this chief executive is called the prime minister. The United Kingdom, India, and Japan are examples of parliamentary systems.

In presidential systems, the chief executive is not a member of the legislative body and is independently chosen. The president is not directly responsible to the legislature, and is removable by the legislative body only in extraordinary circumstances. A good example of the presidential system is the United States. France has a modified presidential system, combining a strong presidency with elements of a parliamentary system.

Non-Constitutional Governments: In non-constitutional governments there are no effective means available to the general public for limiting the powers of the rulers. In general, rulers are not effectively restrained by law in the exercise of their powers. Often, the government's rulings, actions, and decisions are made arbitrarily. In the Soviet Union under Joseph Stalin, for example, the fate of whole ethnic groups was decided by the dictator. Under a non-constitutional government, any rights of the individual may be violated by the ruler or rulers. Typically there is no private domain where the individual is protected from the power of the state. Whatever rights the individual may be considered to possess, rather than being protected by stringent standards of due process of law, are subject to arbitrary deprivation. In Uganda, under Idi Amin, the people were terrorized by the Bureau of State Research, which arrested and tortured people at will.

Autocracies and totalitarian states are forms of non-constitutional governments. Autocracies, or autocratic regimes, may take various forms. These are characterized by the unlimited power exercised by one person or a small group of people. Some autocracies are military, others are civilian. Many present-day autocracies call themselves republics, but many do not have the characteristics of a true republic. Examples of historic autocratic regimes are Haiti under the Duvaliers, the Philippines under Ferdinand Marcos, and Spain under Franco. Contemporary examples are Cuba under Fidel Castro
and Libya under Muammar Qaddafi.

Dictatorships that attempt to exercise absolute control over all spheres of human life are called totalitarian dictatorships. The classical examples of totalitarian dictatorships are the Soviet Union under Josef Stalin, Germany under Adolf Hitler, and China under Mao

Zedong. Iraq under Saddam Hussein is a more recent example. Contemporary examples are North Korea under Kim Il Sung and after his death under Kim Jong Il. Non-constitutional governments may also have constitutions that set forth the basic way they are or are said to be organized and operated. They also may be organized as

Parliamentary or presidential governments and they may call themselves federal rather than unitary systems, but these names are used only to obscure the true nature of the autocratic or totalitarian state. One must study the actual functioning of a government on a daily basis to determine its true nature.

Unit 4: Court Cases and Procedures

Themes and materials: The unit deals with the themes of court cases and procedures. Court procedures differ depending on whether they are dealing with crimes or civil cases.

Skills: The unit provides learners with the opportunity to develop language and academic skills, grammar and vocabulary in an integrated manner.

Grammar: The unit will present language used in reporting, i.e. direct/indirect speech, and tenses related to reporting.

Vocabulary: The unit exposes students to words and terminology related to crime, court procedures, and court cases.

Speaking: Exercises in speaking include brainstorming, discussion and role play.

Listening: The unit provides students with practice in active listening through prediction, understanding main ideas and details, text organization and evaluation of the ideas they listen to.

Reading: The activities in reading include scanning, skimming, comprehension of main ideas and details, and understanding words in context.

Writing: Students will practice describing court procedures, paraphrasing and court observation reports. The writing tasks will use exercises on other skills as input.

Part I: Brainstorming

Task 1: Talk about procedures



a) Discuss the following questions in groups.

1. Have you been to the court?
2. What happens in court?
3. If you are a victim of some kind of violence what do you do?
4. What would happen if courts did not exist?

b) According to the Ethiopian Criminal Code to which category of crime do the following offences belong?

- Burglary
- Drug offences
- Robbery
- Sexual abuse

Task 2: Vocabulary development

a) In Unit 2 of this course material, you discussed what knowing a word means. Can you recall what these are?

b) Match the words in column 'A' with appropriate meanings in column 'B'.

a) theft	To lead, take, or entice a person away, or to detain an individual with intent to hold them for ransom.
b) kidnap	_____
	The killing of a child by its mother. _____
c)	The act of systematic and/or continued unwanted and

embezzlement d) homicide e) infanticide f) harassement	annoying actions of one party or a group, including threats and demands. _____ Misappropriation by a clerk or servant of property received in the course of employment for, and under the authority of, the master or employer._____ A term normally describing the offence of stealing or larceny. _____ The unlawful killing of a human being without malice._____

c) Find the meaning, form and pronunciation of the following words.

- Alibi
- Duress
- Authorize
- Debt
- Coercive
- Juridical
- Defraud

d) Use the appropriate form of the words in the box to complete the sentences below.

Abduction Acquit Accused Accusation Accomplice	Alibi Verdict Convict Accessory Abet

1. If I _____ someone to commit a crime, including helping them escape from police or plan the crime. I am an _____.

2. A young man was caught as a second-string player; he helped in the commission of a crime by driving the getaway car, providing the weapons, assisting in the planning, providing an _____, or hiding the principal offender after the crime.

3. After a lengthy trial he was _____ of defrauding his neighbor because there was no evidence against him.

4. In legal terms _____ means officially charging someone with a crime either by indictment by a grand jury or filing charges by an attorney.

5. A person charged with a crime is called _____.

6. What a jury or judge sitting without a jury does at the end of a criminal trial if the jury or judge finds the defendant not guilty is referred to as an _____

7. _____ means a criminal taking away of a person by persuasion (convincing someone-particularly a minor or a woman-he/she is better off leaving with the persuader), by fraud (telling the person he/she is needed), or that the mother or father wants him/her to come...

(For legal terms and definitions you can refer to Black's law Dictionary and the following website: http://www.legalhelpmate.com/legal-dictionary-result.aspx)

Part II: Listening

Listening 1, Divorce

Task 3: Activate what you know

Discuss the following questions in groups.

What does divorce mean?

What factors do you know that lead to divorce?

What are the consequences of divorce?

Task 4: Listening comprehension

a) Predicting

You are going to listen to a lecture on divorce. Guess which of the following words you may hear in the listening text.

Litigation	Irretrievably
Dysfunctional	Terminal
Costs	Escalate
Evolution	Drawbacks
Police	Cases

b) Comprehension check

1. What is the main idea of the lecture?

   _____

2. According to the lecture what are the conditions for a better divorce?

   _____

3. What elements of divorce planning does the lecture address?

   _____

4. Give examples of behaviors that can lead to separation.

   _____

5. What is essentially at the heart of divorce cases?

   _____

6. What makes divorce a very costly process?

   _____

7. Indicate specific tasks for standard marriage settlement agreement outlined in the talk.

   _____

c) Text organization

Indicate the order in which ideas have been presented in the lecture.

1. Financial, legal and physical components of planning
2. Emotional and spiritual elements of planning
3. The need to plan divorce

d) Evaluating the listening material

1. Are the standards of marriage settlement presented in the lecture congruent with the Ethiopian context?
2. Do you agree with the causes of divorce discussed in the lecture?
3. Are the ideas relevant to the Ethiopian family culture and practice?

Part III: Reading Court Procedures and Cases

Task 5: Reading comprehension

Court procedure differs depending on whether it is dealing with crimes or civil cases.

a) Scanning

Find the following words in the passage quickly and guess their meanings in context

Lawsuit (paragraph 1)
Brings charges (paragraph 2)
Custody (paragraph 2)
Tort (paragraph 3)
Settle (paragraph 4)

Filed (paragraph 4)

Arraignment (paragraph

b) Skimming

Read the following passage roughly and match the following topics with the appropriate paragraphs.

- *Arrest procedures*
- *Civil and Criminal Cases*
- *Settling cases*

Reading 1

1) The law deals with two kinds of cases. Civil cases involve conflicts between people or institutions such as businesses. A civil case usually begins when a person or organization determines that a problem can't be solved without the intervention of the courts. In civil cases, one (or more) of these persons or organizations brings suit (i.e., files a complaint in court that begins a lawsuit).

2) Criminal cases involve enforcing public codes of behavior as embodied in the laws, with the government prosecuting individuals or institutions. In a criminal case, the government brings charges against the person alleged to have committed the crime.

3) What types of cases are civil? Divorce and related lawsuits (child support, custody, and the like) account for a very large number of civil cases. Cases involving contracts are also frequent. Automobile collisions account for many tort (personal injury) cases, another common kind of civil case. An auto collision gives rise to a civil case if one driver sues the other, or if a passenger in one of the cars sues either driver. An auto collision might also lead to a criminal case, if it

involves allegations of a crime such as drunken driving or leaving the scene of an accident.

4) In many parts of the world, civil and criminal legal actions are combined into one case, but in Ethiopia and the US they are not. If there are serious civil and criminal aspects of an event, there will be two (or more) distinct cases. An example would be a crime leading to a criminal trial of the defendant, with the victims filing a separate civil suit against the defendant to recover damages caused by the crime.

5) Relatively few lawsuits ever go through the full range of procedures and all the way to trial. Most civil cases are settled by mutual agreement between the parties. A dispute can be settled even before a suit is filed. Once a suit is filed, it can be settled before the trial begins, during the trial, while the jury is deliberating, or even after a verdict is rendered. A settlement doesn’t usually state that anyone was right or wrong in the case, nor does it have to settle the whole case. Part of a dispute can be settled, with the remaining issues left to be resolved by the judge or jury.

6) Criminal cases are not settled by the parties in quite the same way civil cases are. However, not every case goes to trial. The government may decide to dismiss a case, or be ordered to do so by a court. The defendant may decide to plead guilty, perhaps as a result of negotiations with the government that result in dismissing some of the charges or recommending leniency in sentencing. Plea bargains are a very important and efficient way to resolve criminal cases.

7) When an officer arrests someone, the accused is taken into custody. Similarly, when a prosecutor requests an indictment, a judge or magistrate issues a warrant for the arrest of the person charged if not

already under arrest, and the person is taken into custody. (Sometimes, for less serious offenses, defendants are issued citations to appear rather than being arrested.) When people are taken into custody, before they are questioned, they must be informed that:

- anything they say may be held against them in a court of law, and that they have the right to remain silent,
- they have the right to consult with a lawyer before and during questioning, and
- they have the right to have a lawyer appointed to represent them if they cannot afford one.

8) They are also told that they can exercise these rights at any time. In some states, there may be variation in this statement for juveniles. For example, juveniles might be warned that if the juvenile court waives jurisdiction over them, then the statements they make can be used against them in a court proceeding in which they will be tried as an adult. In the US these are often referred to as the Miranda rights because the U.S. Supreme Court ruled in 1966 in Miranda v. Arizona that when law enforcement officers question people taken into custody, the evidence garnered from their interview cannot be used against them unless they have been informed of their constitutional rights to counsel and to remain silent.

9) If a person has been arrested without a warrant, law enforcement officials may hold him or her for a period of time necessary to handle certain administrative tasks (fingerprinting, checking to see if the person is the subject of any outstanding warrants, etc.) This time may vary depending on the facts of the particular case, but it's generally quite brief, usually no more than 48 hours. They may not hold the person beyond that time without an initial or first appearance or arraignment before a judge or magistrate (a public official vested with

certain judicial powers in the federal system and the systems of some states).

b) Reading for details

1. Indicate two types of cases dealt with in courts.
2. Which court settles mortgage issues?
3. Who is responsible for instituting homicide charges?
4. Give examples of civil cases from the passage.

c) Contextual meaning

Go through the passage above and find words in the passage which have the same meaning as the following.

To institute (parag. 1)
Bring charge (parag. 3)
Given (parag. 5)
Admit crime (parag. 6)
Written order (paragon. 9)
Bringing before court (Paragraph 9)

d) Word formation

English language expands its vocabulary by changing its root words into different forms.

This is called inflexion. By changing the form of a word different meanings can be expressed.

For example arraign (v) = arraignment (n)

What other forms can the following words have?

Intervene
File

Consult

Deliberate

Accuse

Reading 2, Cases and Reports

Task 6: Jigsaw reading

Jigsaw reading is like playing with a jigsaw puzzle. Each student in a group is given part of the story to read. He has to read and comprehend it all by himself in order to report to other members of the group. After each member has reported the different parts of the story, the whole group work together to re-arrange the parts and recover the original story.

a) Sit in a group of three. Below are three BBC news reports about an international legal case involving Libya and expatriate medical workers. Each one of you will read one story each and find answer to the following questions.

   What is the story about?

   Who was involved?

   What has happened so far?

   How long has the case been in court?

Text 1: Study backs Libya HIV case medics

December 19, 2006

A Libyan court has sentenced five Bulgarian nurses and a Palestinian doctor to death after convicting them of knowingly infecting some 400 children with the HIV virus.

Scientists have cast doubt on charges that five Bulgarian nurses and a Palestinian doctor deliberately infected Libyan children with HIV. The medics could face the death penalty if found guilty by a court in Tripoli later this month. An international team analyzed samples taken

from the infected patients. Writing in Nature, they said their work showed the HIV subtype involved began infecting patients in Libya well before the medical workers arrived in 1998.

An initial trial condemned the medics to death in 2004, but the Libyan Supreme Court overturned the verdicts, and ordered a retrial. The defendants are accused of knowingly infecting more than 400 children with HIV in the eastern town of Benghazi. The medics say that they were tortured into giving false confessions. The first trial lasted almost six years, and the medics have been in jail since 1999. They say the children were infected through poor hygiene - and a body of scientific work supports their claims.

The researchers worked on blood samples collected by a network of European clinical research centers that are involved in treating the infected children. By analyzing mutations in the genetic material of the HIV virus found in the samples they were able to reconstruct the history of the outbreak. In a statement, researchers Dr Tulio de Oliveira and Dr Oliver Pybus, from Oxford University, said: "All the lines of scientific evidence point in the same direction, towards a long standing infection control problem at the hospital, dating back to the mid 1990s or earlier."

Dr Thomas Leitner, of Los Alamos National Laboratory, has provided forensic evidence in many HIV cases. Writing in Nature, he said the latest research was "compelling evidence that the outbreak had started before the accused could have started it." There has been mounting international pressure on Libya to hear independent scientific evidence. International experts say the scientific report used in the trial was nothing but 'conjecture' and 'supposition'. Last month 114 Nobel Laureates wrote an open letter to Colonel Gaddafi urging

the appropriate authorities to hear independent science-based evidence, and reaffirming the need for a fair trial.

Text 2

A court in Libya has adjourned the trial of six Bulgarian health workers, who are accused of deliberately infecting hundreds of children with HIV, the virus which can lead to Aids. The trial was scheduled to begin on Monday but was postponed at the request of a defence lawyer, who said he needed more time to prepare. The trial will resume in early April. The Bulgarian medics, five nurses and an anaesthetist, were detained in 1998 after almost 400 children were given infected blood at a hospital in Benghazi, Libya's second-largest city. The 1,600-page indictment charges them with intentionally supplying the contaminated blood, according to officials in the capital of Bulgaria, Sofia.

The indictment says 23 of the children have died. Bulgarian President Petar Stoyanov welcomed the decision to postpone the trial, calling it "a move of goodwill that will help find the truth.” He had previously urged the Libyan leader Muammar Gaddafi to intervene in the case. Bulgarian officials say the medics will face a special court under laws that include an element of Islamic Sharia law. They could face the death penalty if convicted.

Bulgaria sent Justice Minister Teodossyi Simeonov and Chief Prosecutor Nikola Filchev to Libya on Saturday. The medical staff were reportedly allowed to meet but not speak to officials. Mr Filchev told them: "Bulgaria has not forgotten you, we are doing everything possible to help you. The government is making efforts to resolve the situation." Mr Filchev said the Bulgarians were, "well, in good health, self-possessed, tense but not downcast." On Sunday, about 100

relatives of the medics attended a church service to pray on behalf of their relations. A petition was also signed - intended to be sent to the Libyan leader to ask for the release of the accused.

Text 3

Prosecutors in Libya have renewed the case against seven medical workers on charges of deliberately infecting children with HIV, the virus that can lead to AIDS. The two doctors - a Bulgarian and a Palestinian - and five Bulgarian nurses have been held in detention since February 1999. In February, they were cleared of plotting to undermine state security.

The case has aroused diplomatic concern, with the Bulgarian foreign minister traveling to Tripoli late last year for talks with Libyan leader Colonel Gaddafi. The defendants have retracted confessions they made earlier, saying that they were obtained under duress. The seven are also accused of illegally producing alcohol, having extra-marital sexual relations, and black market currency dealing.

Almost 400 children were found to be infected with HIV at the al-Fateh children's hospital in Benghazi, where the Bulgarians worked. Of these, 23 have now died of Aids-related diseases. The Libyan lawyer representing the medics has argued that the HIV infections were probably due to poor hygiene and the reuse of syringes in the hospital where the children contracted the virus.

But lawyers representing the children's families have filed a claim for financial compensation. The case is now being held in an ordinary criminal court, instead of the special People's Court. However, the defendants could still face the death penalty if found guilty.

The French doctor who first isolated the HIV virus has said a hospital AIDS epidemic in Libya was probably caused by poor hygiene, and not by the seven medical workers who are on trial on charges of deliberately spreading the disease. A Bulgarian doctor and five nurses, as well as a Palestinian doctor, are accused of infecting about 400 children with HIV, the virus which can lead to AIDS, at a hospital in Benghazi.

The case was dismissed last year for lack of evidence, but the prosecution refiled charges. A BBC correspondent says diplomats have suggested the case could be an attempt to divert attention from the conditions in Libya's state-run hospitals.

There are also suggestions that Libya might be trying to pressure Bulgaria into forgiving its debts, estimated at $300m. On the first day of the hearing, Professor Luc Montagnier presented a report he had made on the case, showing the infection had already begun before those accused started working at the hospital, and continued to spread after they were arrested.

"This can happen not only in this hospital, but in many others, particularly pediatric hospitals, because children are more vulnerable to infection, even by very small quantities of blood," he told Bulgarian radio after testifying in court.

Professor Montagnier and Italian AIDS scholar Vittorio Collizzi have studied the case, following a Bulgarian request for an independent international assessment.

The seven accused were working at the al-Fates children's hospital in Benghazi in 1998, when several children died without any

immediately apparent cause. The case became a major international incident between Libya and Bulgaria, which called on the help of a number of Arab, African and Western countries to intercede on its behalf to ensure a fair trial, says the BBC's Sebastian Usher in Rabat.

At the trial, the defendants pleaded not guilty, with two of the nurses saying they had been tortured to extract false confessions, our correspondent says. The defendants' Libyan lawyer said the infections were the result of poor hygiene and the reuse of syringes in the hospital.

Last year, the special court examining the case threw it out for lack of evidence, saying the only incontestable fact was that the children had died. It is believed 23 have died so far. But the seven defendants remained in custody, pending a referral to an ordinary criminal court. The charges they now face in Benghazi still carry the death penalty.

b) Now reconvene and answer the following questions in the whole group.

a) What do the charges relate to?
b) How have the accused pleaded?
c) How strong was the prosecution's case?
d) Why was the foreign experts' testimony ignored?
e) Does that suggest that the accused - all of them foreigners - have been treated as scapegoats?
f) What has Bulgaria been doing to help its citizens?
g) How much is that likely to sway the Libyan leader?
h) Is there a possible face-saving formula?
i) Do the defendants have the right to appeal?
j) Could Bulgaria "buy" its citizens' freedom?

b) Now write a summary of the complete story. You can use your answers to the above questions.

NB: The Bulgerian medics have since been released after the EU brokered a deal with the Libyan leader.

Part IV: Grammar, Reporting Language

We can report what a person says using direct speech, word for word, or using indirect speech, i.e., paraphrasing. As you have seen in the legal cases above, reporting, direct and indirect, is common in legal profession.

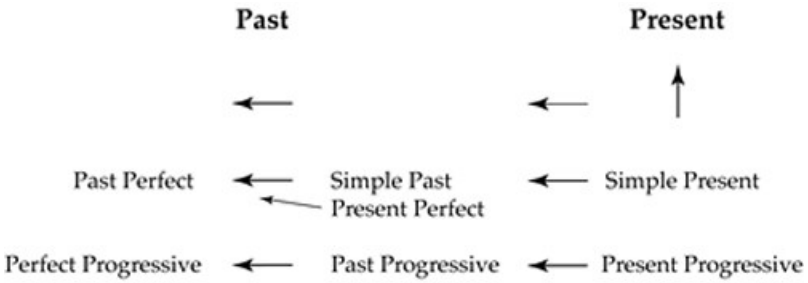
a) Refer back to the Libyan legal case you read above and identify

- what is reported
- what grammar is used and why

b) Reporting language is used in many situations. Can you identify these situations?

Task 7: Direct and Indirect Speech

When using indirect or reported speech, the form changes. Usually indirect speech is introduced by the verb 'said', as in I said, Bill said, or they said. Using the verb 'say' in this tense indicates that something was said in the past. In these cases, the main verb in the reported sentence is put in the past. If the main verb is already in a past tense, then the tense changes to another past tense; it can almost be seen as moving even further into the past.



Verb tense changes also characterize other situations using indirect speech. Note the changes shown in the examples given below and Annex 3 of this Unit.

Direct Speech	**Indirect Speech**
Simple present He said, “I go to school every day.”	Simple past He said (that) he went to school every day.
Simple past He said, “I went to school every day.”	Past perfect He said (that) he had gone to school every day.
Present perfect He said, “I have gone to school every day.”	Past perfect He said (that) he had gone to school every day.
Present progressive He said, “I am going to school every day.”	Past progressive He said (that) he was going to school every day.
Past progressive He said, “I was going to school every day.”	Perfect progressive He said (that) he had been going to school every day,
Future (will) He said, “I will go to school every day.”	Would + verb name He said (that) he would go to school every day.

Future (going to) He said, “I am going to school every day.”	Present progressive He said (that) he is going to school every day.
	Past progressive He said (that) he was going to school every day

1. With indirect speech, the use of that is optional. Can you give examples?

2. What happens when a Yes/No question is being asked in direct speech?

3. What about with WH questions?

While not all of the possibilities have been listed here, there are enough to provide examples of the main rules governing the use of indirect or reported speech. For other situations, try to extrapolate from the examples here, or better still, refer to a good grammar text or reference book. (See the bibliography at the end of the course book or ask your instructor for help.)

4. Can you think of some other verbs that can be used to introduce direct speech?
5. Can these verbs be used interchangeably? Check a grammar or usage book for further information.

Task 8: Tenses in reported speech

a) Identify the verb or verb phrases in the following text and explain why they have been used.

Drug arrest in Liberty Court

The police have announced that they have arrested a man with an undisclosed amount of cocaine.

“A Dover man has been arrested on drug charges,” said Dover Police Capt. Ray Taraila.

Capt. Ray Taraila said the arrest occurred at about 11:34 p.m. Monday, Aug. 27. A man, whom Taraila identified as Michael Mizell, 25, of the 930 block of Whatcoat Drive, Dover, was arrested after being seen allegedly conducting a drug transaction. Police recovered a small amount of crack cocaine during the arrest.

The police chief told AFP news: “The man is charged with possession of cocaine and delivery of cocaine. He has been released on $2,500 unsecured bond.”

b) Complete the report below with the appropriate verb form.

Bole Police _____ (investigate) a burglary at Delmarva Warehouses, Inc. According to police reports, someone _____(break) into the business some time between 10:30 p.m. on Tuesday, April 27 and 12:14 a.m. Wednesday, April 28. The burglar apparently _____ (get) into the building, located on CMC road, through a window, and then _____ (break) the glass on an interior office door. There _____ (be) no report of any property being removed from the business. Anyone with information about this crime _____ (ask) to contact the Bole Police Department at 6465768.

Task 9: Changing direct to indirect speech

a) Ask your partner the following questions and take notes while you do that. After you have finished the questions, find a new partner and using reported speech report what you have learned about your first partner.

- What is your favorite sport and how long have you been playing/doing it?
- What are your plans for your next vacation?
- How long have you known your best friend? Can you give me a description of him/her?
- What kind of music do you like? Have you always listened to that kind of music?
- What did you Saturday afternoon?
- What were you doing yesterday at this time?
- Which two promises will you make concerning learning English?

b) Rewrite the following using a reported speech.

i) Shooting victim changes his story

Police Chief: Earlier we arrested a man who said he was shot outside Manchester Square Apartments. Now he has changed his story. He originally told us he was shot outside his apartment in Manchester Square early in the morning of April 12. The man has a gunshot wound to his left foot, for which he is being treated at Bayhealth-Kent General Hospital.

Our investigation shows the man was actually outside the Crystal Palace on West Commerce Street in Smyrna when he was shot. It seems the man is concerned about his safety, which is why he said he was shot in Dover instead of Smyrna. Since the shooting actually occurred in Smyrna, the case has been turned over to the Smyrna Police Department.

ii) An owner admits wounding burglars

Police: Your name, Sir?

Owner: Gesit Awraris

Police: Where do you live in Addis?

Owner: Yeka sub city, near Kebele 12.

Police: Can you tell us what happened last night?
Owner: I saw three guys jumping over the fence
Police: What time was it?
Owner: Around midnight, I think.
Police: What were you doing?
Owner: I heard a dog barking and I switched on the light.
Police: And?

Owner: I saw three guys with their faces masked standing near my car. They threw stones at the window of my living room. The iron grill protected the glass. When they started to move back, I loaded my pistol and fired three rounds. I think I hit two them on the leg.
Police: Why didn’t you phone the police instead of committing a crime?
Owner: I just panicked and did not have time to think it through. This is not the first time. I called several times before. Honestly I have been frustrated by the inaction of the police.

Task 10: Changing indirect reports to direct reports

a) Put the following paragraph in the reported speech into conversational form.

Peter introduced me to Jack who said he was pleased to meet me. I replied that it was my pleasure, and that I hoped Jack was enjoying his stay in Seattle. He said he thought Seattle was a beautiful city, but that it rained too much. He said that he had been staying at the Bayview Hotel for three weeks, and that it hadn't stopped raining since he had arrived. Of course, he said, this wouldn't have surprised him if it hadn't been July! Peter replied that he should have brought warmer clothes. He then continued by saying that he was going to fly to Hawaii the following week, and he that he couldn't wait to enjoy

some sunny weather. Both Jack and I commented that Peter was a lucky person indeed.

Task 11: Court practice

a) Study the following case individually to identify:
   the legal issue
   the relevant facts, and
   make your own judgment

HK stepmother ordered chopping

A woman has been found guilty of ordering the chopping off of her seven-year-old stepson's right hand.
Ruthana, 20, was convicted of wounding after she paid an ex-boyfriend to arrange the attack. Judge Drese Wegu said her "deep hatred" of the boy was prompted by jealousy. She wanted the boy's father to give preference to their new-born son. Sentencing was deferred for psychiatric reports, in a case that has shocked Hanchole community. Five other people on trial received sentences of between two and 18 years.

The boy, Shumurate, was attacked by two masked men in August 2005 as he walked home with his grandmother. While one held the grandmother, the other chopped at the boy's wrist several times in an attempt to sever his hand. He was left with broken bones and severed tendons and nerves.

Judge Derese called it "one of the wicked wounding with intent to cause grievous bodily harm in many years". He said Ruthana had been motivated by "deep hatred" of the boy, who she reportedly wanted her husband to give up following the birth of her own son. Ruthana's former boyfriend Tsungari Mohadote was found guilty of recruiting three others - two of them 16 - to help in the attack. The judge condemned Tsungari - who he sentenced to 18 years in prison - for showing no remorse. The boy is reported to have since recovered, though he still has restricted movement in his hand.

Simulation



Now form a group of 7 who will act the following roles in a trial simulation.

Judges (3)
Defense lawyer
Victim's lawyer
Police
Grandmother

A class of students will select some seven representatives to do the exercise.

This activity can be used as a model for similar other activities.

Part V: Writing

Task 12: Describing procedure

a) Pair work: The lecture text in part II of this unit (page 3) makes reference to procedures in instituting divorce cases. Using the

ideas from the lecture and your own knowledge list down the steps involved if a couple wants to divorce legally.

b) Group work: Compare the divorce procedure in Ethiopian courts with a cultural or traditional marriage dissolution you are familiar with. Make notes individually then share your findings with your partners. Then write a comparison and contrast paragraph.

Task 13: Writing a case report

a) In groups of 4/5 write a report of the court proceeding in the simulation activity in Part V of this unit.

b) Alternative group project

- Visit public courts in your area.
- Observe how a particular case has been conducted.
- Write a report of what went on in the court, what was decided, and who was involved.

- Evaluate the decision of the judge(s).
- Use the court case reports in Part III of this unit as models.

Annex 1, Unit 4: Lecture text

Listening Text 1

Divorce is very difficult, and the financial and emotional costs can be devastating. One of the best predictors of a better divorce outcome is the couple's knowledge and understanding of their options. Many people do not fully educate themselves prior to beginning the proceedings; either because they do not want the divorce, they are hurt and overwhelmed, or that they believe that they understand what is expected. The result is that they often make decisions without fully

understanding the consequences, including the potential damage that those decisions will have on their own lives and the lives of their children. Proper advance planning will help couples better manage all aspects of their divorce; emotional, financial, spiritual, physical, and legal.

1. Emotional (Behavioral) and Spiritual Components

Couples divorce for a multitude of reasons. At the core of these reasons is the fact that something has emotionally or behaviorally shifted between them to the point that the relationship has irretrievably broken down. This shift is seen as dysfunctional to the health of the marriage because it has the power to cause the marriage to end. Some examples of behaviors that cause dysfunctional shifts include; emotional detachment, affairs and substance abuse.

Another set of emotions and behaviors that occurs in all divorces are the feelings and actions activated by the divorce itself. Couples do not always agree that the marriage is not terminal, nor do they always view their problems in the same light. The result is that they often begin the divorce process with very different agendas. One person may be shocked and angry and believe that the other has to pay for all the hurts they have caused, while the other person may be ready to move on with his/her life and just want to get the divorce finished as quickly as possible.

The force that drives all divorces is the set of emotional agendas and behaviors that caused the divorce in the first place. If these are allowed to escalate during the divorce proceedings, the costs and consequences to the family can be devastating. High conflict couples, especially, need a process that can help contain their emotions and enable them to work more collaboratively through the process.

Statistics show that couples who have learned how to properly handle their emotional divorce experience are better able to manage the financial and legal tasks inherent in every divorce.

3. Financial, Physical, and Legal Components

Even though couples divorce for a variety of reasons, the actual divorce proceedings are standardized. These proceedings result in a legally binding contract called a Marital Settlement Agreement. There are six specific tasks that must be accomplished in order to fulfill the legal and financial requirements of the MSA.

The Six Standard Tasks

1. An Initial Filing begins the legal proceedings, and once served on the other party, activates an automatic restraining order on both parties
2. A Temporary Plan or Order is discussed with regard to property, expenses, support and the children, pending the final agreement
3. The Disclosure of assets and liabilities, and the division of property
4. The Disclosure of income and expenses, and the creation of a Spousal and Child Support Plan
5. The Parenting Plan which designates the legal and physical custody of minor children and the time they spend with each parent
6. The finalization of the Marital Settlement Agreement (MSA) which is subject to court approval and not final until at least 6 months after the initial filing has been served

How the couple wants to address each of these tasks will determine their divorce experience and the workability of the MSA. There are only two primary processes from which they can choose.

Annex 2, Unit 4: Notes on Legal Case Study

Case studies require students to analyze problem situations and reach their own conclusions concerning the outcome. Case studies can take many forms: legal cases based on written opinions of courts; hypothetical situations involving some conflict or dilemma; and real-life situations drawn from newspapers, magazines, books, or other sources. While case studies are generally presented in written form, they can also be presented by use of an audiovisual medium such as a movie or tape recording.

Whatever the source of the case, it will usually include the following elements.

- a description of the facts
- a statement of the issue or problem posed by the case, a reference to the arguments or various positions that can be taken on the issue
- a decision or a result on the issue presented
- an explanation of the reasoning behind the decision.

Procedure

1. Select the Case Materials: Cases may be real or hypothetical, long or short, based on written opinions of a court or derived from an everyday situation.

2. Review of Facts: The facts of the case serve as the basis for classroom discussion. Therefore, the inquiry process should be

started by carefully reviewing and clarifying all of the facts. Students should be asked the following questions:

- What happened in this case?
- Who are the parties?
- What facts are important? Unimportant?
- Is any significant information missing?
- Why did the people involved act the way they did?

3. Frame the Issue: Students should pinpoint and discuss the issues or problems presented by the case. The legal issue is the question of law on which resolution of the case turns. An issue should be posed in the form of a question. While most cases revolve around a legal issue, students should also consider issues of public policy, values in conflict, and practical reality. For example, a case study involving abortion might involve the following issues:
    - Legal: Is abortion legal? If so, under what circumstances?
    - Public Policy: Should abortion be legal? Why or why not?
    - Values in Conflict: Which value is more important, a woman's right to privacy or an unborn child's right to life? Why?
    - Practical: What are the options open to someone faced with an unwanted pregnancy? Where can someone in this situation go for help and advice?

4. Discuss the Arguments: Once students have focused on the issues, they should develop and discuss the arguments that can be made for and against each of the various points of view. When discussing the arguments, students should consider questions such as the following:

- What are the arguments in favor of and against each point of view?
- Which arguments are most persuasive? Least persuasive? Why?
- What might be the consequences of each course of action? To the parties? To society?
- Are there any alternatives?

In discussing the various arguments it is important to foster a climate of acceptance and openness. Students must know that all opinions are welcome and that their ideas will receive a fair hearing and analysis no matter how controversial or touchy the issue. In other words, students should be encouraged to listen to, consider, and evaluate all points of view.

5. Reach a Decision: A decision is the answer to the issue or issues posed by the case. When students are given the decision, as in a court case, they should be asked to evaluate it.
    - Do they agree or disagree with it?
    - a statement of the issue or problem posed by the case, a reference to the arguments or various positions that can be taken on the issue

What will the decision mean for the parties? For society? Students might be asked how they would decide a case and why. After the students have reached their own conclusions, the teacher can tell them the actual result or holding in the case, at which point students can compare their own result to that of the court.

6. Variations: When conducting a case study, the teacher may wish to try one of the variations on the case method. Typical variations include the following.

- Giving Students an Entire Case: (i.e., facts, issues, arguments, decisions, and reasoning). This approach focuses on student identification and comprehension of the facts, issues, arguments, decision, and student evaluation of the decision and the court's reasoning.
- Giving Students Unmarked Opinions: (i.e., facts, issues, arguments, and unmarked judicial opinions). Using this approach, students are not told which of the court opinions the actual holding of the court is. Rather they are asked to select the opinion they agree with and explain why. Later they can be given the actual holding and asked to compare their reasoning and result against that of the court.
- Giving Students Only the Facts: With this approach, students are asked to identify and formulate the issues, prepare arguments on each side, develop a decision, and then evaluate their issues, arguments, and decision against the actual holding of the court. After giving out only the facts, or the facts and the issue(s), many teachers organize students into "law firms," asking them to develop and rank for persuasiveness the arguments for each side.

Annex 3, Unit 4: Grammar notes

Direct Speech	**Indirect Speech**
Simple present He said, “I go to school every	Simple past He said (that) he went to school every

day.”	day.
Simple past He said, “I went to school every day.”	Past perfect He said (that) he had gone to school every day.
Present perfect He said, “I have gone to school every day.”	Past perfect He said (that) he had gone to school every day.
Present progressive He said, “I am going to school every day.”	Past progressive He said (that) he was going to school every day.
Past progressive He said, “I was going to school every day.”	perfect progressive He said (that) he had been going to school every day,
Future (will) He said, “I will go to school every day.”	Would + verb name He said (that) he would go to school every day.
Future (going to) He said, “I am going to school every day.”	Present progressive He said (that) he is going to school every day.
	past progressive He said (that) he was going to school every day
Direct Speech	Indirect Speech
Auxiliary + verb name He said, “Do you go to school every day?”	Simple past He asked me if I went to school every day.*

He said, “Where do you go to school?”	He asked me where I went to school.
Imperative He said, “Go to school every day.”	Infinitive He said to go to school every day.

*Note than when a Yes/No question is being asked in direct speech, then a construction with if or whether is used. If a WH question is being asked, then use the WH to introduce the clause. Also note that with indirect speech, these are examples of embedded questions. The situation changes if instead of the common said another part of the very to say is used. In that case the verb tenses usually remain the same. Some examples of this situation are given below.

Direct Speech	**Indirect Speech**
Simple present + simple present He says, “I go to school every day.”	Simple present + simple present He says (that) he goes to school every day.
Present perfect + simple present He has said, “I go to school every day.”	Present perfect + simple present He has said (that) he goes to school every day.
past progressive + simple past He was saying, “I went to school every day.”	Past progressive + simple past He was saying (that) he went to school every day.
	Past progressive + past perfect He was saying (that) he had gone to

	school every day.
Future + simple present He will say, “I go to school every day.”	Future + simple present He will say (that) he goes to school every day.

Another situation is the one in which modal constructions are used. If the verb said is used, then the form of the modal or another modal that has a past meaning is used.

Direct Speech	**Indirect Speech**
Can He said, “I can go to school every day.”	Could He said (that) he could go to school every day.
May He said, “I may go to school every day.”	Might He said (that) he might go to school every day.
Might He said, “I might go to school every day.”	
Must He said, “I must go to school every day.”	had to He said (that) he had to go to school every day.
have to He said, “I have to go to school every day.”	

Should He said, “I should go to school every day.”	Should He said (that) he should go to school every day.
Ought to He said, “I ought to go to school every day.”	Ought to He said (that) he ought to go to school every day.

Unit 5: Gender Issues

Themes and materials: This unit raises gender related issues. It provides the students the opportunity to learn language by exploring topics like women and violence, the Law, and HIV.

Vocabulary: In this unit the students continue to learn new words related to the covered themes and topics and understanding of the contextual meaning.

Grammar: The grammar exercises will focus on expressions and transition markers related to debate and argumentative writing. The grammar here is not treated in a separate part; instead it has been integrated with speaking and writing parts.

Skills: As in the previous units, the language and academic skills are presented in an integrated manner.

Speaking: Students will do more speaking activities such as brainstorming, discussion and debate and reflection. The speaking focus in this unit is learning to debate in English.

Listening: The exercise on listening focuses on comprehension and understanding the problem-solution rhetorical structure of spoken material. To help the students develop reasoning skills, some listening contextualization questions are provided.

Reading: The reading texts in this unit come from the news and textbook discourses. The students will practice the important skills of

skimming, contextual meaning, inferencing and understanding coherence and cohesion.

Writing: Argumentative writing is the focus of the unit. The purpose of the exercises in this part is to help students develop academic writing skills and the language used in this context. Through the activities in the previous parts in the unit, the students gradually develop argumentation skill.

Part I: Brainstorming

Task 1: Understanding issues

Discuss the following questions in pairs and then in groups of four. One of you will take main points and report during whole class discussion.

1. What do you understand by gender issues?
2. What are the roles of women and men in Ethiopia?
3. Are women contributing as much as they should in our society?

Part II: Listening: HIV and Law

This part deals with how laws could enhance our efforts to mitigate the spread of HIV/AIDS.

Task 2: Activating what you know

Discuss the following questions in pairs.

1. How can violence relate to HIV/AIDS?
2. What do you think happens to women who are already infected with HIV/AIDS?

3. Are there satisfactory provisions in Ethiopian criminal law to deter HIV transmission?

Task 3: Listening

a) Comprehension check

You are going to listen to a lecture. As you listen, answer the following questions.

1. What is the main idea of the lecture?

   _____

2. What percentage of women are victims of partner violence?

   _____

3. Why are women afraid to ask their partners to change their sexual behavior?

   _____

   _____

4. What contributes to women's susceptibility to HIV/AIDS?

   _____

   _____

5. What ratio of girls in the world report that they are victims of forced sexual encounters?

   _____

   _____

6. Give reasons why girls could be the worst victims of HIV.

   _____

   _____

   _____

7. Which of the following does the research in South Africa reveal?
    a. HIV infection is common in both violent and non-violent households.
    b. 52 percent of male-dominated women are more likely to be infected.
    c. Unmarried women are more likely to be infected than married ones.

8. The report from Tanzania indicates that:
    a. HIV negative and positive women face the same degree of violence.
    b. Beating and rape are prevalent.
    c. Tanzanian men seem more caring than other African men.

b) Inference

Based on the listening, indicate if the following statements are true or false.

1. _____ the true figure of violence against women is not known.
2. _____ some women in Botswana do not have confidence.
3. _____ Girls are more susceptible to HIV than older women.

c) Suggest solutions

Discuss the following in your group.

a. What possible solutions can you suggest to mitigate violence against women?

Part III: Reading

Reading 1, Stories of violence

Task 4: Contextual meaning

Find the contextual meaning of the following words taken from the passage below.

Reprisals_____

Incidents_____ Endured_____

Maimed_____ Ordeal _____

Come out in the open_____ Testimony_____

Braved _____

Abused woman braves Tanzania's media

By John Ngahyoma, BBC, Dar es Salaam

A Tanzanian woman, who endured bad beatings from her husband for more than five years, has braved the public glare of the cameras to speak out about her ordeal. Agnes Mbuyamajuu told reporters that the police never took her complaints seriously and their corruption endangered her life.



> “I had just been beaten and run away in my night clothes, where would I get even one cent to give it to the police?”
>
> Agnes Mbuyamajuu

"At night, in my nightdress, following a severe beating I would go to the police station, where I would have hoped that I would be safe and that the police would protect my life," she said at a press conference in Dar es Salaam.

"After opening a case file, they would turn around and say that I had to give them money for transport to go and bring in the suspect. "I had just been beaten and run away from home in my night clothes, where would I get even one cent to give it to the police?"

Ms Mbuyamajuu is among many women who suffer from domestic violence in Tanzania. Her testimony was all the more moving as it is

unusual for women to publicly discuss the subject. "We all know that the majority of women who are abused tend to suffer in silence, they fear to come out in the open for many reasons like shame, reprisals or lack of information of where or how to seek assistance," deputy Gender Minister Salome Mbatia said.

Maimed

Both women were talking at an event this week to launch a special edition of the Sauti ya Siti (Voice of Woman) magazine to coincide with a national campaign against domestic violence, female genital mutilation, rape and trafficking. The tardiness of the courts was also lambasted by Ms Mbuyamajuu.

"The thing that has discouraged me is the fact that five years have gone by and my case has not yet been heard and all the injuries have now disappeared," she said.

"Tell me, the blow that I got in 2000, how can I describe it in 2006?

"In the same year I was maimed as a result of a severe beating, I was unable to move... Now, after treatment I manage to walk. What evidence can I show now?

"But if six years ago the court had listened to me, justice would have been done.

"But they kept on changing magistrates and moving the case from one court to another."

The police force promised to do all it can to fight gender-based violence. However, its director of criminal investigations, Robert Manumba, said laws such as the 1998 sexual offences act are all very well but in practice changing public perception was more important. As an example he said rapes and defilements were on the increase - incidences often associated with traditional belief in witchcraft - despite stiff penalties for such sexual offences.

Reading for Main Ideas

a. In short, what is the story telling?
b. What are the main issues addressed in the passage?
c. Were the police helpful to the victim?
d. What could the court have done according to Agnes?

Contextualizing reading

Discuss the following in groups.

a. Could Ethiopian women be facing the same problems? If so why?
b. How can we change the life of women in Ethiopia?

Reading 2, Criminal Law and HIV/AIDS

There can be many measures that can be taken to mitigate HIV-related violence. One of these is formulating laws. The passage below suggests how this can be achieved. As you read the passage compare the suggestions you made earlier with the ideas of the passage.

Task 5: Skimming

Read the passage below and answer the following questions.

a) Which of the following could be the title of the passage?

i) Policy considerations
ii) HIV laws
iii) Legal Protection for HIV patients

b) Which paragraphs in the passage deal with the topics below?

i) Functions of criminal
law

ii) Other public policy considerations

There are a number of policy considerations that should be taken into account in determining criminal law policy in relation to HIV/AIDS. Firstly, policy-makers must consider the functions of the criminal law, and assess whether, and to what extent, criminalization will contribute to the objective of preventing HIV transmission. Secondly, policy-makers must weigh other public policy factors that might mitigate against the use of criminal sanctions.

Criminal sanctions are perceived as serving four primary functions. The first is to incapacitate the offender from harming anyone else during the term of their imprisonment. The second is to rehabilitate the offender, enabling him/her to change his/her future behavior so as to avoid harming others. The third is to impose retribution for wrongdoing—to punish for the sake of punishing. The fourth function is to deter the individual offender and others from engaging in the prohibited conduct in the future. But it is not clear that these functions will make any significant contribution to preventing HIV transmission, and they offer, at best, a limited basis for resorting to the criminal law as a policy response to the epidemic.

Firstly, imprisoning a person with HIV does not prevent them from spreading the virus, either through conjugal visits or through high-risk behavior with other prisoners. Evidence indicates that prisons are often settings in which high-risk behavior is common, in part because of lack of access to means of prevention such as condoms or clean drug-injection equipment.

Secondly, there is also little evidence to suggest that criminal penalties will ‘rehabilitate’ a person such that they avoid future conduct that carries the risk of transmitting HIV. Sexual activity and drug use are complex human behaviors highly resistant to blunt tools such as fines or imprisonment. Other approaches are more likely to support longer-term behavioral change.

Thirdly, imposing punishment for its own sake can only be justified for conduct that is morally blameworthy, so a criminal law based on this objective could only legitimately apply to a subset of cases of HIV transmission or exposure. Whatever the merits of imposing criminal penalties as retribution, it must be understood that this is unrelated to the primary objective of preventing the transmission of HIV. Appealing to a desire for retribution in making policy runs the risk of appealing to prejudice and reinforcing discrimination, particularly in the context of the heavy stigma that already often surrounds HIV/AIDS and those individuals or groups associated with it.

Fourthly, it is unclear whether criminal sanctions will, in practice; act as a significant deterrent to behavior that may result in HIV transmission. However, any effect is likely to be limited, again to a subset of cases. If reasoned judgment is outweighed by less rational considerations (such as desire, fear or addiction), or if a moral concern for the welfare of others has not already prompted a change in behavior, then it is unlikely that a legal prohibition will have much additional effect. Finally, drug use and sexual activity persist even in the face of possible prosecution but, when prosecuted, are driven underground, hindering HIV prevention and access to appropriate care, treatment and support.

Policy-makers should weigh other considerations that highlight the need for caution. First, there may be a number of difficulties in proving certain required elements of an offence beyond a reasonable doubt in order to obtain a conviction, such as: whether the accused knew of their HIV-positive status, and of the means of HIV transmission, at the time of the alleged offence; that it was the accused who actually infected the complainant; or that the HIV-positive person did not disclose their status to the complainant. Record-keeping regarding HIV testing and counseling may be inadequate or non-existent in some settings, and most often there will be no witnesses to an encounter between the accused and the complainant.

Secondly, policy-makers must also consider the potential impact of criminalization on public health initiatives:

- Introducing HIV–specific criminal laws, or inflammatory media coverage of statements by public figures regarding individual prosecutions, contributes to the stigma surrounding HIV/AIDS and people living with the disease as ‘potential criminals’ as a threat to the ‘general public.’

- Similarly, the inappropriate, overly broad use of the criminal law also risks spreading misinformation about how HIV is transmitted, resulting in very serious charges and sentences where there is no significant risk of transmission.

- Furthermore, if the person who knows their HIV-positive status is exposed to possible criminal prosecution, policy-makers must assess whether any effect the criminal law has in deterring risk

activity could ultimately be outweighed by the harm it does to public health by deterring HIV testing.

- Criminalizing risky conduct by a person living with HIV/AIDS could undermine their confidence in counselors if the information that people living with HIV/AIDS discuss with a counselor is not protected from search and seizure by police and prosecutors. Compromising confidentiality may also have an effect not just with respect to HIV, but also on the willingness to seek treatment of other sexually transmitted diseases, the presence of which increases the risk of HIV transmission.

- Criminalizing could create a false sense of security among people who are (or think they are) HIV-negative, because some may expect that the existence of criminal prohibition for 'other' (i.e., HIV-positive) people reduces the risk of unprotected sex. This could undermine the public health message that everyone should take measures to reduce or avoid activities behavior that could increase their risk of HIV transmission.

Thirdly, given the stigma that still surrounds HIV and the persistence of HIV-related discrimination, there is a risk that criminal sanctions will be directed disproportionately at those who are socially, culturally and/or economically marginalized. Policy-makers must ensure that the law is not used to target or punish people simply because of their HIV-positive status, their sexual orientation, their work as prostitutes, their use of illegal drugs, or other disfavored status such as being a prisoner (or ex-prisoner) or immigrant.

Fourthly, for women and men with limited ability to disclose their HIV status and/or to take precautions to reduce the risk of transmission,

invoking the criminal law as a response to HIV-risking activity may not ultimately serve to protect. Rather, it may impose an additional burden on those who are doubly disadvantaged by HIV infection (with its attendant social and economic costs) and by their vulnerability to violence or other abuse.

Finally, policy-makers must be concerned about the potential for intrusion into personal privacy, through the possible loss of confidentiality of counseling or health records or the publicity of court proceedings. It should be considered whether other alternatives can achieve the objectives said to be served by criminalization while being less intrusive of people's privacy.

Task 6: Comprehension check

1. What is the argument of the writer in this passage?

   _____

   _____

2. What should be in place before HIV law is legislated?

   a) _____

   _____

   b) _____

   _____

3. What would be the function of HIV laws?

   a) _____

   _____

   b) _____

   _____

   c) _____

   _____

4. The writer seems concerned about the effectiveness of sanctions in deterring the spread of HIV. Write the reasons in short.
   a) _____
   _____
   b) _____
   _____
   c) _____
   _____
   d) _____
   _____

Task 7: Coherence

When we communicate in writing or speech we organize our ideas in different ways. Depending on the purpose of writing or speaking (i.e. inform, persuade, or entertain), we can use problem – solution, cause – effect, argumentation, etc.

a) Read the passage again and identify the writing's purpose.

b) How has the writer organized the text? Use the following guide.

Thesis of the essay is expressed in paragraph _____

Argument for HIV criminal sanction in paragraph _____

Argument against HIV criminal sanction in paragraph _____

Further recommendations in paragraph_____

c) Another means of relating ideas in spoken or written communication is using transition markers. Identify the function of markers taken from the reading passage 2 above. For example the first word has been done for you.

Transition marker	**Function**
But	**Contrary idea**
Such as	_____
First, secondly, thirdly, etc	_____
Then	_____
Furthermore	_____
Also	_____
Rather	_____

Part IV: Debate

Webster's Dictionary defines debate as 'a formal verbal contest in which the affirmative and negative sides of a proposition are advocated by opposing speakers.'

Task 8: Understanding political debate

In this section, you will be exposed to the strategy and language of political debate. You are going to read an extract from an American

Presidential campaign (**Before you come to class read Annex 2 at the end of the unit**).

a) Before you read the extract below, discuss the following questions in groups. (Do the reading at home.)

1. How many people should a debate involve and what are the roles of people participating in a debate?
2. How do you feel about holding your own debate in English?
3. Can you think of differences between a formal political debate and an argument or dispute in ordinary conversation?

b) Answer the following questions based on the debate annexed to this unit.

1. What are the points raised in the debate?
2. Did the contestants give enough reasons for the statements they make? Give examples.
3. Identify the language the speakers use to oppose each other's idea.
4. Compare this debate with argumentation in ordinary conversation.

c) Reflection

Think what you can learn from the debate if you were to be a participant in a debate or a moderator.

Part V: Language exercise on debate

To persuade others to the opinion we hold in a debate, we can use different language expressions. This part of the course exposes you to expressions you can learn to use in oral debate. You will now study some of the phrases or expressions for exchanging views and the categories of views represented by the phrases.

Opinions, Preferences:

I think..., In my opinion..., I'd like to..., I'd rather..., I'd prefer..., The way I see it..., As far as I'm concerned..., If it were up to me..., I suppose..., I suspect that..., I'm pretty sure that..., It is fairly certain that..., I'm convinced that..., I honestly feel that, I strongly believe that..., Without a doubt,...

Disagreeing:

I don't think that..., Don't you think it would be better..., I don't agree, I'd prefer..., Shouldn't we consider..., But what about..., I'm afraid I don't agree..., Frankly, I doubt if..., Let's face it..., The truth of the matter is..., The problem with your point of view is that...

Giving Reasons and offering explanations: To start with..., The reason why..., That's why..., For this reason..., That's the reason why..., Many people think...., Considering..., Allowing for the fact that..., When you consider that...

Task 9: Agreeing and disagreeing

Now match the categories under column **A** with the corresponding expressions under **B**.

A		**B**
Expressing certainty	**A**	... their employers don’t pay them a living wage. It’s a scandal, because many pizza parlors, pubs and burger bars are really being subsidized by the Government
Countering politely	**B**	But at least it’s culture free
Disagreeing in part	**C**	Well you might as well argue that

		the government should subsidize all shops
Expressing a strong opinion	**D**	I'm beginning to think it would be a good thing if we were shown genocide...
Countering directly	**E**	That might have been the case once, but you forget that
Dismissing an argument as irrelevant or improbable	**F**	I'd certainly agree if you're thinking of...
Expressing high probability	**G**	Precisely, but the answer isn't to remove benefits from those who really need them.
Expressing complete agreement	**H**	I'd have thought that was obvious.
Expressing a strong value	**I**	Clearly, a coeducational environment promotes understanding between boys and girls. It's far more natural.
Countering for concession	**J**	I wonder whether that's the case.
Disagreeing diplomatically (through doubt)	**K**	That doesn't necessarily follow
Expressing fair probability	**L**	I definitely think that countries should be self-sufficient in food and basic necessities.
Expressing conditional	**M**	That's highly debatable. Some of the exhibits you see

agreement		
Countering to cast doubt	**N**	But if you worked on a farm and your chickens were killed by foxes, you'd think differently.

Task 10: Free practice

Organize yourselves into groups and hold debates on controversial topics. You can choose from the following list or you can decide with your instructor topics that are more interesting to you.

- **Abortion in Ethiopia**
- **Capital punishment**
- **Smoking in public places in Ethiopia**
- **Prostitution in Ethiopia**

Procedure

The instructor can model it with students selected from the class if necessary.

Each debating group should not have more than seven members.
One of them (whom the students choose or a member with good ability to lead discussions) can be a moderator.

After the model group presentation, the teacher can help the whole class to reflect and internalize some skills for the actual debate.

The whole class divides into groups, who will be working on topics of their choice and present to the whole class.

The students can participate from the audience, when each group presents.

The instructor can use the presentations to assess speaking. [The speaking evaluation form in Unit 1 (Annex) can be modified to be used here.]

Part VI: Argumentative Writing

Argumentation is an advanced type of academic writing. Whether we write a paragraph or an essay, the major elements are proposition, logic and evidence.

Task 11: Argumentative paragraphs

The key principle to bear in mind, as you set out on the argument, is that any single paragraph can deal with only one item: the argumentative point established in the topic sentence. Hence, the major purpose of the paragraph is to provide the argumentative details which will make that topic sentence persuasive to the reader. That means, in effect, that each paragraph forms a sub-argument related to the main thesis; it advances a point in support of that thesis and argues it.

The argument in the paragraph will be either a deductive argument, an inductive argument, or, less commonly, a combination. That means in each paragraph you will either establish a common and agreed upon general principle and apply it to a specific case, to produce a deductive conclusion, or you will provide facts, research data, or quotations from the text to produce an inductive conclusion. Here are two examples of paragraphs taken from the main body of an argument against capital punishment.

a) Identify whether they are inductive or deductive and for each paragraph indicate:

The topic sentence

The supports

The conclusion

Sample Paragraph A

The first compelling argument against capital punishment is that it is morally indefensible. If we consider the argument from a Christian standpoint, we have the prohibition on killing in the Ten Commandments. In addition, we learn from the Bible that vengeance belongs to the Lord. However we describe capital punishment, it clearly involves killing another human being and, in many cases, assuming responsibility for avenging the death of someone else. From the point of view of secular human rights, too, there are many principles in place which encourage us to agree that the deliberate taking of a human life, especially in circumstances where the person killed is defenseless against the invincible power of the state and where the state's action constitutes cruel and unusual punishment, is morally wrong. It may well be that our feelings are often outraged at the particular barbarity of the original murder, that the guilt of the murderer is beyond doubt, that he or she shows no signs of repentance, and that society carries a considerable cost for incarcerating a murderer for life. All that may be true. None of it, however, removes from us the awareness that for a group of rational human beings to sanction the state killing of an individual, especially when there is no immediate threat to any other individual or to the state collectively, is never morally justifiable.

Sample Paragraph B

The argument that we need capital punishment in order to reduce the cost of maintaining the penal system is quite misplaced. There is no evidence that executing murderers will save us money. A number of studies of this question have shown that, on average, it costs about $50,000 per year to keep a maximum security offender in jail (Schneider, 1990; Ross and Sinclair 1996). A person who serves, say, a 25-year sentence, therefore, costs the state about $1,250,000. However, in countries which show some concern about the rights of the accused to a full and fair process, a system which has capital punishment for murder requires far more elaborate trials and a much lengthier and more expensive appeal process for capital offences than for non-capital offences. In addition, the cost of the execution itself is not insignificant. Recent studies by Gardner (1998) have shown that in the United States the cost of the various judicial processes and of the execution for convicted murderers is up to 30 percent higher than the cost of keeping them in jail for life. Other similar studies by McIntyre (1990) and Jackson (1995) have come to the same conclusion. There is, in other words, compelling reasons to seriously question one of the most frequent claims made in support of capital punishment: that it will reduce costs significantly. In fact, if saving money is the main concern in the penal system, we should get rid of capital punishment immediately.

C.Individually, develop your own argumentative paragraphs using one of the topics you debated in Part V, Task 10 of this unit.

Task 12: Argumentative essays

An **argumentative essay** may argue openly, or it may attempt to subtly persuade the reader by using irony or sarcasm.

Introduction - Give background or perhaps an illustrative example to show the significance of the subject or the nature of the controversy. Consider stating the conclusion of your argument here as the thesis of your essay.

Refutation - Give a brief statement of a refutation of the opposing view(s) to make your reader aware that you have considered but rejected it (them) for good reasons. This refutation may be more appropriately placed last, just before your conclusion, or even interspersed at effective locations throughout the essay. You must choose the best location.

Presentation of your argument - Throughout the body of your essay you should build your case one point at a time, perhaps devoting one paragraph to the defense of each of your premises, or setting forth your evidence in separate, meaningful categories.

Conclusion - After all your evidence has been presented and/or your premises defended, pull your whole argument together in the last paragraph by showing how the evidence you have presented provides sufficient grounds for accepting your conclusion. You may also add here some conventional device to finish your essay, such as a prediction, a new example, a reference to the example with which you began (now seen in a new light) etc.

The emphasis in argumentation is on developing a clear logical framework for the argument, in the form of a detailed outline, so that you know from the start the central claim of the essay and the way in which each paragraph will contribute to that argument.

If you can now formulate a clear focus, thesis, and sequence of topic sentences, then your essay will have a firm logical framework. It will be clear what you are trying to achieve and how you are proposing to

achieve the argumentative point of the essay or speech. No matter what you write further, if you stick to the outline you have proposed and if it is a good one, the reader will be clear about the purpose and direction of the argument. Now, we must turn to the matter of the specific details of the argument which will turn that framework and intention into a convincing complete argument.

The next two sections focus on the paragraphs which you construct on the basis of the topic sentences you have established for the main body of the argument. That is, they discuss various ways in which the particular details of the argument, which flesh out the outline you have drawn up, can be constructed.

a) Argument Strategies

You can organize ideas deductively or inductively to persuade others. Most of the argumentative paragraphs you write will resemble the second example above, that is, they will be presenting inductive arguments, based upon evidence. As we have already discussed, the strength of this argument is going to depend, in part, upon the nature of the evidence you present. No inductive argument which lacks reliable evidence will be persuasive.

Interpreting Evidence: Evidence by itself is rarely persuasive, unless the writer interprets the significance of that evidence. In other words, once you have placed some facts into the argument, you must discuss those facts to show how they establish the point you are arguing in the paragraph.

It is never enough in a paragraph to argue about a point in literature simply to offer a quotation from the text or a series of such quotations. While such evidence is essential, it is unpersuasive unless the writer then interprets that evidence, that is, offers a discussion about what

the quotation contains which suggests that the point of view advanced in the paragraph is valid.

Evidence requires interpretation which links the facts to the point being made in the topic sentence of the paragraph. Now, interpretation is something students tend at first to find difficult (hence they tend to supply far too much evidence without discussion). Interpretation requires an educated response to data (an eye for significant detail) and a suitable vocabulary to express that response. Hence, much of the work in undergraduate courses involves educating students in ways of interpreting the data most relevant to the field of study. And if your arguments are going to be at all persuasive in the details you present, you have to learn how to carry out such interpretation.

In general, the best essays tend to be those with a relatively narrow focus, in which the evidence presented is good evidence but not overwhelming in volume, and in which the interpretation of the evidence presented is first-rate and thorough. The quality of the interpretation, in fact, is one of the key features characterizing an A essay.

1. If your paragraphs are quite short (i.e., less than, say, 150 words), then they are almost certainly not carrying out a thorough argument. As should be clear from the various examples given above, introducing the topic sentence, presenting evidence, and interpreting the evidence in detail should take up a substantial amount of space. So if, when you look at the visual appearance of your essay, you notice that the paragraphs are changing every five or six lines, then something is wrong. It most cases, the problem will be that you are not doing enough interpretation.

2. As you review your essay, look carefully at those places where you have quoted some material, either from the text which is the subject of the argument or from a secondary source. Ask yourself this question: What is going on in the essay immediately after the quotation? If you are not at that point discussing the significance of the quotation for the argument the paragraph is making (i.e., interpreting the quotation), then you are probably neglecting an essential part of the argument.

3. Finally, how much of each paragraph is taken up with quotations from the text or from secondary sources? If these make up the major part of the paragraph, then you are probably overloading the argument with evidence and not providing sufficient interpretation of the evidence. As a general rule, select the best evidence available, and interpret it thoroughly, rather than trying to stuff the essay with quotations.

b) Unity and completeness

A key characteristic of good paragraphs is that they exhibit unity, that is, everything in the paragraph is linked directly to the main point announced in the topic sentence. There are no digressions into other subjects or additional points brought into the middle of the paragraph. Everything is relevant to the single argumentative point of that paragraph. Moreover, it should exhaustively deal with the idea it raises, i.e. it should be complete.

Read the excerpt below and decide if it has unity and completeness. If it doesn’t, why not?

Elisa's main problem in this story is that she is uncertain about her femininity. We sense this problem in the way she dresses, something

emphasized in the opening description of her. Her figure looks "blocked and heavy." She wears a man's hat pulled low over her face. She does wear a dress, but that is almost totally concealed under a heavy apron, so that we get the impression of a woman who is hiding something, a sense that is strongly reinforced by the narrator's description of her clothes as a "costume," something worn by actors impersonating someone else. The setting also sounds quite isolated and lonely, as if there is no daily human contact with a community of friends. And the fact that the story is set at a time when the fields are "brown" and without a crop evidently coming to fruition, a time of "waiting," creates a sense that Elisa has no immediate fulfillment in her daily life. Elisa's conduct when the stranger arrives is thus quite understandable; she is uncertain about how to deal with a sudden intrusion, especially a strange man. All these details reveal clearly that Elisa has some significant emotional insecurity.

One way in which inexperienced writers commonly interrupt the unity of the paragraph (and the argument) is suddenly to stray into large questions far outside the scope of the focus you have defined. Once you start the argument, you should stay specifically on that, without invoking huge generalizations which lie outside the specific area you have defined. If you want to link the argument to bigger questions, then do that in the conclusion.

Does the following argument have unity?
Living in the city has many advantages. Firstly you can find good communication facilities that you cannot find in the rural areas.

c) Coherence

A second important characteristic of argumentative paragraphs is that they must be coherent, that is, the argument going on in them

must flow logically from sentence to sentence, so that the reader moves from the opening declaration of the topic (in the topic sentence), through the evidence and interpretation, to the conclusion of the paragraph in a clear linear fashion, with no erratic jumps or confusing interruptions. The most logically coherent form for a paragraph presenting an inductive argument is as follows:

1. Topic sentence, an argumentative assertion announcing the main point the paragraph is seeking to make, perhaps followed by one or two sentences reinforcing and clarifying the argumentative stance in this paragraph;
2. Evidence in the form of direct references to the text, quotations, statistics, summaries of relevant research data, and so on;
3. Interpretation of the evidence, a section which discusses in detail how the particular evidence you have introduced helps to back up the argumentative point announced in the topic sentence;
4. (Optional) Any qualifications you want to introduce to limit the argument, and especially to clarify the reliability of the evidence and thus the interpretations you have made of it (for examples, see below);

5. Final summary point bringing the reader back to the point stressed in the topic sentence.

This is by no means the only possible coherent structure for an argumentative paragraph, but, if you follow it closely, the resulting argument will be coherent, since this follows the standard logic of an inductive argument: This is what I am claiming; here is my evidence; this is what the evidence indicates; here are any reservations I have about the evidence; and thus I have established the claim I began with.

Now decide if the next paragraph is coherent or not.
If yes, why?

It is clear that our attempts to control the spread of illegal narcotics are not producing the results we had hoped for, and it is thus high time we assessed the value of our anti-drug measures. As we redouble our efforts and give the police additional powers, the street price of illegal narcotics continues to decline, a sure sign that the supply is becoming more plentiful (Jackson, 1997). A recent study of the street trade in Vancouver confirms our worst fears: addiction is increasing in the city, street prices are falling, and the illegal infrastructure is growing in power (Callows, 1998). Other studies of the same city have shown that there is an increasing supply reaching school children (Smart, 1995; Stuart, 1997). This increase is naturally producing more young addicts (Thomas, 1997). What do these results indicate? It doesn't take much brain power to figure out that the war on drugs, for which we are paying so much money, is not having much success, if reducing or eliminating the supply is still a major goal. It's true that we have to be careful with the results of some of these studies, for their methods are not always as reliable as they might claim to be, and there are often political agendas at work in the studies of our narcotics problem. Nevertheless, the recent literature, none of which offers any firm evidence that our combat against narcotics is achieving anything positive (other than enriching criminals and empowering police forces) must surely give us reason to pause before we hurl millions more dollars into programmes which are not working. For there is no evidence at all that such an expenditure will achieve anything socially helpful. The money will, we can be certain, largely go to waste.

d) Conclusions and recommendations

An argumentative essay should normally finish with a conclusion and sometimes, depending on the subject, with conclusions and recommendations. The conclusions and recommendations (if there are any) should be placed in the last paragraph(s).

a) Good conclusions are often difficult to write. It is best to leave them until you have finished the first draft of the paper, so that you have a complete sense of the argument as you have presented it. Now you are ready to leave the reader with some final concluding thoughts.

In thinking about how to write a conclusion, you might benefit from considering the following ideas:

1. The conclusion should not continue the argument by introducing new material. It is a place to sum up the argument which has come to an end in the final paragraph of the main body of the argument. Hence, you should never introduce new points in the conclusion.

2. The main purpose of the conclusion is to sum up the argument, to re-emphasize the thesis, and to leave the reader thinking about the importance of the argument, perhaps in a wider context. In a sense, its purpose is the reverse of the introduction: the conclusion moves the reader from the particular emphasis of the argument and takes it out into a wider context (if this seems confusing, check some of the examples below).

3. There are a number of things a writer should be careful not to do in the concluding paragraph. You should not, as mentioned, suddenly introduce a new point, nor should you disqualify the argument you have just presented with a comment like "But all this is just my opinion," or "But I really don't know that much about the subject."

Make sure the conclusion is a confident reassertion of the main point of the argument.

4. Here are some things you might do in a conclusion: you can sum up the argument you have conducted and re-emphasize the thesis you set down at the beginning, you can move back from the specific focus and place the argument in a larger context (see example below), you can leave the reader with some specific recommendations or questions to think about, or you can point to the future and invite the reader to consider what you have said in that context.

As you read the sample conclusion below, answer the following questions:
Does the writer continue the argument here?
What is the function of the phrase “As I have mentioned …”?
What could have been the central argument of the essay from which this conclusion comes?

Surely it's time we recognized the facts of life: that our efforts to stamp out illegal narcotics are only succeeding in enriching organized crime, providing the police with dangerous new powers, filling our prisons with young people, and encouraging many others to break the law. And, as I have mentioned, we need to remember that the narcotics we are trying to stamp out are less dangerous than many legal substances in widespread use. So instead of devising new utopian and increasingly expensive and futile schemes to eliminate drugs, we should move at once to change the law and to make cocaine, heroin, marijuana, and their derivatives as legal as tobacco, alcohol, Valium, and Ritalin.

Recommendations: Sometimes the argument you are making will require recommendations; in fact, your thesis may well be in the form of one or more recommendations. Such a requirement is quite common in arguments which are urging the need for particular social or political responses to problems. The first thing to note is that a recommendation is not the same thing as a conclusion. A conclusion arises, as we have seen, out of a deductive or inductive argument. It is the logical result of a process of reasoning, and it indicates the completion of a thought process. A recommendation is, as the name suggests, a statement urging action. Alternatively put, a conclusion says, in effect, "This is the case" or "This is very probably the case"; a recommendation says "This is what we must (or should) do about the case."

Logically speaking, recommendations should normally follow conclusions. That is, the thought process and argument which result in our understanding a problem better should come before the proposals for how we should address the problem. This, I take it, is generally obvious enough. We cannot review options and recommend a course of action, until we have drawn conclusions about what the problem is.

None of this is something you need worry about unless the argument is leading up to a series of recommendations. If the major purpose of the argument is to urge the readers to think about a series of practical measures which should be implemented. Such a requirement is not uncommon in papers exploring social problems or policy analysis, but it is rare in arguments about literature or philosophy. If you are leading up to a series of recommendations as a major purpose of the argument, then separate the conclusions from the recommendations,

present the conclusions first, and then in a separate paragraph present the recommendations, usually in the form of a numbered list.

As you read the sample text below, identify:

- the relationship of the conclusion and recommendation
- the function of the conclusion and recommendation
- what the purpose of the final paragraph is
- if there are other ways of closing the argument

Sample Conclusion and Recommendation ending to a paper

As this argument has pointed out repeatedly, there is no reliable evidence that the quality of teaching in universities and colleges is linked at all with quantity or quality of conventional research and publishing activities. Simply put, the frequent claim that conventional research is essential to good teaching has no basis in fact. It may be true, of course, but there is as yet no evidence to support the claim. Indeed the consistent result of studies into this question, as we have shown, confirm the lack of a relationship. Given this well known point, it is indeed curious that university and college faculty, whose major task is educating undergraduates in correct reasoning, should continue to insist upon such an unsubstantiated assertion in such an illogical fashion, to the point where it has become an article of faith in faculty culture, a myth. It is beyond the scope of this paper to explore why that might be the case; suffice it to say that we should keep this conclusion in mind when we evaluate how to spend the money we allocate for undergraduate instruction.

On the basis of this well established conclusion, however, we should insist upon some important reforms in undergraduate education, especially in the university-colleges, which, unlike most large universities, have no mandate to conduct research:

1. The instructional budget should provide no release time for instructors to conduct research (i.e., we should not cut classes and courses to fund independent faculty research), unless there is some exceptional need for a particular project to deal with a problem of immediate importance to the institution.

2. Instructors should, under no circumstances, be ranked or evaluated according to their research output.

3. The processes of hiring new faculty should cease to consider research qualifications and performance and concentrate exclusively upon the teaching experience and qualifications of the candidates as the major criteria.

4. The curriculum should be much more closely designed to meet the learning needs of the students rather than the research interests of the faculty.

5. If prevailing faculty culture insists that research time is essential to maintain the quality of instruction, then we should inform them firmly and repeatedly that, in the interests of reason, we will listen to any arguments they wish to present, provided only there is some reliable evidence to support their claim. Until such time, however, we are going to proceed with the reforms listed above.

Task 13: Transition Markers in Arguments

The key to sustaining the coherence of a paragraph is often the appropriate use of transition words. These are words or phrases, usually right at the start of a sentence, which indicate the logical direction of the new sentence in relation to what has just been said. They link what has just been written to what is now being offered.

Here are a few examples (the transition elements are in bold).
In addition to this point, there are many studies which establish a relationship between the income of one's parents and success in school.

By contrast, other passages of the poem suggest a totally different mood.
This emphasis on pharmaceutical intervention, **however**, brings with it real dangers. **For example**, the medication often brings immediately harmful side effects. **Moreover**, it can **also** create long-term addiction. **Beyond that**, there is the question of the expense. **This being the case**, one wonders why we are so keen to continue with this medication.

Moreover, rock 'n' roll music has exercised an important influence on civil rights in North America. **In fact**, in popular music since the 1950's, more than in any other activity (with the possible exception of professional sports), black people have won fame, fortune, and lasting status among the white middle-class. **For example**, thousands of eager white people all over North America have lined up to attend concerts by Prince, Michael Jackson, Chubby Checker, Tina Turner, the Supremes, Chuck Berry, Little Richard, and many, many other black performers. **In addition**, black singing stars have ever since the late 1950's been in demand with companies seeking high-profile figures to endorse products aimed at the white middle classes. **Indeed**, it is now a common sight to see white and black performers working together on prime-time television, without regard to the co lour of their skin. **This** phenomenon, we sometimes forget, is very different from the situation before the 1950's. **Then**, in some places no white group could appear on stage with a drummer (white or

black), because the drum was considered a black instrument. **Moreover**, there was a rigidly enforced distinction between black music and white music. Radio stations, **for instance**, played one type of music or the other, not both. **However**, since the advent of rock 'n' roll all that has altered. **To be sure**, many other factors were involved in this important and complex social change. **That** cannot be denied. **Still**, we should not deny our popular musicians the credit which is their due. **For** without their pervasive influence and talent, often in difficult conditions, **this** improvement in race relations would have come about much more slowly than it did.

Look carefully at these words in bold. Most of them could be removed from the sentences, without damage to the sense. What would be lost, however, is the constant presence of words and phrases linking elements in the argument and providing the reader a sense of the logical relationship of the element coming up to what has gone before. An intelligent use of transition words really helps to create and sustain the coherence of a paragraph, enabling the reader easily to follow the logical connections from one sentence to the next.

b) Complete the text below with the appropriate transition markers

The claim is often made that conducting conventional research and publishing the results in academic journals is essential to maintain a high quality of instruction of undergraduates. _____ this claim is so common, that it is part of the official policy of the Canadian Association of University Teachers. _____ it is not uncommon for evaluations of the quality of teaching at a post-secondary institution to factor in the research output of the faculty. _____ is this claim true? _____ is it the case that college teachers cannot do a good job unless they maintain a research output? Well, a number of studies suggest that there is no basis for this belief.

_____ a study by Johnston (1991) which explored the various studies of this question concluded that results consistently show no relationship between the quality of undergraduate instruction and research output. _____ there is a great deal of anecdotal evidence which claims the same thing. _____ there is no reliable evidence that there is a significant connection between the two activities, something which would support the common claim. _____ the frequent emphasis on the importance of research to maintain an acceptable level of undergraduate teaching would appear to be unproven, a cultural myth perhaps designed to perpetuate what a faculty wants to do rather than what the most urgent priorities of the institution really are. _____ this is a difficult question, because teaching quality is notoriously difficult to assess. _____, given the amount of money spent to reduce the number of classes taught in order to promote research activity; one would think that some evidence would be required to justify the practice. _____ this does not seem to bother most institutions. _____ They cheerfully continue to spend instructional money to support research. _____ the faculty keep demanding more time away from class in order to be better teachers.

Some Other markers

The list below indicates some of the common transition words indicating logical connections between sentences and paragraphs. The words are grouped according to the logical function they carry out (this list is not meant to be comprehensive).

1. Words indicating continuity with what has gone before: and, in addition, moreover, furthermore, also, indeed, besides, secondly, next, similarly, again, equally important, beyond that.

2. Words indicating an example or illustration of a point introducing evidence: for example, for instance, as an illustration.
3. Words adding emphasis to a point which is reinforcing a previous point: in fact, in other words, that is, indeed, as a matter of fact.

4. Words indicating a conclusion from or a result of what you have just been discussing: thus, hence, therefore, consequently, as a result.
5. Words indicating a contrast with what has just been said: but, however, nevertheless, by contrast, on the other hand, conversely.

6. Words indicating a qualification, doubt, or reservation about what you have just been discussing: no doubt, of course, to be sure.

7. Words indicating a summary statement is coming up: in short, all in all, in brief, in conclusion, to conclude, given all this.

8. Pronoun and adjectival links to something which has gone before: this, that, the above-mentioned, such.

9. Words establishing time relationships (important in narrative paragraphs): after, afterwards, then, later, before, while, at the same time, immediately, thereupon, next, meanwhile, subsequently, previously, simultaneously.

10. Words indicating spatial relationships (important in physical descriptions): above, beside, next to, on the other side, facing, parallel, across from, adjacent.

Now write an argumentative essay of about two pages using the topics you debated in the speaking part.

Procedure for argumentative essays

In addition to the notes above, you can use the following guide.

Introduction: Background statement, controversy and thesis statement

Main body: Your opponent's argument, your counter argument, including fallacies of opposing claims and your reasoning and evidences to refute the claims.

Conclusion: Restate the argument and make some recommendations.

Annex 1, Unit 5: Listening Text

Violence against women is both a cause and a consequence of HIV/AIDS. It is a fact of life for too many women in all countries, whether in peace-time, during conflict or post-conflict periods. The true extent of violence against women is unknown, but current research indicates that intimate partner violence ranges anywhere from 10 to 69 per cent, and one in four women may experience sexual violence by an intimate partner in her life-time. To truly understand the extent of violence against women, the number of women who experience violence at the hands of strangers must be added to the above figures.

If their HIV-positive status is known, many women are in danger of being beaten, abandoned or thrown out of their homes. Many are afraid to ask their partners to change their sexual behavior or to use protection. In Botswana, women have admitted to health professionals that they are afraid of their partner's reaction if he finds out they are HIV-positive. That fear has kept them from being tested, from returning for their results if they are tested, from participating in

PMTCT and treatment programs and, for those who agree to be treated, from adhering to the regimen because they are trying to hide their pills. While violence and the fear of violence make it hard for women to access prevention, treatment and care, the very fact that they are living with violence seems to increase their susceptibility to HIV.

According to a recent study, women who are beaten or dominated by their partners are much more likely to become infected by HIV than women who live in non-violent households. The research was carried out among 1,366 South African who attended health centers in Soweto and agreed to be tested for HIV and interviewed about their home lives. The figures showed that women who were beaten by their husbands or boyfriends were 48 percent more likely to become infected by HIV than those who were not. Those who were emotionally or financially dominated by their partners were 52 per cent more likely to be infected than those who were not dominated.

A smaller study in Tanzania found that HIV-positive women were over two and a half times more likely to have experienced violence by their partner than HIV-negative women. This increased vulnerability is tied to several issues. One is lack of control. Male condoms or other protection are irrelevant when a woman is being beaten and raped. Another is physiological susceptibility.

These conditions are magnified for young girls. Their reproductive tracts are not fully developed and are therefore prone to tearing during sexual activity. They are more likely to experience sexual coercion than adult women. In several studies around the world, up to one third of adolescent girls reported that their first sexual experience was coerced. Many are married at a young age to older men, and the

power inequities inherent in these relationships can lead to violence or the threat of it. Adolescent girls are also prime targets for traffickers or militia groups. Worldwide, it is estimated that 800,000 people—women, men, girls and boys—are trafficked every year into forced labor and sexual exploitation, a highly lucrative global industry controlled by powerful criminal organizations. The UN Office on Drugs and Crime estimated that in 1997, these groups amassed some $7 billion a year while making use of the Internet to expand their networks in both industrialized and developing nations.

The risk of violence and sexual abuse is high among girls who are orphaned by AIDS. Many of them face a heightened sense of hopelessness along with a lack of emotional and financial support. In a study in Zambia, Human Rights Watch found that among girls who had been orphaned by AIDS, hundreds were being sexually assaulted by family members or guardians or forced into sex work to survive.

Violence during Conflict

As difficult as it may be for women who experience violence during peacetime, the challenges during conflict are even greater, as police and judicial systems crumble and health infrastructure and other services decline. Women and girls are disproportionately vulnerable to HIV infection during conflict and post-conflict periods. This is not only because they are frequently sexually abused by various armed groups, but because they may be fleeing their homes, may have lost their families and their livelihood, and may have little or no access to health care. Along the eastern border of the Democratic Republic of the Congo, an ongoing civil war has destroyed lives, villages and livelihoods. Now the area is thought to be on the verge of a major HIV epidemic. Some 60 per cent of the militia who roam the countryside raping, torturing and mutilating thousands of women and girls are

believed to be HIV-positive, and virtually none of the women have access to service and care.

Annex 2, Unit 5: Text for Debate

THIRD PRESIDENTIAL CANDIDATES' DEBATE ARIZONA STATE UNIVERSITY, TEMPE, ARIZONA
SPEAKERS: GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES
U. S. SENATOR JOHN F. KERRY (MA)
DEMOCRATIC PRESIDENTIAL NOMINEE BOB SCHIEFFER
CBS ANCHOR

SCHIEFFER: Good evening from Arizona State University in Tempe, Arizona. I'm Bob Schieffer of CBS News. I want to welcome you to the third and last of the 2004 debates between President George Bush and Senator John Kerry.

As Jim Lehrer told you before the first one, these debates are sponsored by the Commission on Presidential Debates.

Tonight the topic will be domestic affairs, but the format will be the same as that first debate. I'll moderate our discussion under detailed rules agreed to by the candidates, but the questions and the areas to be covered were chosen by me. I have not told the candidates or anyone else what they are.

To refresh your memory on the rules, I will ask a question. The candidate is allowed two minutes to answer. His opponent then has a minute and a half to offer a rebuttal.
At my discretion, I can extend the discussion by offering each candidate an additional 30 seconds.

A green light will come on to signal the candidate has 30 seconds left. A yellow light signals 15 seconds left. A red light means five seconds left.
There is also a buzzer, if it is needed.

The candidates may not question each other directly. There are no opening statements, but there will be two-minute closing statements.

There is an audience here tonight, but they have agreed to remain silent, except for right now, when they join me in welcoming President George Bush and Senator John Kerry.
(APPLAUSE)

Gentlemen, welcome to you both.
By coin toss, the first question goes to Senator Kerry.
Senator, I want to set the stage for this discussion by asking the question that I think hangs over all of our politics today and is probably on the minds of many people watching this debate tonight.

And that is, will our children and grandchildren ever live in a world as safe and secure as the world in which we grew up?

KERRY: Well, first of all, Bob, thank you for moderating tonight. Thank you, Arizona State, for welcoming us. And thank you to the Presidential Commission for undertaking this enormous task. We're proud to be here. Mr. President, I'm glad to be here with you again to share similarities and differences with the American people.
Will we ever be safe and secure again? Yes. We absolutely must be. That's the goal. Now, how do we achieve it is the most critical component of it.

I believe that this president, regrettably, rushed us into a war, made decisions about foreign policy, pushed alliances away. And, as a result, America is now bearing this extraordinary burden where we are not as safe as we ought to be.

The measurement is not: Are we safer? The measurement is: Are we as safe as we ought to be? And there are a host of options that this president had available to him, like making sure that at all our ports in America containers are inspected. Only 95 percent of them -- 95 percent come in today uninspected. That's not good enough.

People who fly on airplanes today, the cargo hold is not X-rayed, but the baggage is. That's not good enough. Firehouses don't have enough firefighters in them. Police officers are being cut from the streets of America because the president decided to cut the COPS program. So we can do a better job of homeland security. I can do a better job of waging a smarter, more effective war on terror and guarantee that we will go after the terrorists. I will hunt them down, and we'll kill them, we'll capture them. We'll do whatever is necessary to be safe.

But I pledge this to you, America: I will do it in the way that Franklin Roosevelt and Ronald Reagan and John Kennedy and others did, where we build the strongest alliances, where the world joins together, where we have the best intelligence and where we are able, ultimately, to be more safe and secure.

SCHIEFFER: Mr. President, you have 90 seconds.
BUSH: Thank you very much. I want to thank Arizona State as well. Yes, we can be safe and secure, if we stay on the offense against the terrorists and if we spread freedom and liberty around the world.

I have got a comprehensive strategy to not only chase down the Al Qaida, wherever it exists -- and we're making progress; three-quarters of Al Qaida leaders have been brought to justice -- but to make sure that countries that harbor terrorists are held to account. As a result of securing ourselves and ridding the Taliban out of Afghanistan, the Afghan people had elections this weekend. And the first voter was a 19-year-old woman. Think about that. Freedom is on the march. We held to account a terrorist regime in Saddam Hussein.

In other words, in order to make sure we're secure, there must be a comprehensive plan. My opponent just this weekend talked about how terrorism could be reduced to a nuisance, comparing it to prostitution, illegal gambling. I think that attitude and that point of view is dangerous. I don't think you can secure America for the long run if you don't have a comprehensive view as to how to defeat these people.

At home, we'll do everything we can to protect the homeland. I signed the homeland security bill to better align our assets and resources. My opponent voted against it. We're doing everything we can to protect our borders and ports. But absolutely we can be secure in the long run. It just takes good, strong leadership.

SCHIEFFER: Anything to add, Senator Kerry?
KERRY: Yes. When the president had an opportunity to capture or kill Osama bin Laden, he took his focus off of them, outsourced the job to Afghan warlords, and Osama bin Laden escaped. Six months after he said Osama bin Laden must be caught dead or alive, this president was asked, "Where is Osama bin Laden?" He said, "I don't know. I don't really think about him very much. I'm not that concerned. " We need a president who stays deadly focused on the real war on terror.

SCHIEFFER: Mr. President?
BUSH: Gosh, I just don't think I ever said I'm not worried about Osama bin Laden. It's kind of one of those exaggerations. Of course we're worried about Osama bin Laden. We're on the hunt after Osama bin Laden. We're using every asset at our disposal to get Osama bin Laden.
My opponent said this war is a matter of intelligence and law enforcement. No, this war is a matter of using every asset at our disposal to keep the American people protected.
SCHIEFFER: New question, Mr. President, to you. We are talking about protecting ourselves from the unexpected, but the flu season is suddenly upon us. Flu kills thousands of people every year. Suddenly we find ourselves with a severe shortage of flu vaccine. How did that happen?

BUSH: Bob, we relied upon a company out of England to provide about half of the flu vaccines for the United States citizen, and it turned out that the vaccine they were producing was contaminated. And so we took the right action and didn't allow contaminated medicine into our country. We're working with Canada to hopefully -- that they'll produce a -- help us realize the vaccine necessary to make sure our citizens have got flu vaccinations during this upcoming season.

My call to our fellow Americans is if you're healthy, if you're younger; don't get a flu shot this year. Help us prioritize those who need to get the flu shot, the elderly and the young. The CDC, responsible for health in the United States, is setting those priorities and is allocating the flu vaccine accordingly. I haven't gotten a flu shot, and I don't

intend to because I want to make sure those who are most vulnerable get treated.

We have a problem with litigation in the United States of America. Vaccine manufacturers are worried about getting sued, and therefore they have backed off from providing this kind of vaccine. One of the reasons I'm such a strong believer in legal reform is so that people aren't afraid of producing a product that is necessary for the health of our citizens and then end up getting sued in a court of law. But the best thing we can do now, Bob, given the circumstances with the company in England is for those of us who are younger and healthy, don't get a flu shot.

SCHIEFFER: Senator Kerry?
KERRY: This really underscores the problem with the American health-care system. It's not working for the American family. And it's gotten worse under President Bush over the course of the last years. Five million Americans have lost their health insurance in this country. You've got about a million right here in Arizona, just shy, 950,000, who have no health insurance at all. 82,000 Arizonians lost their health insurance under President Bush's watch. 223,000 kids in Arizona have no health insurance at all.

All across our country -- go to Ohio, 1. 4 million Ohioans have no health insurance, 114,000 of them lost it under President Bush; Wisconsin, 82,000 Wisconsinites lost it under President Bush. This president has turned his back on the wellness of America. And there is no system. In fact, it's starting to fall apart not because of lawsuits -- though they are a problem, and John Edwards and I are committed to fixing them -- but because of the larger issue that we don't cover Americans.

Children across our country don't have health care. We're the richest country on the face of the planet, the only industrialized nation in the world not to do it. I have a plan to cover all Americans. We're going to make it affordable and accessible. We're going to let everybody buy into the same health-care plan senators and congressmen give themselves.
SCHIEFFER: Mr. President, would you like to add something?

BUSH: I would. Thank you.
I want to remind people listening tonight that a plan is not a litany of complaints, and a plan is not to lay out programs that you can't pay for. He just said he wants everybody to be able to buy in to the same plan that senators and congressmen get. That costs the government $7,700 per family. If every family in America signed up, like the senator suggested, it would cost us $5 trillion over 10 years. It's an empty promise. It's called bait and switch.

SCHIEFFER: Time's up.
BUSH: Thank you.
KERRY: Actually, it's not an empty promise.
It's really interesting, because the president used that very plan as a reason for seniors to accept his prescription drug plan. He said, if it's good enough for the congressmen and senators to have choice, seniors ought to have choice. What we do is we have choice. I choose Blue Cross/Blue Shield. Other senators, other congressmen choose other programs. But the fact is, we're going to help Americans be able to buy into it. Those that can afford it are going to buy in themselves. We're not giving this away for nothing.
SCHIEFFER: All right. Let's go to a new question, Mr. President.

I got more e-mail this week on this question than any other question. And it is about immigration. I'm told that at least 8,000 people cross our borders illegally every day. Some people believe this is a security issue, as you know. Some believe it's an economic issue. Some see it as a human-rights issue. How do you see it? And what do we need to do about it?

BUSH: I see it as a serious problem. I see it as a security issue, I see it as an economic issue, and I see it as a human-rights issue. We're increasing the border security of the United States. We've got 1,000 more Border Patrol agents on the southern border. We're using new equipment. We're using unmanned vehicles to spot people coming across.

And we'll continue to do so over the next four years. It's a subject I'm very familiar with. After all, I was a border governor for a while. Many people are coming to this country for economic reasons. They're coming here to work. If you can make 50 cents in the heart of Mexico, for example, or make $5 here in America, $5. 15, you're going to come here if you're worth your salt, if you want to put food on the table for your families. And that's what's happening.

And so in order to take pressure off the borders, in order to make the borders more secure, I believe there ought to be a temporary worker card that allows a willing worker and a willing employer to mate up, so long as there's not an American willing to do that job, to join up in order to be able to fulfill the employers' needs.

That has the benefit of making sure our employers aren't breaking the law as they try to fill their workforce needs. It makes sure that the people coming across the border are humanely treated, that they're

not kept in the shadows of our society, that they're able to go back and forth to see their families. See, the card, it'll have a period of time attached to it.
It also means it takes pressure off the border. If somebody is coming here to work with a card, it means they're not going to have to sneak across the border. It means our border patrol will be more likely to be able to focus on doing their job.

Now, it's very important for our citizens to also know that I don't believe we ought to have amnesty. I don't think we ought to reward illegal behavior. There are plenty of people standing in line to become a citizen. And we ought not to crowd these people ahead of them in line. If they want to become a citizen, they can stand in line, too. And here is where my opponent and I differ. In September 2003, he supported amnesty for illegal aliens.

SCHIEFFER: Time's up.
Senator?
KERRY: Let me just answer one part of the last question quickly, and then I'll come to immigration.
The American middle-class family isn't making it right now, Bob. And what the president said about the tax cuts has been wiped out by the increase in health care, the increase in gasoline, the increase in tuitions, the increase in prescription drugs. The fact is, the take-home pay of a typical American family as a share of national income is lower than it's been since 1929. And the take-home pay of the richest 1 percent of Americans is the highest it's been since 1928.

Under President Bush, the middle class has seen their tax burden go up and the wealthiest's tax burden has gone down. Now that's wrong.

Now, with respect to immigration reform, the president broke his promise on immigration reform. He said he would reform it. Four years later he is now promising another plan.
Here's what I'll do: Number one, the borders are more leaking today than they were before 9/11. The fact is, we haven't done what we need to do to toughen up our borders, and I will.
Secondly, we need a guest-worker program, but if it's all we have, it's not going to solve the problem.

The second thing we need is to crack down on illegal hiring. It's against the law in the United States to hire people illegally, and we ought to be enforcing that law properly.
And thirdly, we need an earned-legalization program for people who have been here for a long time, stayed out of trouble, got a job, paid their taxes, and their kids are American. We got to start moving them toward full citizenship, out of the shadows.
SCHIEFFER: Do you want to respond, Mr. President?

BUSH: Well, to say that the borders are not as protected as they were prior to September the 11th shows he doesn't know the borders. They're much better protected today than they were when I was the governor of Texas.

We have much more manpower and much more equipment there.
He just doesn't understand how the borders work, evidently, to say that. That is an outrageous claim.
And we'll continue to protect our borders. We're continuing to increase manpower and equipment.

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C. Films and Debating Clubs

Teachers can use some video/films or record live TV shows dealing with legal issues, such as Judge Judy or Ethiopian Television to expose the students to legal language.

As much as time allows, they can also organize debating clubs or moot courts in collaboration with law professors, to increase the opportunity for the students to practice using the English language outside the classroom.

D. The Internet