

Iryna Skovronska, Roksolana Zapotichna



# LEGAL ENGLISH: THEORY, PRACTICE, COMMUNICATION



**PRIVATE HIGHER EDUCATIONAL ESTABLISHMENT  
«DNIPRO UNIVERSITY OF THE HUMANITIES»**

**Iryna Skovronska, Roksolana Zapotichna**

**LEGAL ENGLISH:  
THEORY, PRACTICE, COMMUNICATION**

Dnipro  
2026

УДК 811.111:34(075.8)

Рекомендовано до друку  
Навчально-методичною радою Вищого навчального приватного закладу  
«Дніпровський гуманітарний університет»  
(протокол №9 від 21 травня 2026 року)

**Рецензенти:**

*Головач Тетяна Миколаївна*, кандидат філологічних наук, доцент, доцент кафедри мовної підготовки Львівського державного університету внутрішніх справ

*Бондаренко Вікторія Анатоліївна*, кандидат юридичних наук, доцент, доцент кафедри українознавства та міжкультурної комунікації Львівського державного університету безпеки життєдіяльності

Skovronska Iryna, Zapotichna Roksolana. Legal English: Theory, Practice, Communication (English) = Навч. посіб. Dnipro: Dnipro University of the Humanities, 2026. 145 p.

Навчальний посібник спрямований на формування професійної іншомовної компетентності у сфері права та опанування базових юридичних понять і термінології. Матеріали охоплюють основні галузі права та містять тематичну лексику, тексти для читання і практичні завдання для розвитку навичок аналізу юридичних ситуацій іноземною мовою.

Рекомендовано для підготовки здобувачів вищої освіти спеціальності «Право», а також для викладачів закладів вищої освіти.

©Сковронська І.Ю.2026  
© Запотічна Р.А. 2026  
© ВНПЗ «ДГУ», 2026

## CONTENTS

<b>PREFACE.....</b>	<b>4</b>
<b>UNIT 1. TORT LAW .....</b>	<b>4</b>
<b>UNIT 2. CONTRACT LAW .....</b>	<b>23</b>
<b>UNIT 3. ADMINISTRATIVE LAW .....</b>	<b>38</b>
<b>UNIT 4. FAMILY LAW.....</b>	<b>55</b>
<b>UNIT 5. AGRARIAN LAW .....</b>	<b>74</b>
<b>UNIT 6. ENVIRONMENTAL LAW .....</b>	<b>90</b>
<b>UNIT 7. INTERNATIONAL PRIVATE LAW .....</b>	<b>110</b>
<b>UNIT 8. LABOR LAW .....</b>	<b>127</b>
<b>INDICATIVE BIBLIOGRAPHY .....</b>	<b>144</b>

## PREFACE

This textbook is designed for students of law who study English for professional purposes. Its primary aim is to develop the linguistic competence required for understanding, analysing, and discussing legal concepts in English within academic and professional contexts. The book focuses on key areas law and introduces learners to fundamental legal terminology, concepts, and communicative practices relevant to contemporary legal education.

Legal English represents a specialised form of language characterised by precise terminology, complex structures, and context-dependent meaning. For future legal professionals, the ability to operate confidently in this linguistic environment is essential. The present textbook seeks to support students in mastering both the language of the law and the reasoning patterns typical of legal discourse.

The structure of the textbook is thematic. Each unit addresses a particular branch of law and includes active vocabulary, explanatory texts, and practice activities designed to develop reading comprehension, professional vocabulary, and analytical thinking. Special attention is given to different areas of private law, where students examine legal principles, elements of liability, and practical applications in real-world situations. The materials encourage learners to interpret legal information, identify relevant facts, and express legal arguments in English.

The tasks included in the textbook promote active learning and communicative competence. They provide opportunities for discussion, case analysis, and problem-solving activities that reflect authentic legal situations. The exercises are designed to support both classroom learning and independent study.

The textbook may be used in higher education institutions offering law programmes, as well as in courses of English for Specific Purposes. It can serve as a practical resource for students, teachers, and anyone interested in developing professional proficiency in Legal English.

The author hopes that this textbook will contribute to the development of students' professional language skills and enhance their readiness for academic and legal communication in an international environment.

## UNIT 1. TORT LAW

### ACTIVE VOCABULARY

<b>English Term</b>	<b>Український відповідник</b>
assault	напад
battery	побиття
breach of confidence	порушення конфіденційності
causation	причинно-наслідковий зв'язок
circumstances	обставини
claimant	позивач
consent	згода
damage	школа
deceit	обман
defamation	наклеп
defamatory statement	наклепницьке висловлювання
defendant	відповідач
disadvantageous contract	невигідний договір
duration	тривалість
duty to act	обов'язок діяти
false imprisonment	незаконне ув'язнення
fraudulent misrepresentation	шахрайське введення в оману
freedom of movement	свобода пересування
harm	школа, ушкодження
hazardous waste	небезпечні відходи
injunction	судова заборона
injured party	потерпіла сторона
intrusion	вторгнення

<b>English Term</b>	<b>Український відповідник</b>
investigation	розслідування
legal remedies	правові засоби захисту
libel	писемний наклеп
monetary compensation	грошова компенсація
necessity	необхідність
negligence	недбалість
negotiations	переговори
nuisance	незручність, порушення громадського порядку
omissions	бездіяльність
permission	дозвіл
property damage	пошкодження майна
remedies	засоби правового захисту
self-defence	самооборона
slander	усний наклеп
suffer loss	зазнати
tort law	деліктне право
victim	жертва
wrongful conduct	протиправна поведінка

## **READING**

**Tort law is** an area of civil law that deals with situations where a person's wrongful conduct causes harm to another. Unlike criminal law, tort law is concerned with compensating victims rather than punishing offenders. The primary purpose of tort law is to restore the injured party to the position they would have been in had the tort not occurred, usually through monetary compensation (damages).

**Negligence** occurs when someone does not provide or adhere to the standard of care that a reasonable person would in similar circumstances, resulting in harm or loss

to another person. Negligence law is meant to deal with unintentional acts or omissions. In other words, it is not about what someone has done intentionally to someone else, but what they failed to do or how they fell short in some way. Omissions can be considered negligent when there is a duty to act. Negligence forms the basis for many personal injury and professional liability cases, emphasising the importance of care and responsibility in various contexts.

### **Examples of negligence in practice**

Negligence can occur in various aspects of daily life and professional practice. Understanding practical examples of negligence helps illustrate how the principles are applied in real-world scenarios. Foreseeable harm is a crucial aspect of demonstrating a breach of duty, as individuals must consider the potential for such harm in their actions. Here are some common examples of ordinary negligence:

#### **Trespass**

Tort of trespass deals with the unlawful interference with someone's person, property, or land. It is a broad concept designed to protect personal rights and property from intrusion or damage by others. Unlike other torts, trespass is actionable per se, meaning that a claimant does not need to prove actual damage to bring a case.

#### **There are 3 types of trespass:**

##### **1. Trespass to land**

Trespass to land occurs when a person enters or remains on someone else's property without permission. This can include situations where someone causes an object or another person to enter the land, or where they place or leave something on the land without the owner's consent. Even if no harm is done to the property, the mere unauthorised entry is sufficient for a claim. For example, if someone walks through another person's garden without permission, that could constitute trespass to land.

##### **2. Trespass to the person**

Trespass to the person includes various forms of physical interference with another person, such as assault, battery, and false imprisonment. Assault involves causing someone to fear immediate harm, while battery refers to the actual physical contact or harm. False imprisonment occurs when someone unlawfully restricts another

person's freedom of movement. For instance, physically holding someone against their will or threatening them in a way that restricts their movement could be considered trespass to the person.

### **3. Trespass to goods (chattels)**

Trespass to goods, also known as trespass to chattels, involves the unlawful interference with another person's movable property. This can include actions like taking, damaging, or destroying someone else's possessions without permission. Even minor interferences, like borrowing an item without the owner's consent, can amount to trespass to goods. For example, if someone takes another person's car without permission, even for a short time, that could constitute trespass to goods.

There are several **defences** available to those accused of trespass, such as permission, necessity or self-defence.

**Remedies available** to the injured party include damages, physical repossession (return of the property) or injunction (a court order to prevent trespasser from continuing their unlawful behaviour).

### **Nuisance**

#### **Private nuisance**

Private nuisance refers to an interference with an individual's enjoyment or use of their land by another person. This type of nuisance occurs when someone's actions or omissions cause substantial and unreasonable disturbances to their neighbour's property. Examples of private nuisance include loud noises, foul odours, excessive smoke, or pollution originating from a neighbouring property. For a claim to be successful, the interference must be **substantial** and not trivial, affecting the claimant's comfort or property use in a considerable way. The courts assess factors such as the duration, intensity, and nature of the interference to determine its reasonableness. The primary goal is to protect the individual's right to quietly enjoy their property without undue disruption from others.

#### **Public nuisance**

Public nuisance addresses actions that interfere with the rights of the community or the public at large. This type of nuisance involves conduct that endangers the health,

safety, comfort, or convenience of the public or obstructs the use of public rights, such as highways or parks.

Examples of public nuisance include illegal dumping of hazardous waste, blocking public roads, or running a business that produces harmful emissions affecting the surrounding community. Unlike private nuisance, a public nuisance claim typically requires the claimant to demonstrate that they suffered particular harm beyond what the general public experienced.

### **Deceit**

The tort of deceit addresses situations where a person intentionally makes a false representation with the intent to deceive another, resulting in damage to the deceived party. This tort is characterised by 4 key elements: the defendant must make a false statement knowingly or without belief in its truth, with the intent that the claimant relies on it, the claimant must act upon this false statement and the claimant must suffer loss as a direct result of relying on the deceit.

A classic example is a fraudulent misrepresentation, where one party provides false information during contractual negotiations, leading the other party to enter into a disadvantageous contract.

### **Breach of confidence**

To establish a breach of confidence, the information disclosed or used without permission must be confidential and shared under circumstances that imply an obligation of confidentiality. Where a breach of confidence occurs, the affected party may seek **legal remedies**, such as an injunction to prevent further disclosure or damages to compensate for any harm caused. **Common defences** for a breach of confidence claim include consent, public interest or information already in public domain.

An example of a breach of confidence is when an employee shares their company's confidential client list with a competitor after leaving the job. This unauthorised disclosure violates the trust placed in them and can lead to legal action.

### **Defamation**

Defamation involves making false statements that harm another person's reputation. It is divided into two categories: libel and slander. Libel refers to defamatory statements in written or published form, while slander refers to spoken statements.

Defamation is a tort of strict liability and therefore there is no need for the claimant to establish that defendant's intention to defame.

Practical examples:

**Libel:** A newspaper publishes an untrue story claiming a business owner engages in illegal activities, causing the business significant financial loss and reputational damage.

**Slander:** A manager falsely tells employees that a colleague, Sarah, has been stealing from the company. This untrue statement harms Sarah's reputation at work, causing her to lose trust and credibility among her peers.

**Defences** include for example, when the defendant can prove that the defamatory statement is true, if the statement is an expression of opinion rather than a statement of fact or consent.

**Remedies** include damages and injunction (court order requiring the defendant to stop further publication or distribution of the defamatory statement).

## **FOLLOW-UP**

Exercise 1. Discuss several moral and legal dilemmas related to *tort law*. For each case, read the situation carefully and decide:

**Is there a tort?** (Which one?)

**Who is at fault and why?**

**What legal remedy or defence could apply?**

**What is the moral aspect of the situation?** (Is the person's behaviour justified?)

### **Language Focus:**

expressing opinion (*In my view, I believe that...*)

agreeing/disagreeing (*That's a fair point, but...*)

legal reasoning (*This could be considered negligence because...*)

### **Moral Dilemma 1: Freedom vs Safety**

A shop owner suspects a teenager of stealing a chocolate bar. Without calling the police, he locks the door and detains the boy for 20 minutes while checking CCTV footage.

*Is this reasonable action or false imprisonment? Where is the line between self-defence and violating someone's rights?*

### **Moral Dilemma 2: The Doctor's Mistake**

A doctor gives the wrong medication by accident, causing mild injury to the patient. The doctor immediately apologises and offers free treatment.

*Should the patient sue for negligence, or accept the apology? When does professional error become legal liability?*

### **Moral Dilemma 3: The Noisy Neighbour**

A man plays loud music at night to relax after work. His neighbour complains but he refuses to stop, saying, "It's my house, I can do what I want".

*Is he exercising his freedom, or committing a private nuisance?*

### **Moral Dilemma 4: The Leaking Factory**

A small local factory accidentally releases polluted water into a nearby river, affecting the community. The owner claims it was "not foreseeable".

*Should intent matter, or is it still a tort? How should the court balance economic benefit and environmental harm?*

### **Moral Dilemma 5: The Gossip Blogger**

A blogger posts a rumour about a local politician's private life, believing it might be true. The story ruins the politician's reputation.

*Is this freedom of expression or defamation? Should good intentions protect the blogger?*

### **Moral Dilemma 6: The Angry Customer**

A restaurant customer posts an exaggerated negative review online, calling the restaurant “dirty and dangerous”.

*Is this personal opinion or libel? Should people be free to say anything online?*

### **Moral Dilemma 7: The Borrowed Laptop**

A student borrows a friend’s laptop without asking, intending to return it soon, but accidentally deletes important files.

*Is this trespass to goods? Should intention affect liability?*

Exercise 2. Work in small groups of **3–6 students**. Your task is to **recreate a courtroom simulation**:

One student acts as the **Claimant** (the injured party)

One student acts as the **Defendant** (the accused)

The rest act as the **Jury** or **Judges**

You have **5–7 minutes** to prepare and **5 minutes** to perform your simulation. Use the vocabulary and legal concepts from the lesson (negligence, trespass, defamation, nuisance, etc.).

### **Language focus:**

Expressing legal claims (*I believe the defendant was negligent because...*)

Questioning (*Can you explain why you entered the property without permission?*)

Giving verdicts (*We find the defendant liable for...*)

### **Case 1: “The Broken Fence”**

A neighbour accidentally reverses his car and damages another's fence. The defendant claims it was a mistake and offers to fix it himself. The claimant demands compensation for professional repair.

*Is this negligence or trespass to land?*

### **Case 2: “The Aggressive Dog”**

A man's dog escapes and bites a passer-by. The owner says, “He has never bitten anyone before”. *Is the owner liable for harm? Could it be negligence or strict liability?*

### **Case 3: “The Email Error”**

An employee accidentally sends confidential client data to the wrong address. The recipient uses the information to their advantage. *Who is responsible for breach of confidence – the sender or the receiver?*

### **Case 4: “The Newspaper Article”**

A journalist publishes a story claiming that a local teacher was fired for theft. The statement is false but based on an anonymous source. *Is this defamation? What defences might apply?*

### **Case 5: “The Private Party”**

A homeowner rents out his garden for a private party. Loud music continues until 2 a.m., disturbing neighbours.

*Is this private nuisance? What remedies could the neighbours seek?*

### **Case 5: “The Hidden Camera”**

A shop installs hidden cameras in fitting rooms “for security reasons”. A customer discovers this and files a claim.

*Is this justified surveillance or unlawful intrusion?*

### **Case 7: “The Toxic Waste”**

A company disposes of chemical waste near a residential area, claiming it meets all safety standards. Residents later report illnesses.

*Is this negligence or public nuisance? What evidence would be needed?*

Exercise 3. Match different types of torts and the appropriate legal remedies.

<b>Tort</b>	<b>Example Situation</b>	<b>Possible Remedy</b>
1. Libel	_____	_____
2. Slander	_____	_____
3. Nuisance (private)	_____	_____
4. Trespass to Land	_____	_____
5. False Imprisonment	_____	_____
6. Negligence	_____	_____
7. Defamation	_____	_____
8. Trespass to Goods	_____	_____
9. Deceit (Fraud)	_____	_____
10. Battery	_____	_____
11. Assault	_____	_____
12. Nuisance (public)	_____	_____
13. Omissions (Failure to act)	_____	_____
14. Wrongful Conduct	_____	_____

**Column: Example Situations**

- A. A lifeguard ignores a drowning swimmer.
- B. A person intentionally hits another during an argument.
- C. A blogger posts false accusations about a public figure online.
- D. Someone spreads false spoken rumours about a colleague.
- E. A neighbour enters another's garden without permission.
- F. A security guard locks a person in a room without legal reason.

- G. A company pollutes a river used by the local community.
- H. A person sells a car claiming it's new when it's actually used.
- I. A driver causes an accident by not paying attention to the road.
- J. A newspaper publishes a false story damaging a person's reputation.
- K. A factory releases loud noise and unpleasant smell affecting nearby residents.
- L. Someone takes or damages another's belongings without permission.
- M. A person threatens another with immediate physical harm.
- N. A police officer abuses authority causing harm to a citizen.

**Column: Possible Remedies**

- a. Injunction to stop publication; apology; damages.
- b. Compensation for injuries and property damage.
- c. Court order to stop pollution; damages to affected parties.
- d. Public apology; payment of damages.
- e. Damages; injunction preventing future entry.
- f. Immediate release; damages for loss of liberty.
- g. Cancellation of the contract; repayment; damages.
- h. Damages for physical harm; possible injunction.
- i. Damages; restraining order.
- j. Order to stop the noise (injunction); damages for inconvenience.
- k. Return or replacement of goods; damages.
- l. Legal action; damages; disciplinary consequences.
- m. Apology, removal of post, and damages.
- n. Disciplinary measures; damages for loss caused.

Exercise 4. Are the statements true (T) or false (F)?

Defamation always requires proof of actual damage.

Trespass to land is actionable per se.

Negligence occurs only when someone intends to cause harm.

False imprisonment occurs when someone restricts another's freedom of movement unlawfully.

Libel is a form of defamation in written or published form.

Nuisance only applies to disturbances affecting large groups of people.

Consent is a valid defence against battery.

Deceit (fraud) can result in damages only if the claimant relied on the false statement.

Trespass to goods requires physical harm to the property.

Self-defence is a valid defence for assault or battery.

Exercise 5. Complete the following text with the correct prepositions.

Negligence can occur in various aspects \_ daily life and professional practice.

Understanding practical examples \_ negligence helps illustrate how the principles are applied \_ real-world scenarios. Foreseeable harm is a crucial aspect of demonstrating a breach \_ duty, as individuals must consider the potential \_ such harm in their actions.

Here are some common examples \_ ordinary negligence:

### **Professional negligence**

Professionals such as lawyers or accountants have a duty \_ care to their clients.

Professional negligence occurs when they have acted without reasonable care or skill, failing to meet the standards expected in their profession. For example:

**Financial advice errors:** an accountant providing incorrect tax advice, leading \_ significant financial penalties for the client.

**Legal malpractice:** a solicitor missing a critical filing deadline in a court case, resulting \_ a loss for the client.

### **Product Liability**

Manufacturers and retailers have a duty \_ ensure their products are safe for consumers.

Product liability negligence can occur when defective products cause harm. This form \_ negligence can be classified \_ different types, such as ordinary negligence, gross negligence, and professional negligence. For example:

**Faulty appliances:** an electrical appliance catching fire due \_ a manufacturing defect, causing injury or property damage.

**Dangerous toys:** a children's toy containing small parts that pose a choking hazard, leading \_ injury.

Exercise 6. Read the text. Discuss the questions after the text

### **What is the rule in *Rylands v Fletcher*?**

The rule in *Rylands v Fletcher* establishes strict liability torts (liability regardless of fault or intent) for a person who, in a non-natural use of their land, brings something onto it that is likely to cause harm if it escapes. If that substance or item escapes and causes damage to another's property, the landowner can be held liable, regardless of negligence. Key defences include acts of God, acts of third parties, consent, and statutory authority.

Imagine it's the 19th century in England. Mr. Rylands, an ambitious landowner, decides to build a large reservoir on his land to supply water. Everything seems fine... until disaster strikes! One day, the reservoir bursts, and water rushes onto Mr. Fletcher's neighbouring coal mine, causing serious damage. Poor Fletcher is understandably furious.

This real-life drama led to a landmark legal principle in tort law: the **Rule in Rylands v Fletcher**. Simply put, it says: **"If you bring something dangerous onto your land, and it escapes and causes damage, you are responsible – even if you were careful!"**

This is a type of **strict liability**, which means you don't have to be careless to be held accountable. It's enough that the dangerous thing escaped and caused harm.

#### **Think of it like this:**

You keep a beehive, a swimming pool, or a tank of chemicals. If it somehow escapes and causes damage, the law says you may be liable – even if you followed all the safety rules.

The rule in *Rylands v Fletcher* has influenced legal systems worldwide, including in the United States, Canada, and Australia. However, its application has evolved over time:

- United States: The principle has been adopted in various states, particularly concerning hazardous activities Juniper Law.

- Canada: Courts have applied the rule in environmental cases, though its scope has been narrowed in recent decisions.

- Australia: The High Court in *Burnie Port Authority v General Jones Pty Ltd* (1994) abolished the rule, integrating its principles into general negligence law

1. Why do you think the court imposed strict liability on Rylands even though he did not act negligently? Is this fair?

2. Imagine a factory stores chemicals that accidentally leak into a river, affecting neighboring properties. Should the factory owner be liable even if all safety precautions were taken? Why or why not?

3. Do you think the rule should apply only to dangerous activities, or should it cover all escapes of substances from one's land?

4. Can you identify any modern examples of "non-natural use of land" that might trigger liability under this rule?

5. How would the case differ if Fletcher's mine had already been abandoned and unoccupied? Would Rylands still be liable?

Exercise 7. Use the words to write a 3–4 sentence mini-case.

**Words:** student –library –loud music –exam –complaint –nuisance

*Example beginning:*

A student was preparing for an exam in the library when...

Exercise 8. Complete the sentences with terms from the box.

**Terms:** trespass, defamation, battery, damages, negligence

1. If someone enters your room without permission, this is \_\_\_\_\_.

2. \_\_\_\_\_ happens when someone spreads harmful lies about you.

3. The court awarded financial \_\_\_\_\_.

4. A doctor must avoid \_\_\_\_\_ when treating patients.

5. Hitting someone on purpose is called \_\_\_\_\_.

Exercise 9. In pairs, act out a dialogue:

Student A –Lawyer

Student B –Client

Choose one situation:

Your neighbor plays drums at 2 AM

Someone posted lies about you online

A cyclist hit you because they were texting

Use:

“I’d like to file a claim”.

“I believe this is...”

“What can I receive as a remedy?”

Exercise 10. Each statement contains a legal mistake. Correct it.

1. Tort law punishes offenders with imprisonment.
2. Trespass requires proof of actual damage.
3. Slander is written defamation.
4. Negligence is always intentional conduct.
5. Public nuisance affects only one individual.

## MULTIPLE-CHOICE TEST 1.

**1. What is the main purpose of tort law?**

- A. To punish offenders
- B. To compensate the injured party
- C. To enforce criminal penalties
- D. To create new laws

**2. Which tort involves causing someone to fear immediate harm?**

- A. Battery
- B. Assault
- C. Negligence
- D. Slander

**3. “Libel” refers to:**

- A. Spoken defamatory statements
- B. Physical harm caused intentionally
- C. Written or published defamatory statements
- D. False imprisonment

**4. Negligence occurs when a person:**

- A. Intentionally harms another
- B. Fails to meet the standard of a reasonable person
- C. Tells a lie to damage reputation
- D. Refuses to pay a debt

**5. Trespass to land requires proof of:**

- A. Actual physical damage
- B. A contract
- C. Permission from the owner
- D. None of the above

**6. False imprisonment means:**

- A. Blocking public roads
- B. Restricting a person’s freedom of movement unlawfully
- C. Entering property without permission
- D. Spreading harmful rumours

**7. Which remedy is financial payment to the injured party?**

- A. Injunction
- B. Damages
- C. Repossession
- D. Arrest

**8. Slander is:**

- A. Written defamation
- B. Spoken defamation
- C. Trespass to goods
- D. Professional negligence

**9. A tort of deceit requires:**

- A. A careless mistake
- B. A false statement made intentionally

- C. A public apology
- D. Permission from the claimant

**10. Which of the following is *not* a type of trespass?**

- A. Trespass to goods
- B. Trespass to land
- C. Trespass to the person
- D. Trespass to reputation

**11. What is “nuisance”?**

- A. Interference with land use or public rights
- B. Physical attack
- C. Entering someone’s house at night
- D. Deceiving someone in a contract

**12. Battery involves:**

- A. Simply threatening someone
- B. Unlawful physical contact
- C. Blocking a highway
- D. Sending confidential data

**13. A claimant is:**

- A. A person who caused harm
- B. A witness
- C. A person who brings a legal claim
- D. A judge

**14. Hazardous waste in a public place is an example of:**

- A. Private nuisance
- B. Necessity
- C. Public nuisance
- D. Intrusion

**15. Which defence may apply if a person enters property to save a life?**

- A. Libel
- B. Necessity
- C. Deceit
- D. Omission

**16. “Omissions” in negligence mean:**

- A. Doing something harmful intentionally
- B. Failing to act where there is a duty to act
- C. Publishing false news
- D. Entering land without permission

**17. A court order telling someone to stop a wrongful action is called:**

- A. Remedy
- B. Injunction
- C. Damage
- D. Fraud

**18. Which tort protects confidential information?**

- A. Battery
- B. Nuisance
- C. Breach of confidence
- D. Trespass

**19. “Freedom of movement” is protected under which tort?**

- A. False imprisonment
- B. Libel
- C. Deceit
- D. Public nuisance

**20. A person who suffers financial loss due to a false statement in negotiations may sue for:**

- A. Battery
- B. Fraudulent misrepresentation
- C. Private nuisance
- D. Omissions

## UNIT 2. CONTRACT LAW

### ACTIVE VOCABULARY

<b>English Term</b>	<b>Український відповідник</b>
abuse	зловживання
acceptance	акцепт / прийняття пропозиції
adjudication	вирішення спору / судове вирішення
anticipatory breach	дострокове порушення зобов'язання
breach of contract	порушення договору
capacity	дієздатність
consideration	зустрічне задоволення (юридична «винагорода»)
defendant	відповідач
due date	строк виконання / дата настання зобов'язання
external influence	зовнішній вплив
fail to meet the requirements	не відповідати вимогам
fraud	шахрайство
fulfil obligations	виконувати зобов'язання
implied by conduct	передбачений поведінкою / що впливає з поведінки
inequality	нерівність
legally binding	юридично зобов'язуючий / такий, що має юридичну силу
mutual obligations	взаємні зобов'язання
negotiate	вести переговори
offer	оферта / пропозиція
plaintiff	позивач
rent payment	орендна плата

<b>English Term</b>	<b>Український відповідник</b>
sign under duress	підписати під примусом / підписати під примусом
sound mind	здоровий глузд / ясність розуму
token fee	символічна плата
unenforceable	такий, що не підлягає примусовому виконанню
unfair treatment	несправедливе ставлення
vendor	продавець / постачальник

## **READING**

Contract is an agreement between parties, creating mutual obligations that are enforceable by law. The basic elements required for the agreement to be a legally enforceable contract are:

Mutual assent (offer and acceptance). An offer is made when one party promises something to another party (or parties). After one party has made an offer, the other party has the power to accept. Once the party accepts the offer the “contract” is formed and both are committed to the agreed terms. The acceptance must be obvious and communicated in some way.

Consideration (something of value is exchanged). Consideration is what each party is offering, such as money, services, goods or a promise. There must be some exchange between the parties involved for a contract to become legally binding. The value of the consideration must be sufficient, but doesn't necessarily have to be adequate. For example, a contract could agree to sell a car for a token fee. Whilst the fee agreed is significantly smaller than expected, the contract would still be legally sound as consideration was given by the parties involved.

Capacity (e.g., minimum age, sound mind). The parties must have the legal capacity to form a contract and must be able to fully comprehend what their obligations will be. Those who do not have the capacity to form a contract include individuals under the age of 18, individuals under the influence of alcohol or drugs and vulnerable adults.

Legality (lawful purpose). There are times when a contract will be unenforceable, and this will usually be due to illegal activity or prohibited by statute.

These agreements can be made in writing, orally, or even implied by conduct. Even buying a morning coffee and croissant means you're entering into an agreement. Of course, not all contracts are as simple as this, which is where contract law comes into play.

Freedom of contract is a key part of contract law and means the parties involved are free to negotiate the terms of their agreement without external influence. There are of course times when this can be limited, for example legal legislation could place limits on contractual freedom to prevent abuse, unfair treatment and inequality.

Contract law governs the development, interpretation and application of contracts, ensures agreements are honoured and provides solutions for when they're not. It's worth noting that not all contracts are made in writing. Take the coffee example above: In placing an order you're implying your agreement to pay for the goods provided.

Understanding contract law can help you determine when a contract exists, what it contains and what happens if things go wrong.

A breach of contract occurs when one party fails to fulfil their obligations under the contract terms. An example could be a contractor agreeing to complete a home renovation by a certain date but failing to do so, leaving the project incomplete or significantly delayed. This failure to perform as agreed can lead to legal consequences and the injured party may seek remedies such as damages.

A breach of contract is when one party breaks the terms of an agreement between two or more parties. This includes when an obligation that is stated in the contract is not completed on time—for example, you are late with a rent payment—or when it is not fulfilled at all.

Sometimes the process for dealing with a breach of contract is written in the original contract. For example, a contract may state that, in the event of late payment, the offender must pay a \$25 fee along with the missed payment. If the consequences for a specific violation are not included in the contract, then the parties involved may

settle the situation among themselves, which could lead to a new contract, adjudication, or another type of resolution.

One may think of a contract breach as either minor or material.

**Minor breach:** A minor breach happens when you don't receive an item or service by the due date. For example, you bring a suit to your tailor to be custom fit. The tailor promises (an oral contract) that they will deliver the adjusted garment in time for your important presentation but, in fact, they deliver it a day later.

**Material breach:** A material breach is when you receive something different from what was stated in the agreement. Say, for example, that your firm contracts with a vendor to deliver 200 copies of a bound manual for an auto industry conference. But when the boxes arrive at the conference site, they contain gardening brochures instead.

Further, a breach of contract generally falls under one of two categories:

**Actual breach:** When one party refuses to fully perform the terms of the contract.

**Anticipatory breach:** When a party states in advance that they will not be delivering on the terms of the contract

A plaintiff, the person who brings a lawsuit to court claiming that there has been a breach of contract, must first establish that a contract existed between the parties. The plaintiff also must demonstrate how the defendant—the one against whom a claim or charge is brought in a court—failed to meet the requirements of the contract.

The court will assess whether or not there was a legal reason for the breach. For example, the defendant might claim that the contract was fraudulent because the plaintiff either misrepresented or concealed material facts.

The defendant could alternatively argue that the contract was signed under duress, adding that the plaintiff compelled them to sign the agreement by applying threats or using physical force. In other cases, there might have been errors made by both the plaintiff and the defendant that contributed to the breach.

It could also be the case that a breach of contract is in the interest of society as a whole, even if it may not be favorable to all of the parties in the contract. If breaching

a contract costs less overall than upholding it, breaching might be the more efficient choice, even if one or more parties end up worse off.

This is an example of what economists call Kaldor-Hicks Efficiency: If the gains to the winner from breaching the contract outweigh the losses to the loser, then society as a whole can be made better off by breaching the contract.

## **FOLLOW-UP**

Exercise 1. Read the situations below. Decide whether each one is a legally binding contract.

Explain your answer using key vocabulary (e.g., *offer*, *acceptance*, *capacity*, *unenforceable*, *consideration*).

1. Two friends agree to meet for dinner.
2. A drunk person buys a car at night.
3. A tenant signs a rental agreement.
4. Someone says: "I'll pay you back someday".
5. A child promises to clean the garage for \$10.
6. A shop offers a discount, but only "while supplies last".

Exercise 2. Match each legal term with its correct definition.

1. Capacity
2. Consideration
3. Fraud
4. Mutual obligations
5. Anticipatory breach
6. Due date
  - a. An agreed time when performance must happen
  - b. A person's legal ability to enter into a contract
  - c. A benefit exchanged between the parties
  - d. Duties that both parties must fulfill

- e. A breach that happens before the deadline
- f. Dishonest behavior intended to deceive

Exercise 3. Read the contract sentence and identify what is missing to make it legally binding. Rewrite the sentence to improve it.

**1.** “Tom agrees to help Maria with her online shop. Maria will give him something in return”.

Missing elements may include:

specific consideration;

due date;

clear obligations;

amount / payment terms.

**2.** “A company promises to deliver furniture. The buyer says OK”.

Missing elements may include:

price;

delivery date;

type / quantity of goods;

acceptance method.

**3.** “I will pay you later for the computer”.

Missing elements may include:

who is “I” and “you”;

due date;

price;

signatures;

conditions of sale.

**4.** “We both agree to work together in a fair way”.

Missing elements may include:

subject of the contract;

obligations;

legally binding consideration;

enforceability.

5. “Sam will rent the apartment for a while. The landlord wants regular payments”.

Missing elements may include:

rent amount;

exact payment dates;

length of rental;

mutual obligations.

Exercise 4. Read the cases and answer the questions. Use vocabulary: *defendant, fulfil obligations, breach, unenforceable*

### **CASE 1 – The Photographer**

A wedding photographer signs a contract to deliver 200 edited photos within 30 days.

They deliver 200 photos after 75 days, claiming they were “too busy”.

Questions:

- Is this a breach?
- Minor or material?
- What can the client demand?
- Can the photographer defend themselves?

### **CASE 2 – The Broken Violins**

A music school buys 12 violins from a vendor. They receive 12 instruments –but 5 arrive damaged.

Questions:

- Breach of contract?
- What type (actual or material)?
- What remedies are possible?
- Any defenses?

### **CASE 3 – The Catering Nightmare**

A restaurant pays a catering company in advance for food delivery for 120 guests. The company cancels 2 days before the event.

Questions:

- Is this an anticipatory breach?
- Can the restaurant demand compensation?
- What kind?
- Could the caterer argue external influence?

#### **CASE 4 – The Tutor Who Disappeared**

A private tutor agrees to provide English lessons twice a week for 3 months. After the first month, the tutor stops responding to messages.

Questions:

- What kind of breach is this?
- What obligations were not fulfilled?
- What can the student claim?
- Any legal excuses possible?

#### **CASE 5 – Signed Under Duress**

A contractor signs a building agreement after the investor threatens to “ruin their business” if they refuse. Months later, the investor claims breach when work is delayed.

Questions:

- Is the contract enforceable?
- Is this breach valid?
- How does *duress* change the case?
- What legal arguments could the contractor use?

Exercise 5. Complete the following text with the correct prepositions.

#### **When Breaching a Contract Benefits All Parties**

A farmer agrees \_ the spring to sell grapes to a winery \_ the fall, but over the summer, the price of grape jelly rises and the price of wine falls. The winery can no

longer afford to take the grapes – the agreed price, and the grape farmer could receive a higher price by selling to a jelly factory. In this case, it may be – the interest of both the farmer and the winery to breach the contract.

If the contract is upheld, the farmer would lose the chance to sell – higher prices, and the winery would pay more than it can afford based – the new market price for wine. Consumers would also be punished; the change in relative prices – grape jelly and wine signal that consumers want more jelly and less wine.

Economists recognize that upholding this contract (making more wine and less jelly, contrary to consumer demand) would be economically inefficient – society as a whole. Breaching this contract, therefore, would be – the interests of everyone: the farmer, the winemaker, the jelly maker, and the consumers.

Exercise 6. Read the text. Discuss the questions after the text

### **The Art of the Deal Gone Wrong**

Emma is a young artist who creates handmade ceramic lamps. In May, she signed a written contract with a design studio called *LightForm*. According to the agreement, Emma was to produce 50 unique lamps for an international interior design exhibition in October. The studio agreed to pay her €8,000, with €3,000 upfront and the rest after delivery.

The contract also included:

a clear due date: September 15;

a clause saying “delay over 7 days will result in a penalty of €100 per lamp”;

a condition that the lamps must be handmade and original.

Emma received the first payment, bought materials, and started working.

However, in July, she was contacted by a famous online gallery offering her a lucrative deal –almost double the money –if she could produce 80 similar lamps by the same deadline.

Emma decided to prioritize the new offer. She continued working but could not complete both orders on time.

By September 15, she delivered only 15 lamps to LightForm, explaining:

“I’m sorry, I had too many orders. I will send the rest in October”.

The studio refused the partial delivery and refused to pay the remaining €5,000. They also sent Emma a written notice claiming material breach of contract and demanding:

return of the advance payment

- €3,500 in penalties
- compensation for lost exhibition opportunities

Emma says this is unfair –she argues that she worked hard and delivered “at least part” of the order. She also claims the gallery offer was a rare opportunity and that LightForm “should understand”.

1. What type of breach of contract is this? Minor? Material? Anticipatory? Actual?
2. Did LightForm act within their rights by rejecting the partial delivery? Why or why not?
3. Is Emma justified in prioritizing another client? Does it matter that she earned more money?
4. Should she return the advance payment?
5. Are the penalty fees appropriate? Too high? Fair?
6. Could Emma defend herself in court? If yes, how? If no, why not?
7. What remedies might the studio seek besides money?
8. Imagine you are the judge. What is your decision and why?

Exercise 7. Rank these contracts from **most** to **least** important in a person’s life. Explain your ranking. Use phrases: “In my opinion...”, “This is essential because...”, “This has long-term consequences...”

- Rental contract
- Car loan
- Employment contract
- Streaming subscription
- Purchase receipt

- Medical consent form

Exercise 8. Match Contract Terms with Remedies

<b>Contract Issue</b>	<b>Example Situation</b>	<b>Possible Remedy</b>
1. Breach of Contract	_____	_____
2. Misrepresentation	_____	_____
3. Delay in Performance	_____	_____
4. Non-payment	_____	_____
5. Faulty Goods	_____	_____
6. Cancellation without notice	_____	_____

**Column: Example Situations**

- A. A company fails to deliver goods on time.
- B. A seller lies about a product's quality.
- C. A client refuses to pay after delivery.
- D. A service provider cancels without notice.
- E. Goods delivered are defective.
- F. A builder completes work late, causing financial loss.

**Column: Possible Remedies**

- a. Damages (compensation)
- b. Specific performance (forcing fulfillment)
- c. Contract cancellation and refund
- d. Rescission due to misrepresentation
- e. Reduction in price / replacement of goods
- f. Injunction to stop further breach

Exercise 9. Complete the sentences with words: *breach, consideration, rescission, damages, acceptance*

- 1. A valid contract requires an offer, \_\_\_\_\_, and intention to create legal relations.
- 2. If a party fails to perform agreed obligations, it is a \_\_\_\_\_ of contract.

3. Courts may order \_\_\_\_\_ to cancel a contract due to misrepresentation.
4. Financial compensation for losses is called \_\_\_\_\_.
5. Agreeing to the terms of an offer is called \_\_\_\_\_.

Exercise 10. Read the case and answer the questions.

### **The Emergency Hospital Supplies**

A hospital contracts a supplier to deliver 1,000 units of medical gloves for the upcoming month. The contract specifies delivery at a fixed price. Two weeks later, a sudden epidemic breaks out in a nearby region. The supplier receives a higher offer from another buyer willing to pay double the price for the same gloves. Selling to the new buyer would provide a large profit, but it would prevent the hospital from receiving the gloves on time. The hospital faces a shortage, and healthcare workers may be at risk.

The supplier decides to sell the gloves to the higher-paying buyer. The hospital sues for breach of contract, claiming damages. Economists argue that, from a Kaldor-Hicks perspective, the breach may improve overall social welfare because the extra profit could be used to produce more medical supplies or fund healthcare elsewhere.

#### **Discussion Questions**

1. Was there a legal breach of contract? If yes, what type of breach?
2. How would the hospital quantify its losses? What remedies could it seek?
3. From a societal perspective, was breaching the contract justified? Why or why not?
4. How does Kaldor-Hicks efficiency apply in this case? Do the gains to the supplier outweigh the hospital's losses?
5. Should courts consider societal efficiency when awarding damages, or should they focus only on the parties to the contract?
6. How could the contract have been drafted to prevent this type of dilemma? (e.g., clauses for emergency or force majeure)
7. Is there a moral distinction between maximizing profit and fulfilling contractual obligations in this context?

## MULTIPLE-CHOICE TEST 2.

**1. A contract is formed when...**

- A. One party thinks about signing it
- B. An offer is made and accepted
- C. A judge approves it
- D. The parties meet in person

**2. “Consideration” in a contract means...**

- A. Polite behavior
- B. Something of value exchanged by the parties
- C. A written signature
- D. Permission from the court

**3. A person who lacks legal capacity usually is...**

- A. A highly trained specialist
- B. A student
- C. A minor or someone mentally impaired
- D. A witness in court

**4. A contract made under fraud is...**

- A. Fully enforceable
- B. Always valid
- C. Made dishonestly and may be void
- D. Only verbal

**5. The “offeror” is the person who...**

- A. Accepts the contract
- B. Breaks the contract
- C. Makes the offer
- D. Witnesses the signature

**6. If a party refuses to perform the contract, it is called...**

- A. Acceptance
- B. Breach of contract
- C. Negotiation
- D. Consideration

**7. Which of the following is an example of duress?**

- A. Signing a contract because you like the offer
- B. Signing a contract freely
- C. Signing a contract after physical or emotional threats
- D. Signing a contract online

**8. When a contract must be in writing, it is usually because it concerns...**

- A. Small personal purchases
- B. Food in a grocery store
- C. Land, property, or large sums of money
- D. Buying a cup of coffee

**9. “Void” means a contract is...**

- A. Valid
- B. Not legally effective from the beginning
- C. Signed by two witnesses
- D. Created by email

**10. “Voidable” means a contract...**

- A. Must always be enforced
- B. Can be rejected by the injured party
- C. Is illegal
- D. Cannot be cancelled under any conditions

**11. A “remedy” in contract law is...**

- A. A medical treatment
- B. A financial penalty for judges
- C. A legal solution, usually damages or specific performance
- D. A type of contract

**12. “Specific performance” requires a party to...**

- A. Pay compensation
- B. Perform exactly what was promised
- C. Apologize publicly
- D. End the contract early

**13. A contract made only through spoken words is called...**

- A. A void contract
- B. A written contract
- C. An oral contract
- D. A public contract

**14. Which situation shows misrepresentation?**

- A. The seller lies about the product’s condition
- B. The buyer reads the contract carefully
- C. Both parties negotiate honestly
- D. The contract is witnessed by a lawyer

**15. When both parties benefit from the agreement, the relationship is...**

- A. Unilateral
- B. Bilateral
- C. Illegal
- D. Voidable

**16. A contract is unenforceable if...**

- A. It is clearly written
- B. It violates public policy
- C. It contains signatures
- D. It includes consideration

**17. A minor can usually enter into a contract for...**

- A. Buying alcohol
- B. Luxury goods
- C. Essential items like food or medicine
- D. Real estate

**18. Which document often proves the existence of a contract?**

- A. A photograph
- B. A business card
- C. A written agreement
- D. A social media post

**19. The process of discussing terms before signing is called...**

- A. Negotiation
- B. Litigation
- C. Enforcement
- D. Termination

**20. Monetary compensation awarded to the injured party is called...**

- A. Duties
- B. Damages
- C. Consideration
- D. Capacity

## UNIT 3. ADMINISTRATIVE LAW

### ACTIVE VOCABULARY

<b>English Term</b>	<b>Український відповідник</b>
bureaucracy	бюрократія
citizens	громадяни
civil servants	державні службовці
collection of customs	збір податків
common good	спільне благо
complementary	взаємодоповнювальний / додатковий
compulsory or permissive	обов'язковий або дозвільний
conspicuous	помітний, очевидний
construction or repair of highways	будівництво або ремонт автомагістралей
debt	борг
dictatorship	диктатура
duties	обов'язки
education	освіта
executive arm of government	виконавчий орган влади
exercise of power	здійснення влади
expenditure	витрати
fire-protection services	пожежна охорона / протипожежні служби
freedom of action	свобода дій
head of state	глава держави
housing	житлове забезпечення / житло
inevitable consequence	неминучий наслідок
infringe citizens' property rights	порушувати майнові права громадян

<b>English Term</b>	<b>Український відповідник</b>
justice	справедливість / правосуддя
legal framework	правова база
legal provisions	правові положення
liabilities	зобов'язання
local authority	місцевий орган влади
maladies	проблеми (метафорично –«хвороби суспільства»)
maladministration	неналежне управління
national legislature	національний законодавчий орган
nongovernmental bodies	недержавні органи / організації
nonpayment of taxes	несплата податків
officials	посадові особи
powers	повноваження
provision of currency	забезпечення обігу валюти
public health	громадське здоров'я
public services	державні/суспільні послуги
quarantining of infectious persons	карантинування інфікованих осіб
reckoned matters	питання, що розглядаються / враховуються
scope	сфера / межі / обсяг / масштаб
slum clearance	ліквідація трущоб
traffic control	регулювання дорожнього руху

## **READING**

Administrative law, the legal framework within which public administration is carried out. It derives from the need to create and develop a system of public

administration under law, a concept that may be compared with the much older notion of justice under law. Since administration involves the exercise of power by the executive arm of government, administrative law is of constitutional and political, as well as juridical, importance.

There is no universally accepted definition of administrative law, but rationally it may be held to cover the organization, powers, duties, and functions of public authorities of all kinds engaged in administration; their relations with one another and with citizens and nongovernmental bodies; legal methods of controlling public administration; and the rights and liabilities of officials. Administrative law is to a large extent complemented by constitutional law, and the line between them is hard to draw. The organization of a national legislature, the structure of the courts, the characteristics of a cabinet, and the role of the head of state are generally regarded as matters of constitutional law, whereas the substantive and procedural provisions relating to central and local governments and judicial review of administration are reckoned matters of administrative law. But some matters, such as the responsibility of ministers, cannot be exclusively assigned to either administrative or constitutional law. Some French and American jurists regard administrative law as including parts of constitutional law. The law relating to public health, education, housing, and other public services could logically be regarded as part of the corpus of administrative law.

Activities such as traffic control, fire-protection services, policing, smoke abatement, the construction or repair of highways, the provision of currency, town and country planning, and the collection of customs and excise duties are usually carried out by governments, whose executive organs are assumed to represent the collective will of the community and to be acting for the common good. It is for this reason that they are given powers not normally conferred on private persons. They may be authorized to infringe citizens' property rights and restrict their freedom of action in many different ways, ranging from the quarantining of infectious persons to the instituting of criminal proceedings for nonpayment of taxes. To take another example, the postal laws of many countries favour the post office at the expense of the customer in a way unknown where common carriers are concerned. Again, a public authority

involved in slum clearance or housing construction tends to be in a much stronger legal position than a private developer.

The result of the distinction between public administration and private action is that administrative law is quite different from private law regulating the actions, interests, and obligations of private persons. Civil servants do not generally serve under a contract of employment but have a special status. Taxes are not debts, nor are they governed by the law relating to the recovery of debts by private persons. In addition, relations between one executive organ and another, and between an executive organ and the public, are usually regulated by compulsory or permissive powers conferred upon the executive organs by the legislature.

The law regulating the internal aspects of administration (e.g., relations between the government and its officials, a local authority and its committees, or a central department and a local authority) differs from that covering external relations (those between the administration and private persons or interests). In practice, internal and external aspects are often linked, and legal provisions of both kinds exist side by side in the same statute. Thus, a law dealing with education may modify the administrative organization of the education service and also regulate the relations between parents and the school authorities.

An inevitable consequence of the expansion of governmental functions has been the rise of bureaucracy. The number of officials of all kinds has greatly increased, and so too have the material resources allocated to their activities, while their powers have been enlarged in scope and depth. The rise of bureaucracy has occurred in countries ruled by all types of government, including communist countries, dictatorships, and political democracies. It is as conspicuous in the former colonial states of Africa and Asia as among the highly developed countries of western Europe or North America. A large, strong, and well-trained civil service is essential in a modern state, irrespective of the political character of its regime or the nature of its economy.

Fear of the maladies that tend to afflict bureaucracy has produced a considerable volume of protest in some countries; and, even in those where opposition to the

government or the party in power is not permitted, criticism and exposure of bureaucratic maladministration are generally encouraged.

Administrative law is valuable in controlling the bureaucracy. Under liberal-democratic systems of government, political and judicial control of administration are regarded as complementary, but distinct. The former is concerned with questions of policy and the responsibility of the executive for administration and expenditure. The latter is concerned with inquiring into particular cases of complaint. Administrative law does not include the control of policy by ministers or the head of state.

## **FOLLOW-UP**

Exercise 1. Discuss the following questions in pairs or small groups:

1. Why do modern states need administrative law?
2. Is the expansion of bureaucracy an “inevitable consequence” of government growth?
3. Should public authorities have the power to infringe citizens’ property rights for the common good?
4. Which public services in your country are most visible (“conspicuous”)?
5. What happens when maladministration becomes widespread?

Exercise 2. Match the terms to the situations. Then explain your choice.

### **Terms:**

bureaucracy, civil servants, compulsory powers, maladministration, public health, duties, local authority, traffic control, legal framework, liabilities

### **Situations:**

- a) A city imposes new rules on street movement to reduce congestion.
- b) A regional office mismanages funds for school renovations.
- c) The Ministry of Health issues regulations during a flu outbreak.
- d) People working permanently in the central government offices.
- e) A district council approves construction permits.
- f) The state creates a system of rules regulating administrative bodies.

- g) A citizen is financially responsible for unpaid fees.
- h) Tasks assigned to a public agency by law.

Exercise 3. Categorize the following activities into:

**A. Internal Administration**

**B. External Administration**

1. A ministry updates its internal reporting procedure.
2. A local authority issues fines for *nonpayment of taxes*.
3. The head of state appoints a new minister.
4. Civil servants evaluate the performance of regional offices.
5. Government restricts *freedom of action* by imposing quarantine.
6. A national legislature changes how local committees are structured.

Exercise 4. Read the scenarios and answer the questions.

**Case 1: “The Overcrowded City”**

The local authority of Rivertown decides to carry out *slum clearance* and build new apartment blocks. To do so, it uses its **compulsory powers** to relocate 150 families. Some citizens argue that the relocation *infringes their property rights* and that officials failed to offer fair compensation. Others believe the project serves the *common good* by improving *public health* and reducing crime rates.

**Questions:**

1. Which administrative powers are involved in this case?
2. Is the action justified by the “common good”? Why or why not?
3. How could maladministration appear during such a project?
4. What legal provisions might protect the citizens?
5. If you were a judge, how would you balance rights and public interests?

**Case 2: “The New Highway Bypass”**

A central government department orders the *construction of a new highway bypass* to reduce traffic congestion and improve transport efficiency. Local shops and homes located along the planned route must be demolished. The government offers relocation assistance, but many residents complain of **bureaucracy**, slow decision-making, and unclear procedures. Trucking companies and commuters welcome the project, arguing that improved *traffic control* and reduced congestion will boost the economy.

### Questions:

1. What administrative bodies and powers are involved in the decision?
2. Is the demolition of private houses justified in this situation?
3. What examples of maladministration can arise during such large-scale construction?
4. Which legal framework governs compulsory relocation and expenditure?
5. How would you –as a judge –resolve disputes between residents and authorities?

### Case 3: “The Emergency Quarantine Zone”

After a rare infectious disease appears in a town, the government imposes **strict quarantining of infectious persons** and limits movement within a designated area. Some citizens argue that the restrictions violate their *freedom of action* and *property rights*, since they cannot leave their homes to work or travel. Others insist the measures are necessary to protect *public health*. Human rights organizations demand clearer legal justification and accuse the health agency of inconsistent decision-making.

### Questions:

1. Which compulsory or permissive powers are exercised in this case?
2. Does public health justify restricting individual freedoms?
3. How can maladministration appear in emergency situations?
4. What legal provisions define a lawful quarantine order?

5. As a judge, how would you balance individual rights with epidemic prevention?

#### **Case 4: “The Industrial Smoke Abatement Plan”**

Due to an increase in pollution, the government introduces strict **smoke abatement regulations**. Factories must install expensive filtration devices or face fines.

Industrial owners complain that the financial burden violates their *freedom of action* and constitutes an unreasonable intervention. Citizens, however, support the initiative, claiming it improves *public health*. Local officials are accused of applying the rules inconsistently: some factories are inspected rigorously, while others—allegedly connected to local politicians—are overlooked.

#### **Questions:**

1. Which administrative powers are used to enforce environmental regulations?
2. Is the interference with business justified by public health concerns?
3. Where might maladministration be present (favoritism, inconsistent inspections)?
4. What legal provisions regulate smoke abatement and environmental control?
5. As a judge, how would you address claims of unequal enforcement?

#### **Case 5: “The Currency Reform Crisis”**

To stabilize the national economy, the central government introduces a rapid **provision of a new currency**. Banks and financial offices must comply within a tight deadline. Citizens complain about long queues, contradictory instructions, and missing information. Rumors start spreading that officials are giving priority to large corporations. Civil rights groups demand better oversight and transparency.

#### **Questions:**

1. Which executive organs and officials are involved in currency reform?
2. Can such an urgent reform be justified despite the inconvenience to citizens?

3. What types of maladministration might appear (communication issues, favoritism)?
4. What legal framework governs currency provision and financial regulation?
5. As a judge, how would you respond to claims of unequal treatment?

Exercise 5. Read each short situation and identify the legal or administrative issue.

1. The local authority relocates 80 families for a housing project but fails to provide any written notice or timeline. Citizens discover they must leave only two days before demolition begins.
2. A fire-protection service ignores multiple emergency calls in a particular neighborhood, claiming they have “no available staff,” but later it is revealed that staff were reassigned to a private event.
3. A public health inspector conducts restaurant inspections but accepts “gifts” from owners and gives them consistently positive reports.
4. A ministry launches a new online system for benefit payments, but it constantly crashes. As a result, thousands of citizens cannot receive housing or health subsidies on time.
5. Officials responsible for traffic control decide to change road rules in the city center but never publish the new regulations. Drivers receive fines without being informed of the changes.
6. A local authority refuses to register a small NGO without giving reasons, even though the organization meets all legal requirements.
7. A government department outsources data processing to a private company that has no security certification. Later, citizens' personal data appears for sale online.

8. A national legislature mandates new education standards, but the executive body implements them only in wealthy districts, not nationwide.

9. A municipal office provides information about citizens' debts to journalists, even though such data is confidential.

10. Officials introduce new compulsory fees for passport services without parliamentary approval.

Exercise 6. Complete the following text with the correct prepositions.

### **Advances in the doctrine of administrative law in Ukraine**

In Ukraine, the formation of administrative law must be correlated \_ the societal realization \_ the necessity for legal regulation of administrative relations within the state's territory. In this context, our nation does not diverge significantly \_ other countries globally. During the times of Kyivan Rus and the Galician-Volhynian Principality, the precursors to administrative law, to a certain extent, can be considered as norms that regulated the procedure for establishing and collecting taxes, delineated military service, governed trade, and were encapsulated in princely statutes, treaties \_ other states, and customary law.

During the Lithuanian-Polish era in Ukrainian territories, the primary sources \_ law were the Lithuanian Statutes. The principal regulatory principles \_ societal relations in these normative acts were the uniformity of rights for all citizens, their inviolability, and the limitation \_ judicial and administrative pressures on individuals and legal entities. For that time, these were rather progressive legal documents reflecting the legal relations \_ a feudal state. In these statutes, law was perceived as a singular entity, without being subdivided \_ its various branches, though a budding tendency was evident towards the separation of norms characteristic \_ administrative law. These norms encompassed regulations related to military service, craftsmanship, and stipulations concerning appointments \_ positions.

During the Cossack era in Ukraine, traditional law was influenced by the Lithuanian Statutes and Magdeburg Law. These formed the basis of codified legal projects. With parts of Ukraine transitioning to the jurisdiction of the Russian Empire, completed by the first half of the 19th century, the Magdeburg Law and the Lithuanian Statutes ceased to apply, eliminating Ukraine's legal autonomy in the process. Concurrently, in Ukrainian territories of the Austro-Hungarian Empire, a centralization policy prevailed, governed by the empire's legislation.

Current trends in the evolution of Ukrainian administrative law are influenced by political, juridical, social, economic, cultural, and other factors.

Exercise 7. Read the text and answer the questions.

### **Interesting Facts from Administrative Law Around the World**

Administrative law is usually seen as a serious subject, full of rules, procedures, and government documents. But around the world, many legal systems have surprising and unusual features. These examples show how different countries try to balance public order, citizens' rights, and efficient governance.

#### **1. Japan: The Government Apologizes Officially**

In Japan, when a government agency makes a mistake, such as giving wrong information or delaying a service, it often issues a formal public apology. This apology is not required by law, but it has become a strong administrative tradition. Japanese officials believe that admitting mistakes builds trust between the state and the people. In some cases, agencies even hold press conferences just to apologize.

#### **2. Estonia: The "Invisible" Digital Government**

Estonia is famous for having one of the world's most advanced digital administrations. Almost all public services: tax filing, voting, medical prescriptions, business registration can be done online in minutes. Citizens rarely need to visit government offices. The country has a legal principle called "once only": The state cannot ask you twice for the same information. If you gave your address to one institution, all other institutions must get it from the shared system.

#### **3. France: The Right To Good Administration**

France has a special law that says every person has the **right to good administration**. This means citizens can complain if officials take too long, do not answer requests, give unclear explanations, or act unfairly. The idea has inspired similar laws in the European Union.

#### **4. India: A Special Court for “Slow” Bureaucracy**

India created fast-track administrative courts to deal with cases where the government is too slow to act. For example, if a citizen waits months for a passport, a license, or pension payments, they can file a complaint in these courts. Judges can order the agency to act immediately and sometimes even fine the responsible officials.

#### **5. Finland: The World’s Oldest Ombudsman**

Finland introduced the first parliamentary **Ombudsman** in 1919. An Ombudsman is an independent official who investigates complaints against the government. Today, more than 100 countries use this model. In Finland, even prisoners can directly complain to the Ombudsman without anyone checking or opening their mail.

#### **7. South Korea: Public Officials Must Answer Requests Within 3 Days**

In South Korea, if a citizen sends a formal request to a government agency, officials must respond within **three working days**. Even if they cannot solve the problem immediately, they must explain why and give a timeline. The rule is designed to prevent bureaucratic delays and keep public administration efficient.

#### **8. United Kingdom: “Wednesbury Unreasonableness”**

The UK uses a famous legal test with a strange name: **Wednesbury unreasonableness**. It comes from a 1948 case involving a cinema in the town of Wednesbury. The rule says that a government decision is unlawful if it is **so unreasonable that no reasonable authority would ever make it**. Today, this principle is a foundation of British administrative law.

### **Discussion Questions**

1. Which administrative rule or tradition surprised you the most?

2. Do you think your country should adopt any of these practices? Why or why not?
3. Which system seems the most efficient? Which seems the most citizen-friendly?
4. How do cultural traditions influence administrative law?

Exercise 8. Read the case and answer the analytical questions.

**Case:** A foreign student applied for a residence permit extension. The immigration office promised to respond within 30 days. After 90 days, there was still no reply. Because of this delay, the student could not travel home for vacation or apply for a job. The Ombudsman found that the office violated its own deadlines and caused unnecessary stress.

**Questions:**

1. Did the office act within the legal framework?
2. Which rights were affected?
3. What remedy should the Ombudsman recommend?
4. How could the office improve its internal procedures?

Exercise 9. Creative Writing: “Design Your Ideal Ombudsman Office”.

Write a short description (120–150 words) of what the “perfect Ombudsman Office” should look like. Include:

- staff qualifications
- main responsibilities
- technology used
- ways to communicate with citizens
- how to guarantee independence

Then present your ideas to the class.

Exercise 10. Read these short statements about Ombudsman systems in different countries. Discuss which one is the most effective and why.

- **Finland:** The Ombudsman can visit prisons and military units without warning.
- **Spain:** The Ombudsman sends an annual report directly to parliament.
- **New Zealand:** The Ombudsman can force agencies to release information.
- **South Korea:** The Ombudsman must answer every complaint within 30 days.

### MULTIPLE-CHOICE TEST 3.

**1. Administrative law mainly regulates the activities of...**

- A. Private companies
- B. Government agencies
- C. International courts
- D. Military forces

**2. A system of many offices and procedures within government is called...**

- A. Judiciary
- B. Bureaucracy
- C. Legislature
- D. Arbitration

**3. A person employed by the state to carry out administrative tasks is a...**

- A. Lawyer
- B. Civil servant
- C. Witness
- D. Contractor

**4. The legal authority given to an administrative body to act is known as...**

- A. Duties
- B. Rights
- C. Powers
- D. Damages

**5. A local government organisation responsible for services in a district is a...**

- A. Local authority
- B. Trade union
- C. Supreme court
- D. Embassy

**6. Which area is most often controlled by administrative agencies?**

- A. Marriage law
- B. Traffic control and safety
- C. Criminal sentencing
- D. International diplomacy

**7. One of the key duties of administrative bodies is to protect...**

- A. Public health
- B. Corporate profits
- C. Foreign investments
- D. Banking secrecy

**8. If an authority spends more money than planned, this is called...**

- A. Income
- B. Expenditure
- C. Damages
- D. Profit

**9. A political regime where one person or a small group has unlimited power is a...**

- A. Democracy
- B. Republic
- C. Dictatorship
- D. Federal state

**10. The process of reviewing an administrative decision by a higher body is known as...**

- A. Appeal
- B. Arrest
- C. Termination
- D. Settlement

**11. Administrative justice ensures that...**

- A. All workers receive high salaries
- B. Citizens are treated fairly by authorities
- C. Contracts are automatically renewed
- D. Police can act without rules

**12. When a government official acts outside their legal powers, it is called...**

- A. Ultra vires
- B. In writing
- C. Pro bono
- D. Per se

**13. Public administration is primarily concerned with...**

- A. Managing public policies
- B. Issuing criminal punishments
- C. Regulating private contracts
- D. Conducting elections

**14. Which sector is typically supervised by administrative agencies?**

- A. Fashion industry
- B. Environmental protection
- C. Poetry festivals
- D. Sports competitions

**15. Civil servants must perform their duties...**

- A. According to political opinion
- B. In line with the law
- C. Only during elections
- D. Without supervision

**16. A common complaint about large bureaucracies is that they are...**

- A. Too fast
- B. Too efficient
- C. Slow and complex
- D. Unregulated

**17. Administrative bodies may adopt regulations to...**

- A. Increase court budgets
- B. Implement government policies
- C. Replace criminal laws
- D. Override international treaties

**18. Public authorities often need special powers to...**

- A. Help businesses avoid taxes
- B. Protect community interests
- C. Delay public services
- D. Elect judges

**19. Oversight of administrative decisions helps prevent...**

- A. Fair procedures
- B. Abuse of power
- C. Budget planning
- D. Legislation

**20. Which document usually grants powers to administrative agencies?**

- A. Novels
- B. Legislation
- C. Advertisements
- D. Personal letters

## UNIT 4. FAMILY LAW

### ACTIVE VOCABULARY

English Term	Український відповідник
abusive conduct	насильницька поведінка / образлива поведінка
adoption	усиновлення
child-welfare services	служби у справах дітей / соціальні служби захисту дитини
civil unions	цивільні партнерства
couple	пара
custody	піклування / опіка над дитиною
day nurseries	дитячі ясла
distinguish	розрізняти
divorce	розлучення
domestic partnerships	домашні партнерства (побутові партнерства)
employment assistance	допомога у працевлаштуванні
forbid	забороняти
guardianship	опіка
inheritance	спадщина
law of property and succession	право власності та спадкове право
legitimacy	законність походження
marital property	спільне майно подружжя
mutual agreement	взаємна згода
one-parent families	неповні сім'ї / сім'ї з одним із батьків
paterfamilial group	домогосподарство, очолюване главою сім'ї
same-sex marriages	одностатеві шлюби

<b>English Term</b>	<b>Український відповідник</b>
separation	роздільне проживання / сепарація
simultaneously	одночасно
spouses	подружжя
succession	спадкування
support	утримання / підтримка
terminate cohabitation	припинити спільне проживання
termination	припинення
tribe	плем'я
upbringing	виховання
violence	насильство

## **READING**

In the past, family law was closely connected with the law of property and succession, and, judging from the records available, it must have originated principally in the economic and property questions created by the transfer of a female from her father's family to the power and guardianship of her husband. Even with regard to the relationship between parent and child, legal concepts such as guardianship, custody, and legitimacy were associated with family power structures and family economic interests. Family law also traditionally has to do with matters of personal status—for example, the question of whether a person is to be considered married or single, legitimate or illegitimate—though the incidents and importance of these distinctions often derive from the law of property.

Family law shares an interest in certain social issues with other areas of law, including criminal law. For example, one issue that has received considerable attention since the late 20th century is the very difficult problem of violence within the family, which may take the form of physical violence by one adult member on another or by an adult on a child or some other violent or abusive conduct within a family circle. In

serious cases the only real solution may be to terminate cohabitation or to remove an abused child from the family unit into some form of public or foster custody.

A family group has a certain internal structure as well as relationships between itself and third parties. Family groups in some societies have tended to be complex, as, for example, the Roman paterfamilial group, the Chinese upper-class family, the Indian joint family, the samurai family in Japan, and many customary family structures in Africa. The family may be a part of a larger group such as the tribe or clan.

At present the dominant form of the family group consists of two spouses and the children they have produced or adopted. The law, therefore, is concerned mainly with the rights of the couple and their children and the duties of the couple to the children and to each other. In a strictly monogamous society, for example, the law will forbid a person to be married to more than one other person at the same time, while in other societies it will regulate the number of wives a man may simultaneously have (as Islamic law [Sharī'ah] does).

Traditionally, family law has not concerned itself much with unions that are not commenced by legal marriage, though some systems of law have permitted the recognition of a “natural” child by a father for purposes such as inheritance and support. More recently, the family law of several European countries and of some jurisdictions in the United States was amended to recognize civil unions or domestic partnerships, which created many of the legal incidents of marriage for same-sex couples.

Since the 1970s, one-parent families have acquired an importance not adequately reflected in traditional law. It may be necessary to adapt the law to a greater extent to the needs of one-parent families in areas such as the organization of family and child-welfare services and the legal and administrative machinery for family support, employment assistance, day nurseries, and the like. The head of a single-parent household may have difficulty affording the high cost of child care while working or training, especially on a modest or low income.

Two persons might produce the economic incidents of marriage by executing appropriate contracts or settlements. In some legal systems, a contract in conventional form is the core of the constitution of marriage. The contract may be complex, with a

variety of clauses, as in Islamic law. In most countries today, however, the legal documentation of a marriage is mainly a registration of the event. Basically, then, marriage in the legal sense is the implied creation of certain rights or obligations such as maintenance, marital property and succession rights, and the custody of minor children.

One feature that distinguishes marriage from a simple contract is that, in many countries, the parties cannot release themselves by mutual agreement. But some legislation in North America and western Europe comes close to permitting this; the grounds of divorce have been so widened that the marriage can be terminated, for example, after a period of separation.

It is almost universally the rule that natural or adopting parents have a primary duty to maintain their minor children. In the great majority of cases, the care and upbringing of a child belongs to its biological parents automatically, without regard to their qualification or suitability. No doubt this arrangement was due originally to its convenience and to lack of alternatives, though examples may be found of groups rearing their children in common (usually in tribal societies). The parental system also has been justified on religious grounds.

The ordinary legal principle is that the consent of a natural parent (or guardian) is required for an adoption order by a court. This consent may be dispensed with if the natural parent or guardian cannot be found or has proved to be uninterested or cruel.

Adoption in the older legal systems (as in Roman law) was treated mainly in terms of the law of inheritance and succession. It provided a way of introducing an outsider into a family group and so bringing him within the scope of the succession rules. In modern systems, succession rights and other obligations and rights in cases of adoption are usually treated by analogy with those of unadopted children, and in some systems there is an explicit equation with such children.

Exercise 1. Complete the following text with the correct prepositions.

### **Marriage as a transfer of dependence**

The history of marriage is bound up with the legal and economic dependence \_ women \_ men and the legal incapacities of women in owning and dealing \_ property. In Babylonian law, \_ example, one characteristic of a “legal wife” was that she brought property to the marriage (as a contribution \_ the support of the new family).

In systems in which females are legally and economically dependent \_ a family hierarchy, the juridical essence of marriage is the transfer of the female \_ control by her own family \_ control by her husband. Marriage customs of many times, countries, and religions exhibit this principle \_ a variety \_ forms—\_ example, in certain kinds of Roman marriage, in marriages \_ the Japanese samurai, in the traditional Chinese marriage, in the Hindu marriage based \_ the joint family, in rabbinical law, in Islamic law, and in Germanic and Celtic customary law. The Germanic traditions were imported \_ England, where they combined \_ Norman concepts to become the basis \_ the English common law of marriage. The Germanic law provided, at least in higher-class families with property, for a payment by the bridegroom for the transfer \_ responsibility for and power \_ the woman (bridewealth) and for a settlement on the groom by the bride’s family (dowry). The giving of a ring had a symbolic role in many kinds \_ wedding and betrothal ceremonies. The word *wed* derives from the Anglo-Saxon word \_ security given to bind a promise. The property used as security was not necessarily transferred but given symbolically (i.e., the ring). In a modern wedding service \_ the Church of England, the giving of security is reflected in the words “With this ring I thee wed,” and the settlement of property in the words “and with all my worldly goods I thee endow”. The minister has previously asked, “Who giveth this woman to be married \_ this man?” and, on “receiving the woman \_ her father’s or friend’s hands,” proceeds with the ceremony.

The ancient concept \_ marriage in many legal systems is that of a transaction \_ families (and this has sometimes persisted to the present day). Although the consent \_ the bride and bridegroom was almost always formally required, it may be questioned how real the consent was in the case of a child bride or in marriages between parties who did not see each other beforehand. Go-betweens and marriage brokers have been part \_ the marriage customs \_ many countries, especially in East Asia.

Exercise 2. Complete the sentences with one appropriate term from the Active Vocabulary. Then discuss what each concept means in family law.

1. When parents cannot agree on who the child should live with, the court must make a decision about \_\_\_\_\_.
2. In many jurisdictions, \_\_\_\_\_ can apply to both biological and adoptive parents who are legally responsible for raising a child.
3. Some countries recognise \_\_\_\_\_ as an alternative to marriage for both heterosexual and same-sex couples.
4. The law usually prohibits a person from being married to more than one spouse \_\_\_\_\_.
5. When a marriage breaks down irreversibly, the court may grant a \_\_\_\_\_.

Exercise 3. Rewrite each sentence using legal vocabulary from the Unit.

Example:

**Original:** The parents look after their child.

**Rewrite:** The parents are responsible for the *upbringing* of their child.

Now you:

1. The parents ended their relationship and no longer live together.
2. The couple has official permission to raise a child that is not biologically theirs.
3. The man and woman officially agreed to stop being married.
4. The court decided that the child should live with the mother.
5. The father must give money for his child after the separation.

Exercise 4. Read the mini-cases. Decide whether Family Law was violated. Identify which rule applies and provide a short explanation.

### **Case 1 “Hidden Wife”**

*Monogamy Rules / Bigamy / Fraud*

Marko has been legally married to his wife Olena for twelve years in a country where **monogamous marriage is the only legal form**. Their marriage is stable on paper, though they have been living separately for the last two years due to work obligations. While working abroad, Marko meets another woman, Ana, and decides to marry her in a small private ceremony in her home country.

To avoid legal consequences, he does **not register the second marriage** in either country. Ana believes she is Marko's only wife and has no idea he is already married. Marko financially supports both women but hides the situation by maintaining separate bank accounts.

A problem appears when Ana becomes pregnant and tries to register the child, discovering inconsistencies in Marko's documents. She begins to suspect he may already be married.

**Question:** Has Marko violated monogamy rules even if the second marriage was never registered? What legal consequences may follow?

## **Case 2 “Forced Custody”**

### *Best Interests of the Child / Right to Choose / Parental Rights*

After their divorce, parents agreed informally that **the mother, Iryna, would have primary custody** of their 14-year-old son, Danylo, while the father, Roman, would have regular visitation. There is **no official court decision**—only a verbal agreement. Over time, the relationship between Danylo and his mother becomes strained. She works nights, is often stressed, and frequently argues with him. Danylo feels more comfortable with his father, who has a stable work schedule and more time for him. One weekend, Danylo tells his mother he wants to **move permanently to his father's home**.

Iryna refuses and **physically blocks the door**, takes his phone, and tells him she will not “allow him to ruin the family”. She insists that she is the “main parent” and that the child has “no right to decide”.

Danylo secretly messages his father asking for help.

**Question:** Which custody rules apply here? Is the mother allowed to physically prevent the child from leaving?

### **Case 3 “Financial Refusal”**

#### *Maintenance Obligations / Child Support Enforcement*

Two years after separating, Julia and Andriy share custody of their 8-year-old daughter, Sofia. Sofia lives mainly with Julia, while Andriy sees her every second weekend. According to the law, the parent with whom the child does *not* primarily live must provide **monthly financial maintenance**.

However, Andriy recently lost his job and tells Julia that he can “no longer afford” to pay. He insists that “children should be raised equally,” and that Julia should “take responsibility for her own choices”. He stops all payments for five months.

Julia works full time but struggles to afford rent, food, and school supplies for Sofia. When she asks Andriy for support, he replies: “It’s not my responsibility anymore. I’m not paying a single coin”.

Julia considers taking legal action but fears this will worsen their already difficult communication.

**Question:** What legal obligations exist regardless of the parents' relationship? What mechanisms can enforce child support?

### **Case 4 “Unauthorized Adoption”**

#### *Adoption Procedures / Legal Custody / Child Protection*

A young couple, Marta and Oleh, live in a small town. Their neighbours die unexpectedly in a car accident, leaving behind a 6-year-old boy named Taras. With no relatives nearby, Marta and Oleh take Taras into their home immediately, promising to “protect him like their own”.

They do not contact social services because they are afraid Taras will be placed in an institution. They believe it is better for him to stay in a “loving family” and assume that the authorities will “understand later”.

For nearly a year, Marta and Oleh raise Taras without any official documentation. They take him to school using informal notes, claim him as their child in medical forms, and tell neighbours that they are “in the process of adopting him,” even though they have not filed anything.

Problems arise when Taras needs a passport for a school trip, and the school requires proof of legal guardianship.

**Question:** Is this an act of care or an administrative violation? What are the risks of skipping official adoption procedures?

### **Case 5 “Abusive Cohabitation”**

#### *Domestic Violence / Protection Orders / Right to Safety*

A married couple, Natalia and Petro, have been living together for eight years. Over the last two years, Petro has shown increasing signs of emotional instability. He accuses Natalia of “being ungrateful,” isolates her from friends, monitors her phone, and frequently insults her.

Recently, Petro’s behaviour escalated: he **pushed Natalia**, broke her phone during an argument, and threatened to “teach her a lesson”. Natalia wants to leave, but Petro refuses to move out or let her take any personal belongings. He claims that the apartment is in his name and that “she has no right to leave without permission”.

Natalia is scared but unsure if psychological violence is enough for legal protection. She is also afraid that reporting him will make the situation worse.

**Question:** What legal protections exist for victims of domestic violence? Can the abusive spouse be removed from the home?

Exercise 5. Discuss the following question in small groups.

“How should family law adapt to better protect one-parent families, same-sex couples, and cohabiting partners?”

Provide at least **three legal reforms** and justify them.

Exercise 6. Choose the synonym (A–D) that is closest in meaning to the **bolded** word in each sentence.

1. For thousands of years, a husband was considered a **quasi-guardian** of his wife.
  - A. partial protector
  - B. strict judge
  - C. financial rival
  - D. legal enemy
2. Traditionally, a married woman was **dependent** on her husband both economically and legally.
  - A. influenced
  - B. unequal
  - C. reliant
  - D. separated
3. The English common law removed a married woman’s **separate legal personality**.
  - A. private documents
  - B. independent legal status
  - C. social reputation
  - D. financial background
4. The emancipation of women **profoundly** affected family law.
  - A. slightly
  - B. negatively
  - C. deeply
  - D. temporarily

5. Scandinavian countries introduced a new **matrimonial regime** in the 1920s.
  - A. wedding ceremony
  - B. system of marriage property rules
  - C. cultural tradition
  - D. legal punishment
6. In this system, spouses retain **independent control** of their property.
  - A. shared use
  - B. limited access
  - C. separate authority
  - D. temporary ownership
7. Marital property laws came under increasing **scrutiny** in the 1970s.
  - A. celebration
  - B. examination
  - C. rejection
  - D. confusion
8. Some U.S. court cases recognized the right of unmarried couples to **property settlements**.
  - A. shared vacations
  - B. financial agreements
  - C. medical treatments
  - D. public ceremonies
9. Courts now consider the woman's **non-monetary contributions** as a homemaker.
  - A. unpaid efforts
  - B. extra income
  - C. financial loans
  - D. domestic expenses
10. They also consider the emotional support she provides and the professional sacrifices her role in the marriage may **entail**.
  - A. ignore

- B. demand
- C. allow
- D. forbid

Exercise 7. Complete each sentence with ONE word from the list.

**Word box:** *property • regime • contract • spouses • ownership • divorce • capacity • contributions • third • annulled*

1. A marital \_\_\_\_\_ is a legal system that regulates how a couple manages their property.
2. In some countries, married \_\_\_\_\_ can choose how they want to organise their finances.
3. If a couple does not select a system, their \_\_\_\_\_ will be managed according to the default rules.
4. Couples can also sign a marriage \_\_\_\_\_ to state their wishes.
5. Sometimes the \_\_\_\_\_ of a house is shared because both partners helped to buy it.
6. A marriage can be \_\_\_\_\_ if there was a problem with the ceremony or the parties' consent.
7. One reason for an annulment is that one person did not have the legal \_\_\_\_\_ to marry.
8. When a marriage ends, the couple must go through \_\_\_\_\_ to legally separate.
9. Courts often consider the \_\_\_\_\_ of each partner, for example money or work done in the home.
10. Property law must also protect the rights of \_\_\_\_\_ parties such as creditors or buyers.

Exercise 8. Choose a position and prepare arguments.

**Position A:** "Family law should strictly protect traditional marriage".

**Position B:** "Family law must fully recognise modern family structures".

Exercise 9. Read the situation and answer the questions.

A couple lived together for 12 years without marriage. They raised one child, bought an apartment together, and ran a small business. When they separated, one partner demanded full ownership of the apartment and full custody of the child, arguing that the law does not recognise their relationship.

**Questions:**

1. What legal problems does the couple face?
2. What rights might each partner claim?
3. Should cohabiting partners have similar rights to spouses?
4. Which reforms could prevent similar disputes?

Exercise 10. Read the text and answer the questions.

Divorce laws vary significantly worldwide, ranging from **no-fault systems** (like the UK's new law) that only require a declaration of irretrievable breakdown to **fault-based systems**, and from countries where divorce is outright illegal (such as the Philippines and the Vatican City) to those with complex religious or cultural requirements. Many countries have different rules regarding child custody, property division, and alimony that are influenced by cultural, religious, and legal traditions.

Divorce laws in different countries:

**ARGENTINA:**

The legalisation of divorce in Argentina was the result of a struggle between various governments and conservative organisations, most of which were affiliated with the Catholic Church.

Law 2,393 of 1888 established that the State, not the Church, would be in charge of marriage and divorce in Argentina. The legislation permitted the separation of spouses by judicial order for adultery, insults, violence, or desertion, but not the dissolution of marriage.

President Juan Domingo Perón only had Law 14,394 approved despite the Catholic Church's objections in 1954. Marriages could be annulled and divorced people

could remarry for the first time in the country. However, a military coup forced Perón out of office a year later, and the administration that succeeded him repealed the law.

Couples could legally separate without demonstrating fault from 1968 onwards, but marriages could not be dissolved.

Following a Supreme Court judgement, President Raul Alfonsín was successful in adopting the divorce statute (Law 23,515) in 1987. Gender equality between husband and wife was also included in the new law. In August 2015, a new Civil and Commercial Code went into effect, updating family law and making divorce easier.

### **AUSTRALIA:**

The Family Law Act 1975, which introduced no-fault divorce in Australia, revised Australia's laws on divorce and other legal family problems in 1975.

Since 1975, the only basis for divorce has been the irreversible dissolution of the marriage, as demonstrated by a twelve-month separation. However, there is still a "fault" aspect in child custody and property settlement cases.

### **BRAZIL:**

Divorce was only made lawful in Brazil in 1977, perhaps due to the influence of the Roman Catholic Church.

If there is no contested property and no minor or special-needs children, Brazilian couples can file a divorce at a notary's office since January 2007.

The pair merely needs to present their national identification cards and marriage certificate, as well as pay a fee, to begin the procedure, which takes two to three weeks to complete.

However, as is customary in other areas of government engagement in Brazil, a skilled agent expedites the process, and the documents must be finalised by a lawyer.

The 66th amendment to Brazil's Constitution, which was ratified in 2010, abolished the previous need of a one-year separation period before a divorce could be granted.

### **BULGARIA:**

In 2009, a new Family Code was enacted in Bulgaria, updating family law. There are two ways to get a divorce:

By agreement of both parties. (Article 50) Both spouses agree to divorce, and the court accepts the divorce without investigating the reasons behind it.

If "the matrimony is deeply and irreversibly shattered," at the wish of either spouse. (Article 49) The court will only rule on the 'fault' of the spouse(s) if one of the spouses has particularly requested it.

### **SWEDEN:**

In Sweden, a couple can either file for divorce together or one side can file alone for divorce.

There is a 6- to 12-month waiting period if they have children under the age of 16 living at home or if one party does not want to divorce.

During this time, they remain married, and the request must be confirmed after the divorce has been finalised.

### **Discussion Questions**

1. Why do you think divorce laws differ so much from country to country?
2. Do you think divorce should be easier or harder to obtain? What are the potential benefits and risks of easy vs. complex divorce procedures?
3. Is it fair for religious institutions to influence state laws on marriage and divorce? Why might this be controversial?
4. How do strict divorce laws influence people's lives and mental well-being?
5. Why do you think it took so long for Argentina to legalize divorce fully? What does this say about the relationship between tradition and reform?
6. Why do you think some countries require long waiting periods, while others allow fast divorces? What might be the consequences?
7. Should the law ever require couples to explain why they want to divorce? Or is this an invasion of privacy?
8. Is divorce a personal decision, or should society have a say in it? Where is the line between individual rights and social values?
9. What happens to gender equality when divorce laws are strict or outdated? Who suffers most?

10. If you could redesign the divorce system in your own country, what rules would you change—and why?

## MULTIPLE-CHOICE TEST 4.

### 1. Family law primarily regulates...

- A. Commercial transactions
- B. Relationships between spouses, parents, and children
- C. Criminal liability of minors
- D. International trade rules

### 2. Guardianship usually refers to...

- A. Managing someone's business
- B. Providing legal care for a minor or incapacitated person
- C. Representing someone in court
- D. Approving a marriage license

### 3. Custody determines...

- A. Who inherits property
- B. Where a child will live and who will care for them
- C. Who can enter a civil union
- D. How property is taxed

### 4. The concept of legitimacy historically affected...

- A. Voting rights
- B. Child labour rules
- C. Inheritance and family status
- D. Marriage ceremonies

### 5. Abusive conduct within a family typically includes...

- A. Minor disagreements
- B. Household chores
- C. Physical or psychological violence

- D. Financial investments

### 6. To terminate cohabitation means to...

- A. Acquire new property
- B. End living together as a couple
- C. Adopt a child
- D. Register a business partnership

### 7. A paterfamilial group is a family system in which...

- A. Children choose their legal parents
- B. The oldest male traditionally holds authority
- C. Women manage all property
- D. Only adopted children inherit

### 8. A tribe in family-law contexts refers to...

- A. A political party
- B. A large kinship-based social group
- C. A financial organisation
- D. A government agency

### 9. Civil unions and domestic partnerships are...

- A. Criminal penalties
- B. Alternatives to marriage with some legal rights
- C. Temporary housing arrangements
- D. Informal friendship agreements

### 10. Same-sex marriages are legally recognised in...

- A. All countries
- B. No countries
- C. Some countries depending on national law
- D. Only in traditional societies

**11. One-parent families often require additional legal support because...**

- A. They pay no taxes
- B. They lack access to courts
- C. They may face economic and childcare challenges
- D. They cannot own property

**12. Child-welfare services primarily focus on...**

- A. Road construction
- B. Protecting the well-being and safety of children
- C. Managing election campaigns
- D. Supervising civil servants

**13. Marital property usually refers to...**

- A. Items purchased jointly during marriage
- B. Personal belongings owned before birth
- C. Property used for business investments only
- D. Assets owned by neighbours

**14. Mutual agreement in family law means that...**

- A. A court forces a decision
- B. Only one spouse decides
- C. Both parties consent freely
- D. Parents must sign a contract

**15. Divorce legally results in...**

- A. Increase of marital rights
- B. Creation of a new contract
- C. Ending a marriage
- D. Transfer of state property

**16. Separation differs from divorce because...**

- A. It is a criminal penalty
- B. The couple stops living together but remains legally married
- C. The couple remarries someone else
- D. It requires no consent

**17. Adoption legally creates...**

- A. A temporary childcare contract
- B. A parent–child relationship
- C. Business ownership
- D. Property succession for all relatives

**18. Succession in family law refers to...**

- A. Parking rules
- B. Inheritance of property after someone's death
- C. Filing taxes
- D. Registering a marriage

**19. Domestic violence laws aim to protect individuals from...**

- A. Academic dishonesty
- B. Workplace disputes
- C. Psychological or physical harm within the home
- D. Public transportation issues

**20. A court may remove a child from a family if...**

- A. The parents move abroad
- B. A child wants a new school
- C. There is danger to the child's safety or well-being
- D. The parents disagree about dinner

## UNIT 5. AGRARIAN LAW

### ACTIVE VOCABULARY

English term	Український відповідник
agriculture	сільське господарство
crops	сільськогосподарські культури / врожай
deforestation	вирубубвання лісів
division of land plots	поділ земельних ділянок
enterprise	підприємство
fulfil obligations	виконувати зобов'язання
hire workers	наймати працівників
hygiene conditions	гігієнічні умови
labour law	трудове право
land ownership	право власності на землю
large-scale	масштабний / великомасштабний
miller	мірошник
ministry of agriculture	Міністерство сільського господарства
participate in agricultural markets	брати участь в аграрних ринках
protection of soil	охорона ґрунтів
raising livestock	розведення
redistributive reforms	перерозподільчі реформи
rural land	сільські землі
safety regulations	правила безпеки / норми безпеки
stock-raising	тваринництво
storage of products	зберігання продукції
supervise	контролювати / наглядати
swine-raiser	свинар / розводчик свиней

<b>English term</b>	<b>Український відповідник</b>
technical assistance	технічна допомога
to bestow upon smb. the highest praise	висловити комусь найвищу похвалу
uncultivated land	невикористана/необроблена земля
veneration	пошана, вшанування

## **READING**

Throughout history, law has played a crucial role in agrarian change. Law is critical for land privatization, understood as the process through which private property rights over land are allocated by transferring public or uncultivated land to subjects, particularly individuals. Legal procedures legitimize private property rights that are subsequently certified by state authorities (notaries, registers, judges). Entitling private property rights over rural lands could also be a means through which redistributive reforms are enforced, for instance when large-scale landed properties formerly in the hands of only one holder are distributed to many.

The Romans were a people that originally gave their almost exclusive attention to agriculture and stock-raising. The surnames of the most illustrious families, as Piso (miller), Porcius (swine-raiser), Lactucinius (lettuce-raiser), etc., prove this. To say that a man was a good farmer was, at one time, to bestow upon him the highest praise. This character has contributed to the development among them of a civil law which is perhaps the most remarkable monument which antiquity has left us. This civil code has become the basis of the law of European peoples, and recommends the civilization of Rome to the veneration of mankind. The corner-stone of this legislation was the constitution of the law of property. This property applies itself to everything in the law of Rome, to land, to persons and to obligations.

Agrarian law is a branch of law that regulates relationships connected to agriculture, food production, land use, and rural development. In many countries, agriculture is one of the most important sectors of the economy. For this reason, the state creates special legal rules to support farmers, protect natural resources, and

guarantee food security. Agrarian law brings together elements of civil law, environmental law, administrative law, and even labour law. It deals with the rights and obligations of individuals and organizations that work with land, animals, crops, and agricultural products.

One of the central ideas of agrarian law is the special social importance of agriculture. Food production directly influences the health, stability, and safety of a nation. Therefore, the state takes part in regulating land ownership, giving subsidies, providing technical assistance, and monitoring the quality of agricultural goods. Agrarian law also supports sustainable development, which means using resources carefully so that future generations can also benefit from them.

Agrarian legal relations can be divided into several types. The first type includes relations connected to land use and land ownership. These cover the rights of farmers to own or rent land, the division of land plots, and the protection of soil and water resources. The second type involves relations connected to production—for example, growing crops, raising livestock, processing food, and selling agricultural goods. The third type includes administrative and organizational relations, such as state control over food safety, registration of farms, or the distribution of financial support. Finally, agrarian law also covers environmental and ecological relations, especially when agriculture influences the environment through chemicals, water use, or deforestation.

Agrarian law has several important features. First, this field of law combines private and public elements. A farmer may have private property rights, but the state can still require him or her to follow ecological standards or maintain the quality of products. Second, agrarian law is strongly influenced by economic and social policy. Governments often create special programmes to help small farms, support rural development, or stabilize food prices. Third, agrarian law is dynamic. Climate change, new technology, and international trade constantly influence agricultural activities, so the legal system must adapt to new challenges. In addition, agrarian law is closely connected to European and international standards, especially in areas such as quality control, safety regulations, and sustainable farming.

The subjects of agrarian legal relations are all individuals and organizations involved in agricultural activity. The main subjects are farmers, agricultural cooperatives, private enterprises, state farms, and agribusiness companies. These subjects have rights to use land, produce goods, hire workers, and participate in agricultural markets. At the same time, they must fulfil obligations such as paying taxes, following environmental rules, and respecting labour standards. Another important group of subjects includes state bodies, such as ministries of agriculture, land agencies, environmental inspectorates, and local authorities. They regulate, supervise, and support agricultural development by issuing licences, checking product quality, and distributing subsidies. Consumers, scientific institutions, and international organizations can also be subjects of agrarian legal relations because they influence standards, research, and trade.

In modern society, agrarian law pays special attention to food safety and rural development. Food safety requires control of pesticides, animal health, hygiene conditions, and storage of products. Rural development includes building infrastructure, improving living conditions in villages, and supporting education and innovation in rural areas. These goals reflect the idea that agriculture is not only about economic profit but also about social stability and environmental protection.

In conclusion, agrarian law is a complex and important area that regulates how countries use and protect their natural resources, support farmers, and guarantee safe and sustainable food production. Its concept covers a wide range of activities and relationships. Its types include land relations, production relations, administrative relations, and environmental relations. Its features show a strong combination of private rights and public interests. And its subjects include farmers, cooperatives, companies, state bodies, and many other participants who work together to ensure the future of agriculture. Understanding agrarian law helps future lawyers protect the rights of both producers and consumers and contribute to the development of a stable, healthy, and sustainable society.

## **FOLLOW-UP**

Exercise 1. Discuss the following dilemmas. What should be legal? What should be ethical? Why?

1. A farmer sprays pesticides that are legal but dangerous for bees. Should the law restrict him further?
2. A landowner refuses to sell land needed for a new irrigation system that would benefit the whole region.
3. A foreign corporation buys thousands of hectares of Ukrainian land. Is this an economic opportunity or a threat?
4. A village wants to keep its traditional grazing route, but the state plans to build a highway across it.
5. A farmer refuses to hire women because “agricultural work is too heavy for them”.

Exercise 2. Read each situation carefully. Identify all possible legal issues.

### **Case 1 –Toxic Soil, Broken Trust**

A farmer signs a 10-year lease agreement for 50 hectares of land to expand his grain production.

During the first year, he notices unusual crop failure and orders a soil analysis. The results show high levels of industrial toxic waste, likely buried underground 10–15 years earlier by a previous tenant who used the land as an illegal dumping site.

When the farmer contacts the landowner, the landowner claims he “never knew about the pollution,” refuses to reduce the rent, and insists the farmer must continue fulfilling all contractual obligations.

Meanwhile:

- the regional environmental inspectorate opens an investigation
- neighbouring farmers complain that toxins may be leaking into their groundwater
- the farmer fears financial loss, health risks, and breach of contract claims if he stops production.

## **Case 2 –The Death of the Bees**

A local beekeeper keeps 120 bee colonies near fields owned by a vegetable farmer. One morning, he finds thousands of dead bees around the hives. An inspection discovers that the neighbour sprayed crops with cheap, unregistered pesticides that are banned under national agricultural safety rules.

The neighbour argues:

- “I didn’t know the chemicals were banned”.
- “I had to save my crops from insects quickly”.
- “Your bees shouldn’t fly onto my land anyway”.

The beekeeper demands compensation for:

- loss of bee colonies
- loss of honey production
- long-term damage to pollination cycles

Environmental inspectors threaten to suspend the neighbour’s farming licence.

## **Case 3 –The Cooperative Ghost Member**

A grain-selling cooperative has 12 members and operates based on a written charter. During the last marketing season, the cooperative sells a large quantity of wheat to an international buyer. However, the accountant notices inconsistencies: one member has secretly sold part of the cooperative’s grain “by cash” behind the cooperative’s back, hiding the income to avoid taxes.

This behaviour:

- violates the cooperative’s economic transparency rules
- harms the financial interests of all other members
- exposes the cooperative to tax inspection penalties
- threatens the cooperative’s reputation as an exporter

Other members demand expulsion of the dishonest member, restitution of profits, and criminal investigation.

## **Case 4 –The Drought & The Unbreakable Contract**

A farmer signs a long-term forward contract to deliver 100 tons of wheat at a fixed price.

That year, the region experiences the worst drought in 40 years, reducing his harvest by 70%.

The farmer requests:

- contract renegotiation
- application of force majeure
- price adjustment
- delivery reduction

The buyer, an export company, refuses, arguing:

- weather conditions are “ordinary business risks”
- the contract has no explicit force majeure clause
- they must meet their own international obligations

If the farmer fails to deliver, he may face:

- financial penalties
- legal claims
- loss of future partnerships
- potential bankruptcy

### **Case 5 –The Impossible Inheritance**

A family owns a 30-hectare farm with valuable machinery and livestock. The father dies without leaving a will. According to succession law, the property passes to three adult children: two live in Ukraine, and the third lives abroad in Canada.

To formally register inheritance rights, all heirs must sign documents, including:

- land transfer forms
- notarial declarations
- agreements on division of property

However, the heir abroad:

- refuses to travel
- ignores e-mails

- does not wish to participate
- blocks registration deadlines
- cannot be reached for notarisation

Meanwhile:

- taxes accumulate
- animals need management
- machinery requires maintenance
- land remains legally “frozen”

The siblings are unable to manage or rent the land because the title remains undivided.

Exercise 3. Design one legal reform in agrarian law and defend it.

Examples:

- Should there be a maximum land size one person can own?
- Should foreigners be allowed to buy farmland?
- Should the state pay farmers for environmental protection measures?
- Should Ukraine introduce community-supported agriculture (CSA) laws?

Exercise 4. Read the descriptions of agrarian systems in four countries. Then compare them using the criteria provided and answer the discussion questions. Which agrarian system (EU, USA, Japan, Brazil) – or which combination of elements – would work best for Ukraine? Explain your reasoning using the comparison criteria.

### **1. European Union (EU)**

- Mixed agricultural structure: small and medium family farms.
- Strong system of subsidies under the Common Agricultural Policy (CAP).
- Strict environmental requirements (pesticide limits, soil protection, biodiversity rules).
- Farmers benefit from market protection but must meet complex reporting obligations.

### **2. United States of America (USA)**

- Dominance of large-scale agribusinesses and corporate farming.
- Subsidies exist but mostly support large commodity producers.
- Environmental regulations are more flexible; GMO crops widely used.
- Farmers enjoy freedom of technology choice but often depend on corporate contracts.

### 3. Japan

- Very small, fragmented family farms, often 1–3 hectares.
- High protectionism, especially for rice; imports restricted, domestic prices high.
- Strong focus on land preservation and traditional farming methods.
- Farmers protected but limited by strict land-use and consolidation rules.

### 4. Brazil

- Dual system: very large estates (fazendas) and smallholders.
- Export-oriented agriculture (soy, sugarcane, beef), strong state support for agribusiness.
- Environmental enforcement often weak; deforestation is a major issue.
- High land concentration; recurring land conflicts with indigenous and forest communities.

Complete a comparison table according to the criteria.

<b>Criteria</b>	<b>European Union (EU)</b>	<b>USA</b>	<b>Japan</b>	<b>Brazil</b>
<b>Land ownership patterns</b>				
<b>Environmental regulation</b>				
<b>Farmer rights and protections</b>				
<b>State support and subsidies</b>				

### Discussion Questions

1. Which system offers the best protection for small farmers?
2. Which system encourages the greatest technological innovation?
3. Which system creates the highest environmental risks?

4. In which system would you personally prefer to farm? Why?
5. What elements from each system could be useful for Ukraine?

Exercise 5. Complete the following text with the correct prepositions.

### **Agricultural reform in Ukraine –stages and trends of its development**

The key aspects \_ the agrarian reform \_ Ukraine include such elements that reflect its complexity and multilevel nature, affecting the economic and social development \_ the country. The impact \_ this reform \_ small and medium-sized farmers is manifested \_ several important ways, determining their future activities and opportunities.

- **Competitive pressure:** With the increase \_ the land acquisition limit \_ 10 000 hectares per owner, small and medium-sized farmers face increased competition \_ large agricultural holdings. This may result \_ small farmers being unable \_ compete in market conditions due \_ limited resources and lower purchasing power. Consequently, small and medium-sized producers may be forced \_ \_ the market. This could also lead \_ monopolization \_ land and increase land prices, making it more difficult fo\_r small farmers \_ access land resources.
- **Financial difficulties:** In the context \_ the current economic crisis and military actions, many small farmers are experiencing financial difficulties. This makes it difficult \_ them to participate \_ the land market, especially when the land prices are rising, making them vulnerable \_ possible land purchases by large players. During the entire period of the market's operation, the largest amount of land was sold in Poltava region –60.3 thousand hectares. The average price \_ a hectare \_ land in the region reached UAH 42.75 thousand.
- **Differences in access to resources:** Large agriholdings have access \_ significant financial, technological and managerial resources, which gives them an advantage \_ small and medium-sized farmers. This may lead \_ increased centralization and concentration of land in the hands \_ large agribusinesses.
- **Impact on food security:** There are concerns that the concentration of land resources \_ the hands of large agriholdings may affect the country's food security and the sustainability \_ small agricultural enterprises. The concentration

\_ land resources \_ the hands of a few large players may lead \_ a decrease \_ product diversity and increased dependence \_ imports.

- **Regional differences:** Land prices and market dynamics vary significantly \_ regions, which can create unequal conditions for farmers in different parts \_ the country.

Exercise 6. Choose the opposite meaning of the underlined word.

1. The government introduced strict environmental rules for pesticide use.

- a) flexible
- b) harmful
- c) traditional

2. A cooperative must work in transparency when reporting profits.

- a) secrecy
- b) efficiency
- c) equality

3. Small farmers received temporary land rights after reform.

- a) permanent
- b) collective
- c) partial

4. The agreement created obligatory duties for both sides.

- a) optional
- b) economic
- c) legal

5. The soil was fertile and produced high-quality crops.

- a) dry
- b) barren
- c) polluted

Exercise 7. Below is a short text with five missing sentences. After the text, you will find six possible sentences. Choose the correct five and put them in the correct place.

## Land Lease Disputes in Rural Areas

Land lease agreements play an important role in agrarian law because many farmers do not own the land they cultivate. (1)

Most conflicts arise when the parties disagree on payment terms or on the condition in which the land should be returned. (2)

Another frequent issue concerns environmental damage caused during farming. (3)

If the parties cannot reach agreement, they may apply to a local administrative court. (4)

Modern agrarian legislation therefore encourages mediation and alternative dispute resolution. (5)

Sentences (choose 5 out of 6):

- A. Courts, however, are often overloaded and cannot resolve cases quickly.
- B. In many regions, leasing land is more common than purchasing it.
- C. Many landowners complain that tenants do not repair soil erosion or damaged infrastructure.
- D. Some farmers also report that owners illegally increase the rent.
- E. These tools help save time and reduce hostility between the parties.
- F. The government allows landowners to terminate leases without explanation.

Exercise 8. Choose the synonym that best replaces the underlined word.

1. Many farmers receive financial assistance from the state.

- a) compensation
- b) support
- c) penalty

2. The cooperative must resolve the dispute before the harvest.

- a) settle
- b) widen
- c) prevent

3. Landowners often grant land rights for a limited period.

a) provide

b) demand

c) protect

4. The ministry plans to introduce new regulations.

a) eliminate

b) propose

c) implement

5. The community organized a program to preserve local forests.

a) destroy

b) maintain

c) expand

Exercise 9. Fill in the gaps using the words provided: **ownership, sustainable, reforms, disputes, productivity, soil**

Agrarian \_\_\_\_\_ have changed the structure of rural land management in many countries. One of the main goals is to support \_\_\_\_\_ farming practices and protect natural resources. However, land \_\_\_\_\_ remains a sensitive issue, especially in regions where property boundaries were not clearly recorded. As a result, local courts often face numerous \_\_\_\_\_ between landowners and tenants. Another aim of reform is to improve farm \_\_\_\_\_ and prevent long-term damage to the \_\_\_\_\_.

Exercise 10. Put the following sentences in the correct order to form a clear paragraph:

A. As farms expanded, the government introduced new environmental protections.

B. Agrarian law has changed significantly over the last decades.

C. These rules limit pesticide use and promote responsible water management.

D. One major change concerns how farmers may access natural resources.

E. Modern legislation now requires farmers to meet strict sustainability standards.

## MULTIPLE-CHOICE TEST 5.

**1. Which term refers to the practice of growing agricultural plants for food or industry?**

- a) Stock-raising
- b) Agriculture
- c) Labour law
- d) Technical assistance

**2. What does “crops” most closely mean?**

- a) Rural buildings
- b) Harvested plants
- c) Uncultivated land
- d) Livestock

**3. Which term describes the legal right to possess and use land?**

- a) Land ownership
- b) Safety regulations
- c) Division of land plots
- d) Participation in markets

**4. “Deforestation” is best defined as:**

- a) Protection of soil
- b) Division of farmland
- c) Large-scale farming
- d) Cutting down forest areas

**5. Which activity belongs to stock-raising?**

- a) Storing grain in warehouses
- b) Growing vegetables
- c) Raising livestock

d) Conducting land inspections

**6. Which body typically supervises agricultural development and issues licences?**

- a) Ministry of Labour
- b) Ministry of Agriculture
- c) Local courts
- d) Tax cooperative

**7. Which phrase means “to perform one’s duties under a contract”?**

- a) To hire workers
- b) To fulfil obligations
- c) To bestow praise
- d) To participate in markets

**8. What is “uncultivated land”?**

- a) Land that is extremely fertile
- b) Land used for storage
- c) Land that has not been farmed
- d) Land divided among heirs

**9. Redistributive reforms are usually connected to:**

- a) Increasing the number of pesticides allowed
- b) Transferring land from large owners to many smaller ones
- c) Constructing new storage centres
- d) Removing environmental protections

**10. Which area of law regulates employment contracts within farms?**

- a) Labour law
- b) Environmental law
- c) Civil law
- d) Succession law

**11. According to the reading, why did Roman law highly value agriculture?**

- a) It generated the highest tax income
- b) It was linked to military traditions
- c) It shaped their civil law and social respect
- d) It allowed rapid industrial growth

**12. What is the main purpose of technical assistance in agriculture?**

- a) To punish farmers for violations
- b) To support farmers with expertise and equipment
- c) To redistribute rural land
- d) To supervise financial transactions

**13. Which statement best describes one feature of agrarian law?**

- a) It is based only on private contracts
- b) It excludes environmental issues
- c) It combines private rights and public interests
- d) It never changes over time

**14. Who are the main subjects of agrarian legal relations?**

- a) Only state authorities
- b) Farmers, cooperatives, enterprises, and state bodies

- c) Urban consumers only
- d) Foreign corporations only

**15. Which of the following is an environmental element of agrarian law?**

- a) Division of land plots
- b) Storage of products
- c) Protection of soil
- d) Hiring seasonal workers

**16. In the context of agriculture, “supervise” means:**

- a) To offer praise
- b) To monitor and control activities
- c) To cultivate land
- d) To divide property

**17. Which issue is most likely to arise in inheritance of rural land?**

- a) Lack of storage facilities
- b) Unregistered property rights among heirs
- c) Shortage of livestock
- d) Poor hygiene conditions

**18. Why is agriculture considered socially important in agrarian law?**

- a) It increases tourism
- b) It ensures food security and national stability
- c) It guarantees cheap imports
- d) It eliminates land disputes

**19. What is a potential danger of large-scale agricultural enterprises?**

- a) Excessive environmental protection
- b) Too many subsidies for small farmers
- c) Land concentration and ecological damage
- d) Lack of modern technology

**20. Which statement is TRUE?**

- a) Agrarian law deals only with crop production.
- b) Agrarian law includes administrative, environmental, land, and production relations.
- c) Agrarian law exists only in rural countries.
- d) Agrarian law focuses mainly on taxation.

## UNIT 6. ENVIRONMENTAL LAW

### ACTIVE VOCABULARY

<b>English term</b>	<b>Український відповідник</b>
accommodate changes	пристосовуватися до змін
accords	угоди
binding targets	обов'язкові (юридично зобов'язуючі) цілі
burning of coal	спалювання вугілля
deleterious effects	шкідливі наслідки
discernible human influence	відчутний (помітний) вплив діяльності людини
Disposal/ dumping of waste	утилізація / скидання відходів
dramatically	різко, суттєво
endangered species	види, що перебувають під загрозою зникнення
enforce sanctions	застосовувати (забезпечувати виконання) санкції
environmental contamination	забруднення довкілля
extraordinary number	надзвичайно велика кількість
greenhouse gases	парникові гази
hazard	небезпека / загроза
international agreements	міжнародні угоди
matter of concern	предмет занепокоєння / питання, що викликає стурбованість
mercury poisoning	отруєння ртуттю
navigation	судноплавство
noncomplying parties	сторони, які не дотримуються зобов'язань

<b>English term</b>	<b>Український відповідник</b>
on behalf of	від імені
ozone layer	озоновий шар
shared waterways	спільні водні шляхи
signatory states	держави-учасниці (держави, що підписали угоду)
water pollution	забруднення води
water shortages	дефіцит води / нестача водних ресурсів

## **READING**

Nowadays, environmental issues such as ozone depletion, climate change, water shortages and water pollution, soil degradation, and loss of biodiversity have become a matter of concern not only for individuals or states, but for the international community as a whole. In view of this, over the past decades, states have concluded or are in the process of concluding hundreds of international agreements aimed at overcoming certain environmental problems at the local, national, regional and global levels. Thus, international environmental law has emerged as a new branch of international law, which, however, is already quite complex and extensive. It covers thousands of norms consolidated in hundreds of international legal documents. Their purpose is to ensure the protection of the living and non-living components of the Earth's environment, as well as ecological processes on the planet.

Throughout history national governments have passed occasional laws to protect human health from environmental contamination. About ad 80 the Senate of Rome passed legislation to protect the city's supply of clean water for drinking and bathing. In the 14th century England prohibited both the burning of coal in London and the disposal of waste into waterways. In 1681 the Quaker leader of the English colony of Pennsylvania, William Penn, ordered that one acre of forest be preserved for every five acres cleared for settlement, and in the following century Benjamin Franklin led various campaigns to curtail the dumping of waste. In the 19th century, in the midst of

the Industrial Revolution, the British government passed regulations to reduce the deleterious effects of coal burning and chemical manufacture on public health and the environment.

Prior to the 20th century there were few international environmental agreements. The accords that were reached focused primarily on boundary waters, navigation, and fishing rights along shared waterways and ignored pollution and other ecological issues. In the early 20th century, conventions to protect commercially valuable species were reached, including the Convention for the Protection of Birds Useful to Agriculture (1902), signed by 12 European governments; the Convention for the Preservation and Protection of Fur Seals (1911), concluded by the United States, Japan, and the United Kingdom; and the Convention for the Protection of Migratory Birds (1916), adopted by the United States and the United Kingdom (on behalf of Canada).

Beginning in the 1960s, environmentalism became an important political and intellectual movement in the West. In the United States the publication of biologist Rachel Carson's *Silent Spring* (1962), a passionate and persuasive examination of chlorinated hydrocarbon pesticides and the environmental damage caused by their use, led to a reconsideration of a much broader range of actual and potential environmental hazards. In subsequent decades the U.S. government passed an extraordinary number of environmental laws—including acts addressing solid-waste disposal, air and water pollution, and the protection of endangered species—and created an Environmental Protection Agency to monitor compliance with them. These new environmental laws dramatically increased the national government's role in an area previously left primarily to state and local regulation.

In Japan rapid reindustrialization after World War II was accompanied by the indiscriminate release of industrial chemicals into the human food chain in certain areas. In the city of Minamata, for example, large numbers of people suffered mercury poisoning after eating fish that had been contaminated with industrial wastes. By the early 1960s the Japanese government had begun to consider a comprehensive pollution-control policy, and in 1967 Japan enacted the world's first such overarching

law, the Basic Law for Environmental Pollution Control. Not until the end of the 20th century was Minamata declared mercury-free.

Following the United Nations Conference on the Human Environment, held in Stockholm in 1972, the UN established the United Nations Environment Programme (UNEP) as the world's principal international environmental organization. Although UNEP oversees many modern-day agreements, it has little power to impose or enforce sanctions on noncomplying parties. Nevertheless, a series of important conventions arose directly from the conference, including the Convention on the Prevention of Marine Pollution by Dumping of Wastes or Other Matter (1972) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973).

There are often conflicting data about the environmental impact of human activities, and scientific uncertainty often has complicated the drafting and implementation of environmental laws and regulations, particularly for international conferences attempting to develop universal standards. Consequently, such laws and regulations usually are designed to be flexible enough to accommodate changes in scientific understanding and technological capacity. The Vienna Convention for the Protection of the Ozone Layer (1985), for example, did not specify the measures that signatory states were required to adopt to protect human health and the environment from the effects of ozone depletion, nor did it mention any of the substances that were thought to damage the ozone layer. Similarly, the Framework Convention on Climate Change, or Global Warming Convention, adopted by 178 countries meeting in Rio de Janeiro at the 1992 United Nations Conference on Environment and Development (popularly known as the "Earth Summit"), did not set binding targets for reducing the emission of the "greenhouse" gases thought to cause global warming.

In 1995 the Intergovernmental Panel on Climate Change, which was established by the World Meteorological Organization and UNEP to study changes in the Earth's temperature, concluded that "the balance of evidence suggests a discernible human influence on global climate". Although cited by environmentalists as final proof of the reality of global warming, the report was faulted by some critics for relying on insufficient data, for overstating the environmental impact of global warming, and for

using unrealistic models of climate change. Two years later in Kyōto, Japan, a conference of signatories to the Framework Convention on Climate Change adopted the Kyōto Protocol, which featured binding emission targets for developed countries. The protocol authorized developed countries to engage in emissions trading in order to meet their emissions targets. Its market mechanisms included the sale of “emission reduction units,” which are earned when a developed country reduces its emissions below its commitment level, to developed countries that have failed to achieve their emission targets. Developed countries could earn additional emission reduction units by financing energy-efficient projects (e.g., clean-development mechanisms) in developing countries.

## **FOLLOW-UP**

Exercise 1. Answer the following questions based on the information provided in the text.

1. Why do many international environmental agreements avoid setting strict or binding obligations for states?
2. Do you think market-based mechanisms like emissions trading under the Kyoto Protocol are an effective way to combat climate change? Why or why not?
3. Why did it take serious human suffering (e.g., Minamata disease) for governments to adopt strong environmental laws? Is law usually reactive rather than preventive?
4. If international environmental agreements are not enforceable, are they truly “law” or only political promises?
5. Who should pay for environmental damage caused decades ago by industrialized states?  
Current taxpayers, corporations, or no one?

Exercise 2. Discuss the following dilemmas. What should be legal? What should be ethical? Why?

## **Case 1 –“Jobs vs. Clean Air”**

A multinational chemical corporation proposes to build a large industrial plant on the outskirts of a small town suffering from long-term unemployment. The project promises over 2,000 direct jobs and additional employment in transport and services. Local authorities strongly support the plan because it will increase tax revenues and reduce social welfare spending.

However, environmental impact assessments show that the factory will emit pollutants that may significantly worsen air quality. Medical experts warn about increased risks of asthma, cancer, and other chronic diseases within 15–20 years. The company insists that emissions will remain within legal limits and argues that modern technology minimizes risks.

**Discuss:**

- Should compliance with existing legal standards be enough to approve the project?
- Should the law consider long-term and cumulative environmental harm?
- Is it ethical to trade public health for economic development?
- Should citizens have the right to veto such projects?

**Case 2 –“The Silent Forest”**

A national infrastructure project requires clearing a large forest to build a high-speed railway. The project fully complies with national environmental laws, and official permits have been issued. However, independent scientists discover that the forest is a rare ecosystem and home to species not yet included in protected lists.

Environmental NGOs argue that the law is outdated and fails to reflect modern ecological knowledge. The government responds that stopping the project would harm national economic interests and delay development.

**Discuss:**

- Should courts apply environmental principles beyond written law?
- Should international environmental norms influence domestic decisions?
- Is biodiversity protection an ethical duty even without legal recognition?
- Who should update environmental laws –legislators or judges?

### **Case 3 –“Climate Protest or Public Disorder?”**

A group of climate activists blocks a major highway during rush hour to protest government inaction on climate change. The protest causes massive traffic congestion, economic losses, and delays ambulances and fire services. Several people miss hospital appointments.

Activists argue that traditional protests have failed and that drastic action is necessary to force political change. Authorities charge them with public disorder and obstruction of emergency services.

#### **Discuss:**

- Where should the law draw the line between protest and criminal behavior?
- Can civil disobedience be ethically justified to prevent environmental disaster?
- Should environmental urgency reduce legal penalties?
- Is the state morally responsible for provoking radical protest?

### **Case 4 –“Pollution Without Borders”**

A power plant legally operates in Country A and meets all domestic environmental standards. However, emissions contaminate a river that flows into neighboring Country B, causing damage to agriculture and public health. Country B demands compensation and stricter controls.

Country A argues that it cannot be held responsible for activities that are lawful within its territory and accuses Country B of interfering with its sovereignty.

#### **Discuss:**

- Should environmental harm override national sovereignty?
- Which legal system should apply –national or international?
- Should companies be directly liable under international law?
- Is exporting pollution ever ethical?

### **Case 5 –“Artificial Intelligence vs. Environmental Risk”**

An AI system is used to approve industrial permits automatically. It speeds up decision-making but fails to consider local ecological specifics. A factory approved by AI later causes severe environmental damage.

**Discuss:**

- Can automated decision-making replace human judgment in environmental law?
- Who is legally liable for AI-based errors?
- Is efficiency more important than environmental caution?

Exercise 3. Classify the following environmental problems into the correct categories.

**Problems:** ozone depletion, soil degradation, water pollution, water shortages, deforestation, greenhouse gases, loss of biodiversity, environmental contamination, climate change, acid rain, air pollution, desertification, melting glaciers, coral bleaching, overfishing, plastic pollution, industrial waste, habitat loss, ocean acidification, smog.

**Categories:**

- A. Air-related issues
- B. Water-related issues
- C. Land and soil-related issues
- D. Global environmental threats

Exercise 4. Place each legal instrument under the correct level of environmental regulation.

**Levels:**

1. National
2. Regional
3. International

**Instruments:**

- Environmental Protection Agency

- United Nations Environment Programme
- Kyoto Protocol
- National waste disposal law
- European Union environmental directives
- Paris Climate Agreement

Exercise 5. Complete the text with the words from the box. Use each word **once only**.

**Word box:** agreements • protection • standards • enforce • responsibility • pollution • environment • compliance

International environmental law consists of numerous international \_\_\_\_\_ aimed at the \_\_\_\_\_ of the natural \_\_\_\_\_ and the sustainable use of natural resources. These legal instruments establish common \_\_\_\_\_ for states, guiding them on how to manage air, water, and land resources, and they encourage \_\_\_\_\_ with environmental obligations at local, national, and global levels. Although many treaties lack strong mechanisms to \_\_\_\_\_ sanctions against noncomplying parties, they emphasize shared \_\_\_\_\_ for preventing environmental \_\_\_\_\_ and promoting ecological sustainability.

Such international \_\_\_\_\_ may address issues ranging from climate change and ozone depletion to water pollution, deforestation, and the protection of endangered species. They often require states to adopt national legislation and policies that reflect the agreed \_\_\_\_\_, monitor the impact of human activities, and report on their \_\_\_\_\_. By following these legal frameworks, countries acknowledge their \_\_\_\_\_ not only to their own citizens but also to the international community, reinforcing the idea that environmental harm in one country can have global consequences.

Furthermore, international environmental \_\_\_\_\_ often encourage cooperation between states, scientific research, and the sharing of best practices to achieve long-term \_\_\_\_\_ of ecosystems. Compliance with these standards helps reduce \_\_\_\_\_, preserve biodiversity, and ensure that natural resources are available for future generations. While challenges remain in fully implementing and enforcing these laws,

they form the foundation of a growing body of international obligations designed to safeguard the \_\_\_\_\_.

Exercise 6. Choose the closest synonym to the **bold** word in each sentence.

1. Environmental **degradation** must be prevented by law.

- A. ignored
- B. reduced
- C. stopped
- D. deterioration

2. States are obliged to **protect** endangered species.

- A. advise
- B. require
- C. safeguard
- D. neglect

3. The treaty sets **binding** emission targets.

- A. flexible
- B. optional
- C. compulsory
- D. temporary

4. Pollution has a **severe** impact on public health.

- A. minor
- B. serious
- C. gradual
- D. indirect

5. Countries must ensure **compliance** with environmental standards.

- A. violation
- B. enforcement
- C. adherence
- D. avoidance

6. The law assigns **responsibility** for waste disposal to factories.

- A. duty
- B. freedom
- C. suggestion
- D. immunity

7. International agreements aim at the **protection** of natural resources.

- A. destruction
- B. preservation
- C. reduction
- D. exploitation

8. Governments must regulate **pollution** to prevent ecological damage.

- A. contamination
- B. purification

C. conservation

D. cultivation

9. The organization monitors **standards** for water and air quality.

A. criteria

B. suggestions

C. exceptions

D. violations

10. The treaty allows authorities to **enforce** penalties on violators.

A. ignore

B. implement

C. delay

D. suggest

Exercise 7. Complete the following text with the correct prepositions.

Environmental law exists \_ many levels and is only partly constituted \_ international declarations, conventions, and treaties. The bulk of environmental law is statutory—i.e., encompassed in the enactments of legislative bodies—and regulatory—i.e., generated \_ agencies charged \_ governments with protection of the environment.

\_ addition, many countries have included some right to environmental quality in their national constitutions. Since 1994, \_ example, environmental protection has been enshrined in the German Grundgesetz (“Basic Law”), which now states that the government must protect for “future generations the natural foundations of life”. Similarly, the Chinese constitution declares that the state “ensures the rational use of natural resources and protects rare animals and plants”; the South African constitution recognizes a right \_ “an environment that is not harmful to health or well-being; and to have the environment protected, for the benefit \_ present and future generations”; the Bulgarian constitution provides \_ a “right to a healthy and favourable environment, consistent \_ stipulated standards and regulations”; and the Chilean constitution contains a “right to live in an environment free \_ contamination”.

Much environmental law also is embodied \_ the decisions of international, national, and local courts. Some of it is manifested \_ arbitrated decisions, such as the Trail Smelter arbitration (1941), which enjoined the operation of a smelter located \_ British Columbia, Canada, near the international border \_ the U.S. state of Washington and held that “no State has the right to use or permit the use of its territory in such a

manner as to cause injury by fumes in or to the territory of another or the properties or persons therein". Some environmental law also appears \_ the decisions of national courts. For example, in *Scenic Hudson Preservation Conference v. Federal Power Commission* (1965), a U.S. federal appeals court voided a license granted \_ the Federal Power Commission for the construction of an environmentally damaging pumped-storage hydroelectric plant (i.e., a plant that would pump water \_ a lower \_ an upper reservoir) in an area of stunning natural beauty, demonstrating that the decisions of federal agencies could be successfully challenged in the courts.

Exercise 8. Read the proverbs and answer the questions below.

1. "We do not inherit the Earth from our ancestors; we borrow it from our children".
2. "Nature always bats last".
3. "What is right for the environment is right for humanity".
4. "The environment is not a commodity to be traded, but a heritage to be preserved".
5. "Pollution knows no borders".
6. "He who plants a tree, plants hope".
7. "One generation's waste is the next generation's burden".
8. "Protecting nature protects ourselves".
9. "The Earth is what we all have in common".
10. "The law of nature is the law of survival".

### Questions:

1. Which principle of environmental law does each proverb reflect?
2. Do these sayings support the idea of sustainable development? Explain.
3. Can moral and ethical ideas influence legal regulation? Why or why not?
4. Which proverb do you think is most relevant to current climate change issues? Explain your choice.

5. Can proverbs and sayings help in creating environmental awareness among citizens? How?

Exercise 9. Rewrite the sentences using legal vocabulary related to environmental law.

1. The government must stop pollution.
2. Countries must follow environmental rules.
3. Factories cause harm to nature.
4. People should take care of forests.
5. The company must pay for the damage it caused.
6. Cities need to manage waste properly.
7. Industrial emissions affect air quality.
8. Citizens are responsible for protecting water resources.
9. Governments must create laws to reduce climate change.
10. The law punishes illegal dumping of hazardous materials.

**Example:**

Original: The government must stop pollution.

Transformed: The government is obliged to enforce measures to prevent environmental contamination.

Exercise 10. Read the text carefully and answer the following questions. Some questions require factual answers based on the text, while others require critical analysis and interpretation.

### **SUCCESS OR FAILURE? THE KYOTO PROTOCOL'S TROUBLED LEGACY**

Twenty-five years of hope and political negotiations, of science, data and denial campaigns to delay and even bury it. A look at the first iconic moment for global climate policy making: what remains of the Kyoto Protocol's heritage and what lies ahead for international environmental agreements.

On 11 December 1997, representatives from 160 nations gathered in Kyoto, Japan, for the Third Conference of the Parties (COP) to sign a historic agreement: the

Kyoto Protocol. In an unprecedented moment of international consensus making, the Protocol strove to address global warming by cutting greenhouse gas (GHG) emissions in 38 industrialized countries by 5.2% between 2008 and 2012 compared to the levels registered in 1990.

For the first time ever, legally binding targets and commitments were set and key economic players such as Japan, the US and the European Union pledged to cut their emissions by 7%, 8%, and 9% respectively.

Then US President Bill Clinton heralded the Agreement as “environmentally strong and economically sound” and for many both at the time and still today the Kyoto Protocol represented a shedwater moment in the struggle to address man’s impact on the Earth’s climate. However, it soon became evident that the Protocol was going to do little but paper over the cracks when it came to addressing global emissions. First and foremost, the reduction commitments would come exclusively from those nations that were historically responsible for emissions following the UNFCCC’s common but differentiated responsibility principle that saw developing countries exempt from any emission reduction commitments.

This paved the way for significant problems in the scope and effectiveness of the Protocol. Although in 1997, the US and EU were the world’s largest emitters, by 2006 China surpassed the United States in annual emissions, and India’s emissions are currently almost equal to those of the EU.

Even more damningly, by 2012, the year after the first commitment period, global emissions had risen 44% from 1997 levels, driven predominantly by emissions growth in developing nations. The Kyoto Protocol had failed to stem the flow of global emissions.

Still further, the Kyoto Protocol failed to equate emissions reductions with economic opportunity and some countries grew to view mitigation as a costly punishment. Following this line of reasoning the US Senate refused to ratify the Kyoto Protocol, citing potential damage to the US economy as their motive, setting a precedent for countries such as Canada and Japan to pull out of the deal without penalty in 2011 and providing a serious setback on the agreements effectiveness right from the

get-go. What chance of success did it have if the world's largest emitter would not adhere to its commitments?

Analyzing the effectiveness of the Kyoto Protocol also involves understanding what its goals were. On paper the agreement actually achieved its overall goals. Aggregate emissions reductions over the first commitment period are generally agreed to be between 7% and 12.5%, therefore comfortably exceeding the 5.2% pledge.

However, digging below the surface of these numbers it is clear that the overall picture is a little more complex than this. In fact, the ultimate criticism of the Kyoto protocol is that global emissions are still increasing relative to 1990 levels to this day and much of this increase is driven by the very countries that were excluded from reduction targets under the Protocol. However, this would be evaluating its success against an outcome that it never sought to reach. Ultimately, the Protocol's goal was not to reduce global emissions but to reduce them in industrialized countries and lay the groundwork for future negotiations in which developing countries would be included into the process.

“Even if it didn't really lead to a significant reduction in emissions, the Kyoto Protocol was an important step towards a carbon neutral world, particularly from a political standpoint”. explains international climate negotiation expert at the University of Bern, Ralph Winkler, whose research on the Kyoto Protocol indicates that not only did it lead to no significant benefits in terms of emissions but that in some cases it may even have hindered emission reduction efforts in countries that had set Kyoto targets.

“The Kyoto Protocol showed that it was possible to strike a global agreement on climate and that the world community could build a consensus on climate goals and even fulfill them,” continues Winkler in an exclusive interview for Foresight where he discusses the Kyoto Protocol's legacy and the future of international climate negotiations in today's fast changing world.

## Questions

1. What was the main objective of the Kyoto Protocol, and how was it different from previous international environmental agreements?
2. What made the Kyoto Protocol a historic moment in international environmental law?
3. Which countries or groups of countries were given legally binding emission reduction targets under the Protocol?
4. What is meant by the principle of “*common but differentiated responsibility*”, and how did it affect the scope of the Kyoto Protocol?
5. Why did the exclusion of developing countries from emission reduction commitments create long-term problems for the effectiveness of the agreement?
6. How did global emission trends between 1997 and 2012 challenge the perceived success of the Kyoto Protocol?
7. Why did the United States refuse to ratify the Kyoto Protocol, and what consequences did this decision have for the agreement as a whole?
8. How did economic considerations influence states’ willingness to comply with or withdraw from the Protocol?
9. In what sense can the Kyoto Protocol be considered both a success and a failure at the same time?
10. According to the text, why is it incorrect to judge the Kyoto Protocol solely by the fact that global emissions continued to rise?
11. What role did the Kyoto Protocol play in shaping future international climate negotiations?
12. How does Ralph Winkler assess the political importance of the Kyoto Protocol despite its limited environmental impact?
13. What criticisms does Winkler raise regarding the actual effects of the Protocol on emission reduction efforts?
14. How does the text illustrate the tension between legal commitments and economic interests in international environmental law?

15. In your opinion, should future international environmental agreements follow the Kyoto model or move away from it? Justify your answer using arguments from the text.

## MULTIPLE-CHOICE TEST 6.

**1. Which problem belongs to global environmental threats rather than local pollution?**

- a) Waste dumping in rivers
- b) Soil erosion
- c) Climate change
- d) Industrial noise

**2. The main purpose of international environmental agreements is to:**

- a) Promote economic competition
- b) Protect the environment and ecological processes
- c) Limit scientific research
- d) Replace national law

**3. The phrase “binding targets” in environmental law means that obligations are:**

- a) Optional
- b) Political only
- c) Legally compulsory
- d) Temporary

**4. Which historical example shows early national environmental regulation?**

- a) Kyoto Protocol
- b) Roman laws on clean water
- c) Paris Agreement
- d) UNEP resolutions

**5. Which institution mainly monitors environmental compliance in the United States?**

- a) UNEP
- b) IPCC
- c) Environmental Protection Agency
- d) World Bank

**6. Which term best describes serious harm to nature caused by human activity?**

- a) Adaptation
- b) Environmental degradation
- c) Sustainability
- d) Conservation

**7. Which environmental issue is primarily water-related?**

- a) Ozone depletion
- b) Water shortages
- c) Climate change
- d) Loss of biodiversity

**8. What principle means that states share responsibility but have different obligations?**

- a) Absolute sovereignty
- b) Common but differentiated responsibility
- c) Mutual recognition
- d) Legal certainty

**9. In the Minamata case, environmental harm resulted from:**

- a) Air pollution
- b) Nuclear waste
- c) Mercury poisoning through food
- d) Deforestation

**10. Why are many environmental treaties designed to be flexible?**

- a) To weaken enforcement
- b) To allow political bargaining
- c) To accommodate scientific uncertainty
- d) To avoid public criticism

**11. Which proverb best reflects the principle of sustainable development?**

- a) "Might makes right".
- b) "Nature always bats last".
- c) "Time is money".
- d) "Ignorance is bliss".

**12. The Kyoto Protocol primarily aimed to:**

- a) Reduce global emissions immediately
- b) Regulate pollution in developing countries
- c) Reduce emissions in industrialized states
- d) Ban fossil fuels worldwide

**13. Which legal problem may arise when AI approves industrial permits automatically?**

- a) Faster procedures
- b) Economic growth
- c) Failure to consider local ecological risks
- d) Increased transparency

**14. The word "enforce" in environmental law most closely means:**

- a) Recommend
- b) Explain
- c) Ensure compliance
- d) Ignore

**15. Which situation is an example of maladministration?**

- a) Public consultation before construction
- b) Delayed environmental permits without explanation
- c) Judicial review
- d) Environmental impact assessment

**16. Greenhouse gases are mainly associated with:**

- a) Water pollution
- b) Soil degradation
- c) Global warming
- d) Noise pollution

**17. What criticism was made of the Kyoto Protocol?**

- a) It excluded scientific data
- b) It imposed sanctions on developing countries
- c) It failed to stop the rise of global emissions
- d) It had no political significance

**18. Which concept connects environmental protection with future generations' rights?**

- a) State immunity
- b) Precautionary principle
- c) Intergenerational equity
- d) Legal positivism

**19. Emissions trading allows states to:**

- a) Avoid legal obligations
- b) Exchange emission reduction units
- c) Increase pollution legally
- d) Ignore international law

**20. Which statement BEST reflects modern environmental law?**

- a) Ethics and law are unrelated
- b) Environmental protection is only a national issue
- c) Law, science, and ethics interact closely
- d) Economic growth always prevails

## UNIT 7. INTERNATIONAL PRIVATE LAW

### ACTIVE VOCABULARY

<b>English term</b>	<b>Український відповідник</b>
adherence to legal principles	дотримання правових принципів
applicable law	застосовне право
circumstances	обставини
conflict-of-laws principles	принципи колізійного права
cross-border legal issues	транскордонні правові питання
customary practise	звичаєва практика
endavour	прагнення; зусилля
foreign ties	іноземні зв'язки
foreseeability	передбачуваність
free movement	свобода пересування
hampers the execution	перешкоджає виконанню
international carriage relations	міжнародні перевізні (транспортні) правовідносини
legal equality	юридична рівність
migratory flows	міграційні потоки
multifaceted legal framework	багатовимірна (комплексна) правова система
mutually enhance each other	взаємно посилюють одне одного
peaceful means	мирні засоби
recognition and protection of human rights	визнання та захист прав людини
refraining from interfering	утримання від втручання

<b>English term</b>	<b>Український відповідник</b>
ripple effect	ефект ланцюгової реакції (каскадний ефект)
rule of law	верховенство права
tenet	основоположний принцип; засадниче положення
to take into account	брати до уваги; враховувати
uniformity	уніфікованість; єдність (правового регулювання)
voluntary choice	добровільний вибір

## **READING**

Globalisation, the importance of international migratory flows and the free movement of people, services, goods and capital within the internal market of the European Union, lead to situations which are linked to several legal systems, for which prerogatives must be clarified.

This is the objective of international private law. By implementing conflict of jurisdiction rules and conflict of law rules, private international law makes it possible to determine the competent jurisdiction in an international dispute and the applicable law.

The term “private international law” refers to a body of international treaties, customs, and domestic legislation that governs complex legal relationships involving a “foreign element” in civil, economic, labour, family, and other areas. It is formulated to govern private legal relations, guided by the principles of legal equality, property autonomy, and voluntary choice. Its primary subjects encompass both legal entities and individuals. To establish the principles of private international law, it is crucial to take into account the unique characteristics of this legal system, the relationships it governs, and the involvement of a “foreign element”. The “foreign element” concept comprises three key components: legal events occurring in a foreign country; entities with foreign

ties; objects situated in foreign territories. Furthermore, private international law is distinguished by its emphasis on civil law-related connections and its primary focus on legal entities and individuals.

Several fundamental principles are of great significance in the field of private international law: the adherence to legal principles, the recognition and protection of human rights, refraining from interfering in the internal affairs of other nations, resolving international conflicts through peaceful means, faithfully fulfilling international agreements, upholding the principle of individual autonomy, recognising the importance of strong connections, promoting cooperation and non-discrimination, and ensuring equality. The system of principles in private international law is complex and can be classified according to different criteria. It is important to acknowledge that the principles are interconnected and mutually enhance each other. Any breach of a principle has a ripple effect on the entire system of principles and hampers the execution of other principles.

The aforementioned principles can be categorised as follows: the principles that govern the regulation of private law relations and the principles that govern specific private law relations, commonly known as conflict-of-laws principles. The first category encompasses several principles: the principle of unconditionally applying foreign law according to conflict of laws rules, the principle of regulating conflicts of laws, the principle of national jurisdiction over international private relations, the principle of autonomy of will, and the principle of prioritising an international treaty over a national law rule. The second category comprises conflict-of-laws bindings utilised in private international law, such as the flag principle in regulating international carriage relations, the principle of location in property relations, and the principle of location of the contractor in contractual relations.

The principle of autonomy of will is a significant tenet in private international law. Therefore, it is a fundamental principle of private international law that allows individuals from different countries to select the applicable law for their legal relationships. The principle of autonomy of the will is also protected by the Law of Ukraine “On International Private Law” (2005), which states that parties involved in

legal relationships have the freedom to select the governing law for their legal relationships. In accordance with Ukrainian legislation and customary practise, the selection of applicable law can be either explicitly stated or inferred from the parties' actions, the circumstances, or the terms of the transaction. It is important to mention that this principle is widely acknowledged in numerous countries, such as the USA, Canada, Singapore, and Western Europe, as the most efficient method for resolving conflicts in the regulation of private law relationships.

Ukraine's approach to international private law is firmly based on the principle of the rule of law, which is a fundamental principle that influences its legal system. The adherence to the rule of law guarantees that all principles in the realm of private international law are founded upon equity, uniformity, and foreseeability. In Ukraine, while the legislative framework does not provide a comprehensive list of principles specific to private international law, the principle of autonomy of will is clearly articulated in the Law of Ukraine "On International Private Law" (2005). This principle underscores the importance of respecting parties' choices regarding the applicable law in international contracts and dealings. Beyond this, a deeper understanding of Ukraine's approach to private international law can be gleaned by analysing a variety of legal sources. These sources reveal a multifaceted legal framework that seeks to balance domestic legal norms with international obligations, aiming to create a coherent and effective system for managing cross-border legal issues. This approach reflects Ukraine's endeavour to align its legal practices with global standards while maintaining the integrity and sovereignty of its own legal system.

## **FOLLOW-UP**

Exercise 1. Identify the foreign element(s) in each situation. For each situation, tell:

- What type of foreign element is involved?
- Which conflict-of-laws principle might apply?
- Which law is most likely to be applicable?

1. A Ukrainian citizen signs an employment contract with a Polish company.

2. A French company owns real estate located in Spain.
3. Two companies choose English law to govern a contract signed and performed in Germany.
4. A marriage between citizens of different countries is dissolved by a Ukrainian court.
5. A Ukrainian entrepreneur sells goods to an Italian buyer, and delivery takes place in Austria.
6. A German citizen permanently residing in Ukraine inherits property located in Hungary.
7. A Ukrainian airline enters into an international carriage contract for flights between Turkey and France.
8. A Swedish company opens a branch office in Ukraine and hires local employees under a foreign-law contract.
9. A Ukrainian software developer provides online services to a Canadian company, with payments made through a U.S. bank.
10. A child born in Poland to Ukrainian parents applies for Ukrainian citizenship.

Exercise 2. Complete the sentences using the words from the box.

**Word box:** applicable law • jurisdiction • foreign element • autonomy of will • voluntary choice • conflict-of-laws principles • legal equality • customary practice • cross-border legal issues • rule of law

1. Private international law regulates \_\_\_\_\_ that arise when legal relations involve more than one state.
2. The presence of a \_\_\_\_\_ connects a private legal relationship to different legal systems.
3. Courts must first determine the competent \_\_\_\_\_ before hearing an international dispute.
4. After establishing jurisdiction, the court applies the \_\_\_\_\_ to resolve the case.
5. The principle of \_\_\_\_\_ allows parties to choose the governing law for their contractual relations.

6. Such a choice of law must be a result of the parties' \_\_\_\_\_ and not imposed by one side.
7. In the absence of an explicit agreement, courts rely on \_\_\_\_\_ to determine the governing law.
8. The principle of \_\_\_\_\_ ensures that all parties in international legal relations are treated equally before the law.
9. In some cases, the choice of applicable law may be inferred from the parties' behaviour or \_\_\_\_\_.
10. The functioning of private international law systems is grounded in the principle of the \_\_\_\_\_, ensuring predictability and fairness.

Exercise 3. Read each case carefully and answer the questions below. Pay attention to the **foreign element**, **conflict-of-laws principles**, and the **autonomy of will**.

### **Case 1 –Digital Services Across Borders**

A Ukrainian IT company headquartered in Kyiv enters into a long-term service contract with a German e-commerce corporation based in Berlin. The contract is negotiated via email and video conferences. The services (software maintenance and data analytics) are provided remotely from Ukraine. Payments are made in euros through a Swiss bank. The contract does not contain a clause on applicable law or dispute resolution. A dispute arises when the German client claims that the services were defective and refuses to pay the final instalment.

#### **Questions:**

1. What foreign elements are present in this case?
2. Which states' laws could potentially be considered applicable?
3. Which connecting factors (place of performance, place of business, payment location) are most relevant?
4. How would a court determine the applicable law in the absence of party choice?
5. Should the principle of autonomy of will still influence the outcome?

## **Case 2 –International Employment Relationship**

A Ukrainian citizen is hired by a French logistics company. The employment contract is signed in Poland, where the employee initially works for six months. Later, the employee is transferred to Belgium. The contract refers generally to “European standards” but does not specify the applicable law. After termination, the employee files a claim for unpaid compensation and wrongful dismissal.

### **Questions:**

1. What conflict-of-laws issues arise in international employment relations?
2. Which country has the closest connection to the employment relationship?
3. How does the protection of the weaker party affect the choice of law?
4. Can the employer rely on a vague reference to “European standards”?
5. Should mandatory labour rules override party autonomy?

## **Case 3 –Cross-Border Family Dispute**

A Ukrainian national and an Italian national marry in Italy. After marriage, they live for several years in Spain, where they acquire joint property. Later, the spouses move to Ukraine, where they decide to divorce. The spouses disagree on the division of property, and no prenuptial agreement exists.

### **Questions:**

1. What foreign elements complicate this family dispute?
2. Which laws may apply to the divorce itself and to property division?
3. Should the law of the spouses’ last common residence prevail?
4. How important is foreseeability in resolving such disputes?
5. Can different aspects of the case be governed by different laws?

## **Case 4 –The Wedding That Bankrupted a Business**

A Ukrainian wedding-planning company signs a contract with a wealthy Italian couple for a luxury ceremony in Croatia. The contract is signed in Milan, services are to be performed in Dubrovnik, and payments are made from a Monaco bank account.

Days before the wedding, the Italian couple cancels the event due to a family scandal and demands a full refund. The Ukrainian company insists that most expenses are non-refundable and threatens legal action.

**Questions:**

1. What foreign elements are involved in this commercial dispute?
2. Which law should govern the contract: Italian, Croatian, Ukrainian, or another?
3. How should courts assess the place of performance?
4. Can consumer protection rules apply to luxury services?
5. Should emotional circumstances affect contractual obligations?

**Case 5 –Blood, Borders, and Broken Promises**

A Ukrainian pharmaceutical distributor signs an emergency supply contract with a Turkish manufacturer to deliver life-saving medicines to hospitals near the border zone. The contract is signed online, payment is made through a British bank, and delivery passes through Romania.

The medicines arrive late and partially spoiled. The Turkish company blames border closures and force majeure. Ukrainian hospitals threaten lawsuits, claiming lives were lost due to the delay.

**Questions:**

1. What conflict-of-laws principles apply in emergency cross-border contracts?
2. Can force majeure be assessed differently under different legal systems?
3. Should public interest influence the determination of applicable law?
4. Is it possible to apply multiple laws to different aspects of the dispute?
5. How should courts balance legal certainty and moral responsibility?

Exercise 4. Choose the closest synonym for each term.

- |   |               |
|---|---------------|
| 1. <b>adherence to legal principles</b> | c) resistance |
| a) violation                            | d) exemption  |
| b) compliance                           |               |

2. **hamper the execution**
  - a) facilitate
  - b) delay
  - c) obstruct
  - d) guarantee
3. **applicable law**
  - a) governing legislation
  - b) local custom
  - c) optional rules
  - d) personal preference
4. **autonomy of will**
  - a) self-determination
  - b) coercion
  - c) restriction
  - d) obligation
5. **foreign element**
  - a) domestic feature
  - b) international factor
  - c) standard practice
  - d) internal regulation
6. **voluntary choice**
  - a) mandatory decision
  - b) optional selection
  - c) forced compliance
  - d) legal duty
7. **rule of law**
  - a) supremacy of law
  - b) arbitrary power
  - c) personal preference
  - d) informal practice
8. **recognition and protection of human rights**
  - a) denial of freedoms
  - b) safeguarding fundamental rights
  - c) legal immunity
  - d) customary practice
9. **circumstances**
  - a) events or conditions
  - b) laws
  - c) obligations
  - d) sanctions
10. **rippling effect**
  - a) chain reaction
  - b) isolation
  - c) immediate impact
  - d) singular result

Exercise 5. Read each proverb carefully. Discuss and answer the questions. Consider both legal interpretation and the international dimension.

**Proverb 1:**

“Justice delayed is justice denied”.

**Questions:**

1. How does this proverb relate to foreseeability and legal certainty?
2. Can delays in resolving cross-border disputes violate human rights?
3. How might this principle influence the enforcement of foreign judgments?

**Proverb 2:**

“No country is an island”.

**Questions:**

1. How does this proverb reflect cross-border legal issues?
2. Does it support the idea of international cooperation in private law?
3. Can it justify harmonizing conflict-of-laws principles across countries?

**Proverb 3:**

“He who plants a tree, plants hope”.

**Questions:**

1. Can this proverb be applied to environmental or future-oriented legal obligations?
2. How might it relate to long-term effects of legal decisions in international private law?
3. Could it be used to argue for precautionary measures in cross-border contracts?

**Proverb 4:**

“Do not put all your eggs in one basket”.

**Questions:**

1. How does this relate to risk management in international contracts or investments?
2. Can this proverb influence the drafting of choice-of-law or jurisdiction clauses?
3. Does it reflect the need for diversified legal strategies in cross-border disputes?

**Proverb 5:**

“Where there is a will, there is a way”.

**Questions:**

1. How does this relate to the principle of autonomy of will in private international law?
2. Can it justify the parties' voluntary choice of applicable law?
3. Does it encourage creative solutions in resolving legal conflicts?

**Proverb 6:**

“The law is a bridge, not a wall”.

**Questions:**

1. How does this proverb relate to international cooperation and harmonization of laws?
2. Can it justify recognition and enforcement of foreign judgments?
3. How might it influence the interpretation of cross-border contracts?

Exercise 6. Complete the following text with the correct prepositions.

**THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW**

The Hague Conference \_ Private International Law (HCCH) is an intergovernmental organisation \_ the area \_ private international law (also known as conflict \_ laws), that administers several international conventions, protocols and soft law instruments.

On the initiative \_ Tobias Asser, the First Diplomatic Session of the HCCH was convoked \_ 1893. Its aim was, and remains, to "work \_ the progressive unification \_ the rules \_ private international law", including by creating, and assisting in the implementation of, multilateral conventions that promote the harmonisation of the rules and principles of private international law (or conflict \_ laws).

The First to Fourth Diplomatic Session \_ the HCCH took place \_ 1893, 1894, 1900 and 1904 respectively. They resulted \_ a number of multilateral treaties, the Hague Conventions, that unified the rules of private international law \_ the areas of

Marriage (1902), Divorce (1902), Guardianship (1902), Civil procedure (1905), Effects of Marriage (1905), and Deprivation of Civil Rights (1905).

After World War I, the Fifth and Sixth Diplomatic Sessions took place \_ 1925 and 1928 respectively. The result \_ those Diplomatic Sessions was the Protocol to recognise the competence of the Permanent Court of International Justice to interpret the Hague Conventions on Private International Law.

After World War II, steps were taken to establish the HCCH as an intergovernmental organisation, governed \_ its member states and administered \_ a secretariat, the Permanent Bureau. The treaty establishing the HCCH, the "Statute of the Hague Conference \_ Private International Law", was adopted during the Seventh Diplomatic Session of the HCCH \_ 1951, and entered into force \_ 15 July 1955.

The organisation used French as its only official language until 1964, when English was added as its second official language. The acronym HCCH is derived from the name of the organisation in these two languages (Hague Conference – Conférence de La Haye). \_ 2024, Spanish was added as the third official language.

As \_ 2025, the HCCH has 92 members: 91 member states and one Regional Economic Integration Organisation (REIO), the European Union.

The member states contribute \_ the expenses of the HCCH through their assessed contributions, which are due annually. The EU also contributes \_ the basis \_ contributions that are agreed. The Regulations on Financial Matters and Budgetary Practices of the Hague Conference on Private International Law provide the details in this regard.

Exercise 7. Compare the approach of two countries to a specific principle of private international law.

Compare how Ukraine and Germany apply the autonomy of will in international contracts. Which country allows more flexibility? What problems can arise if parties are from different jurisdictions?

Exercise 8. Decide if the statement is true or false, and **justify your answer in 1-2 sentences**.

1. The foreign element is only present if the parties are from different countries.
2. All countries must apply foreign law in the same way.
3. The ripple effect only happens in contracts, not in family law.
4. Party autonomy can override mandatory public policy rules in all cases.
5. Legal equality is optional in international private law.
6. A marriage between citizens of different countries automatically creates a foreign element.
7. The principle of autonomy of will allows parties to choose the applicable law even in labor contracts.
8. Cross-border disputes can be resolved peacefully without considering conflict-of-laws rules.
9. Recognition and protection of human rights are fundamental principles in private.
10. The location of an object in a foreign country is irrelevant for property disputes.

Exercise 9. Choose one country and investigate **its approach to private international law**. Write a short paragraph answering:

- What is the main legislation?
- How does it handle foreign elements?
- Which principle is most emphasized?

Exercise 10. Identify which principle is missing in the description below.

1. “Parties from different countries are free to choose the law that governs their contract. This demonstrates the principle of \_\_\_\_\_”.
2. “Delays in resolving disputes can undermine legal certainty. This is related to \_\_\_\_\_”.

3. “Ignoring international agreements threatens fairness and predictability. This shows the importance of \_\_\_\_\_”.
4. “All participants in private law relations must be treated equally, reflecting \_\_\_\_\_”.
5. “Failing to respect one principle can negatively influence the whole legal system, creating a \_\_\_\_\_”.

## MULTIPLE-CHOICE TEST 7.

**1. The main objective of private international law is to:**

- a) regulate criminal responsibility
- b) determine applicable law and jurisdiction in cross-border cases
- c) replace domestic civil law
- d) unify all national legal systems

**2. A “foreign element” in private international law may include:**

- a) only foreign citizenship of the parties
- b) only international treaties
- c) legal facts, persons, or objects connected with another state
- d) political relations between states

**3. Which principle allows parties to choose the governing law of their contract?**

- a) Rule of law
- b) Legal equality
- c) Autonomy of will
- d) National jurisdiction

**4. The principle of legal equality means that:**

- a) foreign citizens have fewer rights
- b) only nationals may choose applicable law
- c) all parties are treated equally before the law

d) states may discriminate in private relations

**5. Conflict-of-laws principles are mainly used to:**

- a) punish violations of international law
- b) regulate public international disputes
- c) determine which law applies to a private dispute
- d) enforce criminal sanctions

**6. Which situation clearly involves cross-border legal issues?**

- a) A domestic employment contract
- b) A local inheritance dispute
- c) A contract between companies from different countries
- d) A national court decision

**7. The “ripple effect” in private international law refers to:**

- a) environmental damage
- b) economic sanctions
- c) the impact of breaching one principle on others
- d) the movement of migrants

**8. Which principle requires states to respect international agreements they have signed?**

- a) Voluntary choice
- b) Refraining from interfering

- c) Adherence to legal principles
- d) Legal equality

**9. The principle of autonomy of will is limited by:**

- a) political interests
- b) mandatory public policy rules
- c) economic considerations
- d) personal preferences of judges

**10. Which legal relationship is most likely governed by the law of the place where property is located?**

- a) Employment relations
- b) Family relations
- c) Property relations
- d) Consumer contracts

**11. In international carriage relations, which conflict-of-laws principle is often applied?**

- a) Principle of nationality
- b) Flag principle
- c) Principle of autonomy of will
- d) Principle of residence

**12. Which term refers to predictability and consistency in legal outcomes?**

- a) Foreseeability
- b) Voluntary choice
- c) Migratory flows
- d) Foreign ties

**13. Customary practice in private international law is mainly used when:**

- a) parties refuse to cooperate
- b) no written law or agreement exists
- c) courts lack jurisdiction
- d) public law is applied

**14. The principle of refraining from interfering means that states should:**

- a) control foreign legal systems
- b) impose their law on others
- c) respect the internal affairs of other states
- d) ignore international disputes

**15. Which of the following BEST describes private international law?**

- a) A branch regulating relations between states
- b) A body of rules governing private relations with a foreign element
- c) A system of criminal sanctions
- d) A political framework

**16. The Law of Ukraine “On International Private Law” (2005) explicitly protects:**

- a) state sovereignty
- b) criminal jurisdiction
- c) autonomy of will
- d) environmental standards

**17. Which situation demonstrates voluntary choice?**

- a) A court imposes applicable law
- b) A treaty automatically applies
- c) Parties freely select governing law in a contract
- d) National law overrides all agreements

**18. The rule of law in private international law ensures:**

- a) arbitrary judicial decisions
- b) flexibility without limits
- c) equity, uniformity, and foreseeability
- d) political control over courts

**19. Which factor is MOST important when determining applicable law in the absence of party choice?**

- a) Emotional circumstances
- b) Closest connection to the legal relationship
- c) Nationality of the judge
- d) Place of signature only

**20. Which statement BEST reflects modern private international law?**

- a) Domestic law always prevails
- b) Foreign law is never applied
- c) Legal principles are interconnected and mutually reinforcing
- d) Party autonomy has no limits

## UNIT 8. LABOR LAW

### ACTIVE VOCABULARY

<b>English term</b>	<b>Український відповідник</b>
agriculture	сільське господарство
anticipation	передбачення, очікування
apprenticeship	учнівство
conditions of work	умови праці
customary restraints	звичаєві обмеження
disability insurance	страхування у зв'язку із втратою працездатності
employment	зайнятість
Enlightenment	епоха Просвітництва
forced labour	примусова праця
handicrafts	ремесла
hours of work	робочий час
labour law	трудове право
level and extent of responsibility	рівень і обсяг відповідальності
manual workers	робітники фізичної праці
medieval world	середньовічний світ
mining	гірнична справа
promulgate	проголошувати, видавати (закон)
remote past	далеке минуле
rural industries	сільські промисли
safety conditions	умови безпеки праці
subsequent developments	подальші зміни / подальший розвиток
trade union	профспілка

<b>English term</b>	<b>Український відповідник</b>
wages and remuneration	заробітна плата та винагорода
welfare	добробут, соціальне забезпечення
worldwide acceptance	всесвітнє визнання

## **READING**

Labour law, the varied body of law applied to such matters as employment, remuneration, conditions of work, trade unions, and industrial relations. In its most comprehensive sense, the term includes social security and disability insurance as well. Unlike the laws of contract, tort, or property, the elements of labour law are somewhat less homogeneous than the rules governing a particular legal relationship. In addition to the individual contractual relationships growing out of the traditional employment situation, labour law deals with the statutory requirements and collective relationships that are increasingly important in mass-production societies, the legal relationships between organized economic interests and the state, and the various rights and obligations related to some types of social services.

Labour law has won recognition as a distinctive branch of the law within the academic legal community, but the extent to which it is recognized as a separate branch of legal practice varies widely depending partly on the extent to which there is a labour code or other distinctive body of labour legislation in the country concerned, partly on the extent to which there are separate labour courts or tribunals, and partly on the extent to which an influential group within the legal profession practice specifically as labour lawyers.

In the early phases of development the scope of labour law is often limited to the most developed and important industries, to undertakings above a certain size, and to wage earners; as a general rule, these limitations are gradually eliminated and the scope of the law extended to include handicrafts, rural industries and agriculture, office workers, and, in some countries, public employees. Thus, a body of law originally intended for the protection of manual workers in industrial enterprises is gradually

transformed into a broader body of legal principles and standards, which have basically two functions: the protection of the worker as the weaker party in the employment relationship, and the regulation of the relations between organized interest groups (industrial relations).

The general tendency in the modern development of labour law has been the strengthening of statutory requirements and collective contractual relations at the expense of rights and obligations created by individual employment relationships. How important these latter remain depends, of course, on the degree of personal freedom in the given society as well as the autonomy of both employer and worker allowed by the actual operation of the economy. In such matters as hours of work, health and safety conditions, or industrial relations, the statutory or collective elements may define most of the substance of the rights and obligations of the individual worker, while with respect to such things as the duration of his appointment, his level and extent of responsibility, or his place in the scale of remuneration, these elements may provide what is essentially a framework for individual agreement.

The origins of labour law can be traced back to the remote past and the most varied parts of the world. While European writers often attach importance to the guilds and apprenticeship systems of the medieval world, some Asian scholars have identified labour standards as far back as the Babylonian Code of Hammurabi (18th century bce) and the rules for labour-management relations in the Hindu Laws of Manu (Manu-smriti; c. 100 ce); Latin American authors point to the Laws of the Indies promulgated by Spain in the 17th century for its New World territories. None of these can be regarded as more than anticipations, with only limited influence on subsequent developments. Labour law as it is known today is essentially the child of successive industrial revolutions from the 18th century onward. It became necessary when customary restraints and the intimacy of employment relationships in small communities ceased to provide adequate protection against the abuses incidental to new forms of mining and manufacture on a rapidly increasing scale at precisely the time when the 18th-century Enlightenment, the French Revolution, and the political forces that they set in motion were creating the elements of the modern society. It

developed rather slowly, chiefly in the more industrialized countries of western Europe, during the 19th century and attained its present importance, relative maturity, and worldwide acceptance only during the 20th century.

The basic subject matter of labour law can be considered under nine broad heads: employment; individual employment relationships; wages and remuneration; conditions of work; health, safety, and welfare; social security; trade unions and industrial relations; the administration of labour law; and special provisions for particular occupational or other groups.

Employment considered as a basic concept and category of labour law is a relatively recent development. Prior to the Great Depression and World War II the emphasis was upon the prevention or reduction of excessive unemployment rather than upon long-term employment policy as part of a comprehensive scheme to promote economic stability and growth. The new approach, arising from changes in political outlook and contemporary economic thought, has increasingly found expression in legal provisions that establish the creation of employment opportunities as a general objective of policy. To this end, legislation has established the necessary legal framework for the forecasting of labour needs and availability and the provision of employment services including placement, recruitment, vocational training, and apprenticeship. Freedom from forced labour, equality of treatment in employment and occupation, and unemployment benefits may, in a broad sense, be regarded as part of the same general subject.

Labour law differs from the older branches of the law in that its history has been in some cases so much influenced by the flow of political change, its development so rapid, and its expansion on a world scale so recent that it is difficult to predict its future. But the trend is clear. In no place is labour law losing importance. While some types of protective legislation, notably special provision for the protection of women workers, are losing their importance, the tendency is toward more comprehensive legislation embracing a wider range of subjects and often dealing with matters previously left to collective agreement, individual contract, or the discretion of the employer.

## **FOLLOW-UP**

Exercise 1. Classify the following terms into the correct categories.

### **Categories:**

- A. Individual employment relations
- B. Collective labour relations
- C. Working conditions and welfare
- D. Historical and developmental concepts

**Terms:** employment, trade union, wages and remuneration, hours of work, health and safety conditions, welfare, apprenticeship, medieval world, Enlightenment, forced labour, customary restraints, worldwide acceptance, rural industries.

Exercise 2. Match each term with its correct definition. Each term may be used **only once**.

- 1. labour law
- 2. forced labour
- 3. apprenticeship
- 4. welfare
- 5. trade union
- 6. remuneration
- 7. customary restraints

- a) Payment received by a worker for services rendered
- b) Work performed under coercion or threat of penalty
- c) A system of training combining work and education
- d) A body of rules regulating employment and working conditions
- e) Traditional limitations regulating labour relations in small communities
- f) An organisation representing workers' interests
- g) Measures ensuring workers' well-being and social protection

Exercise 3. Complete the text using the words from the box. Each word may be used **only once**.

**Word box:** employment • remuneration • statutory requirements • collective relations • protection • autonomy • framework • weaker party • industrial relations • welfare

Modern labour law regulates not only individual \_\_\_\_\_ relationships but also \_\_\_\_\_ between organised interest groups at both national and international levels. In modern economies, these \_\_\_\_\_ play a crucial role in shaping labour standards and influencing public policy. One of the primary aims of labour law is the \_\_\_\_\_ of the worker, who is traditionally regarded as the \_\_\_\_\_ in the employment relationship.

While issues such as \_\_\_\_\_ and working conditions are often determined by \_\_\_\_\_ or collective agreements, labour law does not eliminate personal choice entirely. Instead, it establishes a legal \_\_\_\_\_ within which individual negotiation may take place, allowing a limited degree of \_\_\_\_\_ for both employers and employees. Ultimately, labour law seeks to balance economic efficiency with social \_\_\_\_\_, ensuring fairness, stability, and dignity in the world of work.

Exercise 4. Rewrite the sentences using appropriate **labour-law terminology**.

Use **one transformation per sentence**.

1. Employers must keep workers safe.
2. Workers were treated unfairly in factories.
3. People were forced to work without choice.
4. Pay was decided only by employers.
5. The state controls working hours.
6. Labour rules protect employees.
7. Old traditions regulated work in villages.
8. Unions negotiate with employers.
9. Training helps young workers.
10. Social benefits support unemployed people.

**Example: Employers must keep workers safe.** → Employers are legally obliged to ensure **health and safety conditions** in the workplace.

Exercise 5. Decide whether the statements are **True or False**. Justify your answer in **1–2 sentences**.

1. Labour law only regulates individual employment contracts.
2. Trade unions play no role in modern labour law.
3. Statutory regulation has become more important than individual agreements.
4. Labour law originally applied to all workers equally.
5. Forced labour is incompatible with modern labour law principles.
6. Welfare is unrelated to labour law.
7. Apprenticeship is considered part of employment policy.
8. Labour law developed independently of political change.
9. Manual workers were the first group protected by labour law.
10. Labour law is losing importance worldwide.

Exercise 6. Choose the closest synonym.

- |                    |                 |
|--------------------|-----------------|
| 1. remuneration    | 4. statutory    |
| a) punishment      | a) contractual  |
| b) payment         | b) informal     |
| c) duty            | c) legal        |
| d) benefit         | d) traditional  |
| 2. welfare         | 5. protection   |
| a) discipline      | a) control      |
| b) supervision     | b) defence      |
| c) well-being      | c) restriction  |
| d) productivity    | d) obligation   |
| 3. forced labour   | 6. autonomy     |
| a) voluntary work  | a) dependence   |
| b) compulsory work | b) independence |
| c) skilled labour  | c) supervision  |
| d) temporary work  | d) compliance   |

7. collective

a) individual

b) personal

c) joint

d) private

8. restraint

a) encouragement

b) limitation

c) expansion

d) agreement

9. framework

a) restriction

b) foundation

c) exception

d) sanction

10. equality

a) hierarchy

b) fairness

c) privilege

d) immunity

Exercise 7. Read the proverbs and answer the questions below.

**Proverbs:**

1. "A fair day's work deserves a fair day's pay".
2. "Power concedes nothing without demand".
3. "Justice delayed is justice denied".
4. "No one should profit from another's misery".
5. "Work should serve life, not rule it".
6. "An injury to one is an injury to all".
7. "Freedom without protection is exploitation".
8. "Laws exist to restrain the strong".
9. "Equality at work is equality in life".
10. "Without rules, the weakest pays the price".

**Questions:**

- Which labour law principle does each proverb reflect?
- Do these sayings justify state intervention in employment relations?
- How do moral ideas influence labour legislation?

Exercise 8. Compare **early labour law** and **modern labour law** using the table.

Aspect	Early Labour Law	Modern Labour Law
Scope of protection		
Role of the state		
Individual freedom		
Collective regulation		
Welfare mechanisms		

Exercise 9. Read each case carefully. Identify the legal problems, analyse them using labour-law principles, and justify your conclusions. Be ready to argue different positions.

### Case 1: The Invisible Overtime

A multinational logistics corporation operates a large warehouse near a major transport hub. The company hires workers on **three-month renewable contracts**, officially stating that all labour standards are respected. According to internal documents, working hours strictly comply with national labour legislation.

In practice, however, warehouse workers are regularly asked to “help finish urgent orders” by staying **one to two hours longer every day**. This overtime is not recorded and **no additional remuneration** is paid. Supervisors informally warn workers that “those who are not flexible may not be needed next season”.

Attempts to organise a **trade union** are discouraged. Workers who submit written complaints or speak to labour inspectors often find that their contracts are simply **not renewed**, without explanation.

#### Tasks:

1. Identify all labour law issues raised in this case.
2. Which labour-law principles are violated? Consider working time, remuneration, trade union rights, and protection of the weaker party.
3. Does the use of short-term contracts affect the level of legal protection?
4. What legal remedies should labour law provide in such situations?

5. How should labour inspectors or courts respond to “invisible” overtime?

### **Case 2: The “Voluntary” Apprenticeship**

In a rural mining region with limited employment opportunities, a 17-year-old student enters an **apprenticeship** at a private mining enterprise. The employer claims that the apprentice works “voluntarily” to gain experience and skills. No wages are paid.

The apprentice works **full-time**, performs physically demanding tasks, and is exposed to dangerous conditions. **Safety standards are largely ignored**, and several young workers have already suffered injuries. When questioned, local authorities respond that such apprenticeships are a **long-standing tradition** in the region and part of “learning the trade”.

#### **Tasks:**

1. Is this apprenticeship lawful under modern labour law?
2. Does the absence of remuneration indicate forced labour or exploitation?
3. Can customary restraints or local traditions justify ignoring safety standards?
4. How should labour law protect minors and apprentices in hazardous industries?
5. What sanctions should apply to employers and authorities who tolerate such practices?

### **Case 3: The Silent Union**

A manufacturing plant publicly declares its commitment to workers’ rights and formally recognises a **trade union**. Posters about “social dialogue” are displayed in the workplace.

In reality, management refuses to negotiate with elected union representatives. Instead, it holds meetings with **selected employees** chosen by supervisors. Although a collective agreement exists on paper, its provisions on wages, working hours, and welfare benefits are frequently ignored.

Union leaders are not dismissed but are gradually excluded from decision-making and access to information.

#### **Tasks:**

1. Does this situation violate the principles of collective labour relations?
2. What does “genuine” trade union participation mean in labour law?
3. Is formal recognition sufficient without real bargaining power?
4. What legal mechanisms can ensure effective collective bargaining?
5. How does this case illustrate the imbalance between formal legality and real practice?

#### **Case 4: Algorithmic Management**

A large delivery platform introduces an **AI-based management system**. The algorithm automatically determines:

- work schedules,
- wage levels,
- performance ratings,
- dismissals.

Workers receive notifications such as: “*Your contract has been terminated due to system evaluation*”. No explanation is provided, and there is no human review. Requests for clarification are answered with automated replies.

#### **Tasks:**

1. How does algorithmic management affect worker protection and legal certainty?
2. Which labour-law principles are threatened by the lack of transparency?
3. Should workers have a right to explanation and human review?
4. How can labour law adapt to digital and automated decision-making?
5. Should AI systems be treated as tools or as decision-makers under labour law?

#### **Case 5: Welfare vs Productivity**

Facing economic pressure, a government proposes reducing **welfare and unemployment benefits**, arguing that generous support “discourages people from working” and harms productivity. Officials claim that stricter welfare policies will motivate individuals to seek employment faster.

Trade unions and social organisations respond that such cuts will increase poverty, weaken worker protection, and undermine social stability.

**Tasks:**

1. Does this proposal align with the objectives of labour law?
2. How does labour law balance welfare, employment policy, and economic growth?
3. Can reduced social protection increase forced or precarious employment?
4. Should welfare be viewed as a cost or as a component of labour protection?
5. How does this debate reflect the broader social function of labour law?

Exercise 10. Complete the following text with the correct prepositions.

**Employee leave in Ukraine: legal aspects**

One \_ the most important issues to be resolved in an employer-employee relationship is an employee's right to leave. In most cases, expectations \_ foreign companies establishing subsidiaries \_ Ukraine differ \_ the actual legal situation. This article discusses the main types \_ leave that are \_ most interest to foreign employers.

1. Annual leave

The following types are distinguished here:

- basic leave – **least 24 calendar days** for the working year worked, counted \_ the date \_ the employment contract;
- additional leave \_ work in harmful and difficult working conditions – **up to 35 calendar days** for employees engaged in work involving negative health effects of harmful production factors, according to the List of industries, workshops, professions, and positions approved \_ the Ukrainian government;
- additional leave for a special type of work and its duration, which is granted to:
  - certain categories of employees whose work involves increased nervous, emotional and intellectual stress or is performed in special natural geographical and geological conditions and conditions of increased health risk – **for up to 35 calendar days** according \_ the List \_ industries, works,

professions, and positions approved \_ the Ukrainian government (e.g., for working on a computer, leave is granted from 1 to 4 calendar days);

- employees with irregular working hours – **for up \_ 7 calendar days** according \_ the lists of positions, jobs, and professions specified \_ the collective agreement.
- other additional leaves provided for \_ law.

## 2. Sick leave

The following legal regulation applies \_ temporary disability (sick leave) as a result \_ an illness or injury not related \_ an occupational accident, as well as temporary disability for the period of rehabilitation as a result \_ an illness or injury not related \_ an occupational accident:

**The first 5 days**\_ the temporary disability allowance are paid \_ the employer, and the remaining days are paid \_ the Pension Fund \_ Ukraine.

Temporary disability may also occur in other cases:

- temporary disability allowance \_ caring for a sick child under the age of 14 is paid to the insured person from the first day \_ the period during which the child needs care according \_ a doctor's opinion, but not more than \_ 14 calendar days;
- temporary disability allowance for caring \_ a sick child under the age of 14, if the child requires inpatient treatment, is paid to the insured person from the first day \_ the entire period \_ his/her stay in the hospital with the sick child;
- temporary disability allowance for caring for a sick family member (except for caring for a sick child under the age of 14) is paid to the insured person from the first day, but not more than \_ 3 calendar days, or for not more than 7 calendar days in exceptional cases, given the severity of the family member's illness and household circumstances;
- temporary disability allowance \_ case \_ illness of a mother or other person who is in fact caring for a child under 3 years of age or a child with a disability under 18 years of age is provided to the insured person who cares \_ the child from the first day for the entire period of illness.

## 3. Maternity leave

Based \_ a medical certificate, women are entitled \_ a paid leave in connection with pregnancy and childbirth (maternity leave) for the following duration:

- before childbirth – **70 calendar days**;
- after childbirth – **56 calendar days** (70 calendar days in case of birth of two or more children and in case \_ complications of childbirth), starting from the day of childbirth.

Maternity benefits are paid to the insured person \_ the entire period \_ maternity leave.

## MULTIPLE-CHOICE TEST 8.

**1. Labour law protects the worker primarily because the worker is considered:**

- a) economically dominant
- b) the weaker party in the employment relationship
- c) independent from the employer
- d) a public authority

**2. Which term BEST describes rules set by the state regarding working conditions?**

- a) customary restraints
- b) individual agreements
- c) statutory requirements
- d) personal autonomy

**3. Relations between trade unions and employers are known as:**

- a) individual employment relations
- b) industrial relations
- c) contractual obligations
- d) welfare mechanisms

**4. Wages and remuneration are MOST often regulated through:**

- a) employer discretion only
- b) statutory rules or collective agreements
- c) customary village practices
- d) international treaties

**5. Which situation BEST illustrates forced labour?**

- a) unpaid internship with consent
- b) work performed under threat or coercion
- c) low-paid temporary employment
- d) probationary employment

**6. In modern labour law, individual agreements usually operate within:**

- a) absolute employer control
- b) a legal framework set by law or collective rules
- c) traditional customs
- d) political ideology

**7. The case of unpaid overtime and non-renewal of contracts MOST clearly violates:**

- a) employer autonomy
- b) worker protection and fair remuneration
- c) public welfare policy
- d) freedom of contract only

**8. Which principle is violated when trade unions are formally recognised but excluded from negotiations?**

- a) party autonomy
- b) collective labour relations
- c) freedom of movement
- d) legal predictability

**9. Apprenticeship in labour law is BEST described as:**

- a) unpaid labour without regulation
- b) full employment without training
- c) a combination of work and vocational training
- d) a customary rural practice

**10. Can customary restraints justify unsafe working conditions today?**

- a) Yes, if they are traditional
- b) Yes, in rural industries only
- c) No, modern labour law prioritises worker protection
- d) Only with employer consent

**11. Which historical factor MOST contributed to the emergence of modern labour law?**

- a) Medieval guilds alone
- b) Industrial revolutions
- c) Agricultural traditions
- d) Digital technologies

**12. The Enlightenment influenced labour law by promoting:**

- a) employer supremacy
- b) feudal obligations
- c) individual rights and legal equality
- d) abolition of labour regulation

**13. Safety and health conditions at work are primarily linked to:**

- a) welfare and worker protection

- b) employer profit
- c) individual negotiation
- d) migration policy

**14. Welfare in labour law MOST directly aims to:**

- a) reduce state responsibility
- b) support workers' social well-being
- c) replace employment income
- d) punish unemployment

**15. Which group was labour law originally designed to protect?**

- a) Public officials
- b) Manual workers in industrial enterprises
- c) Employers
- d) Self-employed professionals

**16. The term "collective relations" refers to relations between:**

- a) individual workers
- b) employers and courts
- c) organised groups and employers
- d) workers and consumers

**17. Algorithmic management raises concerns mainly because it affects:**

- a) employer efficiency
- b) transparency and worker protection
- c) international law
- d) customary practice

**18. Equality of treatment in employment means:**

- a) identical wages for all
- b) absence of discrimination
- c) elimination of welfare
- d) employer preference

**19. Cutting welfare benefits to increase motivation MOST directly challenges which labour-law objective?**

- a) Economic autonomy
- b) Social protection

- c) Employer flexibility
- d) Contractual freedom

**20. Modern labour law seeks to balance:**

- a) tradition and custom
- b) state power and punishment
- c) economic efficiency and social justice
- d) employer authority and silence

## INDICATIVE BIBLIOGRAPHY

1. Introduction to tort law [Электронный ресурс]. – Режим доступа: <https://emlaw.co.uk/introduction-to-tort-law/>
2. Rylands v Fletcher [Электронный ресурс] // LawTeacher. – Режим доступа: <https://www.lawteacher.net/cases/rylands-v-fletcher.php>
3. Employee leave in Ukraine: Legal aspects [Электронный ресурс] // DLF Attorneys-at-Law. – Режим доступа: <https://dlf.ua/en/employee-leave-in-ukraine-legal-aspects/>
4. Hague Conference on Private International Law [Электронный ресурс] // Wikipedia. – Режим доступа: [https://en.wikipedia.org/wiki/Hague\\_Conference\\_on\\_Private\\_International\\_Law](https://en.wikipedia.org/wiki/Hague_Conference_on_Private_International_Law)
5. Koval O., Melnyk I. Social and legal aspects of modern society development // Social and Legal Studios. – 2023. – Vol. 6, No. 4. – P. 243–250. – [Электронный ресурс].
6. Environmental law: Sustainable development [Электронный ресурс] // Encyclopaedia Britannica. – Режим доступа: <https://www.britannica.com/topic/environmental-law/Sustainable-development>
7. Agricultural reform in Ukraine: stages and trends of its development [Электронный ресурс] // BDO Ukraine. – 2024. – Режим доступа: <https://www.bdo.ua/en-gb/insights-1/information-materials/2024/agricultural-reform-in-ukraine-stages-and-trends-of-its-development>
8. Locke J. Second Treatise of Government [Электронный ресурс]. – Режим доступа: <https://www.gutenberg.org/files/12638/12638-h/12638-h.htm>
9. Borrás S. M., Franco J. C. Agrarian law // Handbook of Critical Agrarian Studies. – Rotterdam : Erasmus University, n.d. – [Электронный ресурс]. – Режим доступа: [https://pure.eur.nl/ws/portalfiles/portal/45354518/Handbook\\_of\\_Critical\\_Agrarian\\_Studies\\_22\\_Agrarian\\_law\\_1.pdf](https://pure.eur.nl/ws/portalfiles/portal/45354518/Handbook_of_Critical_Agrarian_Studies_22_Agrarian_law_1.pdf)

10. Divorce laws around the world [Электронный ресурс] // India Today. – 2022. – Режим доступа: <https://www.indiatoday.in/information/story/divorce-laws-around-the-world-1933390-2022-04-05>
11. Family law [Электронный ресурс] // Encyclopaedia Britannica. – Режим доступа: <https://www.britannica.com/topic/family-law>
12. Zbirnyk naukovykh prats. Legal regulation of economic activity in modern conditions // DBMS Journal. – 2022. – Spec. issue. – P. 243–254. – [Электронный ресурс]. – Режим доступа: [https://dbmsjournal.com/wp-content/uploads/2025/01/zbi\\_derg\\_bud\\_spec\\_2022-243-254.pdf](https://dbmsjournal.com/wp-content/uploads/2025/01/zbi_derg_bud_spec_2022-243-254.pdf)
13. What is contract law? [Электронный ресурс] // The University of Law. – Режим доступа: <https://www.law.ac.uk/resources/blog/what-is-contract-law/>
14. Contract [Электронный ресурс] // Cornell Law School. – Режим доступа: <https://www.law.cornell.edu/wex/contract>

