



CLIL4ALL

Legal English Language exercises:

Collocation exercise on legal case Shogun (found in course material)

Link the verb with the corresponding noun as in the Shogun case you have read in class:

1. Pass
2. Identify
3. Adduce
4. Obtain
5. Approve
6. Pay
7. Issue
8. Avoid
9. Apply
10. Provide

- A. Possession
- B. Party
- C. Contract
- D. Title
- E. Principle
- F. Proceedings
- G. Principle
- H. Deposit
- I. Certainty
- J. Evidence

Shogun: a principled decision

The decision of the House of Lords in Shogun Finance Limited v Norman Hudson has provided a welcome clarification of the law in relation to so-called “mistaken identity” cases, with the Law Lords re-affirming some fundamental principles of English law.

First, with few exceptions, **title** can only **pass** in accordance with common law rule of nemo dat quod non habet. Second, where a **party** is unequivocally **identified** as a party on the face of a written agreement, other **evidence** cannot be **adduced** to assert that the agreement was, in fact, with someone else.

Common conjunctions in American English Legal texts.

Task: Consider what the most common conjunctions in American Legal texts might be, then consider the function they play and finally fill in the gaps of examples taken from a legal corpus or analyse how these conjunctions are used.

Task: Write a sentence showing the function of the following conjunctions. Then group them according to the similar functions they perform.

While

As

Since

Though

So

Unless

Whereas

Provided

Albeit

Insofar

Whilst

Especially if

Notwithstanding

While - contrast

As - cause

Since - cause

Though - contrast

So - result

Unless - condition

Whereas - contrast

Provided - condition

Albeit - concession

Insofar - limitation

Whilst - contrast

Especially if - focus

Notwithstanding - concession

Examples/gapfill exercises:

Its administrative procedures were designed to frustrate regulated parties **while** presenting a mirage of fairness.

As Professor McConnell observes in regards to the general tenor of these protections:

Any limitation on the absolute character of the freedom guaranteed by the First Amendment must be implied from necessity, **since** it is not implied by the text

And **though** this experiment has failed, it is an interesting phenomenon which deserves to be studied.

Speech regulations that promoted public morality were considered " necessary for ensuring sufficient public order to host, defend, and extend individual liberty. " 18 **So**, for example, " blasphemy and profane swearing... were thought to be harmful to society and were thus subject to governmental regulation even though they did not directly interfere with the rights of others.

In its " canonical formulation, " Auer deference requires courts to " enforce an agency's interpretation of its own rules **unless** that interpretation is ' plainly erroneous or inconsistent with the regulation.' "

If an arrestee has a Fourth Amendment right to refuse such testing, then of course such a refusal can not be criminalized. (33) **Whereas** if there is no such constitutional right to refuse, then such laws face no federal constitutional prohibition.

Classical and modern avoidance each allow a court to adopt an alternative interpretation of an ambiguous statute, **provided** that the interpretation is plausible.

To the contrary, there are a number of modern Supreme Court decisions -- **albeit** a small minority -- invalidating nonsuspect classifications purely on the basis of rational basis review.

Individual liberty was therefore ideally only to be limited **insofar** as necessary to preserve the negative liberties of others.

Neuberger case. Bundles of formal Legal English

Task: Use each phrase below and add another phrase to form a common legal phrase. E.g., on the basis of the evidence provided.

On the basis (that)

In (the) terms of

In relation to

On behalf of (those)

So far as _____ is concerned

For the purposes of

It may be (appropriate) to

In due course

In light of the

Phrases used in course material.

On the basis (that) – the claimants concerned have no prospect of succeeding in their claims

In (the) terms of – mental distress and physical harm

In relation to – nuisance, it was pleaded that

On behalf of (those) – having no interest in land/the defendant

So far as _____ is concerned – the claim in strict liability

For the purposes of - today

It may be (appropriate) to – treat it as a preliminary point

In due course – I will deal with that

In light of the – reasoning of the House of Lords in Hunter