

<<法律专业英语教程>>

图书基本信息

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## <<法律专业英语教程>>

### 内容概要

本书将学习英语与了解以美国为代表的英美法律、法律制度，提高实用法律英语操作能力紧密结合，即不仅注重英语能力的培养，也强调涉外法律专业知识的传授和技能的训练。

本书除了适合“英语+法律”、“法律+英语”的涉外型、复合型本科生、研究生使用外，也可供法学、外交、国际贸易、国际金融和国际政治等专业的本科生、研究生学习法律和英语之用。此外，对于广大法律英语爱好者及希望了解英美法律和法律制度的专业人士，也是难得的参考书。

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版权页：插图：However, it is important to understand that despite the presence of receptlonatutes, much of contemporary American common law has diverged significantly from British Commonwealth common law. The reason is that although the courts of the various Commonwealth nations are often influenced by each other's rulings, Americancourts rarely follow post-Revolution Commonwealth rulings unless there is no Americanruling on point, the facts and law at issue are nearly identical, and the reasoning isstrongly persuasive.Early on, American courts, even after the Revolution, often did cite contemporaryEnglish cases. This was because appellate decisions from many American courts were not regularly reported until the mid-19th century; lawyers and judges, as creatures of habit ,used English legal materials to fill the gap. But citations to English decisions gradually disappeared during the 19th Century as American courts developed their own principles to resolve the legal problems of the American people. The number of published volumes of American reports soared from eighteen in 1810 to over 8,000 by 1910. Foreign law hasnever been cited as binding precedent, but merely as a reflection of the shared values of Anglo-American civilization or even Western civilization in general.Federal law originates with the Constitution, which gives Congress the power toenact statutes for certain limited purposes like regulating interstate commerce. Nearly all statutes have been codified in the United States Code. Many statutes give executivebranch agencies the power to create regulations, which are published in the Federal Register and codified into the Code of Federal Regulations. Regulations generally alsocarry the force of law under the Chevron doctrine. Many lawsuits turn on the meaning of a federal statute or regulation, and judicial interpretations of such meaning carry legalforce under the principle of stare decisis. In the beginning, federal law traditionally focused on areas where there was anexpress grant of power to the federal government in the federal Constitution, like themilitary, money, foreign affairs ( especially international treaties ) , tariffs, in tellectual property.

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