

## 2019 考研英语五夜十篇 10 月 1 日现场 word 整理版讲义

### 美国政治法律常识：

<b>一个大法：</b>	
<b>宪法：</b>	Constitution 宪法
	The First Amendment 自由法案 The Forth Amendment 隐私保护法案 The Second Amendment 控枪（支持公民拥有枪支）传统！ The Fourteenth Amendment 公民和公民权 罗伊诉韦德案（Roe v. Wade） <b>堕胎权 (Abortion)</b>
<b>两个政党：</b>	
<b>民主党：</b>	Democratic Party / The left / The Liberal
<b>共和党：</b>	Republican Party / The Right / The Conservative
	是否捍卫传统！ The abortion; Gun control
<b>三极权力：</b>	
<b>行政权：</b>	Executive branch
	1. The Federal government The Washington = The Obama Administration = The Trump Administration The Administration = The president = The White House = The United States The FBI = The CIA = The EPA = The Federal Reserve = The central authority
	2. The state government Governor
<b>立法权：</b>	Legislative branch
	1. The Congress
	<b>The House of Representatives = The House 435 (domestic affairs)</b>  <p>New Hampshire 2 Representatives</p> <p>Louisiana 7 Representatives</p>
	<b>The senate House = The Senate 101 (The vice president) (oversea affairs)</b> <b>Critical issues (voting right and proposing right)</b>
	2. The state congress
	The senate The House
<b>司法权：</b>	Judicial branch

The Federal Supreme Court

Nine Justices (8 Justices +1 chief Justices)

各级法院:

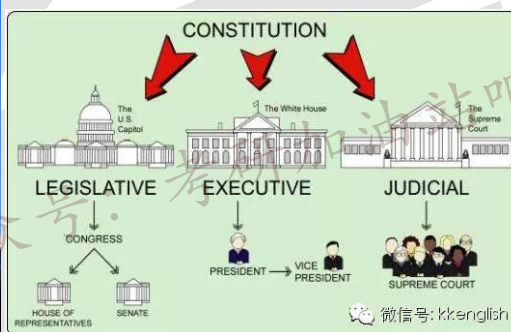
The high court (高级法院)

The district court (区法院)

专门法院:

United States Court of Appeals for the Federal Circuit (CAFC) (专利法庭)

The patent court



自由派

中间派



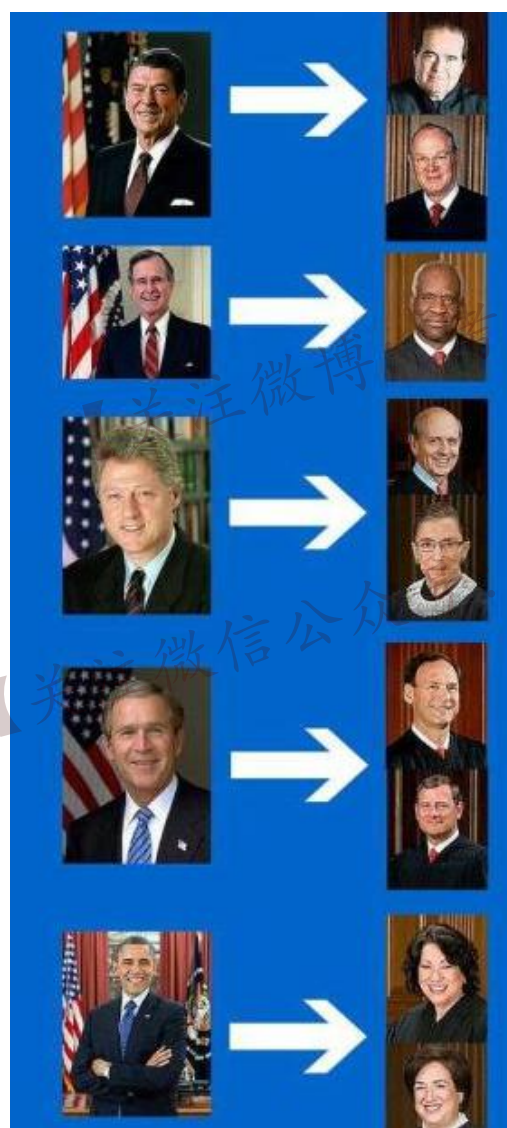
保守派

5 多数

同性婚姻法案

4 异议





基本特征
Case law 判例法 precedent-setting case
code law 法典法
Check and balance 制衡

州府之争

第一段:
①On a five to three vote, the Supreme Court knocked out much of Arizona's immigration law Monday—a modest policy victory for the Obama Administration.
Knock out 否定掉 Void 无效 Nullification 废除 This is a modest policy victory for the Obama Administration.
②But on the more important matter of the Constitution, the decision was an 8-0 defeat for the Administration's effort to upset the balance of power between the federal government and the states.
主干: the decision was an 8-0 defeat

第二段:
①In Arizona vs. United States, the majority overturned three of the four contested provisions of Arizona's controversial plan to have state and local police enforce federal immigration law.
Policy=law=plan 主干: the majority overturned three of the four contested provisions of Arizona's controversial plan 其他: In Arizona vs. United States, (状语) to have state and local police enforce federal immigration law. (定语) 先说状语, 再说定语和其修饰对象, 最后说主句: (倒译法) 在亚利桑那州诉联邦政府的案件中, 颇具争议的亚利桑那州的移民方案试图让州警察和地方警察执行联邦移民法, 该方案中有四个条款受到质疑, 而大多数的法官推翻了其中的三条。(大多数的法官推翻了亚利桑那州具有争议的计划中的四条受到质疑的条款中的三条。)
②The Constitutional principles that Washington alone has the power to “establish a uniform Rule of Naturalization” and that federal laws precede state laws are noncontroversial.
主干: The Constitutional principles are noncontroversial 1. Washington alone has the power to “establish a uniform Rule of Naturalization”. 2. federal laws precede state laws are noncontroversial. Naturalization 入籍 (归化) 宪法规定, 只要华盛顿有权制定“统一的归化条例”并且联邦法律优先于州法律 这两条原则是没有争议的。
③Arizona had attempted to fashion state policies /that ran parallel to the existing federal ones. 亚利桑那州尝试着推行一些州的法律, 这些法律和现有的联邦法律是相平行的。



第三段
① Justice Anthony Kennedy, joined by Chief Justice John Roberts and the Court's liberals, ruled that the state flew too close to the federal sun.
肯尼迪法官，首席大法官以及法庭的其他自由派的法官做出判决，亚利桑那州离联邦的太阳太近了。（亚利桑那州的法律挑战了联邦政府的权威。）
② On the overturned provisions the majority held the congress had deliberately "occupied the field" and Arizona had thus intruded on the federal's privileged powers.
Intrude on 侵犯，侵害
就被推翻的几个条款而言，大多数的法官认为国会故意地“越界”，而且亚利桑那州因此侵害到了联邦政府的特权。

36. Three provisions of Arizona's plan were overturned because they

答案来源句一：② federal laws precede state laws are noncontroversial.

③ Arizona had attempted to fashion state policies that ran parallel to the existing federal ones.

答案来源句二：Arizona had thus intruded on the federal's privileged powers.

[A] deprived the federal police of Constitutional powers.

[B] disturbed the power balance between different states.

[C] overstepped the authority of federal immigration law.

[D] contradicted both the federal and state policies.

第四段
① However, the Justices said that Arizona police would be allowed to verify the legal status of people who come in contact with law enforcement.
但是法官们也表示，亚利桑那州警察应该被允许去确认在执法过程中接触到的人的合法地位。
② That's because Congress has always envisioned joint federal-state immigration enforcement and explicitly encourages state officers to share information and cooperate with federal colleagues.
因为国会一直以来设想联邦和州在移民事务上联合执法，而且明确鼓励州警察与联邦同时分享信息，开展合作。

37. On which of the following did the Justices agree, according to Paragraph 4?

[A] Federal officers' duty to withhold immigrants' information.

[B] States' independence from federal immigration law.

[C] States' legitimate role in immigration enforcement.

[D] Congress's intervention in immigration enforcement.

第五段:

① Two of the three objecting Justice—Samuel Alito and Clarence Thomas—agreed with this Constitutional logic but disagreed about which Arizona rules conflicted with the federal statute.

1. Objecting Justice=少数派法官

2. the federal statute 联邦法律

Statute 法规, 法令

Statue 雕像

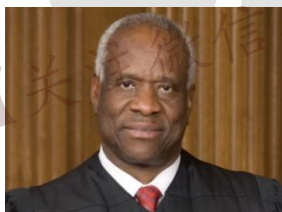
Status 地位: seek status and security / status quo 现状;

切分独立成句:

Two of the three objecting Justice agreed with this Constitutional logic

Two of the three objecting Justice disagreed about which Arizona rules conflicted with the federal statute

投反对票的三个法官中有两位 Samuel Alito and Clarence Thomas 同意这样一种宪法逻辑, 但是对于亚利桑那州移民法中哪些条款触犯了联邦法律这一问题, 却存有不同的意见。

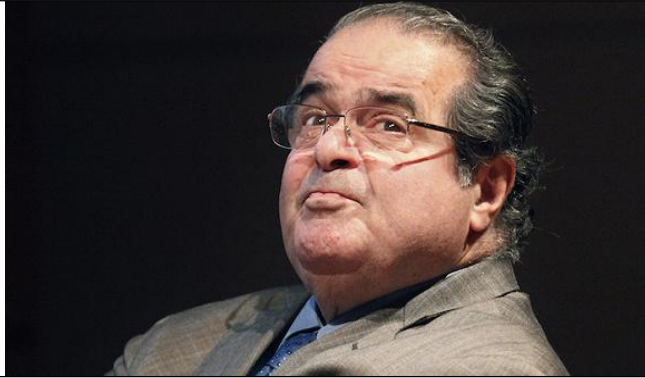


② The only major objection came from Justice Antonin Scalia, who offered an even more robust defense of state privileges going back to the Alien and Sedition Acts.

唯一的强烈的反对来自于 Antonin Scalia 法官, 他提供了对于州权利的更有力的捍卫, 这种权利可以追溯到 Alien and Sedition 系列法案。

going back to the Alien and Sedition Acts.

=The state privileges go back to the Alien and Sedition Acts.



美国人也出沙雕，街头采访路人知不知道 Antonin Scalia，有人说知道，喜欢他们家的衣服。美国的社会阶层分化真的很严重，傻的是真傻。

38. It can be inferred from Paragraph 5 that the Alien and Sedition Acts .

- [A] violated the Constitution.
- [B] undermined the states' interests
- [C] supported the federal statute.
- [D] stood in favor of the states.

第六段:
① The 8-0 objection to President Obama turns on what Justice Samuel Alito describes in his objection as “a shocking assertion of federal executive power”.
② The White House argued that Arizona's laws conflicted with its enforcement priorities, even if state Laws complied with federal statutes to the letter.
To the letter: 严格地; Statute 法规, 法令 Statue 雕像 Status 地位: seek status and security / status quo 现状; 白宫认为亚利桑那州移民法与联邦的执法优先权相抵触, 即使州法律严格地遵循了联邦法律。
③ In effect, the White House claimed that it could invalidate any otherwise legitimate state law that it disagrees with.
1. In effect, the White House claimed that 2. it could invalidate any otherwise legitimate state law 3. it disagrees with the state law. 实际上, 白宫就在声称, 任何州一级法律, 只要白宫不同意, 即便合法, 白宫也能使这个法律无效。

39. The White House claims that its power of enforcement \_\_\_\_\_.

[A] outweighs that held by the states.

白宫在这里只说一句: 我牛逼! 浑身上下都牛逼!

[B] is dependent on the states' support.

[C] is established by federal statutes.

[D] rarely goes against state laws.

(后面三个选项压根就没有说过!!!)

第七段:
① Some powers do belong exclusively to the federal government, and control of citizenship and the borders is among them.
有些权力确实独属于联邦政府, 对于公民身份和边界的控制权就属于这样的权力。
② But if Congress wanted to prevent states from using their own resources to check immigration status, it could.
但是如果国会想要阻止各州使用自己的资源来对移民身份进行核查, 它也有权这样做。
③ It never did so.
但国会从来就没有这样做过。
④ The Administration was in essence asserting that because it didn't want to carry out Congress's immigration wishes, no state should be allowed to do so either.
政府其实声称因为它不想去执行国会的移民意愿, 所以任何州也别去执行。
⑤ Every Justice rightly rejected this remarkable claim.
每位大法官理所当然地拒绝了这样令人惊讶的要求。



40. What can be learned from the last paragraph?

- [A] Immigration issues are usually decided by Congress.
- [B] Justices intended to check the power of the Administration.
- [C] Justices wanted to strengthen its coordination with Congress.
- [D] The Administration is **dominant** over immigration issues.



We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”

“我们合众国人民，为建立更完善的联盟，树立正义，保障国内安宁，提供共同防务，促进公共福利，并使我们自己和后代得享自由的幸福，特为美利坚合众国制定本宪法。”

### 核电管控

#### 第一段

1. A deal is a deal—except, apparently, when Entergy is involved.

买卖就是买卖，（但是）很明显，当涉及到安特吉公司的时候，情况就不一样了。

2. The company, a major energy supplier in New England, provoked justified outrage in Vermont last week when it announced it was reneging on a longstanding commitment to abide by the state's strict nuclear regulations.

- 1) The company provoked justified outrage in Vermont last week
- 2) The company is a major energy supplier in New England
- 3) when it announced it was reneging on a longstanding commitment
- 4) to abide by the state's strict nuclear regulations.

安特吉公司是新英格兰地区主要能源供应商之一。这家公司上周宣布它将违背他一直遵守的“服从福蒙特州严格核能管控条例”的承诺。（它将违背他一直遵守的承诺：服从福蒙特州严格的核能管控条例。），这激起了福蒙特州正义的愤怒。

1) when it announced it was ( ) a longstanding **commitment** (承诺) to abide by (服从) the state's strict nuclear regulations. (原因)

[A]condemning

[B]reaffirming

**[C]dishonoring (违背)**

[D]securing

2) The company provoked justified (正当的) outrage (愤怒) in Vermont last week (果)

3) , a major energy supplier in New England,

#### 第二段

1. Instead, the company has done precisely what it had long promised it would not: challenge the constitutionality of Vermont's rules in the federal court, as part of a desperate effort to keep its Vermont Yankee nuclear power plant running.

- 1) Instead, the company has done precisely what it had long promised
- 2) it would not: challenge the constitutionality (宪法合法性) of Vermont's rules in the federal court,
- 3) as part of a desperate effort to keep its Vermont Yankee nuclear power plant running.

相反，公司严格的遵守着自己长期以来的承诺：它不会去联邦法庭质疑福蒙特州管控规定的宪法合法性。这也是安特吉公司拼命维持其福蒙特州杨基核电站努力的一部分。

2. It's a stunning move.

Stunning=astonishing=shocking=remarkable=surprising

这是一个令人惊讶的行为

第三段

1. The conflict has been surfacing (出现) since 2002, when the corporation bought Vermont's only nuclear power plant, an aging reactor in Vernon.

- 1) The conflict has been surfacing (出现) since 2002,
- 2) when the corporation bought Vermont's only nuclear power plant, an aging reactor in Vernon.

其实，从 2002 年以来，冲突就已经浮现出来了，那个时候安特吉公司购买了福蒙特州唯一的一家核电站，这是一个位于 Vernon 的老旧的反应堆。

2. As a condition of receiving state approval for the sale, the company agreed to seek permission from state regulators to operate past 2012.

- 1) As a condition of receiving state approval for the sale, = get permission to purchase a power plant
- 2) the company agreed to seek permission from state regulators to operate past 2012. (2002 agreement)

作为获得福蒙特州出售核电站批准的条件，安特吉公司同意 2012 后的运营需要获得州管理者的批准。

27. By entering into the 2002 agreement, Entergy intended to.

- [A]obtain protection from Vermont regulators
- [B]seek favor from the federal legislature
- [C]acquire an extension of its business license
- [D]get permission to purchase a power plant

获得出售批准=获得购买批准

(买卖的同义替换，感受一下！)

3. In 2006, the state went a step further, <b>requiring</b> that any extension of the plant's license be subject to the Vermont legislature's approval.
1) In 2006, the state went a step further, 2) the state requires (any extension of the plant's license) <b>should</b> be subject to the Vermont legislature's approval. 2006 年, 该州进一步提出要求, 这座发电站任何时候的延期经营都需要获得州立法机构的批准。
4. Then, too, the company went along. Went along= 同意=没有提出异议 而该公司也没有提出异议。
第四段
1. <b>Either</b> Entergy never really intended to live by (遵守) those commitments, <b>or</b> it simply didn't foresee what would happen next. 安特吉公司要么从来没有想过要遵守这些承诺, 要么干脆就没有预计到接下来会发生什么。 (不是坏就是傻。)
2. A string of (一系列) accidents, including the partial collapse of a cooling tower in 2007 and the discovery of an underground pipe system leakage, raised serious questions about both <b>Vermont Yankee's safety</b> and <b>Entergy's management</b> —especially after the company made misleading statements about the pipe.
28. According to Paragraph 4, Entergy seems to have problems with its. <b>[A]managerial practices</b> [B]technical innovativeness [C]financial goals [D]business vision 看手法! 对应的怎么样! 手动 666! 一系列事故, 包括 2007 年冷却塔部分倒塌, 以及发现地下管道系统泄漏, 都对佛蒙特扬基发电站的安全和安特吉的管理提出了严重的质疑——特别是该公司就管道泄露事件发表了误导性声明之后。
3. Enraged by Entergy's behavior, the Vermont Senate voted 26 to 4 last year against allowing an extension.



- 1) the Vermont Senate was Enraged by Entergy's behavior
  - 2) the Vermont Senate voted 26 to 4 last year against allowing an extension.
- 这些行为让福蒙特州参议院非常愤怒，去年州参议院以 26 对 4 票的投票结果否定了核电站的延期。

#### 第五段

1. Now the company is suddenly claiming that the 2002 agreement is **invalid** because of the 2006 legislation, and that only the federal government has regulatory power over nuclear issues.

2. The legal issues in the case are obscure: whereas the Supreme Court has ruled that states do have some regulatory authority over nuclear power, legal scholars say that Vermont case will offer a precedent-setting test of how far those powers extend.

**[D]the limits of states' power over nuclear issues**

In the **author's view**, the Vermont case will test.

[A]Entergy's capacity to fulfill all its promises

[B]the nature of states' patchwork regulations

[C]the federal authority over nuclear issues.

**[D]the limits of states' power over nuclear issues**

**2010 年出现过的先验测试：**

In *re Bilski*, as the case is known, is "a very big deal".

**It "has the potential to eliminate an entire class of patents."**

**[D] It may change the legal practices in the U.S.**

Which of the following is true of the Bilski case?

[A] Its ruling complies with the court decisions

[B] It involves a very big business transaction

[C] It has been dismissed by the Federal Circuit

**[D] It may change the legal practices in the U.S.**

3. Certainly, there are valid concerns about the patchwork regulations (各自为政的规定) that could result if every state sets its own rules.

Patchwork

1) if every state sets its own rules

2) that could result

3) the patchwork regulations
4) there are valid concerns
当然了，如果每个州都设立自己的规定，那就会导致各自为政的决定，这样的担心也是合理的。
4. But had Entergy kept its word, that debate would be beside the point.
虚拟语气补全： But if Entergy had kept its word, that debate would be beside the point 但是如果安特吉公司信守承诺，也就不会有这样的争论了。

第六段
1. The company seems to have concluded that its reputation in Vermont is already so damaged that it has nothing left to lose by going to war with the state.
该公司似乎已经得出结论，它在佛蒙特州的声誉已经受到严重损害，与政府开战已经没有什么可失去的了。
2. But there should be consequences. 3. Permission to run a nuclear plant is a public trust.
2.但这也会有后果。3.允许经营核电站是公众的一种信任。 It can be inferred from the last paragraph that. 6 [A]Entergy's business elsewhere might be affected [B]the authority of the NRC will be defied [C]Entergy will withdraw its Plymouth application [D]Vermont's reputation might be damaged
4. Entergy runs 11 other reactors in the United States, including Pilgrim Nuclear station in Plymouth.
在美国，安特吉经营着另外 11 家核电站，包括普利茅斯的朝圣核电站。
5. Pledging to run Pilgrim safely, the company has applied for federal permission to keep it open for another 20 years.
1) the company has applied for federal permission to keep it open for another 20 years 2) Pledging to run Pilgrim safely (注意调序) (Pledging to: 保证) 该公司已经向联邦提出了申请希望获得批准能继续经营朝圣核电站 20 年，为此也做出保证一定会安全经营。

6. But as the Nuclear Regulatory Commission (NRC) reviews the company's application, it should keep in mind what promises from Entergy are worth.

1) as the Nuclear Regulatory Commission (NRC) reviews the company's application, 2) it should keep in mind what promises from Entergy are worth.

Keep in mind= 记住

但是，当全国核能管控委员会（NRC）对该公司的申请进行审查时，它应该谨记来自 Entergy 的承诺价值几何。

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