


<p><b>PROFEX SZAKNYELVI VIZSGA</b></p> <p>B2 (középfok) – angol nyelv Írásbeli Írott szöveg értése</p>		<p>vizsgázó sorszáma:</p> <p style="text-align: center;"> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> </p> <p>dátum: <b>2008. november 22.</b></p>
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*Olvassa el a két szöveget és az olvasott szöveg alapján oldja meg a két feladatlapot.*

*Elérhető pontszám: 20 pont.*

*Figyelem! A vizsga akkor lehet sikeres, ha a vizsgázó részegységként legalább 40%-ot teljesít.*

*Végső megoldásként csak a tintával írt változatot fogadjuk el.*

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## 1. Szöveg

### ETHICS COMMISSIONS

Ethical principles for HPOs (Holders of Public Offices) cast suspicion on any process in which the Holders of Public Office discipline themselves. “No one should be the judge in his own cause.” This maxim has guided judges of controversies and the makers of constitutions since ancient times. It expresses fundamental values of due process and limited government, providing the foundation for the separation of powers, judicial review, etc. Consequently, most other professions and most other institutions have come to appreciate that the self-regulation of ethics is inadequate and have accepted at least a modest measure of outside discipline.

In the case of HPOs, independent and outside control is rare. For the most part, the different institutions (or HPOs) control themselves – if at all. This current practice is not satisfactory since only outside and independent bodies are able to oversee and to monitor ethical rules and standards in a fair and impartial way. Outside bodies would also “be likely to reach more objective, independent judgments. It could more credibly protect Members’ rights and enforce institutional obligations without regard to political or personal loyalties. It would provide more effective accountability and help restore the confidence of the public in the ethics process.”

[...]

However, as our empirical findings show, HPOs are very reluctant to accept independent experts to judge their CoI (Conflict of Interest). This does not mean that the Member States and the different institutions are not willing to establish any form of control. In fact, Member States often agree on the above-mentioned forms of institutional self-control and establish internal reporting obligations and monitoring mechanisms.

Unfortunately, little is known with regard to the functions and powers of ethics committees. From what is known, it seems that Member States provide for ethics bodies that give advice, but very few of these are allowed to investigate allegations and/or to impose sanctions. Other important differences include budgetary powers, and responsibilities for collecting and analysing private disclosure statements by Members (or whether this is done by the personnel administration, the President, etc.).

[...]

Key differences between ethics commissions in the US and those in Westminster concern the fact that the US commission covers officials in the executive branch, whereas most commissions in the Westminster system focus on the legislative branch. The main role of the British Committee on Standards and Privileges is in investigating cases which have been recommended by the Parliamentary Commissioner for Standards. The Committee can also recommend penalties to be voted on by Parliament.

*Forrás: Internet, [http://ec.europa.eu/dgs/policy\\_advisers/publications](http://ec.europa.eu/dgs/policy_advisers/publications)*

*Letöltés ideje: 2008. 09. 09.*

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B2 (középfok) – angol nyelv  
Írásbeli  
Írott szöveg értése



vizsgáló sorszáma:

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## 1. Szöveg – Feladatlap

*I. Keresse meg a szövegben az alábbi meghatározások vagy szavak maximum 3 szavas megfelelőjét!*

*Elérhető pontszám: 5 pont*

*0. moral rules which guide behaviour*

**ethical principles**

1. disagreements

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2. sets of basic rules and principles that a country is governed by

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3. the three primary functions of the state are exercised by distinct and independent organs


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4. official decisions

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5. cause something to be obeyed

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*II. Egészítse ki a mondatokat a megfelelő, szövegben szereplő kifejezésekkel! Egy helynél maximum 3 szót használhat.*

*Elérhető pontszám: 5 pont*

*The establishment of independent bodies could help the public to regain confidence in the (0) ethics process.*

In case of HPOs the (1) \_\_\_\_\_ could best be controlled by independent and outside experts, which will probably lead to the establishment of further external committees. The functions and operations of these ethics committees are unclear: just some have the right to (2) \_\_\_\_\_ or (3) \_\_\_\_\_. There are several differences between ethics commissions in the US and Britain, but the most important is that those in the US control the (4) \_\_\_\_\_, whereas the ones in Britain check the (5) \_\_\_\_\_.

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## 2. Szöveg


### Jeffries v. City College of New York

Leonard Jeffries was the chairman of the Black Studies department at City College of New York ("City College"), which is part of the City University of New York ("CUNY") system. In delivering the Albany speech, which addressed the bias of New York State's public school curriculum and the history of black oppression, Jeffries made several derogatory statements, particularly about Jews. After the speech, City College President Bernard Harleston and CUNY Chancellor Ann Reynolds arranged for the CUNY Board of Trustees to vote as to whether to limit Jeffries' term as department chair to one year, even though such terms normally last three years. A majority of the 14 members of the CUNY Board of Trustees voted to limit Jeffries' term. The votes were cast as follows: Nine of the Trustees voted to limit Jeffries' term to a year; four voted to remove him immediately; one abstained because she had made critical comments about Jeffries in the past. Harleston and Reynolds did not vote because they were not Trustees.

Jeffries sued Harleston, Reynolds, and all 14 of the individual CUNY trustees under 42 U.S.C. 1983 in the United States District Court for the Southern District of New York (Kenneth Conboy, Judge), alleging that they removed him in violation of the First Amendment. (One of the 16 original defendants, Trustee Blanche Bernstein, died during the trial, and Jeffries discontinued his claims against her.) Jeffries sought reinstatement and punitive damages.

The jury was given several sets of interrogatories to answer. In response to the first wave, the jury found that the defendants demoted Jeffries because of the Albany speech. The jury's answers also indicated that the Albany speech did not disrupt "the effective and efficient operation of the Black Studies Department, the College, or the University," but that the defendants "were motivated in their actions by a reasonable expectation" that the speech would cause such a disruption. The judge concluded from these responses that all 15 remaining defendants had violated Jeffries' First Amendment rights because the speech was substantially on matters of public concern, and did not cause actual harm to CUNY.

The judge then submitted another wave of questions to the jury to discern the individual liability of each of the 15 defendants. In response, the jury found that only six defendants – Harleston, Reynolds, and Trustees Edith Everett, Herman Badillo, Sylvia Bloom, and Harold Jacobs (together, the "Harleston defendants") – took action against Jeffries because of the Albany speech, and would not have done so had Jeffries not given the speech. Of the four Trustees who are Harleston defendants, three had voted to remove Jeffries from his post

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immediately, and one had abstained because of the negative statements she had made about Jeffries in the past. (The fourth vote to remove Jeffries immediately came from Trustee Bernstein, who died during the trial, and is not part of this appeal.) The jury found that the other nine defendants, all of whom had voted to limit Jeffries' term to one year, did not act with the same retaliatory animus.


On the third and final wave of interrogatories, the jury found that all six of the Harleston defendants had "acted with malicious intent to violate the plaintiff's rights under the First Amendment . . . or with malicious intent to unlawfully injure him, or . . . with a callous or reckless disregard of the plaintiff's First Amendment rights." Based on these findings, the jury awarded punitive damages against the Harleston defendants.

After finding that the defendants were not shielded from liability by qualified immunity, the district judge entered judgment consistent with the jury responses (although he reduced the punitive damage amounts). In addition, the judge ordered the defendants to reinstate Jeffries as chairman of the department for two years. The defendants appealed.

The US Court of Appeals affirmed the reinstatement order, agreeing with the district court that the defendants had violated Jeffries' right to free speech, and that the Harleston defendants were not shielded by qualified immunity. They found, however, that the jury's special verdict responses were inconsistent regarding the six Harleston defendants' liability for punitive damages. Specifically, they could not reconcile the jury's finding that all 15 of the remaining defendants demoted Jeffries based on their reasonable belief that the Albany speech would harm CUNY, with its later finding that the six Harleston defendants demoted Jeffries out of a malicious desire to violate his free speech rights, or at least in reckless disregard of these rights. Thus, the Court of Appeal vacated the punitive damage awards against the six Harleston defendants, and remanded for a new trial against these six on the punitive issue.

*Forrás: Internet, [www.lectlaw.com/files/com15.htm](http://www.lectlaw.com/files/com15.htm)*

*Letöltés ideje: 2008.09.08.*

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## 2. Szöveg – Feladatlap

### I. Karikázza be az egyedüli helyes állítás betűjelét! Az elsőt példaként megoldottuk.

*Elérhető pontszám: 4 pont*

**0. a) *Jeffries made the Albany speech.***

b) *The Albany speech appeared in the New York State's public school curriculum.*

c) *Jeffries had a one year term as department chair.*

d) *Jeffries spoke in favour of the Jews.*

1. a) There are 14 members of the CUNY Board of Trustees.

b) All the members of the CUNY Board of Trustees voted against Jeffries.

c) The Trustees unanimously voted to remove Jeffries immediately.

d) Harleston and Reynolds abstained because they were not Trustees.

2. a) The Trustees, Harleston and Reynolds sued Jeffries for violating the First Amendment.

b) Jeffries went to court to get his job back and be paid for the damages.

c) The court found that the Albany speech highly influenced the operation of the Black Studies Department, the College, or the University.

d) The defendants did not think that the speech would cause a great disruption.

3. a) All the defendants took action against Jeffries because of the Albany speech.

b) None of the defendants would have taken actions against Jeffries had he not given the speech.

c) The majority of the Trustees voted to remove Jeffries from his post immediately.

d) There was only one defendant who abstained.

4. a) One of the defendants voted to limit Jeffries' term of office because he had made negative statements about her.

b) The plaintiff died during the trial.

c) One of the defendants who voted to remove Jeffries immediately passed away while the trial was going on.

d) Every defendant had their own individual reason for suing Jeffries.

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*II. Adja meg az alábbi szavak vagy meghatározások szövegben található maximum kétszavas szinonimáját! Az elsőt példaként megoldottuk.*

*Elérhető pontszám: 6 pont*

*0. a group of people in court who decide whether someone is guilty or not*

jury

1. illegally

\_\_\_\_\_

2. lack of observance or care

\_\_\_\_\_

3. legal responsibility

\_\_\_\_\_

4. made a formal request to a court to change a decision

\_\_\_\_\_

5. the place where law cases are first heard

\_\_\_\_\_

6. cancelled, nullified

\_\_\_\_\_