

Assas

Session : Janvier 2017

Année d'étude : Deuxième année de Licence sciences humaines et sociales
mention Sciences Politiques

Discipline : *Anglais*
(Unité d'Enseignements Complémentaires 1)

Titulaire(s) du cours :
Mme Yvonne Marie ROGEZ

Document(s) autorisé(s) :

Aucun

I. Explain the following terms in your own words (/20):

1. US Senate
2. Executive orders
3. Impeachment
4. US Supreme Court Justices

II. Read the text and answer the following questions. DO NOT quote the text (/30)

After Obama Push for Clemency, Hints of Reversal Likely to Come
By MATTA PUZZONOV. 22, 2016, nytimes.com

WASHINGTON — President Obama is on pace to be the first president in a half-century to leave office with a federal prison population that is smaller than when he was sworn in, a reflection of eight years of liberal criminal justice policies, historically low crime rates and an aggressive use of presidential commutations.

Mr. Obama granted clemency to 79 federal prisoners on Tuesday, bringing his total to more than 1,000 inmates, most of whom were serving lengthy prison terms under strict sentences imposed at the height of the war on drugs. An additional 13,000 people have been released early by the courts, the Justice Department said.

But looming over the announcement was the fact that President-elect Donald J. Trump's nominee for attorney general, Senator Jeff Sessions of Alabama, strongly opposed Mr. Obama's liberal approach to criminal justice. Mr. Sessions favors vigorous enforcement of drug laws and the use of mandatory minimum sentences.

Some of Mr. Obama's criminal justice legacy is easily undone. Justice Department policies that discourage seeking mandatory minimum sentences by default, for instance, can be torn up. But other changes, such as new sentencing guidelines, will have a lasting effect and will be difficult to reverse, regardless of the administration.

"I can't speak to what the next president is going to do," W. Neil Eggleston, the White House counsel, told reporters. "I can't speak to whether the next administration will have a similar level of enthusiasm." Mr. Obama's announcement highlights a fundamental disagreement between the departing and incoming administrations about the role that rigid penalties should play in the criminal justice system. Mr. Obama and those who have led his Justice Department regard long mandatory prison sentences for drug crimes to be an outdated legacy of the war on drugs, and one that disproportionately hurt minorities. Mr. Sessions, a former federal prosecutor, credits strict enforcement for today's low crime rates.

"I was there when we had the revolving doors in the '60s and '70s," he said in 2015. "We, as a nation, turned against that. We've created a system that requires certainty and punishment, swifter trials. And the result is a very great drop in the crime rate."

President Lyndon B. Johnson was the last president to leave office with a smaller federal prison population than he inherited, according to Justice Department figures. His successor, Richard M. Nixon, declared war on drugs in 1971, and the prison population has since ballooned into the world's largest, with about one in every 100 adults locked up in local, state or federal prisons or jails.

In 2010, Congress unanimously voted to reduce the sentencing disparity between crimes involving crack cocaine and those involving powder cocaine. Crack cocaine was disproportionately prevalent in African-American neighborhoods, while powder cocaine was favored by more affluent white users, leading to a sentencing imbalance that cut along lines of race and class. Mr. Sessions was an early supporter of legislation to correct that difference. But he adamantly opposed a subsequent bill, which died, that would have reduced mandatory minimum sentences for some drug crimes.

In 2013, Attorney General Eric H. Holder Jr. wrote a memo to federal prosecutors, telling them not to bring charges involving mandatory minimum sentences in cases pertaining to low-level, nonviolent drug crimes. Prosecutors have responded by reducing the frequency of those charges by about 25 percent, the Justice Department said.

"You don't just try to hammer everybody for as long as you can because you can," Sally Q. Yates, the deputy attorney general, said on Tuesday. "Your obligation as a prosecutor is to look at the individual's conduct." [...]

1. What are the two political views on punishment that are mentioned in this article?
2. Explain what executive prerogative is applied here.
3. Comment on the underlined sentence.

III. (/50) Comment on the following extract from Donald Trump's interview to *The New York Times* on November 22nd 2016

"So we won that by a lot of votes and, you know, we had a great victory. We had a great victory. I think it would have been easier because I see every once in a while somebody says, 'Well, the popular vote.' Well, the popular vote would have been a lot easier, but it's a whole different campaign. I would have been in California, I would have been in Texas, Florida and New York, and we wouldn't have gone anywhere else. Which is, I mean I'd rather do the popular vote from the standpoint — I'd think we'd do actually as well or better — it's a whole different campaign. It's like, if you're a golfer, it's like match play versus stroke play. It's a whole different game.

But I think the popular vote would have been easier in a true sense because you'd go to a few places. I think that's the genius of the Electoral College. I was never a fan of the Electoral College until now."