

Paris

Session : Rattrapages 2022 - Semestre 2

Année d'étude : 2ème année de Licence en Droit

Discipline : Anglais juridique (2ème semestre)
(Unités d'Enseignements Complémentaires 2)

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Durée de l'épreuve : 1h30

Document(s) autorisé(s) : AUCUN

Les documents et les appareils électroniques ne sont pas autorisés.

Questions can be done in any order.

I. Complete the following sentences, adding between 10 and 25 words. Do not start a new sentence. (20 points)

1. Whereas *ratio decidendi* ...
2. Unlike backbenchers, who ...
3. "Royal assent" refers to ...
4. Since the creation of devolved administrations ...
5. While common law ...

II. Choose ONE of the following topics and write an essay in approximately 300 words (+/- 10%). (50 points)

1. Should the UK's parliamentary system be reformed? Give reasons to support your answer.
2. Discuss the following quote by Polly Toynbee (journalist and columnist for *The Guardian* newspaper): "Clearly Britain loses more than it gains from the monarchy. Let us be brave and end it".

III. Read the following document and answer each of the questions below. (approximately ten lines/ 100 words for each question). Use your own words. DO NOT QUOTE DIRECTLY FROM THE TEXT. (30 points)

Westminster urged to follow Holyrood's lead and introduce PR elections

By Katrine Bussey, The Scotsman, Saturday, 31st July 2021

Westminster's first past the post voting system is "failing" Scotland, with millions of votes "ignored", campaigners have said.

The Electoral Reform Society (ERS) insisted it was now "long overdue" for all elections to be conducted using proportional representation (PR), as it claimed the method used to elect MPs to the House of Commons should be "consigned to history".

The campaigning body used the anniversary of the *Referendums (Scotland and Wales) Act* on 31 July 1997 to call for changes to be made.

Elections to the Scottish Parliament and Welsh Assembly are already conducted using PR systems, with both these devolved administrations having extended PR to local council elections too.

"English voters are in danger of being left behind," the ERS said in a new report on the issue. "Not only are the devolved parliamentary elections in Scotland and Wales run under PR, but both parliaments have legislated for the further expansion of PR systems into local elections in each country."

Comparing the Holyrood election results with UK general election results in Scotland, the report noted that the last seven general elections in Scotland had seen the largest party win on average 75% of seats north of the border on an average of just 43% of the votes. "In every UK general election since 1997, the largest party in Scotland has won a majority of Scottish seats on a minority of votes," the report noted.

But in the six Scottish Parliament elections that have taken place over the same period, the largest party won on average 45% of the seats, having received 37% of the regional list votes in Holyrood's system – where people have both a constituency and a regional ballot.

Willie Sullivan, senior director at ERS Scotland, said: "We've long known that Westminster's winner takes all voting system has been failing Scotland – creating a virtual one-party state that sees millions of voters' preferences ignored. Across the last seven UK general elections, the largest party has won on average 75% of Scottish seats with just 43% of the votes. Compared to the results in the Scottish Parliament, that's a result four times as warped in terms of seat share – with FPTP (first past the post) delivering disproportionate results that leave everyone worse off."

With Scotland having had PR elections since the first Holyrood ballot in 1999, he said that "voters know that their ballots will count", adding that "it's only votes for Westminster that are holding Scotland back". Mr Sullivan said: "Reform is vital if we're to have a House of Commons that represents the interests and votes of the people of Scotland. Until then, every voter will continue to lose out. We need a fair and proportional voting system for Westminster – it's time that our UK Parliament followed Scotland's lead and made sure every vote counts."

A UK Government spokeswoman said: "Britain's long-standing electoral system of first past the post provides a clear, well-understood link between constituents and their representatives in Parliament. This ensures greater accountability and allows voters to kick out* those who don't deliver. The British public voted to keep Britain's electoral system in the 2011 UK-wide referendum and the voice of the people in this referendum should be respected."

QUESTIONS

1. What does the lobbying group ERS advocate for and how is the timing of their campaign particularly relevant?
2. Explain the discrepancy or inconsistency between Holyrood's and Westminster's general election results.
3. Comment on the underlined sentences in the final paragraph.

* *kick out (v.): expel or dismiss*