

Droit - Economie - Sciences Sociales

Melun

Session :

Janvier 2018



Année d'étude :

Deuxième année de Licence Droit

Discipline :

Anglais juridique

Examen :

Premier semestre (UEC1 7031)

Durée :

1h30

Titulaires du cours :

Ms. Cingal, Mr. Jendoubi, Mr. Lecocq, Ms. Lévy, Ms. Regen

Les documents et les appareils électroniques ne sont pas autorisés.

Exercises 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. The Supremacy Clause...
2. The first Article of the US Constitution...
3. Even if they are elected in November...
4. If a case is granted cert ...
5. Pursuant to McCulloch v. Maryland...

II. Choose ONE of the following topics and write an essay in approximately 250 words (+/- 10%). (50 points)

1/ Does the American electoral system reflect the popular vote?

2/ To what extent is federalism adapted to the United States?

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 DO NOT QUOTE DIRECTLY FROM THE TEXT.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)

Donald Trump calls for Senate checks and balances to be scrapped for second time in 24 hours

US President says current rules are making Republicans 'look like fools'

Ben Kentish @BenKentish , *The Independent*, Saturday 29 July 2017 14:25 BST

Donald Trump has called for a change in Senate rules to remove key checks and balances - the second time in less than 24 hours that he has made the demand.

The US President called for an end to a longstanding rule that requires at least 60 of the 100 senators to vote down attempts to block legislation being passed, saying only a simple majority should be needed.

He claimed the current checks and balances are making the Republicans "look like fools" and called on the party's Senate leader, Mitch McConnell, to scrap the "outdated" rule.

He wrote on Twitter: *"Republican Senate must get rid of 60 vote NOW! It is killing the R Party, allows 8 Dems to control country. 200 Bills sit in Senate. A JOKE!*

"The very outdated filibuster rule must go. Budget reconciliation is killing R's in Senate. Mitch M, go to 51 Votes NOW and WIN. IT'S TIME!

"Republicans in the Senate will NEVER win if they don't go to a 51 vote majority NOW. They look like fools and are just wasting time.

"8 Dems totally control the U.S. Senate. Many great Republican bills will never pass, like Kate's Law and complete Healthcare. Get smart!"

"If the Senate Democrats ever got the chance, they would switch to a 51 majority vote in first minute. They are laughing at R's. MAKE CHANGE!"

The latest series of tweets came less than a day after Mr. Trump said the Senate "must immediately go to a 51 vote majority, not senseless 60".

"Even though parts of healthcare could pass at 51, some really good things need 60. So many great future bills & budgets need 60 votes," he tweeted.

Mr. Trump's demands come after the Senate voted against his plans to repeal the Affordable Care Act – widely known as Obamacare.

Republican attempts to repeal the policy, which expanded health insurance to millions more Americans, have repeatedly been blocked.

Senators rejected the latest repeal bill by 51 to 49 in the early hours of Friday morning after three Republicans, including former presidential candidate John McCain, voted against the proposals.

The Republican leadership had been trying to pass the bill by using the budget reconciliation process, which allows legislation to pass with a simple majority if it meets certain requirements, including reducing the budget deficit.

Most other bills can be filibustered - when debate is extended with the aim of blocking legislation - and, since 1975, 60 votes have been needed to end a filibuster, leaving the current Republican leadership short of the numbers it needs to pass key legislation.

Mr. Trump has previously called the Senate's system of checks and balances "archaic" and "a really bad thing for the country".

QUESTIONS

1. What constitutional characteristic was Trump contesting on Twitter? Why?
2. What was the political context of these tweets?
3. Did only the Democrats block Trump's proposed legislation?