PROCEDURE D’ADMISSION
EN PREMIERE ANNEE,
FILIERE FRANCO-BRITANNIQUE

EPREUVE D’ANGLAIS

JEUDI 18 AVRIL 2013
11h30 à 13h00
(1 heure 30 - coefficient 3)

Sujet :

Ce sujet est composé de 7 pages.

Il est demandé aux candidats de répondre directement sur leur copie en indiquant clairement les numéros des exercices.

[Aucun document autorisé]
1. FOR months, years even, Alex Salmond, Scotland’s first minister and leader of the Scottish National Party (SNP) had given assurances that if and when Scotland broke away from the rest of the United Kingdom it would still remain part of the European Union. Without such a guarantee he knew he would be unlikely ever to win sufficient backing to realise his dream of a sovereign country north of the English border. Asked in a BBC interview last March whether his government had sought its law officers’ advice on this vital issue, he replied, seemingly
unequivocally: “We have, yes.” Now it appears that no such advice had ever been sought and, indeed, that there is nothing automatic or clear about an independent Scotland’s future relationship with the EU.

2. Mr Salmond’s deputy, Nicola Sturgeon, let the cat out of the bag when she admitted on October 23rd that the government had only just sought “specific legal advice” from its law officers on the issue. Hitherto, it had simply been citing “opinions from a number of eminent legal authorities…in support of its view that an independent Scotland will continue in membership of the EU”. Hardly the same thing. Scottish MPs, including some SNP ones, erupted in angry disbelief. Mr Salmond, who insists that his reply to the BBC was truncated and therefore misinterpreted, has promised an investigation. But he has lost a lot of trust.

3. No one knows for certain what the constitutional and legal implications of Scotland’s bid for independence will be—for Scotland or, indeed, the rest of the UK. The break-up of an existing EU member state is unprecedented. The EU’s charter and international law in general are silent on the matter. Unofficial legal opinions abound, but most are couched in such cautionary terms as “it is likely that” or “fairness and common sense dictate that”.

4. Some suggest that the break-up would lead to the creation of two entirely new states, both of which would have to renegotiate their membership of international organisations. Others argue that, on the contrary, both Scotland and a British rump would become “successor states”, entitled to automatic continuing membership of all those bodies to which the UK currently belongs. But most believe that, after any divorce, the UK would continue to exist as before, with only Scotland as a new state.

5. Precedent outside the EU seems to support this last view. When the Irish Free State (later Ireland) was set up in 1922, for example, no one doubted that the UK continued to exist. After the Soviet Union split up in 1991, few questioned the smaller Russian Federation’s claim to be its legitimate successor, along with its right to a permanent seat on the UN Security Council. Even the separation of Pakistan and India following independence in 1947 was regarded as creating only one new state (Pakistan). The same view was taken after Eritrea separated from Ethiopia in 1993, and when South Sudan split from Sudan in 2011.

6. Only the dissolution of Czechoslovakia, leading to the creation of the two “successor” states of the Czech Republic and Slovakia in 1993, seems to point in the opposite direction. But that was an amicable divorce, agreed to by both sides. Among the factors generally used to determine whether a state, shorn of a territory, continues to exist are whether it has kept the seat of central government along with most of its territory, population, armed forces and resources. On that basis, the UK, with its 63m inhabitants, should have little to worry about if Scotland, with just 5m, does decide to leave. A referendum is to be held in Scotland before the end of 2014.

7. But Scotland’s own position remains unclear. Given the political sensitivity of the issue at a time when other European regions, notably Spain’s Catalonia, are pressing for their own independence, the EU is loth to speculate about an independent Scotland’s position. The European Commission’s head, José Manuel Barroso, has said that a new state “has to apply…like any other state”, while Spain’s foreign minister insists that Scotland would have to “join the queue”, undergoing the same screening process and consensus vote by existing members as any other candidate—implying a possible Spanish veto.
8. Though most constitutional lawyers agree that Scotland would have to apply afresh to join any international organisation—be it NATO, the UN or the EU—many believe that its candidacy would be fast-tracked by the European Commission, with a heavily EU-dependent Spain ultimately unlikely to oppose it. But the whole process could still take at least two to four years, albeit with possible transitional arrangements for essential matters like the free movement of people and goods. In the end, the political will of EU member states is likely to count for more than what the law does, or does not, say.

Note: the man represented in the illustration is Alex Salmond
Scotland: Britain's real referendum
Bit by bit the arguments and terrain for the 2014 referendum vote are taking sharper shape

Editorial
The Guardian, Monday 11 February 2013

1. It is about time that British politics got real about the referendum. Not the hypothetical referendum on the European Union that may or not take place in five years, depending on the outcome of the 2015 general election. Instead, the real referendum that should be concentrating political minds throughout Britain is the one that will definitely take place next year, irrespective of any election, to settle whether Scotland remains part of the United Kingdom or breaks away from it.

2. Bit by bit the arguments and terrain for the 2014 referendum vote are taking sharper shape. (…)

3. Though there is lots going on, it is all taking place in a difficult political climate for Alex Salmond’s Scottish government and the SNP. The SNP’s electoral triumph in Scotland in 2011 has proved to be a double-edged claymore. On the one hand SNP success gave the independence cause the greatest opportunity of its lifetime, that of putting Scotland’s national future to the vote. On the other, it compelled the SNP to fight a set-piece political battle about the single issue of independence, which the opinion polls consistently show is not supported by most Scots. Over the past year, the SNP has struggled to translate its dominance of Scottish party politics into an equivalent momentum on the independence issue. By and large, the polls on Scotland’s future have not shifted. In spite of all Mr Salmond’s efforts, he looks at the moment to be leading his clans to defeat.

4. This could change, particularly if Scots begin to feel that Labour is faltering and Mr Cameron is heading for a second term in 2015. The important point to grasp, however, is that everything that happens in UK politics at the moment has some potential to shape the dynamics of the independence battle in Scotland. Party leaders need to factor this into their actions and statements more than they do. The EU is an example. Mr Cameron promises an in-out referendum in 2017-18. But what if Scots, who like the EU, become fearful that Little England voters will sweep them out of Europe against their will? That’s certainly what the SNP will try to claim. It is doubtful whether Mr Cameron has thought about this. He and all other UK party leaders need to be much more attentive to the Scottish dimension. That will remain the case, whatever the result in autumn 2014.

5. At the moment, Mr Salmond is playing defence, not attack, over Europe. Last year he was badly damaged by appearing shifty over whether an independent Scotland could seamlessly acquire membership of the EU and other international bodies, as the SNP claimed it could. The legal advice published by the UK government is emphatic that Scotland could not, that it would have to negotiate that status afresh, while the rest of the UK inherited the existing membership. If that advice is sound, it is another big setback for Mr Salmond’s already faltering cause.
6. The outcome in 2014 is not a done deal. It would be extremely foolish to assume that the result is beyond doubt. Right now, the momentum is with the opponents of independence, while the SNP struggles to fire a mood that independence is both desirable and irresistible. But there is a long way to go and every day is a skirmish in the larger contest.

(...)

**Glossary**

*Claymore*: large sword formerly used by Scottish Highlanders

**I. SYNONYMS/3 points**

Find words or phrases (i.e. groups of words) matching the following definitions, which appear in the same order as in the text.

(Verbs are given in the infinitive, even if they appear in a different form in the text)

**Doc 1**

1. To reveal a secret unintentionally
2. To express, to phrase
3. The remnant (i.e. what remains) of a larger entity, after an amputation or a break-up
4. Reluctant, unwilling
5. To test or check (somebody or something)
6. To deal with as a priority

**Doc 2**

7. To lose strength, to weaken
8. The ability to keep increasing and developing (here to gain more support)
9. Evasive, duplicitous
10. Easily, without problems or interruption
11. Something that causes problems or delays
12. A brief clash or dispute
II. READING COMPREHENSION/ 8 points

Read the articles and answer the following question (Use your own words as much as possible, mentioning the relevant paragraph, e.g. Doc. 1, par. N)

1. Two referendums are mentioned in these documents. What are their respective objects? Only one is certain to take place. When will it be held? What do we know about the second one (timing and preconditions)?

2. What has dented Alex Salmond’s credibility?

3. Which EU country could be hostile to a Scottish membership? Why? Is it a serious possibility, according to the article? Why or why not?

4. In what way could the prospect of the second referendum interfere with the first one?

III ESSAY/ 9 points

Suggested length: 300-400 words

“In the end, the political will of EU member states is likely to count for more than what the law does, or does not, say.” (End of document 1)

As suggested in this quotation, it is sometimes argued that member states (through their governments) are too powerful in the running of the European Union. Discuss.