

VESTIBULAR 2011

1ª Fase

INGLÊS

Instruções Gerais:

- Hoje você deverá elaborar uma **Redação** e responder às questões de **Língua Portuguesa** e de **Inglês**.
- Você terá **4 horas** para realizar as três provas.
- O verso das páginas poderá ser utilizado para rascunho. **Os rascunhos não serão considerados** para efeito de correção.
- As respostas das questões, bem como a **Redação**, deverão ser redigidas nos espaços destinados a elas, com letra legível e, obrigatoriamente, com **caneta azul ou preta**.
- Não se esqueça de **assinar as tarjetas das capas de todos os cadernos da prova**, no local indicado.
- Não se identifique em nenhuma das folhas do corpo da prova, pois isso implicará risco de anulação.

Instruções para a prova de Inglês:

A prova de **Inglês** é composta por três questões e vale 10 pontos no total, assim distribuídos:

Questão 1 – 3 pontos

Questão 2 – 3 pontos

Questão 3 – 4 pontos

Não se esqueça: todas as questões devem ser respondidas **em inglês**.

Estará automaticamente eliminado do processo seletivo o candidato que obtiver **nota bruta inferior a 3,0** na prova de **Inglês**.

This passage is from an article about the situation of terrorism suspects. Read the text and answer the questions below. You are advised to read the questions carefully, giving answers that are of direct relevance and written in English. You may use American English or British English, but you must be consistent.

America's Non-Compliance

By Gareth Peirce

During the first months of this year, the embers of a long running legal controversy have reignited in the United States. 'Of all the issues,' Rahm Emanuel [White House Chief of staff] was told by the senior Republican senator for South Carolina, Lindsey Graham, 'this is the one that could bring the presidency down.' The 'issue' is whether and where to try several dozen Guantánamo prisoners, in particular Khalid Sheikh Mohammed and four others accused of the 9/11 conspiracy. Should they be tried in a military commission or in a federal court? Bush administration lawyers say the obvious solution is not bothering to try them at all, while Senator Graham's view is that it is inappropriate to hold civilian criminal trials for persons suspected of involvement in terrorism.

Late last year, Obama's administration decided that Khalid Sheikh Mohammed and the others would be tried in the New York federal district court in Manhattan; six would face military commissions in a place yet to be decided; and 48 others (the number is undoubtedly higher) would be held indefinitely without charge. Obama had asked the US attorney general, Eric Holder, to make the decision 'in an effort to maintain an independent Justice Department', but is now reported to be centrally involved himself, recognising that his administration had miscalculated the political fallout. Graham has been trying to reach a deal with the White House over the attorney general's head, trading Republican support for the closing of Guantánamo in exchange for a military trial for Khalid Sheikh Mohammed. At stake is not just whether the man known as KSM and his co-conspirators receive a civilian court trial, but the legal fate of all terrorism suspects, the future of the Guantánamo Bay detention facility and the credibility of the US attorney general. This is dangerous ground for politicians and for lawyers.

The debate, portrayed as a battle between constitutionalists, who argue for jury trials, and hardliners, who want no such thing for men accused of terrorism, exposes serious shortcomings in the protections that constitutionalists contend would be in force if 'civilian justice' were achieved for these suspects. For a start, the determined political involvement in court proceedings undermines any claim to a clear separation between the judicial and executive branches of state in the US.

This battle has broken out just as decisions are about to be made in the European Court of Human Rights in Strasbourg on the extradition of a number of men whose cases led a court in London six years ago to state that no suspect should ever be extradited to the US if there were any risk that he might face trials of the sort that are now being argued for. Military commissions are not the only issue: many of America's basic criminal justice practices – how and where it tries those accused of crimes, how it obtains evidence, how it prosecutes and treats its prisoners – have, since 2004, been exposed to investigation, first by courts in London and then in Strasbourg. The scrutiny has been made necessary because the US wants to try a number of men, almost all of them British, but their extraditions from the UK have been frozen while the courts determine whether there is a serious risk that sending them to the US would be to deliver them up to flagrantly unfair trials, severe and prohibited ill-treatment, or the death penalty.

(This question tests your understanding of the text, as well as your ability to identify and paraphrase the relevant pieces of information.)

Question 1

The first paragraph of the passage highlights a legal controversy, also called the “issue.” In your own words, what is this legal controversy? What caused it and what are its important aspects? How has President Obama’s administration chosen to deal with this controversy? What problems might be inherent in this choice?

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

(This question tests your ability to express yourself in a manner that is clear, precise, and relevant. You should write about 100 words.)

Question 2

Identify and discuss the potential conflict between the US government and the European Court of Human Rights. Keeping in mind that the European Union – and especially the United Kingdom – are allies of the United States, should the European Court rule in favor of extradition or not? Give reasons to support your point of view.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

(This question tests your ability to construct a balanced, considered, and fluent argument in the form of a short composition. The quote below, which describes the effects of solitary confinement, was taken from a US Supreme Court decision handed down in 1890. Read the quote and answer the question below. You should write about 120 words.)

"A considerable number of the prisoners fell, even after a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others, still, committed suicide."

Question 3

It is self evident that terrorist attacks, whether religiously or politically motivated, kill innocent people. Taking into account the historical, cultural, and social forces at work, can you imagine a situation that would justify suspending constitutional guarantees for suspected terrorists? You may base your argument in Brazil or in any other relevant country. In expressing your opinion, use evidence and examples to support your line of reasoning.

[illegible]