



General Certificate of Education

Government and Politics
1151/2151

GOVP2 Governing Modern Britain

Mark Scheme

2009 examination - January series

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AS GOVERNMENT AND POLITICS

GENERIC MARK SCHEME for part (a) questions (Total: 5 marks)

Knowledge and Understanding: Recall, Select & Deploy
AO1
<p>Level 4 (5 marks) The candidate successfully demonstrates excellent knowledge and understanding of political data, concept(s) or term(s). Where appropriate, the candidate is able to illustrate his/her answer with relevant evidence/example(s).</p>
<p>Level 3 (4 marks) The candidate successfully demonstrates good knowledge and understanding of political data, concept(s) or term(s). Where appropriate, the candidate is able to illustrate his/her answer with relevant evidence/example(s).</p>
<p>Levels 2 (2–3 marks) The candidate demonstrates limited knowledge and understanding of political data, concept(s) or term(s). The candidate may illustrate his/her answer with evidence/example(s) of limited relevance.</p>
<p>Level 1 (1 mark) The candidate demonstrates little knowledge and understanding of political data, concept(s) or term(s). The candidate may illustrate his/her answer with evidence/example(s) of little relevance.</p>
<p>0 marks No relevant response.</p>

AS GOVERNMENT AND POLITICS

GENERIC MARK SCHEME for part (b) questions (Total: 10 marks)

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 4 (4 marks) The candidate demonstrates an excellent knowledge and understanding of political concepts/theories/institutions and processes.</p> <p>The candidate deploys relevant knowledge and understanding to fully address the requirements of the question and produces accurate and/or relevant examples to illustrate points made.</p>	<p>Level 4 (4 marks) The candidate applies an excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p>Levels 3–4 (2 marks) The candidate communicates clearly and effectively, in a structured and sustained manner, making excellent or good use of appropriate political vocabulary.</p> <p>There are few, if any, errors of spelling, punctuation and grammar and the response should be legible.</p> <p>The answer has a clear sense of direction, is focused on the question and, where appropriate, has a conclusion which flows from the discussion.</p>
<p>Level 3 (3 marks) The candidate demonstrates good knowledge and understanding of political concepts/theories/institutions and processes.</p> <p>The candidate addresses the requirements of the question and produces examples and/or evidence to illustrate points made.</p>	<p>Level 3 (3 marks) The candidate applies a good range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	
<p>Level 2 (2 mark) The candidate demonstrates limited knowledge and understanding of political concepts/theories/institutions and processes.</p> <p>The candidate makes a limited attempt to address the requirements of the question and produces few or inaccurate examples and/or limited evidence to illustrate points made.</p>	<p>Level 2 (2 mark) The candidate applies a limited range of concepts and makes limited use of political theory or ideas in developing an explanation or argument.</p>	<p>Levels 1–2 (1 mark) The candidate communicates explanations or arguments with limited clarity and effectiveness using limited political vocabulary. The answer may lack either a clear focus on the question or a sense of direction. There are frequent errors of spelling, punctuation and grammar and legibility may be a problem. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.</p>

GENERIC MARK SCHEME for part (b) questions (continued)

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 1 (1 mark) The candidate demonstrates little knowledge and understanding of political concepts/theories/institutions and processes. The candidate makes little attempt to address the requirements of the question and produces few examples and/or little evidence to illustrate points made.</p>	<p>Level 1 (1 mark) The candidate applies few concepts and makes little use of political theory or ideas in developing an explanation or argument.</p>	
<p>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>

AS GOVERNMENT AND POLITICS

GENERIC MARK SCHEME for part (c) questions (Total: 25 marks)

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 4 (10 –11 marks) The candidate successfully demonstrates accurate knowledge and understanding of political concepts/theories/institutions and processes and the relationship between them, producing an answer that deploys relevant knowledge and understanding to address the requirements of the question and that demonstrates significant contextual awareness.</p> <p>The candidate's answer includes relevant evidence and/or examples to substantiate and illustrate points made.</p>	<p>Level 4 (7 – 8 marks) The candidate evaluates political institutions, processes and behaviour, applying appropriate concepts and theories.</p> <p>The candidate provides analysis which displays sound awareness of differing viewpoints and a clear recognition of issues. Parallels and connections are identified, together with valid and precise comparisons. The answer includes relevant and convincing interpretations or explanations.</p>	<p>Level 4 (5 – 6 marks) The candidate communicates clear, structured and sustained arguments and explanations making excellent use of appropriate political vocabulary. The response should be legible with few, if any, errors of spelling, punctuation and grammar. The candidate produces answers with a clear sense of direction leading towards a coherent conclusion.</p>
<p>Level 3 (7 – 9 marks) The candidate demonstrates generally accurate knowledge and understanding of political concepts/theories/institutions and processes and the relationship between them, producing an answer that addresses the requirements of the question and demonstrates adequate contextual awareness.</p> <p>The answer provides evidence backed up by clear examples to illustrate points made.</p>	<p>Level 3 (5 – 6 marks) The candidate evaluates political institutions, processes and behaviour, applying some concepts or theories.</p> <p>The candidate provides clear arguments and explanations and demonstrates awareness of differing viewpoints and recognition of issues. Parallels and connections are identified, together with some sound comparison.</p>	<p>Level 3 (3 – 4 marks) The candidate communicates arguments and explanations making good use of appropriate political vocabulary. The response should be legible but there may be occasional errors of spelling, punctuation and grammar. A conclusion is linked to the preceding discussion.</p>

GENERIC MARK SCHEME for part (c) questions (continued)

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 2 (4 – 6 marks) The candidate demonstrates basic knowledge and understanding of political concepts/theories/institutions and processes and some awareness of the relationship between them. He/she makes a limited attempt to address the requirements of the question.</p> <p>The candidate may demonstrate contextual awareness covering part of the question, and may produce limited evidence and/or few examples.</p>	<p>Level 2 (3 – 4 marks) The candidate offers a simplistic evaluation of political institutions, processes and behaviour and begins to construct arguments which contain basic explanation.</p> <p>The candidate shows some awareness of differing viewpoints. There is recognition of basic parallels or limited comparisons.</p>	<p>Level 2 (2 marks) The candidate attempts to develop an argument using basic political vocabulary. There are frequent errors of spelling, punctuation and grammar and legibility may be a problem. Where a conclusion is offered, its relationship to the preceding discussion may be modest or implicit.</p>
<p>Level 1 (1 – 3 marks) The candidate demonstrates slight and/or incomplete knowledge and understanding of political concepts/theories/institutions and processes and limited awareness of the relationship between them.</p> <p>The candidate makes a very limited attempt to address the requirements of the question. Only superficial awareness of the context of the question is evident and the few examples cited are often inaccurately reported or inappropriately used.</p>	<p>Level 1 (1 – 2 marks) The candidate makes a partial attempt to evaluate political institutions, processes and behaviour. Arguments offered are superficial or simplistic. There is very limited awareness of parallels or comparisons.</p>	<p>Level 1 (1 mark) The answer relies upon narrative which is not fully coherent and which is expressed without using political vocabulary. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible. A conclusion is either not offered or it is not related to the preceding material.</p>
<p>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>

1

Total for this question: (40 marks)

(a) Explain the term *flexible constitution* used in the extract. (5 marks)

The extract provides useful contextual material. Candidates are likely to respond in terms of *flexible* being a recognised term in political science vocabulary indicating that a constitution is easy to amend or similar. Lower level responses are likely to do little more than draw from the extract and possibly also outline contrasts with written/codified entrenched constitutions.

Better candidates should provide information about the processes involved in amending the British Constitution (eg statute, convention) and are likely to point to 'constitutional' changes (eg European treaties, devolution, Human Rights Act) which, in practice, are likely to be difficult to change, even though Parliament may theoretically possess the necessary legal powers. Relevant examples illustrating flexibility or challenges to it should be rewarded at all levels, as should contrasts with rigid/entrenched constitutions and explanations relating to the advantages/disadvantages of flexibility, etc. Reward also contrast with other constitutions (eg USA) although full marks possible without this.

(b) Using your own knowledge as well as the extract, explain why the Human Rights Act (HRA) may draw judges 'into the political fray'. (10 marks)

The extract explains that judges can issue a declaration of incompatibility when statute conflicts with the Human Rights Act. To this, for AO1, candidates should add explanation from own knowledge that this enables judges to determine the validity of legislation and decisions of Parliament, devolved assemblies, local authorities etc that might infringe HRA thereby giving judges a 'say' in determining law/policy; hence giving judges a 'political role'. Reward examples of judicial decisions based on interpretation of HRA.

For AO2 there is scope for candidates to explain the implications of these developments for parliamentary sovereignty, accountability and the wider democratic process. Question requires explanation only, so analysis of advantages/disadvantages of this 'political' role of judges, analysis of and other implications – eg significance of judicial independence; should be rewarded on their merits but full marks possible without this. Reward at all levels contrasts with other political systems such as USA. Answers achieving higher levels with AO3 will be communicated clearly using appropriate political vocabulary (eg codified, entrenched).

(c) Discuss the view that the UK does not need a codified written constitution. (25 marks)

For AO1 the stimulus provides information relating to the flexibility of the British constitution, the supremacy of parliamentary statute and the ability of the courts to issue a declaration of incompatibility where statutes conflict with the HRA. From own knowledge candidates should demonstrate knowledge and understanding of the main sources both written (eg statute, case law) and unwritten (conventions) of the British constitution. Better candidates should be able to illustrate their answer with examples of these sources. Reward appropriate material about other constitutions (eg USA) but there is no expectation that comparative material should be detailed or substantial.

With AO2 candidates should discuss 'does not need'. Possible to argue in support of contention (eg recent developments like HRA now protect basic rights, unmodified allows flexibility, courts would have too much power) or against (courts cannot strike down Act of Parliament, rights cannot be entrenched without codified constitution, codification offers clarity) or both. Accept arguments that examine non-constitutional considerations (eg British political culture sufficient/insufficient protection). Arguments suggesting other obstacles to codification eg what to include, disagreement about provisions, necessity of a supreme court, should be rewarded but main focus should be on 'does not need' for highest level. Better candidates are likely to distinguish between 'written' – which applies to many of the sources of the British constitution – and 'codified' – which does not. Reward relevant up to date examples eg do/do not need constitution because of ease of adaptation to EU. As with AO1 reward relevant comparative material but there is no expectation that this should be extensive or detailed.

With AO3 particular credit will be given to answers with a coherent structure and appropriate use of political vocabulary.

2

Total for this question: (40 marks)

(a) Explain the term *parliamentary sovereignty* used in the extract. (5 marks)

The extract provides useful contextual material. At lower levels candidates are likely to explain that the term *parliamentary sovereignty* refers to the constitutionally unlimited supreme power of the Westminster Parliament and/or that statute overrides decisions of all public bodies in UK etc. At higher levels candidates are likely to develop their explanation by giving other relevant information eg judges/courts/monarch can't set Parliament's laws aside; Parliament can revoke powers of devolved assemblies, limitations in practice due to EU law; true political sovereignty lies with electorate etc. Answer only requires explanation of term so while analysis (eg factors underlying weakening of parliamentary sovereignty in practice) should be rewarded as appropriate, full marks are possible without this.

(b) Using your own knowledge as well as the extract, identify reasons why the House of Lords might be considered undemocratic. (10 marks)

At minimum candidates are likely to explain that the House of Lords is not elected and is, therefore, undemocratic. However, the question asks for *reasons*, so more than one should be offered for higher level marks. Possible additional reasons are unaccountable, unrepresentative, party composition don't always reflect majority in the House of Commons etc.

Better candidates might be expected to illustrate their answer with other relevant information; for example, details of the membership and composition of House; role of Prime Minister and others in nominating members; reform proposals etc. Accept and reward answers which challenge the contention in the question (eg House of Lords allows better representation of some minorities, less likely to be influenced by parties/whips, check on House of Commons) but question only requires *identify reasons why* so full marks possible without this. Treat similarly discussion about advantages/disadvantages of House of Lords as constituted; merits/demerits of different reform proposals; usefulness or otherwise of House of Lords within the political system etc. Answers obtaining higher levels at AO2 should be focused firmly on *identification of reasons*, and at AO3 should be communicated using appropriate vocabulary (eg bicameral, unaccountable).

(c) 'The House of Commons performs many roles, none of them very effectively.'
Discuss. (25 marks)

For AO1 from extract House of Commons extracts information from government, responds to pressures from ballot box or lobbying. However, considerable scope exists for demonstrating own knowledge of 'many roles.' This might include key functions (legislation, scrutiny, financial etc) and roles such as representation, maintaining government in office, providing platform for Opposition, forum for national debate etc. Better candidates might distinguish between roles of different actors within the House of Commons (Ministers, Opposition, backbenchers) and also different bodies (eg select committees). Reward accurate knowledge of ways in which 'Commons performs its roles (eg PM's questions) and

relevant examples illustrating (in)effectiveness (eg successful backbench campaigns, government defeats etc).

For AO2 scope to support both the contention in the stimulus (eg House of Commons lacks time to consider legislation in detail; whips/party discipline inhibit challenge to government;) and/or oppose/qualify (House of Commons can expose weak governments/ministers; can provide platform for Opposition parties; governments might be immune from defeat but still be embarrassed by Commons proceedings, might effectively control House but lose minor amendments, might sustain majorities but PM/government still under pressure etc). For higher levels with AO2, however, candidates are likely to offer specific analysis of factors affecting 'very effectively' (eg governing party normally has majority; strength of party discipline, limited powers of backbench MPs and Opposition etc) and associated variables (eg size of majority, public opinion, constituency pressures etc). Question is about House of Commons but relevant to point out that (in)effectiveness of 'Commons' might be counterbalanced by other influences eg legislative scrutiny in 'Lords', media, pressure groups etc. With AO3 particular credit will be given to answers with a coherent structure and appropriate use of political vocabulary.

3

Total for this question: (40 marks)

(a) Explain the term *core executive* used in the passage. (5 marks)

The passage gives useful contextual material and weaker candidates may do little more than identify ministers, civil servants etc – or make references to ‘the centre of government’, ‘the heart of government’ etc – in attempting to explain the term. Accept also at this level references to ‘the Cabinet system’ and ‘Cabinet government’ etc. However, for middle range marks and above there should be some reference to other specific actors (eg Prime Minister, Cabinet Secretary) and specific institutions (eg Cabinet, cabinet committees, Cabinet Office, government departments). For full marks there should be a recognition that the ‘core executive’ is a term that goes beyond specific institutions and actors and refers to the collectivity of organisations and actors within the central executive territory. Some answers might explain that the core executive also includes reference to procedures, working practices and networks etc and also stress the significance of coordination mechanisms, but full marks are possible without this.

(b) Using your own knowledge as well as the passage, explain why ministers might feel that special advisers are more likely to support government policies than the permanent civil service. (10 marks)

The passage explains that special advisers are outsiders handpicked by ministers whereas permanent civil servants may have worked with previous governments and lower level answers may do little more than repeat this. Better candidates, however, should be able to offer material from their own knowledge (eg examples of special advisers such as Alistair Campbell, typical duties performed by these etc).

For AO2 there should be a clear attempt to explain why *ministers* are more likely to feel that *special advisers are more likely to support government policies than the permanent civil service*. Possible explanations are that special advisers usually come from backgrounds (eg party workers, sympathetic journalists) which are more likely to make them supportive of government policy than politically neutral civil servants, special advisers are likely to be in touch with key party actors, special advisers can focus on political objectives etc.

Discussion about pros/cons of special advisers is relevant, but for levels 3 and 4 there should be a clear focus on the specific question. With AO3 answers should be communicated using appropriate political vocabulary (eg bureaucracy).

(c) Analyse the relative influence of civil servants and ministers within government departments. (25 marks)

For AO1 candidates should demonstrate contextual knowledge and understanding of roles of ministers and civil servants within government departments. Answers are likely to stress the formal policy making role of ministers and the advisory and implementational and (increasingly) managerial role of civil servants, and to contrast this with actual roles in practice. Candidates are likely to highlight resources available to both civil servants and ministers (eg for civil servants resources such as expertise, experience, numbers, control of information and implementation, Whitehall networks etc and for ministers ultimate authority,

democratic legitimacy, political networks etc). 'Government departments' is a discriminator and should be addressed specifically for higher AO1 marks. In this respect reward, for example, accurate knowledge of ministerial and civil service hierarchies and relationships within government departments. Reward also for AO1 accurate knowledge of policy examples. Special advisers might also be referred to in the light of references in the passage, so accept accurate discussion of these.

For AO2 candidates should analyse the influence of ministers and civil servants, but for higher AO2 marks the focus should be clearly upon the *relative influence* of these two groups. There is scope for a number of approaches: for example, it is possible to argue that either civil servants or ministers are dominant, or that both have more or less equal powers. Higher level answers at AO2 will probably argue that the precise balance depends on factors such as circumstances, personalities and the policies concerned. Reward at all levels analysis in terms of relationships within government departments (eg tendency of civil servants to 'protect' their department's interests if threatened by 'their' minister or by ministers/civil servants in other departments). Reward also analysis in terms of theoretical models of civil service/ministerial relationship (eg Theakston's).

With AO3 particular credit will be given to answers with a coherent structure and appropriate use of political vocabulary.

4

Total for this question: (40 marks)

(a) Explain the term *supranational* used in the extract.

(5 marks)

The extract contains useful contextual material as well as the European Commission as an example of a supranational institution. At the lowest levels answers are likely to do little more than repeat this, probably with explanations such as 'countries working closely together' or similar.

At higher levels answers should develop explanations involving recognition that 'supranational' involves individual countries ceding some national sovereignty to a higher authority and/or that in the context of the question this means that decisions (directives, regulation etc) made by the EU override those made by national governments in the event of conflict. Better candidates might also develop answers which include explanations of the implications of supranationalism for parliamentary sovereignty.

(b) Using your own knowledge as well as the extract, explain why the use of Qualified Majority Voting (QMV) in the Council of Ministers is criticised.

(10 marks)

The extract explains that Qualified Majority Voting reduces the ability of one or two member states to obstruct majority views. For AO1 candidates should explain Qualified Majority Voting (eg in specified policy areas only a weighted majority is necessary to reach a decision). Where appropriate, reward accurate detail (eg each country is given a specified number of votes based on population size).

For AO2 *is criticised* will normally focus around the main area of criticism ie that individual countries, even the most populous, no longer have a veto. Better candidates might also mention the implications of this for national sovereignty as well as other criticisms (eg complexity; large countries more votes than others, QMV not used in all policy areas). Reward appropriate discussion of advantages of QMV (eg prevents deadlock through opposition of small minority of states) but full marks possible without this.

With AO3 answers should be communicated clearly using appropriate political vocabulary (eg member states, veto, sovereignty).

(c) 'Power within the European Union rests with non-elected bureaucrats.' Discuss.

(25 marks)

For AO1 extract explains that Commission is frequently seen as EU's civil service. Most candidates are, therefore, likely to identify the mention of *non-elected bureaucrats* as a reference to the Commission although credit will be given for answers dealing with other unelected personnel within the EU. At minimum, therefore, candidates should demonstrate knowledge and understanding of composition (eg individual commissioners appointed by national governments) and main powers of European Commission (eg initiates legislation and regulations, drafts budget, administers laws and policies). Other features of Commission (eg supranational focus, directorates, names of individual Commissioners etc) are relevant and should be rewarded. For higher marks, however, this should be

accompanied by relevant information about the main powers and composition of other EU institutions (esp Council, Council of Ministers, European Parliament etc). Knowledge and understanding of other EU bodies composed of non-elected bureaucrats (eg COREPER) should be rewarded although full marks are possible without this.

With AO2 also most candidates are likely to relate *non-elected bureaucrats* to the European Commission. Such an approach will, therefore, require some evaluation of powers, etc of Commission, which for middle ranges and above will normally be accompanied by evaluation of the main powers of the Commission relative to other key EU institutions. Possible to argue that Commission does hold power (eg Commission initiates and implements legislation), or that they do not (eg final legislative decisions left to ministers in Council of Ministers), or that power is shared (for example with MEPs who play an increasing role following co-decision, can remove Commission, or with heads of governments who shape key policy in European Council, etc). However, for higher levels at AO2 candidates will probably consider whether the term *non-elected bureaucrats* accurately describes the Commission (ie non-elected bureaucrats are the main workforce but does the term accurately describe the Commissioners themselves – who may be ex-ministers from individual member states – and who direct the work of the Commission?). Better candidates might also develop discussion within the context of the debate about ‘democratic deficit’ within the EU, and also point to the influence of other non-elected actors (eg COREPER, UK civil servants) within the EU. Comparison/contrasts with UK institutions (eg power of civil service, executive dominance at Westminster) as well as analysis of changes over time should be rewarded at all levels.

With AO3 particular credit will be given to answers with a coherent structure and appropriate use of political vocabulary.

ASSESSMENT OBJECTIVE GRID

AS Assessment Objective	Marks allocated by Assessment Objective Part (a) question	Marks allocated by Assessment Objective Part (b) Question	Marks allocated by Assessment Objective Part (c) question	Total Marks by Assessment Objective
AO1	5	4	11	20
AO2	0	4	8	12
AO3	0	2	6	8
Total	5	10	25	40