



**General Certificate of Education**

**Government and Politics 2150**

**GOVP2      Governing Modern Britain**

**Report on the Examination**

*2009 examination – June series*

**This Report on the Examination uses the [new numbering system](#)**

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## **General**

This was the first summer examination of this unit and it is satisfying to report that candidates generally appear to have been well prepared.

The papers elicited a full range of responses, with marks awarded throughout the range and it was pleasing to note how few scripts were in Level 1. Candidates appeared to have no problems in coping with the format of the paper and there were few rubric infringements. There was some tendency for 10-mark questions to be given more attention than they merited, with the result that the 25-mark responses often lacked range and depth. However, apart from this there did not appear to have been problems with time management.

## **GOVP2 – Governing Modern Britain**

### **Topic 1 The British Constitution**

This question, relating to an area that is wholly new to the AS specification, was one of the more popular questions on the paper.

#### **Question 01**

The question asked for an explanation of the term *judicial independence*. Most candidates found it accessible and many also made use of the extract. It was widely recognised that the term referred to the independence of the judiciary from other branches of government, and many answers included reference to the separation of powers in this context. Some also drew useful comparisons with other systems such as the USA. The main weaknesses, however, were twofold. First, some candidates focused their answers around judicial neutrality rather than judicial independence. Secondly, relatively few ventured to give information about specific features relevant to judicial independence in the UK, such as appointment and security of tenure. The exception to this was where candidates explained relevant changes emanating from the Constitutional Reform Act 2005, about which the best candidates were usually well informed.

#### **Question 02**

This question required an explanation of why the absence of a codified constitution in the UK has traditionally resulted in judges having a limited role in interpreting the constitution. Answers tended to be mixed in quality. The best were able to advance various reasons, such as the absence of an authoritative constitutional document to which judges could refer, the fact that many constitutional sources such as conventions and authoritative writings are not legally enforceable, and the doctrine of parliamentary sovereignty, which enables statute to overturn previous constitutional measures. Again, many candidates contrasted the situation in the UK with that in the USA. Many also pointed to new developments such as the Human Rights Act, which are increasing the role of judges. At the other extreme, however, a number of candidates made little attempt to answer the question, focusing instead on the advantages or otherwise of codified and/or flexible constitutions. The weakest often merely stated that the UK constitution was unwritten, or listed numerous constitutional sources without any explanation of how this might impact on the role of the judiciary in terms of constitutional interpretation.

**Question 03**

This question also produced a wide range of answers, although many candidates were able to identify recent constitutional developments that have led to an increasingly political role for judges. Foremost among these was the Human Rights Act, about which many candidates wrote knowledgeably, often giving accurate examples of key cases where judicial interpretation had come up against the legislative decisions and wishes of politicians. The best answers were also able to show the significance of these examples for concepts such as accountability and parliamentary sovereignty. Aspects such as judicial activism and judicial review were also sometimes examined in this context. Better answers, however, usually examined other constitutional reforms, notably those concerning EU law and other developments such as Freedom of Information legislation and, particularly, the Constitutional Reform Act 2005. The latter, with its implications for judicial appointments and removal of Law Lords to a new Supreme Court, was often given as evidence for challenging the contention in the question. At the other extreme were some candidates who were unable to identify any relevant constitutional developments and who offered a rather unfocused discussion about the judiciary, sometimes repeating the information already provided when answering the 10-mark question. Many weaker candidates confused the European Court on Human Rights with the European Court of Justice and appeared to think that the Human Rights Act was a result of UK membership of the European Union.

**Topic 2 Parliament****Question 04**

This question required explanation of the term *Prime Minister's Questions*. Most candidates were able to offer something of merit. At the lowest level this often consisted of little more than information from the extract about the opportunity provided for MPs to raise constituency concerns. Better answers, however, often gave additional relevant information: for example, about the tendency for exchanges between the Prime Minister and the leader of the opposition to dominate proceedings, about changes in timing introduced by Blair, and in some cases about specific questions asked by candidates' own MPs. The best explained the significance of PMQs: for example, that it was more an occasion for political theatre than a real instrument of accountability.

**Question 05**

This answer was less well done than might have been expected. While almost all candidates were able to write about 'the whip', probably only a minority focused specifically on why 'the threat of losing the whip will usually persuade MPs to toe the party line'. Thus many wrote about the role of the whips, the motivation for career MPs to toe the party line in the hope of promotion or patronage, and the significance of party discipline in the House of Commons. However, candidates did not access the higher mark ranges because they ignored the implications for an MP of losing the whip. Quite a number realised that losing the whip could have serious implications for a career politician but failed to explain what these repercussions might be. Relatively few considered the possibility of deselection or the need to fight the next election as an Independent. Some answers confused loss of the whip with ministerial resignations and wrongly cited ministers who resigned over Iraq as examples of losing the whip. There were, of course, some very good answers. Usually these included examples of MPs losing the whip, the most commonly cited being the 'whipless wonders' during John Major's premiership. Some also pointed out that loss of the whip could be a double-edged sword as it reduced the voting strength of the party concerned and, in some cases, could seriously threaten a government's majority.

**Question 06**

This question required discussion of the contention that 'Parliament's most important function is to scrutinise and challenge the government, not to maintain it in office until the next election'. While candidates generally appeared to be appropriately informed, and there were some very good answers, many failed to do themselves justice through lack of focus on the question. Many, for example, simply listed Parliament's functions. Others discussed the question in the abstract without offering any information about parliamentary procedures that might have demonstrated knowledge and understanding. The most common failing, however, was to write only about 'scrutinise and challenge'. Many producing such answers wrote knowledgeably about instruments of scrutiny such as parliamentary questions, select committees, votes of confidence, the role of the Opposition and the like, but failed even to mention, let alone discuss, the function of maintaining the government in office until the next election. Others, including those who did address both aspects of the question, often failed to achieve the highest marks by ignoring the House of Lords. The highest marks invariably went to those answers that dealt with both aspects of the question and included discussion of both Houses. The best often drew a distinction between scrutiny and challenge by the Opposition and 'maintaining in office' by members of the governing party. Similarly, a distinction was sometimes drawn between the House of Lords' emphasis on scrutiny and that of the House of Commons on maintaining the government in office.

**Topic 3 The Core Executive****Question 07**

This question, requiring an explanation of the term *civil servants*, appeared accessible to most who attempted it. Many offered simple definitions and wrote about characteristics such as anonymity, permanence and neutrality. The best often also drew attention to relationships with ministers and to the emergence of special advisers. While many referred to civil service influence on policy, relatively few drew attention to their policy implementation role. With weaker answers the main problem was misunderstanding about who precisely civil servants were, with 'the police', 'teachers', 'doctors', 'local government' and 'workers in the public sector' often being mentioned.

**Question 08**

This question attracted the whole range of answers in terms of quality. It required identification and explanation of *two* reasons why the Prime Minister's power to influence policy making is limited. One reason – that departmental ministers are relatively autonomous in policy making and that the Prime Minister's influence in such cases extended only to the power of veto – was contained in the extract and most candidates could at least re-work this to obtain some credit. Better candidates usually added to this by identifying and explaining other reasons, such as the Prime Minister's relative lack of bureaucratic support, the political influence of rival cabinet ministers (Brown in Blair's government was often cited), the threat of backbench rebellions and so on. As the question stem was 'identify *and* explain', the highest marks were inevitably awarded to answers that did both, especially those offering explanations that included examples. The most common weaknesses were a tendency to turn this into a prime ministerial versus cabinet government answer or to make vague references to the media, pressure groups or public opinion as factors limiting prime ministerial influence, usually without any examples or any specific focus on policy-making. Many candidates also wasted time by covering more than two reasons.

**Question 09**

This question required discussion of the contention that ‘under pressures of modern government, the Cabinet tends merely to “rubber stamp” decisions made elsewhere’. Generally candidates produced relevant information and examples, in some cases a very considerable amount, suggesting that they had been well prepared. Once again, however, many failed to focus on the question. Many saw it as an invitation to write all that they knew about the Cabinet, or about the Cabinet and prime minister, with the result that they produced knowledgeable but ill-focused discussions. Only a small majority of candidates specifically addressed ‘pressures of modern government’. Those who did (pointing to the lack of time available to the Cabinet, the complexity of policies requiring specialist knowledge, or the need for swift decision-making) inevitably tended to score the highest marks. Again, many candidates – probably the majority – totally ignored ‘elsewhere’. Thus while candidates were often able to explain that the Cabinet ‘did’ or ‘did not’ merely ‘rubber stamp’ decisions, these explanations were often unaccompanied by any discussion of where else decisions actually were taken. Sometimes there was passing reference to ‘sofa government’, ‘bilaterals’ or special advisers, but mention of other salient institutions and actors such as the Prime Minister’s Office, Cabinet Office, government departments, cabinet committees etc were the exception rather than the rule. It cannot be emphasised enough that candidates must answer the question that is set and not one that they wish had been set instead.

**Topic 4 Multi-level Governance**

This question was the least popular on the paper by a considerable margin.

**Question 10**

The question required an explanation of the term *local government* and probably attracted the weakest answers on the entire paper. Some candidates appeared to have no idea of the meaning of the term and wrote instead about devolved bodies, Next Steps Agencies or quangos. There was much confusion between councillors and MPs, and between local government and parliamentary constituencies. Some were able to give examples of local councils and to mention a few local government services, but very few wrote knowledgeably about the powers and functions of local authorities, their democratic base or their relations with central government.

**Question 11**

This question asked why, following devolution, there was controversy about Scottish representation at Westminster. Many candidates understood that this referred to the ‘West Lothian Question’ and explained that Scottish MPs were able to vote in Westminster on issues only affecting England, but English MPs were unable to vote on policy within the jurisdiction of the Scottish Parliament. The best answers often gave examples of English legislation being carried by the votes of Scottish MPs and discussed some of the remedies advanced for dealing with the problem. A few candidates also pointed to the anomalous position of Scottish MPs, such as Gordon Brown, holding positions in the UK government and determining policy for England in fields where they were powerless to act for their own constituencies. A small number also referred to the reduction, post-devolution, in the numbers of Scottish MPs at Westminster. The main weakness was that Scottish MPs were often confused with MSPs. Some suggested that MSPs could affect English legislation and others that Scottish MPs were members of both Parliaments. Others wrote vaguely about ‘Scotland’ voting on English legislation. At the lowest level, some candidates merely reworked information in the passage that ‘England received nothing at all’ from devolution and that the UK was edging towards a federal system.

**Question 12**

Most candidates discussed the contention that ‘devolution has resulted in a genuine dispersal of political power in Britain’ by focusing on the powers devolved to Scotland and Wales. Many recognised that Scotland and Wales had received different powers and explored this in some detail, often illustrating their answers with examples of policy divergences in different parts of Britain. Some also discussed Northern Ireland. Despite this being outside the specification it was rewarded where relevant, although full marks were possible without it. Some answers also included material on Greater London, on local government and even on aspects of English regional governance. While it was generally recognised that devolution had brought a dispersal of political power, better candidates picked up on the word ‘genuine’, pointing out that Westminster retained reserve powers, controlled most funding, and because of parliamentary sovereignty could theoretically take powers back. The question referred to *political power*. Some candidates addressed this by arguing that ‘minority’ parties, unaccustomed to government in the UK, had exercised power in devolved governments, and also that any attempt by Westminster to repeal Scottish devolution would play into the hands of the SNP. A few also discussed the EU and the apparent contradiction of power being devolved ‘downward’ from Westminster as well as ‘upwards’ to Brussels. Weaker answers often confused the powers devolved to the various bodies or wrote instead mainly about local government or the EU. A few also tried to turn the question into a discussion of the advantages of unitary as opposed to federal systems. There were also some loose references to England, Britain, Ireland and the United Kingdom, with an imaginary English Parliament and English Government figuring prominently in some answers. Generally, however, answers to this question tended to be good, suggesting that it was mainly candidates who had seriously studied these topics who attempted an answer.