

Examiners' Report
June 2013

GCE Government and Politics 6GP04 4A

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Introduction

In general this paper saw a pleasing level of focus on contemporary events from many candidates, particularly with respect to Conservative views on Europe, including the impact of the recent UKIP success, and to the Euro crisis. There was also a strong awareness of the impact of the Lisbon treaty, directly or indirectly, on virtually every question. Relevant use was also made of previous treaties, especially Maastricht, although specific provisions, for example of the Social Chapter, were not always fully linked to wider trends.

It was also noticeable that a minority of candidates still place an excessive reliance on historical content, most commonly by focusing on older treaties where there have been relevant developments that supersede them, or by focusing all debates on British views of Europe around the opinions of Mrs Thatcher which are generally relevant only insofar as they are directly linked to more recent perspectives. It is essential to success in this paper that candidates and centres embrace the contemporary approach and focus on the most recent relevant debates and developments.

It was pleasing to see a strong level of synopticity from many candidates particularly on question 8 where many were able to consider a variety of perspectives on the relative power of the different institutions and link them directly back to the question. Indeed a strong knowledge of the respective roles and powers of the various institutions was evident throughout the paper, not just on questions 2 and 8 but also, for example on question 6 (the changes in the balance of power proposed in the constitution and brought about, or not, by the Lisbon Treaty) and question 7 (the role of the European Central Bank (ECB)).

It was also pleasing to see relatively few candidates falling into the trap of offering a series of brief undeveloped points to short response questions, with more offering a sensible number of better developed arguments.

It was interesting to note a relatively even level of popularity amongst the short responses, excepting a general liking for question 5 (which was the topic area most recently in the news) but, in contrast, a very strong preference for question 8 amongst the essays, despite the degree to which the Euro crisis (question 7) has been the subject of recent political, media and public debate. This perhaps reflects the fact that question 8 was the closest to questions previously asked, but candidates and centres should not assume that such questions will always be available.

One weakness that was particularly common on question 7, but thankfully less so on other questions, was a failure to address 'to what extent', often embracing the premise of the question rather than adopting a balanced approach. Equally responses to question 2 sometimes, though not often, focused much more on the role of the European Courts of Justice (ECJ) than on its significance and some responses to question 4 missed the key words 'for European integration'.

It is also worth noting that a small proportion of candidates still make such basic errors as confusing the European Court of Human Rights (ECHR) with the ECJ, or fail to properly understand such key concepts as subsidiarity - understanding such concepts and distinctions is essential to achieving a basic grasp of the material.

Question 1

This question was middling in terms of popularity which perhaps reflects the fact that many candidates understood one clear argument each for and against the significance of the veto, but struggled to find further points to develop into L3. There was fairly universal understanding of what the veto does and, generally speaking, of where and how it is exercised. In a good number of cases candidates were able to offer specific contemporary examples, such as Cameron's veto of the fiscal pact. There were however a small number of candidates who treated an opt-out as synonymous with a veto - clearly the two concepts are linked, and a threatened veto can often lead to a negotiated opt-out, but they are not the same thing. Whilst many candidates considered the impact of Lisbon, very few considered the impact of EU expansion in terms of the importance of the veto in maintaining equality between nations.

Level 1 responses were fairly rare: the few that there were tended to either be entirely historic or offer an explanation of the veto without any attempt to evaluate its significance.

Level 2 responses generally offered two clear points - almost invariably the significance of the veto for defending national sovereignty vs. the rise of the use of Qualified Majority Voting (QMV) - or else offered further points but did not develop them. A few candidates offered a developed but one sided answer.

Level 3 responses were able to move beyond the standard arguments to consider the relative importance of the areas where the veto still remains, the value of a threatened veto as a negotiating tool, or the impact of expansion of both preserving the importance of the veto whilst making its use a more 'nuclear option'. The best responses offered specific contemporary examples to illustrate their points.

Indicate your first question choice on this page.
You will be asked to indicate your second question choice on page 6.

Put a cross in the box indicating the first question that you have chosen.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number:

Question 1 Question 2 Question 3
Question 4 Question 5

The national veto is held by every member state, of which there are 27, men in the Council of Ministers. It is used ~~men~~ when votes are taken unanimously in the Council, which does still to some extent occur. For example, when politically sensitive ~~with~~ policy areas ~~are voted on~~ such as ~~the~~ common foreign policy is voted on, unanimity is needed. For this reason the national veto is important because it ~~is a~~ ~~can~~

protect member states from implementing significant policies with which they don't agree.

However, the national veto would be said to no longer be important because of enlargement. Enlargement of the EU means more countries will have votes in the Council of Ministers. It is already very difficult to reach a unanimous decision with 27 members and this will only get harder with more enlargement as the new

countries ~~are~~ hold such different views. In this case the national veto is no longer important because it is being sacrificed in the name of greater efficiency when voting in the Council.

Lastly, the national veto holds little importance because it is ~~democratic~~ undemocratic and so has been ^{largely} replaced with a ^(QMV) ~~new~~ system of qualified majority voting. Previously if only ^{one} country objected to a policy, it did not matter if the 26 other members approved the policy would be rejected. The new QMV system is more democratic in this sense as it would take significant opposition ~~for~~ for a policy to be rejected. Here, the national veto is unimportant, ~~because~~ because QMV, as set out in the Lisbon Treaty, is used more and more across a wide range of policy issues.

In conclusion, the national veto is
one only important to eurosceptics, who
believe it preserves national sovereignty,
~~unlike the majority~~ as a nation is not
forced to implement policy it did not agree
to. However, the veto's importance is becoming

less and less, as is illustrated by ~~the~~ its replacement
with QMV. This would suggest a majority of states
believe it is not largely unimportant and does
not need to be preserved.



ResultsPlus Examiner Comments

A typical answer with balance but an insufficient range for L3. The explanation of working is solid, the point as to significance is pertinent but brief, the point regarding expansion is unclear and therefore weak, and there is a clear explanation of the impact of QMV. This response received 8 marks.



ResultsPlus Examiner Tip

Try to ensure that all of your points are clearly expressed so that the examiner can see that you have understood the issues, otherwise they will be unable to credit it.

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Chosen Question Number:

Question 1

Question 2

Question 3

Question 4

Question 5

The national veto is exercised by the European Council as unanimous ~~decisions~~ decisions are aimed to be reached. The increased use of QMV means that the importance of the national veto is being diminished as the EU becomes more supranational, the national sovereignty of ~~a~~ EU member states is being undermined. ~~The stat~~

The national veto is important as it retains national interests and prevents policy being inflicted on ~~countries~~ ^{countries} that do not agree with proposed legislation and reforms. Although QMV is more regularly used in ~~decision~~ ^{decision} making, some policy areas, such as the enlargement of the EU are still made by unanimous decisions. For example the accession of Turkey to the EU was prevented by the veto of countries such as France. The national veto is also used to negotiate opt-outs of policy areas, as seen in the UK and Denmark's refusal to ~~add~~ adopt the Euro.

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On the one hand one national veto has become less important as ~~the~~ QMV has been extended to further policy areas as a result of the 2009 Lisbon treaty and by 2014 it is insisted that the 'Double majority system' is used. This means that 55% of ~~most~~ the 27 member states must agree to legislation and ~~majority~~ ^{these} must have 65% of the EU's population. This undermines the national veto as ~~countries will~~ ^{small countries} may group together or large ones, meaning that member states will be forced to comply with more legislation as the competence of the EU grows, encompassing more policy areas.

Another reason the national veto continues to diminish in importance ^{is} ~~is~~ ^{the} ~~is~~ growth in power of supranational institutions such as the ~~EU's~~ European parliament and the European court of justice. The European parliament has an increased influence and is the only democratically elected institution meaning it has the greatest legitimacy. As the European parliament further distances from national governments, its influence can be seen in the decision making of the European Council.

Ultimately national veto can still be seen to be important as although the use of

You should start the answer to your second question choice on page 6

QMV increases and ~~also~~ begins to cover greater policy area, arguably the most important decisions that affect a nation state such as ~~the~~ defense policy and foreign policy, are still decided by a unanimous vote. The national veto defends member states from being subject to legislation it does not agree with as EU law ~~ultimately~~ ^{takes} supremacy ~~over~~ over national laws. ~~That~~ Therefore ^{the} national is vital in protecting the sovereignty of nations and in the intergovernmental European Council, it prevents further deepening of EU policy which the UK government under the coalition ~~was~~ ^{was} have promised a referendum on ^{the relationship with} EU ~~in the~~ ^{Conservative} 2015 Manifesto.



ResultsPlus

Examiners' Comments

This is a mid-Level 3 response that received 13 marks. The explanation of working is brief but acceptable. The main explanation of significance is solid, and briefly in other relevant points such as expansion. QMV is well explained, particularly the link to the double majority, and the additional point about supranational institutions is unusual but valid. There are therefore three clear valid points.



ResultsPlus

Examiner Tip

Points need not be 'common' (or appear in the mark scheme) to be credited, provided they are valid.

Question 2

This was the second most popular short response question and was generally well answered, reflecting the strong knowledge that most candidates demonstrated of key institutions across the paper. It was a shame to see that some candidates still confuse the ECJ with the ECHR. However this was only a minority, and many more candidates made useful reference to the charter of fundamental rights. Another minority error was a failure to fully appreciate the significance of 'significance' and to focus exclusively of the role on the ECJ. There were many good examples offered beyond the inevitable Factortame case, with regard to business, governments, inter-institutional disputes and workers' rights.

Level 1 responses either entirely misunderstood the nature and role of the ECJ or else only offered a brief outline of its role with little or no explanation of its significance.

Level 2 responses were, at the lower end, often restricted to the standard points about the multi-national make-up of the court and the supremacy of EU law as evidenced by Factortame. At the stronger end candidates were able to cite other cases and to discuss the broader impact on national sovereignty and national courts.

Level 3 responses moved beyond the discussion of EU law in comparison to national law and were able to discuss multiple other roles of the ECJ and their significance, in particular the role as arbitrator between national (often with reference to the French ban on British Beef) and the role as a check on both business practices and EU institutions. The position within level 3 was often determined by the number and strength of examples.

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The European court of justice is in place to ensure that all countries within the EU are upholding EU law. For instance, under Gordon Brown the EU took Britain to court for not being ~~of~~ environmentally friendly enough and ~~not~~ sticking to EU guidelines. The ECJ is in place to maintain a united Europe, with countries following proper code & conduct.

Rather than ^{use} a tool to reprimand failing EU states, but more the European Court of Justice is more a preventative tool, a large figure looming over all 27 states, trying to keep them in line.

The ECJ is also an institution which safeguards individual EU

You should start the answer to your second question choice on page 6

members human rights, as it makes sure that countries are following the human rights act ~~of~~ (1998) and the social chapter.

The ECJ also enforces national safety in the EU, as it ~~put~~ sets law regarding law & order across the EU & border control.



ResultsPlus Examiner Comments

There is a reasonable explanation of the ECJ's role here which implies significance, but this is only implicit and there is an error with regards to the Human Rights Act. There is just enough, between the enforcement of EU law and the prevention role to make the bottom of Level 2 and this response received 6 marks.



ResultsPlus Examiner Tip

Ensure you are clear on basic concepts, such as the distinction between HRA and the ECJ.

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The European Court of Justice (ECJ) is the Supreme Court of the EU acting supranationally, in the interests of the EU as whole, remaining impartial and therefore ^{judges} relinquishing any loyalties to their countries of origin.

The ECJ acts as the Supreme Court of the EU making it the final court of appeal for EU citizens challenging the implementation of EU laws. This means that the ECJ only deals with cases referred up to it by national courts and deals with cases about the implementation of EU law by member states, sometimes with individuals or pressure groups challenging their own government.*

The ECJ also ensures the uniform implementation of EU law throughout Europe. This means that it can overrule the policies of national governments if they are deemed to conflict with EU law, ^{impacting UK sovereignty} and also means that it relies heavily on 'whistle-blowers' for the conflicts to be highlighted to it.

A third role of the ECJ is its part in arbitrating between disputes. These disputes can be between companies, member states or even institutions of the EU. The ECJ decides

You should start the answer to your second question choice on page 6

who has jurisdiction over policy areas for example seen in the
Factor Tame Case with the ECJ ruling against the UK government.
This arbitrating is significant because it determines a great
deal of EU law such as competition policy between companies
and also determines where power lies between EU institutions
and between the EU and member states which severely
impacts national sovereignty.

Overall the ECJ plays a very significant role in the EU
which euro-sceptics could criticise as being undemocratic
but this is only in the same way the judiciary national
judiciary in the UK does so cannot be criticised too much.

* This is significant because it helps to determine a great deal
of EU law through case law.



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Examiner Comments

Similar to the previous response this candidate describes the role of the ECJ but leaves the significance mostly implicit. However it does this in a more developed and accurate manner and this reached the top of Level 2 with 10 marks.



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Examiner Tip

Where a question asks for 'significance' be sure to make this explicit through the response.

Question 3

This was the least popular short response question - perhaps surprisingly as it offered several meaty areas for debate. However it was noticeable that many candidates could discuss either the specific provisions of the chapter or its wider significance, but less often both. The minimum wage, working time directive and increased health and safety regulations were all commonly cited as examples of the former whilst individual opt outs and the impacts on national sovereignty, business competitiveness and movement of Labour were the strongest examples of the latter. A small number of candidates confused the social chapter with 'four freedoms' of the common market or, very rarely, with the concept of a single social model or the single currency. This was an example of a question in which a strong dose of pre-1997 content could be justified, with regard to Major's opt-out, but reference to Thatcher's views on 'socialism by the back door' were less helpful or relevant.

Level 1 responses either misunderstood the concept of the social chapter or offered only a general overview of its impacts.

Level 2 responses often offered several specific impacts on workers' rights without extending into the wider impact, or else understood the wider impact but not the detail. Some offered arguments that might have been reasonable but were not evidence (such as an assertion that the social chapter led to a brain drain from east to west).

Level 3 responses were able to appreciate a range of implications arising from the social chapter often covering individuals, businesses, specific countries and the EU as a whole, and often recognised the tensions between these groups. Despite the fact that this question could be seen as less contemporary than some, a number of stronger candidates were able to bring the debate up to the current day in terms of competition with Brazil, Russia, India, China (BRIC) countries.

The Social chapter was originally favoured by Delors in the 80s. Thatcher and Delors clashed many times over social policy and the idea of a Social Europe. Thatcher famously stated "No, No & No" when referring to the Socialist ideas put forward by Delors.

The Social chapter was first added to the treaty of Maastricht ~~in~~ 1992, however, Major agreed on opt-out. Blair came to power within the Labour party in '97 and one of the first things he did was to agree to the Social chapter. Blair was very

much a fan of Europe, he was seen as many to be a Europhile. The addition of the Social Chapter helped enforce his and previously Major's Statement to be put at "The heart of

You should start the answer to your second question choice on page 6

Europe." One of the most controversial outcomes of the Social Chapter, also known as the Social Charter, was the Working time directive, this was originally opted out by Major in '92, however, adopted by the UK in '97 by Blair. This still remains controversial today as the Coalition still wish to see the working time directive opted-out of.

The Social Chapter covers a wide range of workers' rights and pensions. This can be seen through Age UK's case against the UK for unequal pension ages for men and women. This was a new compliance for the EU however caused many problems. Recently the Commission are attempting to refer the UK to the ECJ over foreign workers benefits. Many MP's including Cameron and Miliband think this is the EU 'overstepping' the mark.

In Conclusion the Social chapter was opted out of by Major in the 92 Maastricht treaty, however, accepted by Blair in '97. The rules

You should start the answer to your second question choice on page 6

governing from the Social chapter expand the Competence of the EU within which many eurosceptics in the UK think is the EU going too much Sovereignty.



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Examiner Comments

There are essentially two points here - a wider point with regard to the UK opt out and a consideration of some specific provisions. Further development of the reference to the EU 'over stepping the mark' could have carried this into Level 3 but this achieved 9 marks. The background on Thatcher is not really helpful to advancing the response as the Major and post-Major period is much more pertinent.



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Examiner Tip

Try to focus all historical discussions on the most relevant periods and avoid 'background for the sake of background'.

The Social Chapter is an agreement between the member states of the EU that aims to promote better working conditions for the working populations, create a minimum wage to ensure the standards of living of workers and to promote employment security. The Social Chapter incorporates Social Policy and although it does have some benefits, it also has a number of implications both for the UK and the EU as a whole.

Firstly, the Social Chapter is an area of conflict within the UK because when the Major government was negotiating it as part of the Maastricht Treaty, he negotiated it as an ~~opt out~~ optional clause, which meant that the UK could opt out, which they did. They did this because of their concerns that it would have implications on the UK's sovereignty, as all policies and laws are binding on EU member states unless an opt-out is agreed. The Major government did not want the EU having control over the labour market in the UK, as they feared it would have implications for its flexibility.

You should start the answer to your second question choice on page 6

Another implication of the Social Chapter is that it created the Working Time Directive, meaning that people are only allowed to work up to 48 hours a week, but countries can have a lower time if they wish, for example France has a WTD of 36 hours per week. This is an implication, particularly for the UK, because it can be argued that a 48 hour week is not long enough, and this could lead to inefficiencies within the market. For example in the UK, officials and pressure groups that

support the NHS have suggested that the Working Time Directive will create inefficiencies within the NHS system, which will lead to a decrease in the quality of provision of care for patients, which of course is not desirable for politicians or the population. However, despite this, the Blair government signed up to the Social Chapter almost immediately after they were elected in 1997, as they wanted to benefit from it rather than focus on its implications.

Another implication of the Social Chapter is that it creates problems for businesses because it aims to ensure employment protection to ensure that poorer workers or those in the minorities are not discriminated upon, and this can also lead to inefficiencies within business. If businesses in the newly joined Eastern European countries are not able to provide their workers with employment protection (which is expensive as it includes benefits),

You should start the answer to your second question choice on page 6

then they are not following the rules of the Social Chapter and can be punished with penalties provided by the Commission, which would not benefit the countries at all. In countries with richer businesses, the employment protection schemes of benefits and pensions may also cause this same problem, as there are millions of people eligible for them.

Overall, although the Social Chapter has a ~~number~~^{number} of benefits such as the fact that living standards and working conditions rise due to the increased employment protection set up by the Social Chapter, it also has a number of implications which some countries, such as the

UK, do not agree with as they believe it either erodes their national sovereignty or makes the eurosceptic argument against membership of the EU stronger, as it adds an additional cost that is not entirely necessary.



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Examiner Comments

A strong answer, the explanation of the chapter, although not specifically demanded by the question, is helpful and the explanation of the UK's opt out is clear and more focused than in the previous response. The discussion of a specific provision - the work time directive - is done in much more detail, and the candidate is then able to balance this with a perceived disadvantage in terms of businesses. The conclusion adds nothing however this response gains 14 marks.



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Examiner Tip

Introductions within short responses should not be general but should provide useful definitions or context (as this one does). Conclusions are not necessary.

Question 4

This was the second least popular short response question and the question that probably caused the highest number of straightforward conceptual inaccuracies, albeit still very much a minority. Some candidates confused subsidiary with subsidy and focused on the Common Agricultural Policy (CAP) whilst others erroneously stated that subsidiary meant the devolution of all decisions. The majority of candidates offered a very straightforward and similar definition and many grasped that it could variously be seen as either promoting or hindering integration. Many were also able to link subsidiarity to other pertinent concepts such as multi-level governance, functionalism and federalism. Impacts on areas other than integration were not credited.

Level 1 responses either suffered from basic conceptual inaccuracies or else failed to explain the 'significance'.

Level 2 responses offered one or two impacts of subsidiary on integration - often a straightforward discussion of 'preservation of some sovereignty' vs. 'creeping federalism'. Specific examples were relatively limited.

Level 3 responses were often able to discuss the impact of subsidiary on the debate of 'widening' vs. 'deepening' and many identified the links between subsidiary and a 'Europe of the regions'. Examples were more common at this level, as was awareness of disagreements at the impact *within* the europhile and eurosceptic ranks.

Subsidiarity is the retention of sovereignty and independence for a nation state. In the context of European integration, it has been a common concern of many member states, as more and more treaties are signed creating closer unity between states, it in many cases threatens a states subsidiarity.

The term 'supersovereignty' has been used, often in criticisms of the EU to describe the direction in which the treaties and proposals have taken the EU. Integration in the EU has seem to be more supra-nationally focused, that is, creating an overall governing body of all EU member states, rather than intergovernmentally focused, where states retain their sovereignty but work together for a common goal. The existence of bodies such as the European Commission and Parliament are two examples of where the EU has promoted supra-nationalism over intergovernmentalism. The commission is not elected, and holds a monopoly over the power to propose legislation in the EU. Whilst its powers are limited by the ordinary legislative procedure, it still threatens subsidiarity as through the Lisbon Treaty and,

it has gained necessary powers, such as being able to discuss issues of justice and home affairs (introduced in Maastricht Treaty). This extension of power is of particular concern, as justice and home affairs is typically seen as a policy area that individual states should have control over. Similarly, the powers given to the Parliament in the Lisbon Treaty put it on the same legislative level as the Council of Ministers, which diminishes the impact of the CoM, whom seem to benefit their own state rather than the EU as a whole.

The voting system used in the EU institutions also seeks to threaten subsidiarity. QMV, first introduced in the Single European Act in the CoM requires that only 55% of states (representing 62% of total EU population) are needed to pass many EU wide legislation. This clearly broadens the ability for intergovernmentalism to occur and instead promotes a supranational system, where states are forced to accept legislation whether they want it or not, as the power to veto has been diminished. There are however opt-outs such as the UK did with the social chapter of the Maastricht treaty and the Euro. Similarly, the Amsterdam treaty reduced the ability to constructively abstain, whereby a state can not accept a law without others it being universally not vetoed.

Subsidiarity is therefore very significant for European integration. Many states still seek to retain national identity, but as deeper integration occurs, this national identity is diminished. For example

The recent creation of the Euro, both national currencies are away from Eurozone states, and it also tends to the power of interest rates as well - this, post Eurozone crisis clearly had a negative effect on their economies. The Eurozone is an example

of where 'subsidiarity' should have been a concern during policy making. Policies such as the European Arrest Warrant and Schengen zone do show how subsidiarity could have had more significance in the policy making, as differences between police forces and culture can create difficulties, it should instead be left to elected governments, who know their countries best to decide.

~~Subs~~ Subsidiarity therefore it is not as significant as it should be. For Eurosceptics, the surrender of sovereignty to a super-state creates problems in the national states, as has been seen with the Eurozone crisis.



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Examiner Comments

The definition here is not helpful and this is reflected in the remainder of the response which discusses 'around' relevant areas without ever demonstrating that the candidate clearly understands what subsidiary is. The response remains in Level 1 with 5 marks.



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Examiner Tip

Where a question begins 'define' a poor definition will often impact on the remainder of the response - if you are unclear on the precise meaning of the word you are best advised not to attempt these questions.

Subsidiarity is the process of - as McNaughton suggests - 'pushing down jurisdiction' to the lowest possible level. In practice, this is the process of decision-making responsibility being delegated to the lowest possible level between local and national government and the EU.

The use of subsidiarity can be a hindrance to integration, by improving the presence of intergovernmentalism and reducing the democratic deficit by ~~making~~ the use of low-level subsidiarity, the EU gains less areas for unified policy. For instance more controversial ~~are~~ - or as Blair called them, 'red line' - areas of policy are still held by each member state, such as on some social policy (allowing the UK to initially opt ~~it~~ out of the Social Chapter in 1992), border policy (similarly opting

out of the Schengen Agreement in the 1997 Treaty of Amsterdam) and the 2009 European Court of Justice ruling that the EU cannot set a common CO₂ emissions reduction target. The result is an increasingly multi-speed Europe using variable geometry to maintain areas of national sovereignty but sabotaging European integration.

"On the other hand, subsidiarity can rule to delegate sovereignty at an EU level, creating supranationalism, where an international response is necessary. For instance, ~~most~~ ^{most} environmental policy is directed by the EU. In fact, 80% of UK laws on the environment ~~to~~ ^{come} from the EU; a ~~20%~~ 20% reduction in emissions and 65% reduction in landfill by 2020, regulations on noise and air pollution as well as the Emissions Trading Scheme. Dr Jackson, MEP said that 'even the darkest sceptic must admit that, when it comes to the environment, it makes sense to cooperate'. As the dangers of the environment and areas of Common Foreign and Security Policy transcend national boundaries, a

supranational response from subsidiarity is needed and furthers European integration.



ResultsPlus Examiner Comments

Although the candidate presents this as two arguments both of these sections are very well developed and the point within the first section on a 'multi-speed Europe' contains enough to be considered for a third clear point. This therefore moves into L3 and the strength of context and examples takes it to 13 marks.



ResultsPlus Examiner Tip

'Significance' questions will usually offer contrasting views (in this case from those who believe it increases or decreases integration), and encompassing these, whilst not essential, will often help you to get a good mark.

Question 5

This was the most popular and the best of the short response questions, reflecting the level of recent news coverage. The vast majority of candidates displayed a strong knowledge of the reasons for Conservative euro-scepticism and many were also able to link this to electoral concerns, party divisions, and Cameron's promise of an 'in-out referendum'.

The major failings for a minority of candidates were firstly to focus too much of the early part of their essay on Thatcher rather than on recent developments and secondly to offer a straightforward set of 'reasons the EU has been criticised' sometimes lacking context or leaning more towards the UK Independence Party (UKIP) views than Conservative.

A few candidates got slightly distracted by their personal views, or those of elements of the press, asserting for example that the entry of Romania and Bulgaria into the EU had precipitated the influx of a far greater number of immigrants than is the reality.

Level 1 responses were extremely rare. They would have been characterised by assertion of opposition with limited reasoning, or by simplistic or general reasoning such as 'Conservatives oppose the EU because they are patriotic'.

Level 2 responses commonly approached the basic point of sovereignty from a variety of angles - in terms of the increase of QMV, supremacy of EU law; the one size fits all approach etc.

Level 3 responses discussed a variety of objections beyond loss of sovereignty, often considering the costs of the EU, the democratic deficit, and the socialist aspect of the social chapter and other EU regulations. At the strongest end they were also able to recognise and explicitly discuss the subtleties of euro-scepticism within the party from cautious europhiles, to supporters of renegotiation, to those in favour of outright withdrawal, often citing specific figures.

Deep divisions ~~have~~ over the European Union have played a major part in the modern ~~conservative~~ day Conservative Party since the late 80's and the Single European Act of 1986. After Thatcher's attack on the Treaty in the well-known "Brige Speech" of 1986, euro-scepticism in the party became both more accepted and of the norm. The main criticism for euro-sceptics of the Conservative Party from that time was that Jacques Delors, the President of the Commission, at the time, plan for an "ever closer political union" would reverse the free market principles that had been impleaced during Thatcher's period in office since 1979. The EU was seen as useful for Britain if it remained a purely economic union that allowed countries to trade without barriers. However many euro-sceptics argued that the Single European Act signalled a change in direction for the community. This argument is still relevant to the euro-sceptics in the Conservative Party today, who believe that the

never chose or were asked if they wanted to be in the EU as it has changed so much since the referendum in 1975.

Another key ~~argument~~ criticism of the EU by euro-sceptics is that it is a "federalist super state". That is, that its member states has lost so much sovereignty, or the ultimate political authority, that the institutions of the EU dominate over national governments. Some point

to the pasteurized case which signified that EU law had higher authority than national laws to prove this.

A slight reason for euro-scepticism in the Conservative Party is that the EU has an inherent lack of democratic process and accountability. For example, the only elected institution, the European Parliament has been described as the "inefficient partner" (Nugent) yet as a whole the EU has more authority than national ~~governments~~ democratic governments.

~~Some~~ More moderate or moderate euro-sceptics like David Cameron see that the EU should take a two-tier format to allow members to decide levels of involvement.



ResultsPlus Examiner Comments

This candidate wastes time on overly historical content - a shame as further development of their pertinent points, particularly about the lack of recent popular consent, could have carried them into L3. As it is a solid but unspectacular exposition of democratic deficit and loss of sovereignty, it is a clear mid L2, whilst the brief parting comment about shades of opinion within the party pushes it up slightly within this level to 9 marks.



ResultsPlus Examiner Tip

Focus is all important - the less time spent on weak or tangential material the more can be spent developing strong and pertinent points.

There since the times of Thatcher there has been a growing Eurosceptic element within the Conservative party and in recent times this euroscepticism has grown and put pressure on the coalition government. There are many grounds with which these conservatives have criticised the EU.

One of their most frequent criticisms of the EU has been over the loss of sovereignty from the Westminster Parliament to the EU. The conservatives are highly critical of this because they believe the EU has taken too many powers away from the ~~EU~~ European Parliament, particularly since the Lisbon Treaty which gave the EU power over almost all policy areas like the environment and arguably a stronger base over foreign affairs. This therefore shows that the conservatives have become more eurosceptic in their attitudes due to the fact that it has reduced power in the EU, which they believe rightly belongs in the hands of the state executive and legislature.

Another criticism that these eurosceptic conservatives have is over the increased use of QMV in the Council of Ministers which they argue is moving the UK further as a federal institution with the UK as a regional member. They

criticise this not only because it further takes away sovereignty from the UK but also because by making it more of a federal state, integration with other EU ~~countries~~ countries is likely to follow and this could lead to things policies like tax harmonisation and joining the Euro, which they completely oppose because it takes away the economic independence of the UK.

They would also be highly critical of the amount of money that is spent on the EU to go towards the EU budget. They see many policies of the EU which require heavy amounts of funding a wasteful because very

little of the CAP benefits British farmers. ~~There~~ The most
heavily Eurosceptic conservatives view that if ~~we~~ the UK
left the EU there would be more money which they
could use to fund important aspects of the UK like for
example the public sector. This therefore shows that the
cost of the EU does not bring significant benefits for the
UK and that in effect the UK would be better ^{out of} ~~without~~
the EU for this reason.

As well as this, since the recession eurosceptic conservatives
have been increasingly vocal about the ~~to~~ free movement
of labour, adopting the slogan 'British jobs for British
workers'. They have concerns that large amounts of migrant
workers have come to the UK and are ~~too~~ swamping
the job market which is causing problems for the number of
UK citizens in employment. This therefore shows that the eurosceptic

conservatives have many issues with what it is doing to the
domestic economic ~~situation~~ situation of the UK.

In conclusion the grounds on which eurosceptic
conservatives criticise the EU seem to be based heavily
in the consequences ~~to~~ membership is having domestically
within the UK.



ResultsPlus Examiner Comments

The brief context here is moderately helpful and is followed by several developed points. Loss of sovereignty is well explained and, although QMV could arguably be seen as a development of this same point, there are two further clear points on the costs and impact of free movement of labour. This is therefore a strong L3 response by either calculation and scored 14 marks.



ResultsPlus Examiner Tip

Linking wider points to specific examples - such as the cost of the EU to CAP - is very helpful and will improve your mark within a given level.

Question 6

This was the least popular of the three essay questions available, perhaps reflecting the fact that some candidates had hoped for a simple 'pros and cons' question on the Lisbon treaty.

A few candidates did not let this prevent them from answering such a question, and their marks suffered accordingly. More commonly candidates offered detailed comparison with the original European Constitution without asking themselves what makes a constitution into a constitution. Some candidates would benefit from further thought as to the strongest points to consider - whilst the ultimate rejection of the Constitution was clearly relevant context some candidates focused too much on this at the expense of other aspects. Similarly the lack of a national anthem and flag, although valid, is less important than the fact that the treaty allowed further opt-outs, gave little input on taxation and held no higher status than other EU treaties.

The weakest responses either did not properly address the question asked, or were hazy as to what was or was not included in the Lisbon treaty or else offered a relatively brief and generalised embracing of the premise of the question.

Moderate responses either offered a well-argued exposition of one side of the debate, most commonly that the treaty was a constitution in all but name, or else offered strong comparisons between the treaty and constitution without moving to the next step of considering why and how the similarities or differences were significant to the precise question asked. Others focused a little too much on the opinions of different groups as to whether it was constitutional in nature with too little consideration as to how this was evidenced.

The strongest responses recognised that critical to addressing the question was an appreciation of the nature of a constitution, and a willingness to examine specific provisions of the Lisbon treaty, and changes from the original Constitution, in this light. This enabled them to evaluate the significance of these changes and some were able to effectively compare and contrast the treaty with bona fide constitutions such as that of the US. Balance was also very evident at this level.

In terms of synopticity, unbalanced answers suffered accordingly. With more balanced responses the views of different nations and political groupings were obviously highly relevant, and were considered by many candidates. The key discriminator between these responses was how well their reasoning and motivation was explained.

Put a cross in the box indicating the question that you have chosen.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

politic
probs. I.e

Yes - No
- rights to
leave

Accountal

Chosen Question Number:

Question 6

Question 7

Question 8

The 2009 Treaty of Lisbon was agreed after a period of reflection following the failed constitutional treaty of 2003. ~~The~~ Lisbon arguably did much to reduce the democratic deficit of the EU, and created new posts in the attempt to make the EU more significant internationally, but despite this it cannot quite be called a constitution since the constitutional framework of the EU is as yet uncodified + remains in the 'acquis communautaire' - the various EU treaties.

The Lisbon Treaty enhanced the ^{supranational} European Parliament's powers giving it equal co-decision power to the ~~the~~ intergovernmental institution: the Council of Ministers in ~~in~~ ^{significant} around 40 areas of policy. This could be argued to be a constitutional change ~~and~~ & reduces the democratic deficit, since it gives a larger role to directly elected MEPs. However the Council of Ministers has sole legislative authority over sensitive areas such as foreign + defence policy and ~~at~~ ^{the ordinary} legislative procedure is biased in favour of ~~the~~ the Council of Ministers since ~~the~~ ^{the} European Parliament has an unfair time pressure of 3 months to disagree with a draft bill, after which time it lapses to the common position & equally the Council of Ministers can overrule the European Parliament, ^{objection} ~~it~~

Arguably ~~the~~ making the European Parliament the guardian of the Charter of Fundamental Rights is significant and most member states have accepted this, nevertheless the UK opted out.

There is a stronger case ~~is~~ that the Lisbon Treaty is not really a ^{static} constitution, since it ~~is~~ expressly stated the right of member states to leave the EU, which is, as yet, ~~unprecedented~~ unprecedented though a German finance minister suggested ^{economically} weaker states such as Italy & Greece should leave following their disastrous internal economic problems caused by the ~~global~~ economic crisis.

A lot of decision-making and policy is still decided intergovernmentally, and growing Euroscepticism in the UK as well as Germany (German taxpayers fed up of bailing out other countries) and ~~Sweden~~ (which has opted out of the single currency) show that there is no strong support for a constitution. For example there were even ratification problems in Ireland; it was rejected in the 1st referendum in 2001 with 53% no & 53% turnout, necessitating heavy EU campaigns before the 2nd referendum where it was accepted with a 62% ~~of~~ yes vote but only 59% turnout - arguably Irish citizens realised they needed the EU during the economic crisis.

Though federalists want to establish a ^{codified} constitution to entrench EU authority & make it a more supranational body, thus eventually leading to a full economic + political union - an ~~the~~ initial aim of the ECSC in the Treaty of Rome 1958, they know there is significant opposition towards this evinced by

the failure of the Constitutional Treaty. Arguably even while member states were discussing it, they agreed that a single veto would allow it to crumble - showing a lack of confidence that a codified constitution could be agreed, despite ^{this} successful reforms ~~that~~ were in fact achieved at the Lisbon Treaty, which arguably strengthened its uncodified constitution.

One of the problems of the EU had been its remoteness from citizens who only voted for MEPs every 5 years - even then that only constituted representation in one EU institution, and not the strongest either, since the intergovernmental Council & Council of Ministers retain stronger powers. The Lisbon Treaty introduced citizens initiatives and has tried to increase access to EU documents. By far the most effective way agreed of enhancing citizens role is through allowing pluralism - lobbying from a wider range of pressure groups & especially in the European Parliament which is very receptive. Nevertheless richer + bigger pressure groups still have more power eg Business Europe which has 4 members over 35 countries. But citizens' loyalties lie with their member state above the EU, which harms efforts to increase EU power to a federal state since citizens ^{largely} do not want this.

New posts created: High Representative of Foreign + security Policy & European Council president were watered down versions of an attempt to create an elected President of Europe in the Constitutional Treaty. They are more like spokespeople & the High Rep has given

a greater focus ~~of~~ on foreign affairs with ^{successful cooperation} 2010 Haiti earthquake aid effort in EU, & the External Action Service. Nevertheless they were not that significant appointments Van Rompuy - unknown, ^{Brown} Ashton little significance.

In conclusion though ~~proponents~~ ^{euro sceptics claimed} may have ~~made~~ Lisbon Treaty was a constitutional treaty by another name, arguably while it did enhance supranational powers of EU - @M Vinerov in Council of Ministers, it didn't codify the Constitution.



ResultsPlus

Examiner Comments

This response starts strongly, offering balance and considering the significance of individual aspects of the constitution. However it wanders away from this approach somewhat on page 3 and then ends quite abruptly, suggesting that the candidate was perhaps rushing towards the end. A more focused, and slightly extended, second half would have easily pushed this into L3. The marks were as follows:

AO1 8

AO2 7

Syn 7

AO3 6

Total 28



ResultsPlus

Examiner Tip

The essay should take approximately half of the available time - 45 minutes including planning. Ensure you leave enough time to do it justice as this makes a difference to your mark at all levels, including stronger candidates.

The 2001 Laeken summit of EU leaders called for ~~an~~ a constitution, mainly to amend ^{and simplify} the ~~ambiguity~~ of legislation and treaties that had accumulated. Between ~~2001~~ 2002 and 2003 President D'Estoy drafted said document. However, despite the support of essentially all EU leaders, a growingly eurosceptic public feared the federal implications of a constitution and rejected the proposal in referendums in France and the Netherlands. The constitution was redrafted and passed in 2007 as the Treaty of Lisbon. However, despite Brown's claim that it was simply a 'tidying up' exercise, and did not warrant a referendum, the eurosceptic concern remained.

However, it should first be noted that one of the most controversial provisions of the constitution was completely stripped. The original document sought to codify levels of 'competence', of where sovereignty or policy lay. It described exclusive competence exercised only by the EU, shared by both and complementary areas exercised by the national government. This supranational outline greatly mirrored federal systems such as the US, and appeared to justify Churchill's assertion that a 'United States of Europe' must be built.

But with that absent from Lisbon, its executive constitutional potential is limited.

On the other hand, the Treaty of Lisbon ~~does~~ did create the President of the European Council and expand the position of High Representative of the Union for Foreign and Security Policy. The prior role held by Herman van

Rompuy since 2009, is very much a mere unpaid guru for the EU; a leadership that that seems a constitutionally unrooted position. Similarly the High Representative, Catherine Ashton since 2009, unifies Common Foreign and Security Policy behind one person in the EU, again strengthening the suggestion that Lisbon is not only a constitution in practice, but a central one at that.

It is also true that the majority rule of votes needed to pass legislation in the Council of Ministers under QMV was reduced to 55% from 2009, as per the Treaty. The use of this QMV was also expanded to 23 new policy areas. During negotiations for this Treaty Barroso claimed the EU would become a federal body within 'a few years', and it is policies such as that over QMV that ~~supp~~ do lend legitimacy to descriptions of the Treaty of Lisbon as

'a constitution in all but name'.

That said, a fundamental aim of the original constitution was to replace all the previous treaties with one document since the European Court of Justice

could accurately uphold. However, the Treaty of Lisbon did not seek to achieve this, instead choosing to amend the previous treaties where necessary. This concession supports Brown's description of a 'tidying up' exercise. Although, it could be argued that the maintenance of the ECJ's supranational power to oversee national legislation and overturn law, as in the 1995 Brasserie case, again creates a federal system that was enforced by what could arguably be called the 'constitution' of the Treaty of Lisbon.

Two individual policies also may be seen to ~~be~~ legitimise its constitutional posture. The Treaty enshrined the Charter of Fundamental Rights - which was drafted between 1998 and 1999 and outlined comprehensive, political, social and economic rights - into EU law. The Citizen's Initiative, which became active in 2012, allowed any petition for policy to be considered by the Commission if it had over one million signatures. This increased

proximity' and explained a link between

EU citizens and its institutions.

~~However~~ However, Marovick's theory of 'pooled' sovereignty, which indicates that sovereignty is not lost as a member may leave without legal consequence, does limit the credibility of constitutional allegations.

Therefore, despite the increased use of supranational QMV, the creation of high-profile, leading positions and individual policies within the Treaty of Lisbon, as McNaughton claimed, 'the EU remains a group of nations rather than a well blown international organisation' and, in the same way, the Treaty of Lisbon was largely not a constitution, by name and content.



ResultsPlus

Examiner Comments

A detailed and balanced response that maintains quality throughout and clearly links the points considered to the nature of a constitution, including helpful comparison with the US. Synopticity does not quite reach L3 as there is insufficient explicit consideration of alternative views (e.g. citing particular individuals or groups) but all other objectives do clearly reach L3 and communication and structure is particularly strong.

AO1 10
AO2 9
Syn 7
AO3 8
Total 34



ResultsPlus

Examiner Tip

Considering the two main points of view to a question in detail can obtain a reasonable synopticity mark, but to go higher requires you to look at the details and subtleties of individual and group views within this.

Question 7

This question was moderately popular within the essays. The major discriminating factor here was the level of balance and many candidates, who were very familiar with various problems of monetary union, tackled this question despite a relatively weak knowledge of the contrary views. Others, understandably but not helpfully, took the question to be a straightforward 'pros and cons of the Euro' discussion. Examples were generally strong however as was awareness of a wide variety of potential 'flaws'.

Many candidates would have benefitted from more knowledge with respect to the global dimensions of the question. Centres could encourage their students to have a broader awareness of these aspects of their studies in EU Political Issues in order to enhance their understanding of the wider significance and implications of the topic and reach the very highest levels within the mark scheme.

The weakest responses were often entirely one sided and either brief, or overly reliant on simplistic arguments as to why the Euro 'could never work'. Alternatively a small number of candidates offered a descriptive commentary on the crisis with little or no discussion of what it might reveal about the deeper flaws, or otherwise, of monetary union.

Middling responses were commonly quite one sided offering considerable detail as to flaws, often offering strong evidence to back these up, particularly with respect to the Portugal, Ireland, Italy, Greece and Spain (PIIGs) countries, deviations from stability and growth rules, and the problems of 'one size fits all' given the variations within Eurozone economies, but provided relatively little to dispute the premise of the question. At the higher end of level 2 arguments such as the survival of the Euro, the strength of some individual members, and the global nature of the crisis were discussed albeit not always in great depth.

The strongest responses still tended to offer more on the flaws than to the contrary but were nevertheless clearly aware that the answer is not straightforward or obvious. Some candidates were able to effectively contrast the impact of the crisis on European countries within and outside the Eurozone, and reference to the ways in which various rules had been bent or broken was often strong. Synopticity was often also quite sophisticated as outlined below. A few candidates also discussed the extent to which posited flaws were easily remedied which, if linked back to the question, was creditworthy.

In addition to the obvious issue of balance there was great scope here for a strong synoptic approach that also considered whether the flaws were within the concept of monetary union, the workings of monetary union, or the lack of fiscal union - in that sense the best candidates could demonstrate how both eurosceptics and europhiles could criticise monetary union as it currently stands. However weaker candidates were often very weak on synopticity, offering neither balance nor subtlety of criticisms.

Put a cross in the box indicating the question that you have chosen.
If you change your mind, put a line through the box
and then indicate your new question with a cross .



Chosen Question Number:
CHOSEN QUESTION

Question 6

Question 7

Question 8

I believe some people would argue the ~~the~~ euro crisis is a reflection of the deeper flaws of Monetary Union. The Euro crisis comes with it a domino like affect, as one ^{euro} country crashes all Euro countries are affected as the Euro becomes some what devalued - this can continue in a vicious circle. Recent crises in Greece is an example of this, as European Union countries, the majority of which hold the Euro as their currency had to bail out Greece, therefore weakening all the states involved, finances. One of the main flaws of the monetary Union is that if one country begins to fail financially, it massively affects all the countries involved in the monetary union. Eurosceptics, such as UKIP (led by Nigel Farage) would agree that the euro crisis is a reflection of the deeper flaws in

the monetary union.

Some people would disagree that the euro crisis shows the flaws of ~~the~~ monetary union. Many pro-Europeans people would believe that the Euro crisis had nothing to do with monetary union but the country's individual handling of the ~~economy~~ economy. Some may say that the monetary union within the EU, all using the Euro as currency actually supported ~~countries~~ those European countries facing financial crisis, ~~and~~ without the monetary union as a safety net, it could be argued that Europe, during the Euro crisis, wouldn't have been as stable as it is.



ResultsPlus

Examiner Comments

The major fault of this response is simply that there is not enough there - there is a little of everything with an argument on each side and consideration of specific views (Farage) which just meets the very minimum threshold for L2 on all AOs except AO2, but there is just not the breadth to go any higher.

AO1 5

AO2 4

Syn 5

AO3 3

Total 17



ResultsPlus

Examiner Tip

If there simply isn't enough content then it is very difficult to show the analysis, synopticity or communication in an essay and you are likely to be hit across the board.

The world was hit by a powerful recession in 2008 that threatened to cause a crash in the Euro, among other currencies such as the pound £ and the dollar \$, and sent Europe into a deep economic crisis. Did this reflect poor governance of the monetary union and its flaws or merely an effect of globally made decisions.

Critics of the single currency argue that a financial crash like this was inevitable because they argue a single interest rate set by the Bundesbank in Germany across the Eurozone cannot take into account the different positions on the economic cycle that members are at. Monetary policy is used to control inflation in an economy by using interest rates as the tool to

control aggregate demand in order to try and sustain a low and stable inflation rate. Although, how is this possible when the countries in the Eurozone may be in very different economic situations and may require very different interest rates. For instance, if Germany was experiencing

↳ boom it would need high interest rates but what if France was in recession and needed low rates to promote spending and investment. This point argues that the deep flaws within the monetary union such as the inability to utilise monetary policy properly helped contribute to the euro crisis.

Furthermore, eurosceptics argue that the different social models and different levels of government fiscal policy (spending and taxation) were not controlled by Europe and thus some countries ran large budget deficits for many years such as Greece. This has caused HUGE social and economic problems in these countries for instance Greece and

Italy both have over 200% of GDP in debt and economies which are shrinking causing high levels of unemployment (12% youth unemployment - Greece, 55% youth unemployment - Spain) which is causing large social problems like homelessness, drug abuse and crime. It is argued, that without full political union and without fiscal and monetary (EUW) control, Europe will never fully be able to contain its

economies from the boom and bust cycle. Suggesting that unless Europe becomes fully integrated in economic and political union OR separates completely but continues to trade goods, it will never succeed.

However, in contradiction to those points, it can be argued the Euro has managed to survive as a currency and is still there to rival the American dollar, which, after all, was one of its main aims. Furthermore, not all Eurozone countries are in recession, Germany, for instance is in stable growth and has relatively low and stable levels of unemployment and inflation. Germany, in fact, due to its aging population, actually has a labour shortage meaning it can employ workers from other areas of Europe such as Spain. Suggesting that the Euro has survived its first test and as a relatively new currency isn't actually doing too badly.

Carrying on from this, the 2008 recession was not only in Europe, but worldwide illustrating that this was not simply a European problem but a global one. In fact, it can be said that

The sub prime debt market crash in the US caused many of the problems & echoed across the world. Relaxed laws

on banking led to mixes between investment and retail banking and banks lending out up to a hundred times more than they had, crucially obliterating the supposed ratio of 9:1 lending to saving. This was happening worldwide, in the UK, in the US, in ASIA, and was not solely, at least, caused by the flaws of the ~~new~~ European Monetary System but in fact the 'non-existent' banking regulations which encouraged high risk schemes with public money. This was evident in the crash of UK bank northern Rock which had to be tax payer bailed out to the tune of £50 billion and along with RBS. This fall in the inter bank relationships caused a sharp downwards spiral in confidence and led to the lack of lending which is now being experienced across Europe.

Therefore, bank lending, especially when it was needed, declined and helped contribute to faltering European economies. However, the single currency has survived one of the harshest

economic climates since the Banking recession of the 1970's suggesting the monetary union management, to an extent, has been successful.

Ultimately, there are several factors that must be considered and the Euro crisis can not simply be explained by the flaws within the European monetary system. It was heavily due to the fall in the US sub prime market which caused banks to make losses, call in debts, and stop lending causing a serious fall in spending, investment and therefore growth. Although, it must also be considered that without full political and economic union, a single interest rate will not be effective in controlling inflation in different Eurozone members due to their positions on the economic cycle.



ResultsPlus Examiner Comments

As a good example of threshold Level 3 response, albeit with slightly better than average structure and communication for this level - the balance is strong, the material is pertinent to the question and well developed, and the line of argument is clear. As with the previous example a little more breadth would be useful, in this case to move from being a 'good' response to a 'very good' or 'excellent' one.

AO1 9
AO2 9
Syn 9
AO3 8
Total 35



ResultsPlus Examiner Tip

In many ways it is easy to achieve a high good mark - offer a balance of clear and developed points supported by examples and with a clear and reasonable line of argument - nothing fancier is required to achieve Level 3.

Question 8

This question was definitely the most popular of the essay questions and was, in general, well done by candidates. Institutional knowledge was strong across the board and, whilst some candidates made mistakes as to specifics between some institutions, very few failed to grasp the basic role of the institutions discussed. Balance was also generally strong across the board. Major discriminating factors were the level of specific evidence offered - for example of the resignation of the Santer Commission, the withdrawal of Rocco Buttiglione, and the impact of changes implemented under the Lisbon treaty - and the extent to which the role and significance of other institutions was linked back to the Commission. Many candidates also made effective cross-over with AS Level content by considering the tendency of European pressure groups to focus on the Commission over other institutions.

A good proportion of candidates showed a good understanding of relevant key concepts such as 'supranationalism', 'intergovernmentalism', 'legitimacy' and 'accountability'. The appropriate use of these terms enhanced the quality of some responses and was rewarded in terms of A03 marks.

Weak responses were not common but offered a simple run through of the roles of different institutions, or else were relatively brief and lacked balance.

Candidates did in general show more awareness of the two major new posts created by Lisbon (one in the Council of the EU, the other in the Commission) than of the specific roles of other commissioners - for example the significant role in trade.

Middling responses tended to be quite clear on the role and significance of the Commission, albeit more often in terms of policy formulation than of enforcement, and often also quite clear on that of other institutions, but varied in their ability to specifically contrast those institutions to the Commission. One example of how many candidates did do this, at least for some of their essay, was by contrasting the roles of the President of the Commission and the President of the European Council. The role of Baroness Ashton, and the importance of an increasing Commission role in Foreign Affairs, was also well considered by many candidates.

The strongest responses not only showed clear and detailed understanding of the Commission's role but were also highly adept at comparing the influence of other institutions to them - for example the relative roles of the Council, Parliament and Commission within policy making and budget setting, the Commission and ECJ within policy enforcement and the Commission and ECB within the management of the Eurozone. Specific examples were strong and were placed within the context of broader concepts such as 'the guardian of the treaties'.

Synopticity within this essay was often in terms of competing views as to which institution could most correctly be described as the 'driving force' and once again direct and explicit contrast was the most effective approach. There was also value to be had in considering how the Lisbon treaty had altered some views of relative power and, in some cases, how this might change further in the future.

The European Commission is made up of a President of Commission and a college of Commissioners. These commissioners are not directly elected but appointed by the member heads of states. The European Commission has a variety of roles, each with its own level of importance bringing up the debate as to whether they are the major driving force within the EU or not.

One key role the Commission has is to propose, draft and initiate legislation. The Commission is the only EU institute which has the power to do this. All legislation and policies considered by the European Parliament and the European Council are originally drafted by the Commission. Holding this power makes the Commission one of the strongest driving forces. However, it could be debated that whilst the Commission has the power to propose and initiate it does not have ^{final say} ~~final say~~. It is up to the European Parliament and the European Council to have the final say. This therefore causes the Commission's power to be reduced, significantly lessened and therefore makes it not the major driving force. Without the

European Parliament or European Council approval, no laws or policies would be implemented. Despite this, the debate focuses on being a driving force and ^{overall} ~~overall~~, the Commission is the key driving force in legislation and policies.

A second role of the Commission is mainly the duty of the President of the Commission and this involves the allocation of portfolios to the ~~27~~ member states. This allows the Commission to be a driving force as it ensures responsibilities

are being taken care of and ^{the assurance that} ~~the government~~ they are being completed. Having the power to decide which countries have which portfolios gives the EU a sense of direction. By providing the EU with a sense of direction, it drives other institutions towards achieving certain goals. It also ^{drives} ~~drives~~ the EU towards intergovernmentalism or supranationalism. It could be said though that the European Commission President requires approval from both the Parliament and the European Council. Therefore, it is these two institutions that ultimately decide the correct direction for the EU to go in.

The European Parliament also has the ability to sack the commission or ^{or} ~~or~~ press individual commissioners to resign if they are not working acceptably. In 2006, Barroso, President of the commission, appointed Buttiglione as his vice-president. Unfortunately, Buttiglione had strong views on homosexuality and was not the correct person the Parliament felt to rule the European Commission.

The Parliament did not agree with the direction he would take and so they pressed Buttiglione and threatened the whole commission until the vice-president agreed to resign. This shows that ^{perhaps the} ~~perhaps the~~ Commission are not the main ^{driving} ~~driving~~ force as ultimately, EP can choose the direction they want the EU to go in.

A third way to show that perhaps the Commission is the main driving force is through the leaders appointed. The President of the Commission is appointed with the aim in mind that they are to achieve a lot and shape the legislation. Delors introduced the Maastricht Treaty and the Amsterdam Treaty whilst, current President, Barroso, introduced the Lisbon Treaty.

The commission has ability to draft legislation of high importance which must be implemented by all member states. The college of commissioners are appointed by heads of member states meaning at the same time, national interests are being considered.

To conclude, the Commission could be considered a major driving force. They are responsible for drafting, shaping and proposing legislation, ensure responsibilities at parliaments are carried out and attempt to direct the EU. However, they do not have right to approve legislation, implement it and the EP can always change direction if they do not agree. ~~Over~~ The commission is therefore

a major driving force of the UK but does not act alone



ResultsPlus Examiner Comments

This candidate clearly has a good grasp of the role of the commission and is able to offer some useful examples, but lacks the breadth of contrast with other institutions that characterises level 3 responses to this question. Because of this the synopticity mark suffers although it is still mid L2 due to the useful comparison with the parliament.

AO1 8
AO2 7
Syn 6
AO3 6
Total 27



ResultsPlus Examiner Tip

In any question that asks you to discuss the relative power of one EU institution an explicit contrast between that institution and other individual institutions will almost invariably be the hallmark of a strong answer.

The European Commission is one of the major supranational institutions in the EU. For years it has had considerable influence in shaping EU policy, this has been changed through the years with three different Presidents, some having greater impact than others.

It can be argued that the Commission is the major driving force because the Commission has the sole power to initiate legislation. No other EU institution can initiate policies, whilst the Council ~~may~~ or EP can suggest proposals, the Commission is the sole initiator.

However, it can also be argued that the European Parliament and the Council of Ministers have a considerable driving force as well. The European Parliament (EP) ~~can~~ along with the Council of Ministers, are the core legislators of EU policy. Policies ~~are~~ initiated by the Commission are sent to the EP and Council of Ministers in order to become a policy (after several readings and possible amendments). Therefore, it could be argued that the Commission is no longer the major driving force within the EU ever since

the Treaty of Lisbon extended the EP's policy making powers with the Council of Ministers (known as ordinary legislative procedure).

Moreover, the role of the President of the Commission is extremely important as it takes ~~many~~ on many significant roles that help the Commission appear more dominant within the EU. The President must

appoint portfolios ~~for~~ to ~~the~~ the 27 commissioners, one from each member state. These portfolios are integral to the creation of EU policy as ^{the Commissioners can initiate} they can ~~propose~~ policy ideas to the Commission ~~as about~~ their concerning their particular portfolio. Portfolios can include trade, agriculture and the environment and the President has the only appointment powers of them. Therefore due to the ~~influence~~ of President's administrative role in appointing these portfolios, he/she can help to bring important issues to all member states and this then can help the formulation of policy as national and EU pressure groups could have a say in the initiation proposals.

However, the President's powers are limited as the EP vets the appointment of the portfolios and has the power to reject the entire Commission, the 'nuclear' option. Therefore, due to the significant powers of the EP, the Commission could be seen as less of a driving force within the EU in comparison to the EP. Moreover, the EP did use the 'nuclear' option in 2004 following the appointment

of a homophobic and deeply religious Italian commissioner, Rosco Buttiglione, who was to be in charge of a sensitive portfolio. The EP rejected the entire Commission after the President did not want to resign Buttiglione.

~~Further~~ Furthermore, the European Court of Justice (ECJ) could be argued to be a much more major driving force within the EU. The ECJ has the power to ^{over} national laws of the member states and bring individuals, companies or member states to the ECJ. The supremacy of EU law could be ~~seen~~

argued to be a greater issue ^{than} ~~that~~ the Commission's appointments of portfolios. The supremacy of ~~the~~ EU law and the dominant power behind the politically independent ECJ can be seen in the Factortame case in 1990. This when the ECJ ruled that UK law concerning the Merchant Shipping Act conflicted with EU law, thus, the UK had to back down and allow other member states to fish in UK waters. Therefore, it can be seen that the ECJ's power has increased greatly, enforcing EU law in all member states and has indeed surpassed the limited powers of the Commission.

On the other hand, the changing face of the European Commission, ^{President} has led to the Commission being perceived as the major driving force within the EU. The appointment of Jose Manuel Barroso in 2004, whose term was renewed in 2009, and will last until 2014, was

not the simplest of decisions within the Council of Ministers. The franco-German alliance pushed for a more federalist figure but the UK did not want this as the ~~the~~ EU could become perceived as a 'superstate'. Barroso was a compromise candidate between member states, which could be seen as a bad thing, but the fact that his Presidency was renewed suggests that he is a popular peacemaker among the Commission, therefore ~~the~~ he is ^{the} major driving force in the Commission and has helped bring a 'face' to these roles, bringing EU politics into the minds of ~~the~~ EU citizens.

Furthermore, when compared to the European Council, the Commission can be seen to lack power. For example, the European Council has budgetary powers and confirms the appointment of the President of the Commission, the President of the European Central Bank and its board and the President of the European Council along with the High Representative for foreign policy, whereas the Commission has no appointment roles in this respect. Whilst the Commission is in charge of the portfolios, the European Council can be seen to have more effective powers, so can be seen as more of a driving force than the Commission.

In addition, the Commission remains very undemocratic. Unlike the EP, the Commission is not directly elected by EU citizens, so the Commission can be seen as ~~less~~ having

less significance in terms of powers and policy making, therefore elections are not required to appoint the Commissioners. Mercos, MEPs have a direct ~~is~~ effect in shaping and amending EU legislation, and are directly elected, therefore the electorate could perceive the EP as more of a ~~major~~ major driving force within the EU.

In conclusion, the Commission's role of being the sole initiator of EU policy can contribute to the argument that the Commission is ^{the} ~~a~~ major driving force in the EU, as without it, policy could not be started and subsequently, never achieved. However on the other hand, the Commission lacks power in formulating and amending legislation since the Treaty of Lisbon extended the EP's policy making role of 'ordinary legislative procedure' which is shared

with the Council of Ministers. Therefore, whilst the Commission is the first driving force of the EU, its role after initiating legislation is somewhat minimised as the supranational EP and intergovernmental Council of Ministers take the lead in formulating and amending future EU policies.



ResultsPlus Examiner Comments

This is a strong and well-structured answer. Contrast between institutions is integral to the response with clear discussion of the roles and powers of the institutions, but consistently linked back to the Commission. Unlike many others, lower L3 responses, this candidate considers the ECJ as well as the Council and Parliament which is relevant and helpful. The reference to the France-German influence also shows strong analysis.

AO1 11

AO2 10

Syn 8

AO3 8

Total 37



ResultsPlus Examiner Tip

Although Unit 4A is rarely quite as contemporary as Unit 3A, as the EU evolves at a slower rate than UK policy, providing up to date examples, and showing awareness of the current post-holders and personalities and most recent treaty changes is critical and makes a strong difference to your mark.

Paper Summary

Based on their performance on this paper, candidates are offered the following advice:

- Ensure that they address the question as set, paying particular attention to the words 'to what extent' and to the significance of 'significance'.
- Following on from the above, resist the temptation to address the question they wanted to be set.
- Check that their understanding of key concepts, such as subsidiarity, is secure.
- Ensure that they avoid confusing similar institutions or concepts, for example between the ECHR and ECJ, or the Council of Ministers and the Council of the EU.
- Avoid assertion or general debate in favour of specific argued points (for example the ways in which a flaw in monetary union led to economic difficulties, not simply that it did).
- Continue to develop their use of synopticity, avoiding simplistic yes/no, agree/disagree approaches and making use of competing viewpoints between, within and outside of parties, institutions and member states, where appropriate to the demands of the question.
- Look to link specific examples of treaty provisions and effects to wider points and trends - for example with respect to the impact on sovereignty, citizens or businesses.
- Maintain a contemporary focus, and avoid overly historical content.

Grade Boundaries

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