



AS

GOVERNMENT AND POLITICS

Unit 2 Governing Modern Britain

Thursday 8 June 2017 Afternoon Time allowed: 1 hour 30 minutes

Materials

For this paper you must have:

- an AQA 12-page answer book.

Instructions

- Use black ink or black ball-point pen.
- Write the information required on the front of your answer book. The **Paper Reference** is GOVP2.
- Choose **two** topics and answer **all** questions on each topic.
- Do all rough work in your answer book. Cross through any work you do not want to be marked.

Information

- The marks for each question are shown in brackets.
- The maximum mark for this paper is 80.
- Questions **02** and **03**, **05** and **06**, **08** and **09**, **11** and **12** should be answered in continuous prose. For those questions you will be marked on your ability to:
 - use good English
 - organise information clearly
 - use specialist vocabulary where appropriate.

Advice

- You are advised to read through the examination paper before you attempt the questions.
- You are advised to spend the same amount of time on each topic.

Choose **two** topics and answer **all** questions on each topic.

Each topic carries 40 marks.

Topic 1 The British Constitution

Read the extract below and answer questions **01**, **02** and **03** which follow.

Judicial review of administration

The absence of constitutional accountability for many areas of administration makes applications for judicial review an increasingly attractive option in modern Britain. This tendency is strengthened by a growing awareness of the possibility of appeals to European law and the European courts. The **human rights legislation** of 1998 (Human Rights Act) further increases the opportunity for judicial review of government actions. Even where European law does not apply, the constitutional doctrine of parliamentary sovereignty need not hinder the courts from passing judgment on civil servants' or ministers' actions, or even on decisions taken by the government as a whole. Acts of Parliament are often vague and general or badly worded, giving greater scope for the executive to make up rules as they go along.

Adapted from I Budge *et al*, 'Judicial review of administration', in *The New British Politics*, Addison Wesley Longman, Harlow, 1998

- 0 1** Explain the term '**human rights legislation**' used in the extract. **[5 marks]**
- 0 2** Using your own knowledge, as well as the extract, explain the principle of judicial review in the British system of government. **[10 marks]**
- 0 3** 'The British constitution leaves the government with too much power.' Discuss. **[25 marks]**

Topic 2 Parliament

Read the extract below and answer questions **04**, **05** and **06** which follow.

Scrutiny by the House of Commons

It is a mistake to assume that limited or occasional influence on policy is the same as no influence. The House of Commons may not make policy but it constrains (and occasionally prods) government. In July 2008 the Hansard Society, a think tank specialising in the study of Parliament, published a major study into the way Parliament deals with legislation: *Law in the Making*. Drawing on over 80 interviews with ministers, MPs, peers and others, it was the first major examination of the law-making process in the UK for several decades. Despite the criticism often levelled, the study argued that in recent years the amount, quality and effectiveness of **parliamentary scrutiny** had improved. The report challenged the view that Parliament was irrelevant and all but powerless in the legislative process.

Adapted from Philip Cowley, 'The House of Commons', *Politics Review*, Vol. 18, No. 2, 2008

- 0 4** Explain the term '**parliamentary scrutiny**' used in the extract. **[5 marks]**
- 0 5** Using your own knowledge, as well as the extract, identify **and** explain **two** reasons why Parliament should **not** be considered 'irrelevant and all but powerless in the legislative process'. **[10 marks]**
- 0 6** 'Parliament cannot be regarded as truly democratic until its composition more closely mirrors that of the wider society.' Discuss. **[25 marks]**

Turn over for the next topic

Topic 3 The Core Executive

Read the passage below and answer questions **07**, **08** and **09** which follow.

Individual ministerial responsibility

The convention of individual ministerial responsibility has meant that civil servants should remain anonymous while ministers inform and explain, apologise, take action and, in cases of serious error, resign. However, today the convention is somewhat modified.

Leading civil servants, including the Cabinet Secretary, are increasingly to be found in the public eye, their names becoming well known. Moreover, ministers have been able to resist calls for their resignation. In 2011 the UK Border Agency was found to be relaxing checks on people entering the country. The then **Home Secretary**, Theresa May, argued that the agency's head, Brodie Clark, was responsible, and it was Clark who was to resign.

Where ministers have gone, it has more often been for reasons of embarrassing personal behaviour or some violation of the ministerial code. In most cases the decision appears to be determined by political advantage and the wishes of the Prime Minister, rather than constitutional principle.

07

Explain the term '**Home Secretary**' used in the passage.

[5 marks]**08**

Using your own knowledge, as well as the passage, identify **and** explain **two** possible reasons why 'ministers have been able to resist calls for their resignation'.

[10 marks]**09**

'The view that the British Prime Minister enjoys presidential powers is a gross exaggeration.' Discuss.

[25 marks]

Topic 4 Multi-level Governance

Read the extract below and answer questions **10**, **11** and **12** which follow.

The European Commission

The European Commission is located mainly in Brussels in the Berlaymont building, and sometimes in Luxembourg and Strasbourg. At its head sit the **European Commissioners**. With wide-ranging functions, the Commission is more than a civil service. Not only does it implement policy, it has sole responsibility for initiating legislation, by presenting proposals to the Council of Ministers and European Parliament. It also drafts the budget and conducts negotiations with non-member states. As the guardian of the treaties it can take nations, institutions and individuals before the European Court for any infringements of EU law. Yet in spite of its wide-ranging and highly important responsibilities the Commission is much criticised by Eurosceptics.

Adapted from J. Kingdom with P. Fairclough, *Government and Politics in Britain*, Cambridge, Polity Press, 2015

- 1 0** Explain the term '**European Commissioners**' used in the extract. **[5 marks]**
- 1 1** Using your own knowledge, as well as the extract, identify **and** explain **two** possible reasons why 'the Commission is much criticised by Eurosceptics'. **[10 marks]**
- 1 2** 'Multi-level governance means that the traditional Westminster model no longer reflects how the British governmental system operates.' Discuss. **[25 marks]**

END OF QUESTIONS

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