

Mark Scheme (Results)

June 2011

GCE Government & Politics 6GP04 4A
EU Political Issues

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June 2011

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General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

No. 1

Assess the arguments in favour of the UK's withdrawal from the EU.

Indicative content (*this is not an exhaustive account of relevant points*)

Candidates should demonstrate an awareness that the anti-EU movement in the UK is a disparate group with no real central organisation or leadership. Such groups include UKIP, the BNP, large sections of the tabloid media and the more right-wing member of the Conservative Party.

Opponents of UK membership of the EU believe that

- Membership of the EU has meant giving up too much sovereignty, and the extension of QMV has further eroded sovereignty
- Enlargement has further diluted the UK's ability to influence EU policy, and has increased economic and social issues e.g. a widespread perception that enlargement has damaged employment prospects for UK workers and businesses
- The EU is deeply undemocratic and leaving the EU would revive British democracy
- That EU membership has not brought the promised economic benefits and is indeed damaging the UK through policies such as the CAP and the Common Fisheries Policy
- The impact of treaties such as the Social Chapter of Maastricht is argued to be damaging the UK through aspects such as the Working Time Directive which is accused of restricting small businesses in particular
- The UK has never been a committed member of the EU, earning a reputation as the 'awkward partner' over issues such as the Maastricht Treaty, the Euro, further integration- if the UK is so isolated from the rest of the EU anyway, there is no point in continuing membership
- If the UK remains in the EU, it may have to commit to further integration, such as joining the Eurozone, or face being isolated further in a 'two-speed' Europe
- The UK does not need to sacrifice sovereignty for free trade and that the UK could thrive economically outside the EU as Switzerland and Norway have done
- The UK public is increasingly anti-EU, as evidenced by the election of 13 members of UKIP to the European Parliament in 2009.

LEVELS	DESCRIPTORS
<p>Level 3 (11-15 marks)</p>	<ul style="list-style-type: none"> • Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Good to excellent ability to analyse and explain political information, arguments and explanations. • Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
<p>Level 2 (6-10 marks)</p>	<ul style="list-style-type: none"> • Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Limited to sound ability to analyse and explain political information, arguments and explanations. • Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
<p>Level 1 (0-5 marks)</p>	<ul style="list-style-type: none"> • Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Very poor to weak ability to analyse and explain political information, arguments and explanations. • Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

No. 2

What is meant by subsidiarity, and what is its significance for European integration?

Indicative content (*this is not an exhaustive account of relevant points*)

Candidates should demonstrate an awareness of the principles behind subsidiarity, and explain its impact on integration. Responses that only explain subsidiarity are unlikely to progress beyond the bottom of Level 2.

Points explaining subsidiarity may include:

- It is the principle that policy-decisions should be taken as close to those affected by the decisions as possible
- That policy should only be made at EU level if local or national governments are less able to achieve the goals of the policy.
- It was originally designed to guarantee regional autonomy **and** to limit the EU's ability to intervene and further encroach on national sovereignty.

The impact of subsidiarity on intergration includes:

- The Euroscptic view that it is being used as an excuse for "creeping federalism" in an age of increasing globalisation
- Eurosceptics argue that it is too easy to make the case for almost all policy areas being addressed most effectively at EU level rather than at the lowest level, pointing to the increasing number of policy areas introduced to EU control by recent treaties e.g social policy, CFSP, and the environment.
- Proponents argue subsidiarity is being used as an excuse to limit further integration. The Lisbon Treaty, for example, stated that national parliaments could decide whether EU legislation complies with the principle of subsidiarity.
- Proponents argue subsidiarity is used as an excuse to retain national control in policy areas which would be best dealt with at EU level e.g. defence, foreign affairs and the environment.
- Subsidiarity also arguably prevents further integration by creating additional bodies to deal with locally or regionally decided policy issues, such as the Committee for the Regions.
- The devolved bodies in the UK, for example, have benefited from subsidiarity and may not desire further integration that will cause them to lose influence.

LEVELS	DESCRIPTORS
<p>Level 3 (11-15 marks)</p>	<ul style="list-style-type: none"> • Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Good to excellent ability to analyse and explain political information, arguments and explanations. • Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
<p>Level 2 (6-10 marks)</p>	<ul style="list-style-type: none"> • Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Limited to sound ability to analyse and explain political information, arguments and explanations. • Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
<p>Level 1 (0-5 marks)</p>	<ul style="list-style-type: none"> • Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Very poor to weak ability to analyse and explain political information, arguments and explanations. • Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

No. 3	How significant is the post of High Representative for Foreign Policy, as established in 2009?
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Indicative content (*this is not an exhaustive account of relevant points*)

Candidates should be aware that the position of High Representative was established to give the EU a more effective voice in foreign affairs, compared to the previous arrangement when various post-holders had foreign policy responsibilities.

Arguments that suggest the High Representative is significant include:

- The position has a large budget and dedicated staff to support the office-holder's work
- The position puts a 'face' to foreign policy, mirroring the foreign minister of countries negotiating with the EU and allowing the EU to negotiate clearly with other states and organisations
- There should be greater coherence to policy-making
- Baroness Ashton's actions in coordinating a response to the 2010 Haiti earthquake was the first time that such a co-ordination between all the various EU foreign policy actors had been accomplished before- and the Council President (Spain) played a lesser role than would have occurred pre-Lisbon

Arguments that suggest the High Representative is of less significance include:

- There is still some overlap with other post-holders (Commissioner for Development and Commissioner for Enlargement)
- Initiatives proposed still need to be approved by the European Council, and voting on foreign affairs will continue to be on the basis of unanimity (giving members states a veto)
- The mandate of the post is limited: Baroness Ashton recognised this during the early stages of the Libyan crisis when she refused to comment on calls to grant recognition to the rebel National Libyan Council
- The 'double-hatted' nature of the post (sitting in both the supranational Commission and the intergovernmental Council) has led to questions as to where the postholder's loyalties lie
- There is uncertainty as to whether the post-holder should be a policy leader or a consensus-builder
- There is no guarantee that member states will cooperate if foreign policy needs military backing
- The choice of Baroness Ashton as the first holder of the post, who will shape its character, suggested that the position will be of limited significance, as she has no previous foreign affairs experience.

LEVELS	DESCRIPTORS
<p>Level 3 (11-15 marks)</p>	<ul style="list-style-type: none"> • Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Good to excellent ability to analyse and explain political information, arguments and explanations. • Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
<p>Level 2 (6-10 marks)</p>	<ul style="list-style-type: none"> • Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Limited to sound ability to analyse and explain political information, arguments and explanations. • Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
<p>Level 1 (0-5 marks)</p>	<ul style="list-style-type: none"> • Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Very poor to weak ability to analyse and explain political information, arguments and explanations. • Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

No. 4

To what extent has EU membership affected the judiciary in the UK?

Indicative content (*this is not an exhaustive account of relevant points*)

Candidates should demonstrate an awareness that the UK judiciary has exerted considerably greater power in recent years, and should evaluate how much of this is due to membership of the EU.

Arguments stating EU membership has affected the judiciary include:

- The highest court is now the European Court of Justice, which has established that EU law is superior to national law and that the ECJ can over-rule national governments, with the following rulings:
- When national law conflicts with EU Law, then EU law is supreme. *Costa v ENEL (1962)*
- Companies can challenge their own governments if they face restrictions that are not permitted by EU law. *van Gend en Loos (1964)*
- National standards cannot be used to prevent the free circulation of goods. *Cassis de Dijon (1979)*
- The Social Chapter extended workers' rights- which must be upheld by the UK judiciary

These principles have been applied in relation to the UK in the following rulings:

- 1990 Factortame, 1994 *Ex Parte EOC*, 2005 Foreign Workers' Rights ruling, 2006 Richards versus UK Secretary of State for Work and Pensions.

Questions of EU law that reach the UK Supreme Court must be referred to the ECJ for a definitive ruling, unless the Supreme Court consider that the law has already been settled by the ECJ.

Counter-arguments include:

- Other ways in which the UK judiciary has become more assertive, such as enforcing the Human Rights Act, are not a consequence of EU membership.
- The UK also retains a number of opt-outs from EU law on key areas such as visas, asylum and immigration and other policies relating to free movement of persons.
- The UK still ultimately retains the right to withdraw from the EU.
- The UK is also only subject to a very small number of ECJ court cases; 13 out of 207 in 2009 (an unusually large number, as in 2007 it was 2 out of 212 and 4 out of 193 in 2006).

LEVELS	DESCRIPTORS
<p>Level 3 (11-15 marks)</p>	<ul style="list-style-type: none"> • Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Good to excellent ability to analyse and explain political information, arguments and explanations. • Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
<p>Level 2 (6-10 marks)</p>	<ul style="list-style-type: none"> • Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Limited to sound ability to analyse and explain political information, arguments and explanations. • Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
<p>Level 1 (0-5 marks)</p>	<ul style="list-style-type: none"> • Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Very poor to weak ability to analyse and explain political information, arguments and explanations. • Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

No. 5	What is the Social Chapter, and why has it been controversial?
Indicative content (<i>this is not an exhaustive account of relevant points</i>)	
<p>Candidates are expected to understand that the Social Chapter was adopted after the introduction of the single market (with a UK & Ireland opt out).</p> <p>Points may include:</p> <ul style="list-style-type: none"> • It has extended EU rules and regulations into new areas that erode sovereignty (this was the main reason given by John Major for refusing to sign it) • Arguably it can have the effect of reducing competitive advantage in countries that keep business overheads to a minimum by increasing labour costs, reducing flexibility and causing unemployment (because of increased labour costs) • It makes the EU as a whole uncompetitive compared to other economic powers that do not operate such tight labour regulations, such as the China, Russia and the USA • It increases the risk of 'social dumping', with companies moving to those parts of the EU with lower costs <p>Additionally, the absence of EU-wide labour laws:</p> <ul style="list-style-type: none"> • Opens the door to unsatisfactory working conditions • Weakens the collective bargaining position of workers • Increases the risk of companies suppressing wages and conditions by recruiting from poorer regions of the EU. 	

LEVELS	DESCRIPTORS
Level 3 (11-15 marks)	<ul style="list-style-type: none"> • Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Good to excellent ability to analyse and explain political information, arguments and explanations. • Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
Level 2 (6-10 marks)	<ul style="list-style-type: none"> • Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Limited to sound ability to analyse and explain political information, arguments and explanations. • Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
Level 1 (0-5 marks)	<ul style="list-style-type: none"> • Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. • Very poor to weak ability to analyse and explain political information, arguments and explanations. <p>Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.</p>

No. 6	Has the Treaty of Lisbon created a European 'superstate'?
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Indicative content (*this is not an exhaustive account of relevant points*)

Candidates should demonstrate an understanding that the Lisbon Treaty has been accused of establishing a federalist agenda by Eurosceptics, a view that has been forcefully rejected by those who support the Treaty.

- Arguments offered by Eurosceptics include:
- The long gap between the initial proposals for institutional reform (2001) and the adoption of the Treaty (2009) shows that the previous arrangements were adequate for an enlarged EU
 - It increases the number of issues subject to majority voting, thereby reducing the opportunities for national vetoes and eroding national sovereignty
 - The increased powers given to the European Parliament, which operates on a supranational basis, also has the potential to sideline national interests
 - It extends the powers of the European Court of Justice into home affairs
 - It makes the Charter of Human Rights legally binding
 - It seeks to enhance the foreign policy role of the EU
 - The new post of President of the European Union suggests the EU is now moving further towards becoming a 'superstate'

- Arguments offered by supporters of the Treaty include:
- It dropped the 'Constitutional' name of the previous treaty to counter the objections of those who claimed it was creating an EU constitution
 - It allows opt-outs for countries from certain clauses of the Charter of Human Rights for special national reasons
 - Opt-outs also remain for countries such as the UK and Poland who may not wish to adopt certain common foreign policy positions
 - It streamlines and simplifies processes which were designed for a club of six but have been used for a club of 27.
 - Increased powers for the European Parliament address concerns about a 'democratic deficit'
 - New roles for national parliaments further also address concerns about the 'democratic deficit'
 - The Treaty contains a specific provision for countries to leave the EU if they dislike the direction taken by the majority
 - There is still no overall tax harmonisation, as would be expected in a 'superstate'
 - There is also still no united military force, suggesting that states still retain a degree of sovereignty in this area

A01	Knowledge and understanding
Level 3 (9-12 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 2 (5-8 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 1 (0-4 marks)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates

AO2	Intellectual skills
The skills that are relevant to this question are: <ul style="list-style-type: none"> • Ability to analyse and explain the criticisms of the Lisbon Treaty made by Eurosceptics • Ability to analyse and explain the arguments made in defence of the Lisbon Treaty • Ability to evaluate the strengths and weaknesses of the arguments made 	
Level 3 (9-12 marks)	Good to excellent ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 2 (5-8 marks)	Limited to sound ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 1 (0-4 marks)	Very poor to weak ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
AO2	Synoptic Skills
Level 3 (9-12 marks)	Good to excellent ability to identify competing viewpoints or perspectives, and clear insight into how they affect the interpretation of political events or issues and shape conclusions
Level 2 (5-8 marks)	Limited to sound ability to identify competing viewpoints or perspectives, and a reliable awareness of how they affect the interpretation of political events or issues and shape conclusions
Level 1 (0-4 marks)	Very poor to weak ability to identify competing viewpoints or perspectives, and a little awareness of how they affect the interpretation of political events or issues and shape conclusions
AO3	Communication and coherence
Level 3 (7-9 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary
Level 2 (4-6 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary
Level 1 (0-3 marks)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary

No. 7	'The Council of Ministers is the most powerful decision-making body within the EU.' Discuss.
Indicative content (<i>this is not an exhaustive account of relevant points</i>)	
<p>Candidates should demonstrate awareness that there are grounds for supporting and for contesting this claim.</p> <p>Arguments in favour of the statement include:</p> <ul style="list-style-type: none"> • The Council makes most policy decisions • The Council has an effective apparatus for preparing and co-ordinating national responses to policy proposals • The Council ratifies decisions, and in its various forms it deals with such key issues as trade, environment, budget, foreign relations, employment rights • The Council is where key inter-ministerial negotiations take place. • The Commission is mainly limited to making policy proposals • The European Parliament must be consulted on policy but, in most cases, the Council's position prevails over that of the Parliament <p>Arguments against the statement include:</p> <ul style="list-style-type: none"> • Much of the real policy formulation goes on in other institutions – Commission, Parliament, COREPER etc- The Council is only the final ratification. • Much real negotiation goes on outside the Council, between ministers from the larger member states. • The Commission initiates, and therefore shapes, policy. It also remains closely involved in all discussions that take place while proposals are being debated by other bodies • The Commission is responsible for implementing and enforcing policy, and enjoys substantial discretion as to how this is done • The Commission has responsibility for specific areas of foreign policy (especially trade) and for negotiations with applicant states. The creation of a new President of the EU and High Representative also have the potential to erode the position of the Council • The European Parliament, since the adoption of the Lisbon Treaty, becomes the equal of the Council in almost all EU legislation. 	
A01	Knowledge and understanding
Level 3 (9-12 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 2 (5-8 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 1 (0-4 marks)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates

AO2	Intellectual skills
The skills that are relevant to this question are: <ul style="list-style-type: none"> • Ability to analyse and explain the criticisms of the Lisbon Treaty made by Eurosceptics • Ability to analyse and explain the arguments made in defence of the Lisbon Treaty • Ability to evaluate the strengths and weaknesses of the arguments made 	
Level 3 (9-12 marks)	Good to excellent ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 2 (5-8 marks)	Limited to sound ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 1 (0-4 marks)	Very poor to weak ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
AO3	Communication and coherence
Level 3 (7-9 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary
Level 2 (4-6 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary
Level 1 (0-3 marks)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary

No. 8	Predictions that the monetary union would fail have been misplaced. Discuss.
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Indicative content (*this is not an exhaustive account of relevant points*)

- Candidates should demonstrate awareness that there are sharply contrasting views on whether a 'one size fits all' monetary policy can be suitable for all of the countries in the Eurozone.
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- Arguments that monetary union has worked include:
 - The establishment of a world class currency to rival the US dollar
 - The feared inflationary effect of joining the Eurozone has not occurred (although the impact of monetary union on inflation is hard to judge with increasing globalisation)
 - The Eurozone was relatively strong and stable before the 2008 economic crisis
 - The Euro has survived the 2008 economic crisis-its value remained strong while the value of the US dollar and UK Sterling fell, and in fact it gained in popularity
-
- Arguments that monetary union has failed/not worked as planned include:
 - The expected growth in the EU economy has not occurred, indeed it has stagnated.
 - Differing economic cycles in national economies needs more flexibility than the European Central Bank allow e.g. the property boom in Spain and Eire was the reverse in Germany where costs were squeezed down to pull through.
 - 14 Eurozone states breached the Stability and Growth Pact rules in 2009- even economically strong countries like France and Germany have struggled to stay within the required debt and deficit rules, with both coming close to having sanctions imposed on them in 2003
 - Monetary union did not prevent Greece and Ireland from near-bankruptcy during the 2008 economic crisis
 - The Eurozone members had to agree to set up a Eurozone-wide fund to remove the fear that weak Eurozone states wouldn't be able to repay their debt
 - The IMF has had to contribute to the economic bailout of countries such as Ireland and Spain, and argued that substantial reform is needed to prevent a 'domino effect' across the Eurozone

Candidates who only discuss the impact of events since the 2008-09 recession should be rewarded if they demonstrate a strong knowledge and understanding of these recent developments, and are able to evaluate their significance for the future of monetary union.

AO1	Knowledge and understanding
Level 3 (4-5 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 2 (2-3 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates

Level 1 (0-1 mark)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
AO2	Intellectual skills
The skills that are relevant to this question are: <ul style="list-style-type: none"> • Ability to explain and analyse the success of monetary union • Ability to explain and analyse the weaknesses of monetary union • Ability to evaluate the strengths and weaknesses of the arguments 	
Level 3 (5-7 marks)	Good to excellent ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 2 (3-4 marks)	Limited to sound ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
Level 1 (0-2 marks)	Very poor to weak ability to analyse and evaluate political information, arguments and explanations, and identify parallels, connections, similarities and differences
AO3	Communication and coherence
Level 3 (3 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary
Level 2 (2 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary
Level 1 (0-1 mark)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary

SUMMARY A2 MARKING GRIDS

These grids should be used in conjunction with the fuller Level descriptors.

PART A - SHORT QUESTIONS (15 marks)

Level 3	Excellent	15
	Very good	13-14
	Good	11-12
Level 2	Sound	10
	Basic	8-9
	Limited	6-7
Level 1	Weak	4-5
	Poor	2-3
	Very poor	0-1

PART B – ESSAY QUESTIONS (45 marks)

<i>AO1 / AO2 / Synopticity</i>	
Level 3 (Good to excellent)	9-12
Level 2 (Limited to sound)	5-8
Level 1 (Very poor to weak)	0-4

<i>AO3</i>	
Level 3 (good to excellent)	7-9
Level 2 (Limited to sound)	4-6
Level 1 (Very poor to weak)	0-3

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