

Mark Scheme (Results)

June 2014

Pearson Edexcel in GCE
Government & Politics
(6GP02)
Unit 2: Governing the UK

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General Marking Guidelines

- 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 (a)	With reference to the source, outline why the UK constitution is easy to change.
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>The following characteristics enable the UK constitution to be easily changed:</p> <ul style="list-style-type: none"> • It is not codified. • The comparative ease of introducing a new piece of legislation by parliament or the recognition of a new convention or revising an existing one • A government with a majority in the Commons can easily introduce constitutional change. • There is a lack of checks and balances (notably the Lords' weaknesses, though reference to the Lords is not essential) <p>N.B.</p> <ul style="list-style-type: none"> • Flexibility is not part of a valid answer as it is simply another way of describing 'easy to change' • Additional points from outside the source are not credit worthy 	
1 mark is awarded if any one factor is identified with minimum detail	
2 marks are awarded if any one factor is accurately identified and described	

No. 1 (b)	With reference to the source and your own knowledge, explain how an uncodified constitution differs from a codified constitution.
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>The following differences are contained in, or implied by, the source :</p> <ul style="list-style-type: none"> • An uncodified constitution is flexible and pragmatic but a codified one is not to the same extent. • An uncodified constitution is at the mercy of a government with a parliamentary majority, while a codified constitution is not as vulnerable • Codified constitutions have a formalised process for constitutional change with in-built checks and balances whereas the UK with its uncodified constitution has little extensive safeguards in place. <p>Differences not referred to in the passage are :</p> <ul style="list-style-type: none"> • A codified constitution has a single source and is in one document, while an uncodified constitution such as the UK has several sources. • A codified constitution is effectively entrenched, while an uncodified one is not. • A codified constitution is subject to judicial interpretation unlike an uncodified one. <p>A Level 2 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Limited knowledge and understanding of the differences between a codified and a uncodified constitution ○ Generic and partial detail which presents a restricted picture as opposed to precise and complete information <p>A Level 3 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Clear knowledge and understanding of the differences between a codified and an uncodified constitution ○ Accurate and precise detail which presents a comprehensive outline. Reference will be drawn from both the source and the candidates' own knowledge, although an even or equal balance is not required. 	
<i>Level 3</i> 6–7 Marks	Good to excellent knowledge and understanding of at least three differences including at least one reason drawn from the passage and at least one from the candidate's own knowledge
<i>Level 2</i> 3-5 Marks	Limited to sound knowledge and understanding of at least two differences, either drawn from the passage and/or from the candidate's own knowledge
<i>Level 1</i> 0-2 Marks	Weak to very limited knowledge and understanding of at least one difference, drawn either from the source or the candidate's own knowledge.

AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to explain effectively the differences between the two types of constitution.	
<i>Level 3</i> 3 Marks	Good to excellent ability to explain the differences between uncodified and codified constitutions
<i>Level 2</i> 2 Marks	Limited to sound ability to explain the differences between uncodified and codified constitutions
<i>Level 1</i> 0-1 Mark	Weak or absent ability to explain the differences between uncodified and codified constitutions

No. 1 (c)	Assess the significance of the constitutional reforms introduced since 1997.
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>Since 1997 there have been many constitutional reforms introduced and proposed, by both the former Labour government and the Coalition government.</p> <p>Constitutional changes include – Devolution, Lords Reform, new proportional voting systems, the creation of a Supreme Court, Elected Mayors, the Freedom of Information Act, the Human Rights Act and a fixed term parliament, other constitutional changes and proposals may be discussed.</p> <p>Examples assessing the significance include:</p> <p>In respect to devolution it has created a new tier of regional/local government where citizens make decisions in closer proximity to themselves and this has afforded regional variance which has been valued, it has also fostered civic pride. However it has come at a cost, financially in creating another tier of government and also a political cost in that it may fragment the UK.</p> <p>Reform to the House of Lords has increased its legitimacy by the removal of the bulk of hereditary peers and the introduction of Peoples Peers; it has a more meritorious intake. However critics point it still has no democratic accountability and the major political parties dominate its structure</p> <p>A fixed term parliament has reduced the unfair advantage which an incumbent PM and government have in deciding when the next General Election can be held, its adds transparency to the electoral process. However critics may argue that this constitutional change was forged in the heat of the creation of a coalition agreement to suit both parties and a single party government may easily sweep this away.</p> <p>Successful answers may assess changes proposed and/or implemented since 2010 (e.g. Welsh devolution referendum 2011 - extra powers; Scottish independence referendum Sept 2014; fixed term Parliaments; proposed recall of MPs; proposed changes to House of Lords (including the Steel Bill); the proposed /reduced number of constituencies and equalised electorates. Alternatively, successful answers can simply discuss pre 2010-Acts such as the Scotland Act 1998, the Wales Act 1998, the Northern Ireland Act 1998, the Human Rights Act 1998, the House of Lords Act 1999 and the Freedom of Information Act 2000 and their significance to the constitution.</p> <p>It is not necessary to focus exclusively on changes proposed and/or implemented since 2010, though candidates will be awarded credit if they do so. Level three is obtainable by a sole focus on the constitutional changes from 1997 – 2010 OR a sole focus on changes and proposals since 2010 OR a selection of both.</p>	

A Level 2 response will typically exhibit the following features:

- Limited knowledge and understanding of the various constitutional reforms which have been introduced and/or proposed
- The supporting detail may be partially complete and display only a limited comprehension of the reforms.

A Level 3 response will typically exhibit the following features:

- Clear knowledge and understanding of the constitutional reforms introduced/proposed
- Accurate and precise detail which presents a comprehensive awareness of constitutional reform introduced/proposed

<i>Level 3</i> 6-8 Marks	Good to excellent knowledge and understanding of at least three constitutional reforms and considering their significance.
<i>Level 2</i> 3-5 Marks	Limited to sound knowledge and understanding of at least two constitutional reforms and considering their significance.
<i>Level 1</i> 0-2 Marks	Weak to very limited knowledge and understanding of probably one or two reforms and their significance.
AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to analyse, evaluate and assess the extent to which the reforms have made an impact. The contested nature of the reforms will be noted.	
<i>Level 3</i> 7-9 Marks	Good to excellent ability to analyse evaluate and assess the significance of the reforms
<i>Level 2</i> 4-6 Marks	Limited to sound ability to analyse, evaluate and assess the significance of the reforms.
<i>Level 1</i> 0-3 Marks	Weak to very limited ability to analyse, evaluate and assess the significance of the reforms.
AO3	Communication and coherence
<i>Level 3</i> 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary.
<i>Level 2</i> 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary
<i>Level 1</i> 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary.

No. 2 (a)	With reference to the sources, what is a government reshuffle?
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>A government reshuffle is when the prime minister changes the personnel of the government and may move existing personnel to new positions or remove them. Several features are identified in the source:</p> <ul style="list-style-type: none"> • Replace personnel. Ministers leave their political office for various reasons and the post is taken up by another. Vacancies are filled. • Remove personnel. Some ministers fail to please the Prime Minister and s/he sacks them, they leave the government • Re-route and reward. A reshuffle allows new talent to be brought to the government, this brings in 'new blood'. • A PM may alter members of his government/cabinet. Aspects of promotion or demotion within government • A reshuffle also has potential impact on policy making <p>N.B. Additional points from outside the source are not credit worthy</p>	
1 mark is awarded if any one factor is identified with minimum detail	
2 marks are awarded if any one factor is accurately identified and described	

No. 2 (b)	With reference to the sources and your own knowledge, explain the factors a prime minister considers when appointing or dismissing ministers.
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>The source refers to the following factors :</p> <ul style="list-style-type: none"> • To provide a progression for talented backbenchers. • Because a politician may be a strong ally of a powerful cabinet member. • To promote people who have a proven record of delivery • A PM may be dissatisfied with the performance of a minister <p>Factors not included in the passage may include :</p> <ul style="list-style-type: none"> • The prime minister wishes to reward his close allies and supporters. • He may wish to change the political balance of the cabinet. • He may wish to promote individuals to change the gender/social background/ethnic makeup of the cabinet. • He may wish to 'gag' a potential adversary by subjecting them to collective responsibility. <p>A Level 2 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Limited knowledge and understanding of the factors surrounding the appointment and/or dismissal of ministers ○ Generic and only partial detail which presents a restricted picture as opposed to precise and complete information <p>A Level 3 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Clear knowledge and understanding of the factors which underpin the appointment and/or dismissal of ministers ○ Accurate and precise detail which presents a comprehensive outline. Reference will be drawn from both the source and the candidates' own knowledge, although an even or equal balance is not required. 	
<i>Level 3</i> 6-7 Marks	Good to excellent knowledge and understanding of at least three factors including at least one reason drawn from the passage and at least one from the candidate's own knowledge
<i>Level 2</i> 3-5 Marks	Limited to sound knowledge and understanding of at least two factors, either drawn from the passage and/or from the candidate's own knowledge
<i>Level 1</i> 0-2 Marks	Weak to very limited knowledge and understanding of at least one factor, drawn either from the source or the candidate's own knowledge
AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to analyse effectively why some ministers may be appointed and dismissed.	
<i>Level 3</i> 3 Marks	Good to excellent ability to explain the reasons for ministerial appointments/dismissals

<i>Level 2</i> 2 Marks	Limited to sound ability to explain the reasons for ministerial appointments/dismissals
<i>Level 1</i> 1 Mark	Absent or weak ability to explain the reasons for ministerial appointments/dismissals

No. 2 (c)	To what extent do prime ministers control the decisions made by their government?
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>The following are the methods of control :</p> <ul style="list-style-type: none"> • The PM exercises various controls over the cabinet including agenda control, patronage, control of cabinet committees, sofa politics, quad government etc. • The PM has higher authority than others and is considered to be chief policy maker. Policies are rarely accepted without their approval. • The PM has an extensive department comprising the Cabinet Office and other policy units, advisers etc. • The PM has many prerogative powers that give arbitrary decision making power over foreign and military policy. • The media tend to treat the PM as chief government spokesman. <p>The limitations to this powers include :</p> <ul style="list-style-type: none"> • Some ministers have their own power base, notably the Chancellor. • The PM can be overruled by the cabinet. • The PM can only control policy and decision making if parliament will approve. • The PM made be constrained by events, foreign affairs and domestic crises • The PM may be constrained by their party • Under coalition the PM must consult with the Lib Democrats <p>Successful answers can focus on one prime minister such as David Cameron or deal with more than one prime minister in providing a balanced viewpoint of how decisions are achieved and derived from the relationship between a prime minister and their government.</p> <p>It is not necessary to focus exclusively on the current prime minister, though candidates will be awarded credit if they do so and Level three is achievable by this route. Level three is obtainable by a sole focus on any one prime minister, OR a comparison of various prime ministers.</p> <p>A Level 2 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Limited knowledge and understanding of control exercised by the PM over their government ○ The supporting detail may be only partially complete and display only a limited comprehension and factual awareness. There may be a lack of balance. <p>A Level 3 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Clear knowledge and understanding of control exercised by the PM over their government ○ Accurate and precise detail which presents a comprehensive awareness of the relationship between the government and a PM. 	

<i>Level 3</i> 6-8 Marks	Good to excellent knowledge and understanding of both the ways s/he can control decision making and the limitations to those controls, with good explanation and some exemplification
<i>Level 2</i> 3-5 Marks	Limited to sound knowledge and understanding of both the ways s/he can control decision making and the limitations to those controls, with sound explanations and limited exemplification
<i>Level 1</i> 0-2 Marks	Weak to very limited knowledge and understanding of the ways s/he can control decision making and the limitations to those controls, probably with no balance, possibly completely one sided with weak explanations and no effective examples.
AO2	Intellectual skills
Intellectual skills relevant to this question	
The ability to evaluate prime ministerial control over decision making, with good balance and clear evidence	
<i>Level 3</i> 7-9 Marks	Good to excellent ability to evaluate prime ministerial control of decision making with analysis supported by evidence.
<i>Level 2</i> 4-6 Marks	Limited to sound ability to evaluate prime ministerial control of decision making with limited evidence.
<i>Level 1</i> 0-3 Marks	Absent or weak ability to evaluate prime ministerial control of decision making.
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary.

No. 3	To what extent is there conflict in the UK between judges and government ministers?
AO1	Knowledge and understanding

Key knowledge and understanding

The judiciary and the government (executive) are two of the three areas of power within a state – the other being the legislature (parliament). In recent years conflict between the government and judiciary has been manifest.

Evidence for conflict may be based on the following:

- Disputes over who controls sentencing policy.
- Disputes over the Human Rights Act when its exercise appears to thwart the state's ability to maintain state security (Abu Hamza, Abu Qatada).
- The increasing use of judicial review makes governing more difficult. Ministers are often accused of operating 'ultra vires' (e.g. extension of Heathrow).
- Over Freedom of Information cases where judges have upheld decisions of the Information Commissioner to publish information requested mainly by media against wishes of ministers (e.g. Prince Charles' communications with ministers, some cabinet papers, decision reversed by Attorney general).
- The creation of the Supreme Court has made conflict more likely and strengthens independence and autonomy

Evidence that there is no conflict can be based on the following :

- Judges are independent and cannot be subjected to political pressure; each area is simply fulfilling its role. Ministers have accepted the rulings of the judiciary
- Judges uphold the rule of law so ministers must be subject to the law like any other citizen.
- Parliament is sovereign which means that with parliamentary support, ministers can change the law to thwart judicial activism, thus ending a conflict.
- Judges cannot overturn statutes even if they offend the ECHR.
- It is rare for Judicial Review to go against the government
- Judges are not socially neutral, come from the same background as senior politicians and are likely to side with them
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Answers may reflect the fact that conflict has grown in recent years because of greater judicial independence. This has arisen because of the process of independent judicial appointments which, it is claimed, has produced a less conservative judiciary. there has been extensive application of the ECHR, increasing use of judicial review.

A Level 2 response will typically exhibit the following features:

- Limited knowledge and understanding of areas of conflict between the judiciary and the government

<ul style="list-style-type: none"> o The supporting detail may be may be partial and display limited comprehension and factual awareness. <p>A Level 3 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> o Clear knowledge and understanding of areas of conflict between the judiciary and the government o Accurate and precise detail which presents a comprehensive awareness of areas of conflict between the judiciary and the government 	
Level 3 14-20 Marks	Full and developed knowledge and understanding of the sources of conflict. Detailed examples of conflict which have arisen in recent years. A balance considering both aspects of the debate.
Level 2 7-13 Marks	Limited to sound knowledge and understanding of the sources of conflict. Examples of conflict which have arisen in recent years.
Level 1 0-6 Marks	Weak to very limited knowledge and understanding of conflict and with little or no knowledge of growth in conflict or ways it can be limited.
AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to explain and evaluate the extent to which such disputes exist, with good balance and supporting evidence.	
Level 3 8-12 Marks	Good to excellent ability to analyse and evaluate the nature and extent of conflict.
Level 2 4-7 Marks	Limited to sound ability to analyse and evaluate the nature and extent of conflict.
Level 1 0-3 Marks	Weak or very limited ability to analyse and evaluate the nature and extent of conflict.
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary. A well developed clear structure with a coherent conclusion.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary. A discernible structure making relevant connections.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary. Lacking a clear structure and with weak or absent conclusions.

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No. 4	'Parliament carries out none of its functions adequately.' Discuss
AO1	Knowledge and understanding
Key knowledge and understanding	
<p>Parliament carries out several functions. It is the prime legislative body in the UK; it has a representative function, a legitimisation function and a scrutiny and accountability function: it carries out other functions also. There is variance and similarity between the House of Commons and the House of Lords.</p> <p>It carries out its legislative function by passing Acts of Parliament or statutes. The Government plans are set out in the Queen's speech and this is the legislative timetable for the year. There are opportunities also for Private Members Bills. Legislation is thoroughly debated and passes through processes in each House before it becomes law. However in reality there is little free debate and discussion. MPs have to follow the party line and pass legislation. Private member legislation very rarely succeeds. The House of Lords is limited in its ability to block legislation by statute.</p> <p>It carries out legitimising functions as being the body which approves and sanctions major decisions in the life of the nation. For instance in 2013 it did not confer legitimacy to the Government to intervene in Syria. However it can be said to have failed in the past by not fulfilling the wishes of the wider public by legitimising the war in Iraq. It is said to lack legitimacy when the government commands a large majority in the Commons. The House of Lords is also said to lack democratic legitimacy.</p> <p>Parliament also has a representative function. It is said to be representative geographically of all areas of the UK, the Lords can be said to represent political experience and wider experience from public life, and it also represents various shades of political opinion. However it fails to be representative in other senses. It does not reflect the social make up of the UK, the major parties' have an unfair representation in terms of MPs and there is a huge gender disparity in terms of representation. Despite changes to the structure of the Lords it fails to have the same representative function as the Commons.</p> <p>Parliament has a central function in carrying out a scrutiny and accountability role. It holds the government collectively and the PM and other ministers accountable for their actions. It does this in debates, question times and through the work of Departmental Select Committees (DSC). Parliament can expose failings in the government machine and bring change. However there are criticisms of Parliament's role in carrying out its role as a scrutiniser and holding the government to account. Question time – and in particular PM question time is seen as a charade with no real power, ministers are also rarely held fully to account in Parliament finally DSC's are seen as having no real impact.</p> <p>A Level 2 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> o Limited knowledge and understanding of how adequately parliament carries out its functions 	

<ul style="list-style-type: none"> ○ The supporting detail may be partially complete and display a limited comprehension and factual awareness. The response is restricted by reference exclusively to one house of Parliament. <p>A Level 3 response will typically exhibit the following features:</p> <ul style="list-style-type: none"> ○ Clear knowledge and understanding of areas of how adequately parliament carries out its functions ○ Accurate and precise detail which presents a comprehensive awareness of areas of how Parliament carries out its functions. Reference is made to both houses of Parliament. 	
<i>Level 3</i> 14-20 Marks	Good to excellent knowledge and understanding of the functions of parliament. There will be accurate identification and detailed descriptions of the functions of parliament. This knowledge will be supported by accurate examples.
<i>Level 2</i> 7-13 Marks	Limited to sound knowledge and understanding of the functions of parliament. There will be accurate identification and outline descriptions of the functions of parliament.
<i>Level 1</i> 0-6 Marks	Weak and limited knowledge and understanding of the functions of parliament. There will be identification and description of the functions of parliament.
AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to analyse and evaluate the various functions of parliament. A consideration and assessment of how the functions can be contested.	
<i>Level 3</i> 8-12 Marks	Good to excellent ability to analyse, evaluate and assess the functions of parliament. Correct links and claims are considered in considering the contested issues raised by the question.
<i>Level 2</i> 4-7 Marks	Limited to sound ability to analyse, evaluate and assess the functions of parliament. Links and claims are considered in considering the contested issues raised by the question
<i>Level 1</i> 0-3 Marks	Weak to very limited ability to analyse, evaluate and assess the functions of parliament. Weak connections are considered in considering the contested issues raised by the question.
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary. A well developed clear structure with a coherent conclusion.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary. A discernible structure making relevant connections.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary. Lacking a clear structure and with weak or absent conclusions.

