

SECTION 2 — POLITICAL SYSTEMS — 20 marks

Attempt question 2 and EITHER question 3(a) OR question 3(b)

2. Study Sources A and B, below and opposite, then answer the question that follows.

SOURCE A

Characteristics of the United Kingdom constitution

The UK constitution has often been referred to as being conservative in nature. This reflects the incremental and gradual changes that have shaped our system of government. As a result, the UK has maintained features such as the monarchy and the House of Lords although they occupy a much different position in the political system than they did many years ago. The House of Commons is the pre-eminent chamber, the Lords fulfil a mainly reviewing function and the monarchy is established as a constitutional monarchy. In recent years the creation of the devolved assemblies and the changing relationship with the European Union further exemplify that there is, indeed, no doubt that our system of government has evolved and changed significantly over the years.

The UK is unusual in having an uncodified constitution. The UK constitution is not contained in a single document but is based on a number of sources, for example, most importantly in Acts of Parliament and in common law. As a result, none of these statutes are properly entrenched as future Parliaments can alter or revoke them. This may be seen as a disadvantage by some although others would argue that it means it is adaptable. For example, the role and power of the House of Lords in the UK political system has changed significantly.

Another key strength it is argued is that the UK approach means that it can respond to major changes in society quickly and easily, merely by passing legislation. In fact in just a short space of time during the Blair government there were many significant changes to the UK political system. For example, in response to the growing demands in Scotland for greater autonomy, the constitutional arrangements of the UK were radically re-organised as a result of the passage of the Scotland Act (1998) which resulted in the creation of the devolved Scottish Parliament. This meant that powers such as health, education, criminal justice and local government were now devolved to this body. The UK constitution is characterised by a fusion of powers, under which government ministers who head up executive branch departments sit as members of the legislature at the same time. The UK constitution is also based on the principle that the legislature is supreme or 'sovereign'. It is Parliament to which government ministers – both collectively and individually – are accountable through the twin doctrines of collective and individual ministerial responsibility.

2. (continued)

SOURCE B

Characteristics of the United States Constitution

The US Constitution is characterised by the doctrine of 'separate institutions, sharing powers', which is known as the separation of powers. This is at the heart of the checks and balances principle. The USA also has a federal system of government in which political power is divided between a national government and state governments, each having its own area of substantive jurisdiction. Americans often think of themselves very much as Floridians, Virginians, New Yorkers etc. The USA is in line with the majority of democracies in that it has a codified constitution. The US Constitution is a single document, running to no more than 7,000 words – which contains the country's constitutional arrangements. As a result the key features of the Constitution are entrenched, most notably the Bill of Rights. All aspects of the US political system must comply with this document and no changes to the political system can be made, or legislation passed, that contradict this document. For example, the powers of the legislative branch (the Senate and the House of Representatives) and the executive branch (the Presidency) have been in place since the Constitution was originally ratified.

The framers of the US Constitution realised that there would be a need to amend the Constitution, however they wanted to make doing so a time-consuming and difficult process. Thus it was to be a detailed two-stage process. Firstly, constitutional amendments can be proposed by a two-thirds majority in both houses of Congress or through a constitutional convention called for by two-thirds of state legislatures. Secondly, after the amendment has been successfully proposed, it is sent to the states for ratification. An amendment can be ratified either by three-quarters of the state legislatures or by state constitutional conventions in three-quarters of the states. This can be very difficult to achieve and the process, even when successful, can take a number of years to complete. As a result, in over 200 years there have been only 27 successful amendments made to the US Constitution.

The Constitution of the United States is widely regarded as being a liberal document. This is because it is based on core liberal ideas such as freedom, rights and democracy which the framers saw as timeless and unalterable. These core principles determine many of the key features of the US political system such as the system of checks and balances, the Presidential system of government and the relationship between the federal and state governments. These have remained almost totally unchanged and in place since the founding of the United States following the American Revolution.

Using only the information in Sources A and B:

Compare the flexibility of the UK and US Constitutions.

In your answer you must make **three** points of comparison and reach an overall conclusion.