Paper 1, 2, and 3

Government and Politics Knowledge Organiser Booklet

Nicola Owen
North Oxfordshire Academy
Paper 1, 2, and 3

A Level Politics Knowledge Organiser — UK Politics Topic 1: Democracy & Participation (Paper 1)

Direct vs Representative Democracy

Direct democracy is when the people make decisions themselves, e.g. through **referendums**. This is the purest form of democracy and decisions made are highly **legitimate** as people have made them themselves. However, this could lead to **tyranny of the majority** as the interests of minorities are never protected.

Representative democracy is when people elect representatives to make decisions for them. These representatives may have expert knowledge and are **accountable** to voters, but may also care more about party politics than about representing the interests of voters. The effectiveness of representative democracy also partly depends on the electoral system.

Democracy in the UK

Elections

Most people over the age of 18 can vote. There is little electoral fraud and elections are regularly held.

However, prisoners cannot vote and the electoral system distorts results.

Parliament

Parliament is **sovereign** (has ultimate power). The House of Commons has the role of holding the government to account.

However, the House of Lords is unelected.

Pressure Groups

People are free to join a number of groups to take part in the UK's democracy.

However, the government can ignore groups. Some also have a great deal more influence than others (**elitism**).

Devolution

Devolution since 1997 has spread power to devolved governments in the other UK nations.

However, they only have limited powers and **sovereignty** remains with Parliament.

Public Participation

People are free to vote, stand for office and express their views. **Turnout** is broadly on the rise in recent years.

However, turnout & party membership are still below the levels seen pre-1997.

Protection of Rights

The UK is signed up to the **ECHR** via the **Human Rights Act 1998**. The Supreme Court protects rights by enforcing this law.

However, Parliament being **sovereign** means it can weaken or remove rights.

Turnout

- 2019 general election: **67%**
- 2017 general election: **69%**
- 2015 general election: **66%**
- 2010 general election: **65%**
- 2005 general election: **61%**
- 2001 general election: **59%**
- 1997 general election: **71%**
- 1992 general election: **78%**

Every other general election 1945-87 was at or above 72%, with an average of **77%**.

There have been two UK-wide referendums since the first in 1975. The AV referendum of 2011 had a **42%** turnout, and the EU referendum of 2016 had a **72%** turnout.

Referendum turnout in UK areas since 1997:
SCO (Devolution) 1997: **60%**
WAL (Devolution) 1997: **50%**
NI (Good Friday Agreement) 1998: **81%**
WAL (Devolution powers) 2011: **36%**
SCO (Independence) 2014: **85%**

Devolved election turnout in the past decade:
SCO 2011: **51%** — SCO 2016: **56%**
WAL 2011: **42%** — WAL 2016: **45%**
NI 2016: **55%** — NI 2017: **65%**

Franchise

Representation of the People Act **1969**: The voting age was lowered from 21 to 18.

Representation of the People Act **1918**: Universal suffrage for all men over 21 as well as women over 30 for the first time.

Representation of the People Act **1928**: Gave the vote to all women over 21.

Great Reform Act **1832**: Gave the vote to middle class men based on value of property owned.

The first petition to give women the vote failed to pass through Parliament in 1866. This led to the creation of the NUWSS (National Union of Women's Suffrage Societies), nicknamed the '**Suffragists**'. Most of its members were middle class and they used peaceful methods such as letter-writing, petitions and peaceful protests. The WSPU (Women's Social and Political Union) was created in 1903 by Emmeline Pankhurst and her two daughters. They were nicknamed the '**Suffragettes**' and most of their support came from working-class women. They use disruptive and violent tactics such as smashing windows, burning buildings and destroying letters. Hunger strikes in prison led the government to pass the Cat and Mouse Act 1913. Public opinion was against them but they ended their violent methods in 1914 during WW1.

Compulsory Voting – pros

This may educate voters and would increase turnout, improving the **legitimacy** of governments.

Compulsory Voting – cons

Many voters are uninformed so should not be forced to vote, as they have the right not to.

e-Voting – pros

A more modern way to vote would encourage more people to take part, including young people.

e-Voting – cons

Voting is too important to be done in a way that is vulnerable to hacking. It should be taken seriously.

Manifestos and Mandates

A **manifesto** is a policy document produced by a party before an election, outlining what that party would do if it got into power. A **mandate** is the right to do something – so by winning an election, an elected government has a mandate to carry out its manifesto.

However, this **'doctrine of the manifesto**' is problematic because most voters do not read manifestos, and even if they do that does not guarantee that a voter agrees with all policies in a manifesto. It is hard to say a government has a mandate when most are elected on a minority of the **popular vote**. There is also nothing to force a government to carry out its promises, and coalitions mean there is no clear mandate.

Pressure Groups

Pressure groups representing the interests of one part of society are called **sectional** groups. An example is the British Medical Association, or **trade unions** such as the NEU or NFU.

Pressure groups representing an issue which affects the community are called **causal** groups and tend to be open to anyone. An example is Greenpeace.

Pressure groups who have a close link with government, and may be consulted on some legislation, are called **insider** groups. Examples are the CBI (Confederation of British Industry), the NFU (National Farmers' Union) or the BMA (British Medical Association).

Pressure groups who do not have this close influence are called **outsider** groups (e.g. XR), and usually seek to gain public support.

Pressure Group Methods

- Some pressure groups organise public demonstrations like marches to gain publicity and demonstrate public support for their cause, e.g. the Stop the War Coalition.
- **Insider** groups with close access to government (e.g. the British Bankers' Association) may work to influence legislation.
- Groups without access to government or much financial support might resort to publicity stunts, e.g. Fathers4Justice.
- Some groups will bring cases to court to try and fight for their members' legal rights, or to protect rights against the government.
- Some groups may use illegal methods such as disrupting public events in order to gain publicity for their cause, e.g. Plane Stupid.
- Workers may organise a strike in order to put pressure on those in power by disrupting services, e.g. the BMA or the RMT Union.

Participation Crisis

There could be a **participation crisis** in the UK as turnout is down on what it was historically, and in some elections and referendums it is still very low. Party membership has also significantly declined in recent decades, and there is a great deal of disillusionment over politics.

However, election turnout is broadly rising in recent years, and referendums in 2014 and 2016 saw high turnouts. Party membership has grown since 2015 with more youth participation, and people are getting involved in politics in other ways such as through pressure groups.

Extending the Franchise

Votes at 16 is a coalition of a number of groups who want the franchise (right to vote) extended to 16 & 17-year-olds. This is supported by the Lib Dems, Labour, Greens, SNP & Plaid Cymru.

The argument is that young people are more informed than ever and at 16 they can already join the army, get married and pay tax. However, others argue that most young people are still less educated in politics, are too easily swayed and are less likely to vote.

In 2005 the **European Court of Human Rights** ruled the UK's blanket ban on all prisoners voting to be a breach of human rights in **Hirst v UK**. In 2020, Scotland gave some prisoners the vote.

Extinction Rebellion

XR aims to get the government to 'tell the truth' about the **climate crisis** and to set up a Citizens' Assembly to discuss what should be done. They use nonviolent **civil disobedience** such as roads or chaining themselves to things.

The government has declared a climate crisis, but has so far taken few actions. XR lost public support in October 2019 by disrupting the London Underground. In 2019 the Met Police in London banned XR's protests, but this was found unlawful.

British Medical Association

The BMA is a **trade union** to represent its members, who are doctors. It can also sometimes serve as a **causal** group in order to promote public health. The BMA is an **insider** group and regularly **lobbies** Parliament to change legislation.

The BMA convinced the government in 2015 to ban smoking in cars carrying children. In 2016, junior doctors went on strike in protest at a new contract imposed by the government. The High Court said the contract was lawful and the strike ended.

RMT Union

The National Union of Rail, Maritime and Transport Workers seeks to protect the rights and conditions of its members employed in the transport industry.

The RMT Union was previously an **insider** group. A threatened strike before the 2012 London Olympics succeeded in gaining significant bonuses for London Underground workers. However, a strike in 2015/16 failed to stop ticket offices from closing. There were also strikes from 2016-18 over train companies removing guards from trains. Transport Secretary Chris Grayling labelled the strikes as "appalling".

Greenpeace

Greenpeace aims to protect the Earth. It campaigns on the **climate crisis**, pollution, nuclear issues, etc. Greenpeace seeks to raise awareness with **direct action** campaigns. More recently, it has also used **insider** methods such as **lobbying**.

A Greenpeace campaign was successful in convincing UK supermarkets to stop buying unsustainably-fished tuna in 2014. However, Greenpeace was unsuccessful in preventing gas reserves being drilled for in Greenland, as its direct action methods lost public support.

Rights in the UK

Freedom of Information Act 2000: Allowed citizens to access any non-security-related information held by public institutions.

Data Protection Act 1984: This established protections for personal information. It was updated in 1988, 1998 and 2018.

European Convention on Human Rights (ECHR) 1953: UK government had to comply with the ECHR or could be challenged in the European Court of Human Rights.

Magna Carta 1215: Restricted the monarchy for the first time in order to prevent them from abusing their power.

Equality Act 2010: Consolidated and codified all anti-discriminatory measures into one document.

Human Rights Act 1998: Codified the ECHR into British law, allowing citizens to go to UK courts to protect their rights.

European Court of Justice 1973: The UK joined the European Economic Community, so the ECJ had powers to protect workers.

Bill of Rights 1689: Limited the monarchy's power further, and set out the rights to free elections and Parliamentary free speech.

Protecting Rights

Rights are well-protected in the UK because legislation must comply with the **Human Rights Act 1998**, which codifies the **ECHR** into British law. The **judiciary** is also independent and upholds the law (through **judicial review**) even against the wishes of government.

However, Parliament is **sovereign** and so can ignore the ECHR or repeal the Human Rights Act. There are few checks on government actions and the government can retrospectively legalise its actions through legislation. Governments are often under pressure to prioritise security over rights.

Pressure Group pros and cons

Pressure groups enhance democracy as they help to disperse power in a political system more widely. They also help the public to hold the government to account. Pressure groups also educate the public on political matters, and give citizens more chances for political participation even between elections. Pressure groups also enhance democracy as they promote and protect the interests & rights of minorities.

However, **elitism** means that power is more concentrated in the hands of wealthy or **insider** groups. Also, if pressure groups protecting minority interests grow too strong, this can lead to **tyranny of the minority**.

Think Tanks & Lobbyists

Think tanks (e.g. the Institute for Policy Research, Policy Exchange or the Institute of Economic Affairs) are research organisations that help to formulate and create policy ideas. **Lobbyists** are individuals and organisations who meet with political figures to influence them.

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Political Parties

Political parties serve several functions. They represent the views of their members, encourage political participation and engagement, recruit officials for public office, formulate policies and create governments.

Parties are similar to **pressure groups** in that some are single-issue, and some parties emerge from pressure groups (e.g. Greens and Labour). However, parties tend to have a wide range of policies.

One Nation Conservatism

One-nation conservatism was originated by former Prime Minister **Benjamin Disraeli**.

One-nation Conservatives primarily believe in **paternalism**, which is when the 'natural leaders' of society look after the disadvantaged. This involves support for a **welfare state** and a **mixed economy** with a balance between nationalisation and private industry, with state intervention in the economy if needed.

One-nation Conservatives also tend to be internationalist and to favour **European** integration. As with other Conservatives, they also favour slow and gradual change rather than sudden change.

UK Governments

2019: Johnson (CON) beat Corbyn (LAB). **Majority** of 80. May had resigned in 2019.

2017: May (CON) formed **minority govt.**, beating Corbyn (LAB). Cameron had resigned in 2016.

2015: Cameron (CON) beat Miliband (LAB). **Majority** of 12.

2010: Cameron (CON) formed **coalition** with Lib Dems, beating Brown (LAB). Blair had resigned in 2007.

2005: Blair (LAB) beat Howard (CON). **Majority** of 66.

2001: Blair (LAB) beat Hague (CON). **Majority** of 167.

1997: Blair (LAB) beat Major (CON). **Majority** of 179.

1992: Major (CON) beat Kinnock (LAB). **Majority** of 21. Thatcher had resigned in 1990.

1987: Thatcher (CON) beat Kinnock (LAB). **Majority** of 102.

1983: Thatcher (CON) beat Foot (LAB). **Majority** of 144.

1979: Thatcher (CON) beat Callaghan (LAB). **Majority** of 43.

UK Politics Topic 2: Political Parties (Paper 1)

Consensus & Adversary Politics

Consensus politics is when there is widespread agreement between parties on key issues, so few major ideological differences. An example of this is the post-war consensus (1945-70) or the post-Thatcher consensus under New Labour (1997-2010). **Adversary politics** is when parties have major differences on key issues, and have deep political disagreements. An example of this is when Labour moved to the left during Thatcher's time in office, or arguably when Corbyn led Labour 2015-19.

The Political Spectrum

LEFT WING IDEAS	RIGHT WING IDEAS
• Benefits such as health, education and social insurance should be **universal**.	• Inequality can be a positive force, creating **incentives** to work hard and succeed.
• A belief that people are social animals, preferring to work as a **community**.	• People prefer to work **individually**, and security is more important than freedoms.
• A belief that the **state** is a force for good in people's lives.	• The **state** should have a limited role in people's lives.

Party Funding

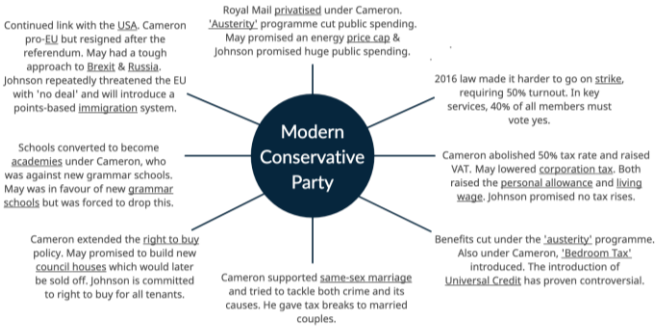
Traditionally, Labour received most of its funding from **trade unions**, and the Conservatives from wealthy donors. This changed from the 1990s as New Labour accepted the reduced role of trade unions and sought donations from wealthy individuals.

Opposition parties get given **short money** for administrative costs, if they have either two seats or receive 150,000 votes in a general election. The House of Lords equivalent is **Cranborne money**.

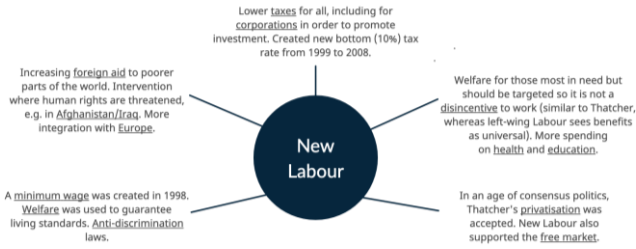
The Political Parties, Elections and Referendums Act 2000 (**PPERA**) set an overall spending limit per constituency (£30,000) in general elections and required parties to declare all donations over £5,000 to the **Electoral Commission**. The Political Parties and Elections Act 2009 (**PPEA**) imposed regulations on donations from non-UK residents, and enabled the Electoral Commission to impose fines.

Thatcherism (the 'New Right')

Modern Conservative Party



New Labour



Modern Labour Party

'Old' and 'New' Labour

Traditionally, Labour as a socialist party believed that taxes should **redistribute** income from rich to poor. This would address the inequality between **classes**. Labour also believed there should be **universal** entitlement to benefits and that welfare should guarantee living standards.

Labour also was traditionally sceptical of **Europe** in the 1970s and early 1980s, seeing it as a neo-liberal institution that would prevent the UK from achieving socialism. 'Old' Labour's foreign policy was independent, rather than being based on an alliance with the USA. 'Old' Labour was also traditionally against the possession of a **nuclear** deterrent.

The Labour Party split in 1981, as the party was taken over by hard-line socialists under leader Michael Foot. More moderate Labour MPs formed the **SDP** (Social Democratic Party).

The Labour Party's **Clause IV** originally committed it to **nationalisation** of key industries. Tony Blair changed this in 1995 in order to move Labour away from socialism. Traditionally, Labour also supported strong **trade unions** to control capitalism and protect rights. However, New Labour accepted the diminished power of unions after Thatcher's time in office.

Under New Labour, a **'third way'** between Thatcherism and 'Old Labour' socialism was found. This accepted privatisation and the free market.

The Liberal Democrats

The **SDP** (Social Democratic Party, an offshoot of the Labour Party) and the **Liberal Party** merged in 1988 to form the Liberal Democrats.

Liberal Democrats tend to place strong emphasis on individual **freedoms**, as traditional liberalism does. They also support constitutional change such as a **codified** constitution, **electoral reform** and an elected **upper chamber**.

As Liberal Democrats favour social democracy, they want to increase social mobility and redistributive taxation. Lib Dem policy on crime is to emphasise **rehabilitation** rather than just punishment.

Lib Dems support the **welfare state** and are also the most pro-**EU** of the major parties. In 2019's general election, they ran on a platform of revoking Article 50 and reversing Brexit.

Lib Dems want to strengthen **local** democracy by decentralising power. In 2019, they also promised to scrap the UK's nuclear missile system, which is called **Trident**.

Leader Nick Clegg took the Liberal Democrats into power for the first time in 2010, in a **coalition** government with the Conservatives. They achieved a referendum on electoral reform, but failed to make a change. Ultimately, voters punished the Lib Dems for their role in the coalition.

Minor UK Parties

Scottish National Party (SNP)	The SNP was formed in 1934. When the Scottish Parliament was established in 1999, the SNP served two terms as the opposition before forming a minority government in 2007, a majority in 2011, then a minority again in 2016. Since 2015, the SNP has been the third party at Westminster.
Green Party	The Green Party of England and Wales was formed in 1990. It has only one MP, Caroline Lucas, who represents Brighton Pavilion. In 2019, the Greens secured their best-ever local election result, doubling their number of councillors. In the same year they finished 4th in the European elections.
Democratic Unionist Party (DUP)	The DUP was founded in 1971. Traditionally it was opposed to sharing power with Irish nationalists, and was against the 1998 Good Friday Agreement. Since 2006 they have agreed to share power with Sinn Fein. From 2017-19 they propped up the Conservatives in a confidence & supply agreement.
Plaid Cymru	Plaid were founded in 1925 and are committed to Welsh independence. Plaid entered into a coalition government with the Labour Party in the Welsh Assembly in 2007, however declined in popularity in 2011 when they slipped to third place behind the Conservatives.
Brexit Party	The Brexit Party was founded in 2019 by Nigel Farage, as an offshoot of UKIP. It appealed to those frustrated with the slow pace of the UK's withdrawal from the EU. The Brexit Party won the most seats in the 2019 European Parliamentary elections, but no seats in the Commons.
UKIP	UKIP was founded in 1993 as a Eurosceptic party. In 2014, UKIP won the most seats in the European Parliamentary elections, and in the 2015 general election won nearly four million votes – but only one seat in the Commons. UKIP pressured David Cameron to hold the 2016 EU referendum.

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UK Politics Topic 3: Electoral Systems (Paper 1)

Types of Electoral System

A **majoritarian** system is one where the winner must secure an absolute majority (50% plus 1 vote), e.g. SV/AV.

A **plurality** system is one where the winner must secure a plurality of votes (more than anyone else), e.g. FPTP.

A **proportional** system uses multi-member constituencies and formulas to try and make the seats awarded a close fit to the votes cast, e.g. STV.

A **mixed** system combines elements of the above systems, e.g. AMS.

Electoral Systems in the UK

In elections to the House of Commons, the **First Past the Post (FPTP)** electoral system is used. This is a plurality system with 650 constituencies.

In elections to the Scottish & Welsh Parliaments, the **Additional Member System (AMS)** is used. This is a mixed system with elements of FPTP and a proportional party list system.

In elections to the Northern Ireland Assembly, the **Single Transferable Vote (STV)** system is used. This is a highly proportional system.

In mayoral elections in England, **Supplementary Vote (SV)** is used. This is a majoritarian system.

Why These Systems?

Before 1997, the Labour Party embraced **electoral reform**, aiming to seek a replacement for the **First Past the Post** system. This is because the Conservatives had won the past four general elections. However, after Blair's landslide victory in 1997, Labour abandoned any plans to reform the electoral system.

Single Transferable Vote was chosen for Northern Ireland in order to prevent single-party government. This is because the **Good Friday Agreement** of 1998 requires unionists and nationalists to govern together in what is called **power sharing**.

Alternative Vote was chosen for Scotland and Wales again to avoid single-party domination, but the SNP and Labour respectively have been in power consistently for a great deal of time.

Key Takeaways

In the House of Commons, parties whose votes are geographically widespread get short-changed by the electoral system. This often has been the case with the Lib Dems, e.g. in 2010, and with UKIP in 2015. Parties whose support is concentrated (e.g. the SNP) are rewarded.

Power is always shared in the **Northern Ireland Executive**, but this has led the government to collapse on several occasions, including 2002-07 & 2017-20.

Vote share is not always indicator of success. In 2010 the Conservatives won a higher vote share than Labour did in 2005, but unlike Labour could not form a majority. In 2017 May won a higher vote share than any party since Labour in 1997, but lost her majority.

FPTP is meant to produce strong stable majorities but now does not always do this. AMS is meant to produce coalition governments, but has led to a majority in the Scottish Parliament.

Election Outcomes since 1997

House of Commons

2019 UK General Election: CON majority (365 seats). CON 56% of MPs on 44% of votes. Worst result for LAB since 1935. LIB only 11 MPs (1.7%) on 11.6% of votes, leader lost her seat.

2017 UK General Election: CON minority (317 seats). CON lost majority despite 42.4% of votes. LAB 40% of votes, gaining 30 seats. DUPs 10 MPs join CON in confidence & supply deal.

2015 UK General Election: Small CON majority (330 seats). CON 51% of MPs on 37% of votes. SNP 56 MPs on 1.5m votes; UKIP 1 MP on 3.9m. LIB down from 57 MPs to 8 despite 2.4m votes.

2010 UK General Election: CON-LIB coalition. CON 306 MPs (47% of MPs on 36% of votes), no majority despite higher vote share than LAB in 2005. LIB 57 MPs (9% of MPs on 23% of votes).

2005 UK General Election: LAB majority (355 seats). LAB 355 MPs on 35.2% of votes, lowest vote share of a majority govt. in history. CON 198 seats on 32.4% of votes.

2001 UK General Election: LAB majority (412 seats) on lowest turnout since 1918. LAB 63% of MPs on 41% of votes. CON 25% of MPs on 32% of votes.

1997 UK General Election: LAB majority (418 seats). Worst CON loss since 1906. LIB gain 30 seats (46 MPs) due to anti-CON tactical votes.

Devolved Bodies

2017 NI Assembly: Power shared between Sinn Fein and DUP, but SF gained seats to be only 1 seat and 0.2% of votes behind the DUP.

2016 NI Assembly: DUP won 38 seats on 29% of votes; Sinn Fein won 28 on 24%. Power share.
2016 Scottish Parliament: SNP minority (63/129 seats). LAB lose 12 seats, so CON become official opposition.
2016 Welsh Assembly: LAB-LIB coalition (LAB 29/60, LIB 1.). Plaid Cymru overtake CON to become opposition.

2011 NI Assembly: DUP and Sinn Fein dominate & share power, with the DUP 9 seats ahead.
2011 Scottish Parliament: SNP majority (69 seats out of 129) at expense of all three major parties.
2011 Welsh Assembly: LAB minority (30/60 seats). CON overtake Plaid Cymru (-4) to become the opposition.

2007 NI Assembly: DUP & Sinn Fein share power and win seats from other unionists & nationalists.
2007 Scottish Parliament: SNP minority (47/129 seats), with LAB (46 seats) forced into opposition.
2007 Welsh Assembly: LAB & Plaid Cymru coalition. Plaid made gains at LAB's expense.

2003 NI Assembly: DUP, Sinn Fein, UUP & SDLP all win many seats but a government never forms.
2003 Scottish Parliament: LAB-LIB coalition continues.
2003 Welsh Assembly: LAB minority. LAB won 30/60 seats and chose to govern without the Lib Dems.

1999 Scottish Parliament: LAB-LIB coalition formed, with the SNP serving as the main opposition party.
1999 Welsh Assembly: LAB-LIB coalition formed, with Plaid Cymru gaining enough support to finish 2nd.

1998 NI Assembly: Power share, unionists/nationalists.

First Past the Post (FPTP)

This is a **single-member**, **plurality** system. The UK is now divided up into 650 constituencies, and each returns a single MP depending on which candidate wins the most votes. The government is formed by whichever party or parties can command the confidence of the House of Commons.

Advantages	Disadvantages
FPTP is easy to understand (the candidate with the most votes wins) and it is also easy to vote (an X in a box). Voters are familiar with it and voted to keep it in 2011. It normally produces a clear and fast winner.	FPTP creates **disproportional** outcomes as the number of seats won does not reflect the proportion of votes received. The party with fewer votes can win (has happened twice) and it unfairly disadvantages smaller parties.
FPTP gives the winning party a **bonus** so that they can control the legislative process, carry out their **manifestos** and govern effectively.	Winners only need a **plurality** of votes, not a majority, which can harm **legitimacy**. Labour won with only 35% of the vote in 2005.
FPTP makes it hard for extremists to win seats and also normally creates a **two-party system** with a government and a clear alternative. This makes it easy to replace a government.	FPTP creates **safe seats** where the winning party is very unlikely to change. Also, votes for losing candidates are **wasted**, as there are no rewards for finishing in second place.
FPTP provides effective representation due to the MP-**constituency** link. One MP represents the interests of an area.	FPTP can be seen as out of date in a multi-party system. 'Third' parties are winning more seats – although in 2017 this trend reversed.

Additional Member System (AMS)

This combines elements of FPTP and a **regional list** proportional system. Electors have two votes. One is for a **constituency** representative, and the other is for a party list. The **d'Hondt formula** is used to allocate the list votes on a **corrective** basis to **top up** the parties that lost out in constituency seats, so that the outcome is more **proportional**. This means that a party that has won a disproportionately high number of constituency seats may not receive many list seats, even if it also received more list votes than other parties. 57% of the **Scottish Parliament** and 67% of the **Welsh Parliament** is elected using FPTP, meaning that outcomes in Scotland are more proportional than they are in Wales.

Advantages	Disadvantages
AMS combines the best features of FPTP and PR by keeping constituencies but being fairer.	AMS almost always leads to coalition or minority governments, which can be less decisive.
In AMS the results are broadly **proportional** thanks to the **d'Hondt formula**, so fewer votes are wasted.	Smaller parties are often under-represented, even in multi-member seats. Big parties can still dominate, as Labour have in Wales.
Voters have more choice as there is the chance for **split-ticket voting** (two votes for different parties) and to give the list vote to a small party.	AMS can create two different categories of representative as the list representatives do not have constituency duties, causing tensions.
Party lists have been used to improve representation, by parties choosing women or minority candidates to be on their list.	Party lists are **closed**, so are drawn up by parties rather than by voters. This is less democratic as voters have no control over list candidates.

Single Transferable Vote (STV)

This is used to elect representatives in large, **multi-member constituencies**. Parties can stand in each region as many candidates as there are seats available. Voters rank candidates in order of preference. To be elected to one of the seats in their region, candidates must achieve a **quota**, known as the **Droop quota**. Once a candidate has achieved this, any other votes they receive are **redistributed** in order of preference. If no candidates secure enough votes after a round of counting, candidates are eliminated and their votes redistributed to other candidates.

Advantages	Disadvantages
STV delivers largely **proportional** outcomes so that votes are of largely equal value.	The counting process is a lengthy and complex one involving formulae.
Voters have greater choice, including between candidates from the same party.	Having multi-member constituencies weakens the link with local representatives.
Leads to **coalition** governments, likely made up of parties receiving over 50% of the vote.	It is likely to produce unstable coalitions, giving minor parties the balance of power.
Has helped unionists and nationalists in Northern Ireland in **power sharing**.	The **Northern Ireland Executive** has collapsed multiple times, including for years.

Supplementary Vote (SV) and Alternative Vote (AV)

These are **majoritarian** systems as candidates need over 50% of votes to win. In Supplementary Vote, electors are given two votes: a first preference and a 'supplementary' second preference. If no candidate wins over 50% of first preference votes, all except the top two candidates are eliminated and the supplementary votes are redistributed. This almost always ensures that the winner has over 50% of votes.

Advantages	Disadvantages
The winning candidate must get broad support in order to win over 50%, giving them **legitimacy**.	The winning candidate will not always have 50% if second preferences are not used effectively.
Voters who use both their votes to select minor parties do not influence the outcome.	The least unpopular candidate can win, rather than the one with most first-preference votes.
Supporters of minor parties can express their views & use their supplementary vote **tactically**.	Voters have to use their **supplementary** vote wisely or it will be 'wasted'.

Alternative Vote is very similar, except electors may have as many votes as there are candidates. They **rank** candidates. If no candidate wins over 50%, the bottom-placed one is eliminated & their votes **redistributed**. This continues until one candidate has a majority. This is used in Labour Party leadership elections. A **referendum** was held on this in 2011 and voters overwhelmingly rejected dropping FPTP for this system.

Referendums in the UK

1975: **67%** of the UK voted to remain in the **European Economic Community (EEC)**, on a turnout of 63%.

1979: **80%** of Welsh voters rejected the opportunity for a **Welsh Parliament**, on a turnout of 58%.

1997: **50.3%** of Welsh voters opted for the creation of a **Welsh Assembly**, on a turnout of just 50.1%.

1998: **71%** of Northern Ireland supported the **Good Friday Agreement** on a turnout of 81%.

2011: **64%** of Welsh voters chose to give **more legislative powers to the Welsh Assembly**, on a turnout of only 36%.

2014: **55%** of Scottish voters chose to **reject Scottish independence**, on a huge turnout of 85% with the voting age lowered to 16.

1979: **52%** of Scottish voters wanted a **Scottish Parliament** to be created on a turnout of 64%, but this did not meet the threshold.

1997: **74%** of Scottish voters chose to create a **Scottish Parliament**, on a turnout of 60%.

1998: **72%** of Londoners voted for the establishment of a **London mayor and Assembly**, on a turnout of just 34%.

2004: **78%** of voters in the North-East of England rejected the chance to have a **regional assembly**, on a turnout of 48%.

2011: **68%** of the UK voted against the **Alternative Vote** replacing FPTP, on a turnout of only 42%.

2016: **52%** of the UK voted to **leave the European Union**, with a turnout of 72%. London, Northern Ireland, Scotland and young people voted for Remain.

Advantages	Disadvantages
A form of direct democracy so gives more power to voters.	Undermines representative democracy by taking power away from Parliament.
Educates people on key issues and enhances participation, seen in the turnouts of 2014 and 2016.	The public is less educated than MPs, and campaigns & fake news can distort the truth.
Makes the government more responsive to public opinion.	Referendums are not legally binding so the government does not need to act.
Brings legitimacy to major constitutional changes such as devolution. Can settle issues such as electoral reform (the AV referendum outcome was decisive).	EU referendum has increased divisions in the country. 2014 Scotland referendum did not settle the issue of independence as Scotland has now been forced out of the EU against its will.
Can be a way to resolve political disagreements, e.g. within coalition (AV) or within a party (Conservative Eurosceptics).	Some decisions lack legitimacy due to close result or low turnout, e.g. creation of Welsh Assembly.

General Elections

1979 (Government)
Labour Prime Minister James Callaghan chose not to call an election in the autumn of 1978. After the failure of the Scottish & Welsh **devolution referendums**, the **nationalist** parties withdrew their support from Callaghan's **minority government**, and a **vote of no confidence** was held. Callaghan lost this vote by 1, and so had to call a general election. This happened at the worst possible time, because the winter of 1978-79 was known as the '**winter of discontent**'. This was when the country became paralysed as a result of strikes in multiple industries (including bin collectors and gravediggers) as **trade unions** rejected Callaghan's attempt to limit pay increases.

1983, 1987 & 1992 (Government)
Initially unpopular, Thatcher's reputation recovered by 1983 as the economy did. British victory in the **Falklands War** also significantly helped her image. In 1987 she became the first PM since 1820 to win three elections in a row. **Inflation** was at its lowest level for 20 years, and the Tories promised lower taxes. John Major in 1992 won a surprising victory due to a strong media campaign despite Tory divisions over the **EU** and Thatcher's removal.

1997 (Government)
The Conservatives were divided after they forced PM Margaret Thatcher from power in 1990. The party also continue to be divided over the **EU**. In 1997, the party had its worst election result since 1832. Although the economy was recovering, voters remembered '**Black Wednesday**' of 1992, when the pound's value collapsed. This harmed the Tories' reputation for economic competence. A series of financial and sexual scandals, branded '**sleaze**', also diminished voter faith in Tories. Major was seen as a weak leader struggling to hold his party together.

2001 & 2005 (Government)
Labour won by another **landslide** in 2001, losing only 5 seats from their 1997 haul. Many were satisfied and saw another Labour win as inevitable. The economy was strong and unemployment was low. In 2005 Blair won his third consecutive election, but with the lowest vote share ever to win a majority and a much-reduced majority. The economy remained strong, with much investment in education & the NHS, but Blair's reputation had suffered from the controversial 2003 invasion of **Iraq**.

2010 (Government)
Blair had resigned as PM in 2007, and his Chancellor Gordon Brown took power. Brown opted not to call an early election, despite early popularity, and the Tories then accused him of cowardice. 2007-08's **global financial crisis** led to a **recession**, which ruined Brown's reputation for economic management. Brown was seen as irritable and failed to connect with voters in the first-ever televised **debates**. The **C2 skilled working class** voters again left Labour, having lost faith.

2015 and 2017 (Government)
In 2015, Cameron refused to debate Ed Miliband one-on-one. Cameron was worried about UKIP taking Tory votes, and so promised to hold a **referendum** on leaving the EU if he was victorious. Cameron won a small majority, the first one for the Tories since 1992. After the **Brexit** referendum in 2016, Cameron was replaced by Theresa May. May said she would not call an election before 2020, but called one in 2017 to strengthen her hand in Brexit negotiations. She ran a personalised campaign but failed to connect with voters and refused to debate Corbyn. This lost her her majority.

2019 (Government)
May resigned in 2019 as Parliament rejected her **Brexit** deal on multiple occasions. Johnson was unable to get his own deal passed and so called an early election on the third attempt. This was after he had ejected 21 Tory MPs from the party for voting against his deal. In the election campaign, Johnson repeatedly insisted that he would '**Get Brexit Done**'. He also promised increased spending on the NHS, police and infrastructure, winning over prior Labour voters. The Conservatives promised this whilst also pledging not to increase tax. Johnson's refusal to be interviewed by Andrew Neil, as well as former accusations of racism, homophobia and Islamophobia, did not hinder him in the election. Nigel Farage stood **Brexit Party** candidates down to help the Tories.

1979 (Opposition)
Margaret Thatcher moved the Conservatives significantly to the right, but there was little in her manifesto to suggest that she would do this. The Tories used modern advertising techniques, including the famous poster: 'Labour Still Isn't Working'. Callaghan was consistently ahead of Thatcher when voters were asked who would be the better PM. He offered a televised debate, but Thatcher refused. Thatcher was able to win the votes of **C2 skilled working class** voters, by promising tax cuts and the '**right to buy**' council homes. Thatcher was able to take advantage of the perceived economic incompetence of Labour due to high unemployment and **inflation**.

1983, 1987 & 1992 (Opposition)
Michael Foot became Labour leader in 1980 and moved Labour significantly to the left. Several MPs quit the party in protest, forming the **Social Democratic Party (SDP)**. The SDP formed the **Alliance** with the Liberal Party, and in 1983 this split the Labour vote. Under Neil Kinnock Labour slightly recovered in 1987, but suffered from media campaigns. Labour was expected to win in 1992, but did not due to fears of higher immigration levels.

1997 (Opposition)
Charismatic Blair made Labour electable again by moving it towards the centre. He won over Tory voters by saying he would be tough on crime and pro-business; this helped him win over conservative newspapers. Blair also abandoned Labour's historical commitment to nationalisation and high taxes, promising to cut class sizes, cut NHS waiting times and not to raise income tax. '**New Labour**' used PR experts and focus groups to find out about public opinion. Labour gained support across all classes, winning back **C2 skilled working class** voters, and promised to **devolve** power.

2001 & 2005 (Opposition)
In 2001 the Conservatives were still divided over the **EU** and under William Hague had shifted rightwards. *The Sun* called Hague a 'dead parrot' and Labour created a poster of him with Thatcher's hair. After defeat the Tories elected Iain Duncan Smith as leader, but he was forced out in 2003 and replaced with Michael Howard, showing ongoing Tory divisions internally. Howard ran a campaign aimed at limiting immigration, but lost.

2010 (Opposition)
Cameron modernised the Conservative Party and became the youngest PM for over 200 years. He convinced voters that Labour was to blame for the **recession**, and promised to make **spending cuts** at a faster rate than the other parties. However, Cameron did not win a majority and formed a **coalition** with the Lib Dems after 5 days of negotiations. Lib Dem leader Nick Clegg performed very well in the debates, with Brown often saying "I agree with Nick", but the Lib Dems lost 5 seats.

2015 and 2017 (Opposition)
In 2015, polls and experts predicted another **hung Parliament**. The Tories and media used this against Labour, stoking fears of a Labour government propped up by the SNP. Miliband was also not received positively by the public. **Socialist** Jeremy Corbyn became leader in 2015, moving Labour to the left. During the short campaign before the 2017 election, his public image improved. Corbyn spoke to large crowds whilst May spoke only to small groups of Conservative activists. Although Labour did not win, they won 30 seats including some formerly safe Tory seats (e.g. Canterbury).

2019 (Opposition)
Labour's **manifesto** was the most radical in a generation. It promised tax rises for those on over £80,000, **nationalisation** of multiple industries, and an enormous amount of spending on public services. Corbyn's Labour also promised free broadband and a ban on zero-hours contracts, as well as a 4-day working week within 10 years. Corbyn's **Brexit** policy was to renegotiate a deal with the EU, and then to put that deal to the public in a referendum with Remain as an option. Corbyn had the lowest approval ratings of any party leader in decades, and many voters claimed that they could not vote Labour either due to Brexit or Corbyn himself. Labour lost several of its former safe seats in the '**Red Wall**' of the North and Midlands.

Class

AB are the higher & intermediate **middle class**, e.g. managerial and professional occupations. This class consistently votes Conservative.

C1 are the **lower middle class**, e.g. junior professions such as office workers / secretaries. This class is often up for grabs – it went Tory in 1997, was split between Conservatives & Labour in 1997, returned to the Tories in 2010, went back to Labour in 2017 and Tory again in 2019.

C2 are the **skilled working class**, e.g. builders, electricians and plumbers. This class often decides elections. Formerly Labour voters, C2 went to the Conservatives in 1979, was won back by Blair's Labour in 1997, but has been Conservative since 2010.

D are the semi-skilled & **unskilled working class**. **E** are the **unemployed**, pensioners and those unable to work. DE voters consistently vote Labour, but as many of them also chose **Brexit** they turned to the Tories in 2019.

Up until about 1970, working-class voters tended to vote Labour, as the party was closely linked to the **trade union** movement. However, from about 1979 there was **class dealignment**, where people no longer voted according to their social class. It occurred because society became wealthier, so class differences shrank. Class dealignment also happened because Thatcher reduced trade union power and sold **council houses** to tenants, winning working-class support. Blair broadened Labour's appeal beyond its traditional base, winning C1/C2 voters, but many working-class voters left Labour in 2019 due to concerns about immigration and the European Union.

Age

Since class dealignment, the most obvious trend in voting behaviour is now age.

Younger voters lean left, while older voters lean right. This pattern has become clearer in recent years, and in 2017 the tipping point at which voters became more likely to vote Tory rather than Labour was age 47. In 2019, when Labour suffered a severe defeat, this tipping point became age 39.

The age gap in voting does not balance out because the elderly are growing as a proportion of the population, and because the young are much less likely to turn out to vote.

Geography

Scotland is traditionally left-wing and supportive of Labour, but has experienced **nationalist (SNP)** dominance in recent years. The Conservatives became the main opposition in 2017.

Wales has a heavy Labour bias due to industrial areas, but with strong levels of support for the Conservatives in rural areas. The far west is more likely to vote **nationalist (Plaid Cymru)**.

London is a majority Labour area due to ethnic diversity and greater economic disparity in this more socially liberal area.

The **industrial north of England** was a Labour stronghold with greater ethnic diversity and higher levels of unemployment & poverty. However, in 2019 'left-behind' voters went Tory.

Northern Ireland has its own party system, split between **unionist** and **nationalist** parties. The party votes reflect cultural & religious divisions.

Gender

Previously there had been a clear gender gap in voting, with women more likely to vote Conservative. However, women and men are now less economically and socially different.

Ethnicity

BAME voters strongly tend to Labour. This is because of the concentration of BAME voters in industrial cities, because many have voted from Labour's social equality policies, and because of the Conservative Party's history of anti-minority campaigning.

Voting Theories

Rational choice theory is the idea that voters make a logical judgement based on which party's policies best match their own interests. **Issue voting** is when voters decide on one key issue, normally the economy. Voters also often cast their votes based on **governing competence** or on the perceived competence of the party leader, particularly due to the increasing **presidentiaiisation** of UK politics.

Rational choice theory	**Issue voting (usually the economy)**
In **1979**, Thatcher's Tories offered **tax cuts** and the **right to buy** council homes to working-class voters. In **1997**, Blair's Labour promised to cut class sizes, cut **NHS** waiting times and not to raise income tax. This reassured voters. In **2010**, all three major parties promised to make spending cuts, but the Tories fastest. In **2019**, Johnson promised to 'Get **Brexit** Done' and to increase public spending on the **NHS**. Labour's policies of rail nationalisation and a Green New Deal were popular, but voters were not convinced that they were deliverable.	The winter of **1978-79** was known as the '**winter of discontent**' as the nation was paralysed by unions going on strike. In **1997**, voters remembered when the value of the pound collapsed in 1992's '**Black Wednesday**'. This hurt the Tories' economic reputation, and Brown & Blair convinced voters of their competence. The global financial **recession** was the worst crisis since the 1930s. In **2010**, the Conservatives blamed this on Gordon Brown's economic management. **2019**'s key issue was **Brexit**. Johnson said to 'get it done', but voters saw Labour's policy as confusing.
Governing competence	**Party leadership**
In **1979** Callaghan was unable to keep the **unions** under control, leading to a series of strikes. By **1997** the Conservatives were no longer trusted with the economy and after a series of sex and financial **scandals** known as 'sleaze'. In **2010** the Conservatives accused Brown of overspending. The financial crisis harmed his reputation for sensible economic management. In **2019**, Corbyn's Labour was not seen as a competent alternative. Labour was not trusted to deliver on its manifesto or to deliver **Brexit**, whereas Johnson had secured a deal with the EU.	In **1979** the media focused heavily on personalities in the start of the **presidentialisation** of elections. However, Thatcher won despite being less popular. In **1997**, Blair was young and charismatic, and made Labour electable again. Major was seen as boring. **2010** saw the first ever TV debates. Cameron was young and a moderniser, but did not win a majority. Clegg was extremely popular but lost 5 seats. In **2019** Corbyn had the lowest approval ratings of any party leader in decades. Johnson was charismatic and had secured a **Brexit** deal, which convinced voters of his leadership ability.

The Media

Print media is important as it is mostly read by older voters who are more likely to vote, and can report on scandals. However, circulation has dramatically fallen as more modern media replaces it.

Opinion polls are significant in campaigns as parties conduct them and use them to organise & target their campaigns. However, they are less significant in predicting outcomes. Polls overrepresent young voters and often underestimate Tory votes in the 'shy Tory' phenomenon. In 2015, though, opinion polls predicted a Labour government dependent on the SNP. The Tories made this a focus of their campaigning. This may have motivated Conservative voters or led to tactical voting to prevent this outcome.

Importance of the Media

MEDIA INFLUENTIAL	MEDIA NOT INFLUENTIAL
1979: *The Sun's* 'Crisis? What Crisis?' headline suggested Callaghan was out of touch in the **Winter of Discontent**.	**1979**: Callaghan was more popular than Thatcher was. Labour did not lose because of his leadership.
1997: *The Sun* switched its support to Labour. This is the paper in the UK with highest circulation so is influential.	**1997**: The press may simply have been reacting to the public mood – following, not shaping it.
2010: 9.4m watched the first TV debate. Clegg was seen as winner of the first one – hung Parliament after the election.	**2010**: Cameron performed well but did not win a majority. Clegg only increased votes by 1% and lost 5 seats.
2017: May refused to take part in debates and this hurt her. Corbyn did better than expected & gained credibility.	**2017**: May won highest vote share of any party since 1997. Corbyn did better than expected but still lost.

A Level Politics Knowledge Organiser

Core Political Ideas 1: Liberalism (Paper 1)

Different strands of liberalism

THE ORIGINS OF LIBERALISM

The **Enlightenment** was an intellectual movement that began in the mid-1600s. It had a significant impact on politics in the 1700s, influencing the creation of the USA after the 1776 Declaration of Independence, and the **French Revolution** of 1789. The Enlightenment was defined by a belief in **reason** rather than faith. One of the core ideas that emerged was the idea that each **individual** has free will and is the best judge of their own interest, so each life should be shaped by that individual's actions and decisions. This led **classical liberals** to question the role of governments.

EARLY CLASSICAL LIBERALISM (JOHN LOCKE / MARY WOLLESTONECRAFT)

Early classical liberalism, of the late 1600s and 1700s, focused on **Locke's** idea of government by consent, driven by representatives of the people. At the time, this was quite a revolutionary idea, and Locke's ideas were a blueprint for the **US Constitution** of 1787. The other core idea was **rationalism** – the idea that humans are led by reason. **Wollstonecraft** used this to argue that women required a formal education. Classical liberals believe in **negative freedom**, which is the idea that freedom is the absence of restraint, and so where possible people should be left alone to pursue their destiny. As a result of this, classical liberals believe in a **minimal state**, in which the state does as little legislating and taxing as possible. Thomas Jefferson famously said: 'The government that is best is that which governs least… when government grows, our liberty withers.' Economically, classical liberals favour **laissez-faire capitalism**, believing in a hands-off approach that means the wealth acquired by individuals will 'trickle down' to others.

LATER CLASSICAL LIBERALISM (JOHN STUART MILL)

Later classical liberalism, of the early to mid 1800s, included ideas such as Jeremy Bentham's **utilitarianism**, which suggested that individuals would seek to maximise personal pleasure and minimise personal pain. According to **Bentham**, the state should therefore try to achieve 'the greatest happiness of the greatest number.' The core liberal thinker in this period was **John Stuart Mill**. Some call his views a separate strand of liberalism called **developmental individualism**. Mill saw that universal suffrage was inevitable, and was worried about **tyranny of the majority**. He put forward the case for **representative democracy**, so that elected representatives could consider the interests of all rather than just the majority. Mill also worried about the impact of uneducated voters, so wanted universal education to lead to a liberal consensus in society. Until this happened, the illiterate would not receive a vote; those with a university education would have more than one.

MODERN LIBERALISM (JOHN RAWLS / BETTY FRIEDAN)

Modern liberalism emerged in the late 1800s with the idea of **positive freedom**, which suggests that if individuals are left alone (as negative freedom suggests), they are often prevented by socio-economic factors (such as poor health care, unemployment or a lack of education) from achieving their potential. Instead, people need **enabling** in order to be free. Modern liberals like **John Rawls** suggested an enlarged, **enabling state** that passed more laws, spent more and taxed more, to guarantee the equality of opportunity necessary to enable individual freedom. Rawls said that this was consistent with Locke's idea of government by consent, because individuals would choose a 'fairer' society if they could (through his **'veil of ignorance'** thought experiment).

Modern liberals embrace **Keynesian** economics. John Maynard Keynes was a liberal economist who argued that the state needed to 'steer' the economy. William **Beveridge** wrote a 1942 report which argued for what became the post-war 'welfare state', to tackle the 'five giants' that prevented individuals from fulfilling their potential: poverty, unemployment, poor education, poor housing and poor health care. Unlike socialism, though, modern liberalism does not try to achieve equality of outcome.

Modern liberalism also advocates **constitutional reform**. This has included demands such as a codified constitution, devolution, electoral reform, a reformed House of Lords and the extension of the franchise.

The final aspect of modern liberalism is **social liberalism**, involving action to fix historic discrimination against groups, securing greater equality of opportunity. For example, **Betty Friedan** argued for legislation to allow women to achieve their potential and stop them having their freedoms 'harmed', fitting with Mill's 'harm principle' that actions should be allowed unless they harm the freedom of others.

NEOLIBERALISM

It is arguable whether **neoliberalism** is a form of liberal or conservative thinking. Neoliberals see modern liberalism as a 'betrayal' of individualism, creating a **'dependency culture'**. Neoliberals have re-advertised the merits of **negative freedom** and a **minimal state**, calling for politicians to **'roll back the frontiers of the state'** in order to make people more free. This involves a reduction in public spending, and much less state regulation of the economy. This would allow for lower taxes and a focus on enterprising individuals.

Human nature

Liberals prioritise the importance of the **individual**. They believe that people are **rational** beings who are capable of pursuing their own interests and making their own decisions. Early **classical liberals** like **Locke** thought that people were already able to do this, but **Mill** and modern liberals like **Rawls** thought that people had the *potential* to do it, if they were **enabled** to do so. Liberals believe that society needs to be tolerant of different beliefs. Classical liberals believe that people's behaviour should be restricted only where they are at risk of threatening the freedom of others. This is Mill's **'harm principle'**. However, **modern liberals** favour more intervention by the state to combat social injustice.

Society

Liberals see society as a collection of **individuals**, all seeking their own fulfilment. **Classical liberals** believe in **foundational equality**, where all people are born equal. Classical liberals favoured a **meritocracy**, where people succeed through their ability and hard work. This means there should be **equality of opportunity** rather than equality of outcome, as not all individuals have the same talents. However, **modern liberals** think this is not enough, as people are born into poverty or disadvantage. They think that some people need support from the state to be free. **Neoliberals** disagree with this and believe the state needs to reduce its role. This can go as far as not believing in society.

The state

Locke came up with the concept of the **social contract**, the idea that the people agree to give up some freedom to the state in return for security. This means that the government rules by **consent** and the people have the right to rebel. **Classical liberals** therefore believe in **limited** government, with checks and balances, the separation of powers, decentralisation and a constitution to prevent abuses of power. For example, **Mill** believed in **negative liberty**, where the state only interferes with individuals' actions if they threaten the freedom of others. However, **modern liberals** like **Rawls** and **Friedan** believe state intervention should increase to **enable** people to reach their potential.

The economy

Liberals emphasise the importance of the right to own **property** as a pathway to individual freedom and prosperity. **Classical liberals** and **neoliberals** believe in a **laissez-faire** approach to the economy, with minimal state involvement and a capitalist **free market**. However, **modern liberals** believe that capitalism requires state intervention in order to limit injustices such as poverty. This means that modern liberals support more state intervention in the economy. It can be seen through **Keynesian** economics.

JOHN LOCKE

1632-1704. Usually seen as the 'father of liberalism', Locke is the central figure in **classical liberalism**. He believed that the **'state of nature'**, a time before there was an organised state, was a positive place but that people willingly gave up some freedom to the state in return for security. This core idea was known as **'social contract theory'**. Locke said that governments must only rule with the **consent** of the people, and that people had the right to withdraw that consent. He wrote: *'The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings, capable of laws, where there is no law there is no freedom.'*

MARY WOLLSTONECRAFT

1759-1797. Wollstonecraft was a **classical liberal** who further developed the ideas of John Locke. She believed that the view that human beings were **rational** needed to also apply to women, who were being denied freedom and equality. Wollstonecraft said that England was limiting itself as a society by not permitting women their liberty and individualism. She said that formal **education** needed to be available to as many women and men as possible, to develop their rationalism and help them to achieve their potential. She wrote: *'The divine right of husbands, like the divine right of kings, may, it is hoped, in this enlightened age, be contested without danger.'*

JOHN STUART MILL

1806-1873. Mill was an English philosopher who provides the bridge between **classical and modern liberalism**. His idea of **'negative freedom'** was that freedom mainly involved a lack of restraint, and his **'harm principle'** stated that the state should not interfere with an individual's actions unless they would harm another person's freedom. Mill feared that 'government by consent' in a democracy could result in a **'tyranny of the majority'** in which minority interests become overwhelmed, so favoured representative democracy with the franchise based on level of education. He wrote: *'The only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others.'*

JOHN RAWLS

1921-2002. **Rawls** was an American philosopher and the main thinker behind **modern liberalism**. He believed that more state intervention was needed as people could not be equal until there was also greater social and economic equality. Rawls said that although the state should do more to improve the lives of the poorest, inequality of outcome was still desirable to allow for self-fulfilment. Rawls created a thought experiment which suggested that if people created a society from behind a **'veil of ignorance'**, they would make many changes to current society out of fear of ending up disadvantaged. He used this to justify a more **enabling** state. He wrote: *'It may be expedient but it is not just that some should have less in order that others should prosper.'*

BETTY FRIEDAN

1921-2006. **Friedan** was an American **liberal feminist** who founded the largest women's rights organisation in the world. She said that **'cultural conditioning'** led women to become wives and mothers rather than seeking to pursue a career. In her book ***The Feminine Mystique,*** Friedan argued that this 'mystique' had been created by advertising and that it led to a deep unhappiness in many women. She argued that as individuals are of equal worth and therefore are entitled to equal rights, women need a level playing field in employment, education and politics. She wrote: *'The feminine mystique has succeeded in burying millions of American women alive.'*

Tensions within liberalism

The two main varieties of liberalism are known as **classical and modern liberalism**. Classical liberalism is associated with the rise of industrial capitalism in the 1700s and 1800s. Classical liberals prized freedom above all else and believed that freedom was best achieved by restricting the power of government. In the late 1900s classical liberalism was reinvented in the UK and USA as **neoliberalism**, associated with the New Right. Modern liberalism arose in the late 19th century and early 20th century as a response to the growth of free-market capitalism. Modern liberals believe in regulating the market to counter excessive deprivation and inequality. Modern liberals do not believe that people can truly be free if simply 'left alone' by the state. Both types of liberal are anxious about an over-powerful government, and share a commitment to limiting government power and protecting citizens' rights. Where they differ is in the extent to which they are prepared to use the state to achieve liberal objectives.

Freedom

Both classical and modern liberals value **freedom**, but disagree over its nature. Classical liberals believe in **negative freedom**, which is achieved by restraining state power and leaving people alone. This leads to the rolling back of the state, encouraging individuals to take more responsibility for themselves. Debate over a **'dependency culture'** has intensified since the creation of the modern welfare state after 1945. Neoliberals argue that social welfare should be targeted at those who really need it, and that others should be encouraged to lift themselves up out of poverty through their own efforts. Liberalism emphasises self-reliance. Modern liberals believe that negative freedom can amount to 'freedom to starve' for those facing disadvantages they cannot control, so they support the idea of **positive freedom**. This can be expanded by state intervention in the economy and society, to widen opportunities and liberate citizens from social evils such as poverty.

The state

Both classical and modern liberals agree on the decentralisation of government and the protection of civil liberties. In the 1800s, this meant Home Rule (self-government) for Ireland, and in the 1900s this was shown through support for devolution. Unlike conservatives, who emphasise the accumulated wisdom of the past and the state as an organic and evolving entity, liberals have a **mechanistic theory** of the state. This is the idea that the state is a machine created by the people to serve them and their interests.

Classical liberals believe that the state should merely set out the conditions for an orderly existence, and leave everything else to private individuals and businesses. They support the idea of a **minimal state**, also known as a **'night watchman' state**, whose only role is to maintain social order and provide defence against external attack. The state should not interfere in social and economic life more than is strictly necessary, as this would undermine individual liberty, and should create an environment in which **laissez-faire capitalism** can thrive.

By contrast, modern liberals believe in the idea of an **enabling state**. Due to the inequality of society in the late 1800s, with low pay, unemployment, slum housing and poor working conditions, the 'New Liberals' supported policies of welfare as the way to bring about equality of opportunity. They argued that if individuals are held back by their social circumstances, the state has a social responsibility to reduce or remove these disadvantages. This was expressed in the Liberal reforms of Asquith's government before WW1, including the first old-age pensions and National Insurance. These ideas were taken further in the mid-1900s by Sir William Beveridge. In 1942, he published the ***Beveridge Report***, and said that: *'a starving man is not free because, until he is fed, he cannot have a thought for anything but how to meet his urgent physical needs.'* The report promised to protect people from the **'cradle to the grave'** against social injustice. Modern liberalism also includes economic management on the lines proposed by the economist **John Maynard Keynes**. Keynes argued that government intervention is necessary to ensure that market economies deliver sustainable growth and keep unemployment low. **Keynesianism** was particularly influential in the decades following WW2, until neoliberalism came to power in the UK.

A Level Politics Knowledge Oragniser

Different strands of conservatism

THE ORIGINS OF CONSERVATISM

Conservatism was a reaction to the politics of the **Enlightenment**, which saw the development of liberalism. The violence of the **French Revolution** after 1789, with the public beheading of King Louis XVI, made it possible to criticise liberal principles. This made room for a new political ideology that would respect the case for change while warning of its dangers.

TRADITIONAL CONSERVATISM (THOMAS HOBBES / EDMUND BURKE)

Long before the French Revolution and the development of conservatism, **Thomas Hobbes** took a highly sceptical view of human nature and unlike Locke he saw the **'state of nature'** as being 'solitary, poor, nasty, brutish and short.' Hobbes believed in an autocratic state to keep order. The 'father of conservatism', **Edmund Burke**, first articulated this ideology. Like Hobbes, Burke said that mankind was fallible and so this is why the French Revolution – based on an idealistic and therefore unrealistic view of human nature – failed. Burke said that change was necessary to conserve, but that this should be done cautiously and **organically** on the basis of **tradition** and evidence. Burke said that rather than equality, a ruling class was inevitable and desirable. Traditional conservatism emphasised the importance of **property**. The **'change to conserve'** approach could be seen in the early 1800s, when conservative PMs supported moderate reforms (such as the Great Reform Act 1832, extending the franchise) to stop the spread of revolutionary ideas. It was Peel who as Home Secretary created the Metropolitan Police Force in London, saying *'without security there can be no liberty'* – emphasising **order**.

ONE NATION CONSERVATISM (MICHAEL OAKESHOTT)

The threat of uprising continued throughout the 1800s, leading politicians like Otto von Bismarck in Germany and **Benjamin Disraeli** in Britain to modify conservatism in order to see off the growing danger of socialism. **One nation conservatism** is the belief that conservatism should prioritise national unity by improving the lives of the poorer classes. This therefore called for greater **state intervention** in society and the economy, and higher levels of public spending and taxation – going against the idea of laissez-faire capitalism. One nation conservatives developed Burke's idea of a ruling class, arguing that the aristocracy had a **paternalistic** duty to look after those less fortunate – also known as **noblesse oblige**. Disraeli famously said: *'The palace is not safe when the cottage is not happy.'* In the late 1800s, this led to legislation that tried to improve the lives of the working class – e.g. the Factory Act 1874. Conservatism further evolved after WW1 due to the extension of the franchise to working-class men, the emergence of the Labour Party as a political rival, and the newly-created Soviet Union as a foreign threat. This led conservatives to pursue a 'middle way' between capitalism and socialism, permitting a greater degree of state intervention to improve public health and housing and discourage the spread of socialism in Britain. This meant an embrace of **Keynesian** economics and a pragmatic acceptance of a welfare state and some nationalised industries, again 'changing to conserve'.

CHRISTIAN DEMOCRACY

After 1945, conservatism evolved differently in continental Europe than in the UK. West Germany, France and Italy, all with much more direct experiences of fascism, saw the creation of a type of conservatism named **Christian democracy**. Like traditional conservatism in the UK, this has a focus on **Christian morality** for social stability, a belief in **authority** and **hierarchy**, a commitment to **social conservatism**, and an acceptance of an enlarged state with **Keynesian** (state-managed) rather than **free market** capitalism. How Christian democracy differs, though, is that it features a suspicion of the nation-state, due to the wartime experiences of nationalism. This has made post-war continental conservatives more favourable of **supranationalism**, referring to a state (the **European Union**) whose authority cuts across national boundaries. British conservatives are more suspicious of supranationalism and the EU, seeing it as a way to 'eliminate' the nation.

THE NEW RIGHT (AYN RAND / ROBERT NOZICK)

New Right conservatism places much more emphasis on individual freedom, **laissez-faire capitalism** and **minimal government**, essentially liberal ideas. These were blended with more obviously conservative values such as traditional **Christian morality**. By the mid-1970s, the UK saw economic crisis. The New Right saw this as the fault of one nation conservatism's joining of the **post-war consensus** involving **Keynesian** economics and state welfare. This was expressed through **Margaret Thatcher's** time as PM in the UK, and by President **Ronald Reagan** in the USA. New Right conservatism is a blend of two ideologies: **neoliberalism** and **neoconservatism**. Neoliberalism involves **'rolling back the state'** to create a **free market** economy, with dramatic tax cuts, a reduction in spending and trade union power, deregulation and an end to the **'dependency culture'** created by a welfare state. Neoconservatism aims to restore authority, national identity and Christian morality. It involves tougher **law and order**, less tolerance of **immigration**, and **anti-permissive** social policies on issues such as abortion and homosexuality. There are some contradictions here as neoliberals wish to advance individual freedom and see immigration as a side effect of the free market whereas neoconservatives want the state to restrict some freedom in the interest of order, and are worried about the impact of immigration on Britain's traditional culture.

Core Political Ideas 2: Conservatism (Paper 1)

Human nature

Conservatives have a much more **sceptical** view of human nature, leading to it being described as a **'philosophy of imperfection'**. Conservatives prefer to focus on humanity as it is rather than as it could or should be, and reject the idea that humanity can be remoulded by society. **Thomas Hobbes** directly disagreed with liberal thinker John Locke by saying that the **'state of nature'** would have been 'nasty brutish and short,' but **Oakeshott** was much less negative. **Edmund Burke** criticised the **French Revolution** for having an unrealistic view of human nature and dismissed the idea that mankind could plan a perfect society. **New Right** thinkers such as **Rand** and **Nozick** were more optimistic, stressing individual freedoms.

Society

Burke described society as a collection of localised communities which he saw as **'little platoons'** (**Nozick** took this further). For conservatives, society needs to develop **organically**. Conservatives also look at society in **empirical** terms, focusing on evidence and looking at what 'is' rather than what could be. **Oakeshott** said the conservative society is a ship that needs only to 'stay afloat'. Conservatives also emphasise the importance of **tradition**, and **Burke** believed that the ideal society is a 'partnership between those who are living, those who are dead and those who are yet to be born.' Traditional conservatives believe in **paternalism**, that the ruling classes should look after lower classes. Conservatives stress the importance of **property** ownership.

The state

Conservatives see the main goal of the state as being to provide **authority**, as without order there can be no liberty. Conservatives are sceptical about states that arise from discussion as these are likely to be based on ideals rather than reality. Conservatives prefer states which arise gradually and unpredictably – **'organically'**. For this reason, conservatives are less likely to demand a codified constitution and prefer a UK-style arrangement that evolves in response to changing circumstances. **Traditional conservatives** favoured a class born and trained to rule the state in order to avoid social upheaval. **New Right** conservatives seek to **roll back the frontiers of the state** to make it smaller.

The economy

Conservatives favour **capitalism**. **Traditional conservatives** are sceptical of the **neoliberal** belief that markets are at their best when left alone by governments. This form of economics is called **'laissez-faire'**. Traditional conservatives have sought a compromise in which **free markets** are mediated by some state intervention in order to protect producers and consumers. In the 20th century, traditional conservatives were drawn to **Keynesian** capitalism, in which the market was managed by the state. **New Right** conservatives prefer a free market economy with little to no government intervention. In the UK under **Thatcher** from 1979-90, this saw the **privatisation** of formerly state-owned industries.

THOMAS HOBBES

1588-1679. **Hobbes** is considered one of England's most important political thinkers. He is seen as a conservative, but is also linked to liberalism. Hobbes took a sceptical view of **human nature** and suggested that the **'state of nature'** before a state was created was a place where individuals were only governed by ruthless self-interest. In his famous 1651 work ***Leviathan***, he wrote that the best form of government was under a sovereign (monarch), who would bring order and security. Hobbes favoured **autocracy** because he said that if power was dispersed, then the conflicts that characterised the state of nature would repeat. He wrote, about the state of nature: *'Continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short.'*

EDMUND BURKE

1729-1797. Widely seen as the father of conservatism and an important critic of the Enlightenment, **Burke** said that the **French Revolution** was based on a utopian and unrealistic view of human nature, explaining its failure (and descent into violence). Burke said that change should proceed on the basis of evidence (**empiricism**) and **tradition** rather than theory and idealism, and said that society and government were like a plant – so change must be cautious and **organic**. He said that a **ruling class** had an obligation to govern in the interests of all, foreshadowing one nation conservatism later on. About society, he wrote: *'Society is indeed a contract… it becomes a participant not only between those who are living, those who are dead, and those who are to be born.'*

MICHAEL OAKESHOTT

1901-1990. **Oakeshott** is regarded as one of the most important conservative philosophers of the 20th century, bringing a fresh perspective to the ideology. He had a less negative view of **human nature** than Hobbes, saying that most people were 'fallible but not terrible' and 'imperfect but not immoral'. Oakeshott argued that this understanding of **human imperfection** allows conservatives to have a greater appreciation of everyday life because they: *'prefer the familiar to the unknown* [**empiricism**], *the actual to the possible… present laughter to utopian bliss.'* Oakeshott said that the state only existed to 'prevent the bad rather than create the good', and his famous **'nautical metaphor'** said that the state's job was only to: *'keep the ship afloat at all costs… not fixating on a port that may not exist.'*

AYN RAND

1905-1982. **Rand** was one of the USA's most influential and provocative **New Right** thinkers. Her work, particularly the novel ***Atlas Shrugged***, suggested that talented individuals, rather than governments, lay at the heart of any successful society. She created a philosophical system she called **'objectivism'**, its core belief being that we should all be guided by **self-interest** and 'rational self-fulfilment', meaning we have no moral obligations to one another (as she set out in her **'drowning child'** thought experiment). Rand proudly called herself a **libertarian**, and her objectivist philosophy became strongly linked to the New Right support for **laissez-faire capitalism**. She was not a social conservative, as she defended an individual's 'right to choose'. She wanted a small state, providing **order and security**.

ROBERT NOZICK

1938-2002. **Nozick** was a key thinker for **New Right** conservatism who directly challenged liberal thinker John Rawls. Nozick argued that the growth of government was the most serious threat to individual freedom. He closely identified with **libertarianism**, and like **Rand** was more optimistic about human nature, arguing that the individual should be left alone by the state economically, socially and culturally. (although the state still needed to provide formal **authority** and **order**). Nozick said that 'tax, for the most part, is theft', and supported a **minarchist** society where the state would be replaced by self-sufficient communities, each of them free to practice their own particular moral codes and values. This takes further Burke's idea that the best society is made up of 'little platoons'.

Tensions within conservatism

Human nature

Most conservatives are **pessimistic** about human nature and regard people as imperfect. From a conservative perspective, human nature cannot be altered by changing economic, social or political conditions. Due to humans' aggressive and selfish nature, a firm government and a tough criminal justice system are needed. It is because of human nature that conservatives see **capitalism** as the only viable economic system, because human nature is competitive and selfish. However, **neoliberals** favour **atomistic individualism**, believing (like liberals) that humans can be rational in their decision making. Oakeshott was also less cynical about human nature, arguing that people were 'imperfect but not immoral'.

The state

All conservatives agree that the state exists to promote **law and order**. For **one nation** conservatives, this meant defending traditional institutions from revolutionary beliefs by promoting welfare and economic intervention. The **New Right**, however, is more contradictory about the state's role. **Neoliberals** call for the **rolling back of the state** because state intervention does not stifle economic growth and creates a **dependency culture**. **Neoconservatives** agree with this element, but also call for a 'strong state' with increased police powers and harsher punishments.

Society

Traditional and one-nation conservatives both see society as **organic**. All parts of this society work together to ensure a healthy 'social body', and any change to this society may jeopardise it by undermining what has been proven to work. This focus on evidence is called **empiricism**. This society relies on a belief in **hierarchy** and **authority**, with society's natural leaders having control. In return for people knowing their place in the social order, the elite are to have a sense of **paternalism**, or **noblesse oblige**, to those less fortunate, taking action to look after them. **Neoliberals** reject these ideas about society. Instead, neoliberals see society as being made up of independent and rational individuals operating in a **free market**. There is some similarity between traditional conservative Burke's idea of society as a collection of localised communities he called 'little platoons', and **New Right** thinker Nozick's **minarchist** society in which self-sufficient communities would be entirely autonomous.

The economy

All conservatives advocate private enterprise. **One nation** conservatives are in favour of some state **intervention** in the economy, state **welfare**, and a **mixed** economy of both privatised and nationalised businesses. This is an attempt to avoid the drawbacks of an unregulated free market – such as high unemployment – and also to fight off the electoral threat of socialism. However, **New Right** conservatives disagree with this significantly. They believe that the state needs to have a **limited** role in the economy, **'rolling back the frontiers'** of the state. **Neoliberals** favour a **laissez-faire**, **free market** form of capitalism, with **privatisation** and a reduction in the power of trade unions. They see this as the best way to promote prosperity and reduce wastefulness.

A Level Politics Knowledge Organiser

Different strands of socialism

THE ORIGINS OF SOCIALISM

Like liberalism, socialism grew out of the **Enlightenment**, but unlike liberalism wants the abolition of private property. By the early 1800s, socialism advocated communal ownership and production, and the equal distribution of resources. By the mid-1800s, socialism was seen by some to provide answers to the problems created by industrialisation and urban life.

FUNDAMENTALIST REVOLUTIONARY SOCIALISM (MARXISM) (KARL MARX & FRIEDRICH ENGELS / ROSA LUXEMBURG)

Fundamentalist socialists believe that capitalism must at some point be abolished. **Revolutionary** socialists think this should be done quickly and, if needed, with violence. **Classical Marxism** refers to the writings of **Karl Marx and Friedrich Engels**. They argued that history was a series of stages, moving inevitably towards **communism** (the perfect society based on communal living and the idea of 'each according to his needs') – this is called **historicism**. They said that each 'stage' of history was defined by a clash of economic ideas, a concept called **historical materialism**. After **feudal** societies were replaced by the emergence of **capitalism**, the workers would inevitably develop **class consciousness** due to their economic exploitation, and would stage a revolution. This would then lead to the **dictatorship of the proletariat** (socialism), before the state would **'wither away'**, no longer needed, to be replaced by Communism and the **'end of history'**. Marx and Engels said that revolution was needed because socialism could not be achieved through the existing state, which was a 'servant' of capitalism.

In Russia in 1917, there was a socialist revolution led by Vladimir **Lenin**. Lenin, and German revolutionary **Rosa Luxemburg**, disagreed with Marx that revolution could only occur in societies where capitalism was well developed. They thought this meant less developed countries (such as Russia) would have to continue to endure the oppression of developing capitalism. Lenin argued that revolution should occur in pre-industrial countries. Luxemburg agreed with Lenin, but disputed how revolution should happen. Lenin said this should be through a 'revolutionary elite' who could then educate the masses, but Luxemburg said revolution needed to come from the workers. Lenin's ideas (**Marxism-Leninism**) became the dominant form of Communism in the Soviet Union, China and elsewhere. However, this never in practice led to the withering away of the state, but instead to mass murder.

DEMOCRATIC SOCIALISM (BEATRICE WEBB)

This has been the most influential form of **fundamentalist** socialism in the UK and western Europe, and was vital to the development of the **Labour Party**. Clause IV of Labour's 1918 constitution, heavily influenced by **Beatrice Webb**, aimed to secure **'common ownership of the means of production'**. Unlike Marx, though, Webb argued against revolutionary change, calling revolutions 'chaotic, inefficient and counter-productive'. Webb was therefore an **evolutionary** fundamentalist socialist. **Democratic socialists** believed that the extension of **suffrage** from the late 1800s meant it was inevitable that socialist governments would be elected, would gradually transform society for the benefit of workers, and thus would be re-elected. Webb and others in the **Fabian Society** called this **'the inevitability of gradualism'**.

Clement Attlee's post-war Labour government illustrates democratic socialism, introducing a **welfare state** and the transfer of several industries to **public ownership (nationalisation)**. Democratic socialists like **Tony Benn** argued that Labour's defeat in 1979 was punishment for a government that 'compromised with capitalism's contradictions'. He recommended that Britain left the EEC, abolished the Lords and strengthened trade unions.

LATER FUNDAMENTALIST SOCIALISM

Euro-communism emerged in western Europe from the 1970s. **Evolutionary** socialist groups in France and Italy contested elections and took up positions of power. Italian socialist Antonio Gramsci argued that capitalism could never be overthrown without mass public support, and that for this to happen there needed to be a **counter-culture** in artistic, literary and recreational life as well as the workplace, to challenge the ruling economic class's supreme influence over society's culture. They believed that legitimising socialism through elections would make this socialist counter-culture more persuasive. **Revolutionary** socialism does still exist, however. **Neo-Marxists** agreed with the Euro-communist idea that capitalism's values had infected the arts, media and education. Rather than arguing for a counter-culture, though, Neo-Marxists used this to argue that Marx was correct in saying violent overthrow of the system was needed. Neo-Marxist **Ralph Miliband** wrote in 1973 that socialism could not be achieved through gradual parliamentary reform, as whenever democratic socialists had come to power they had been 'blown off course' and had had to dilute their ideas. This was because the pro-capitalist forces of the state, such as the civil service, judiciary and army, would conspire to 'divert' and undermine socialist governments.

REVISIONIST SOCIALISM (SOCIAL DEMOCRACY) (ANTHONY CROSLAND)

Unlike fundamentalist socialists, **revisionist** socialists disagree with Marx's view that socialism is incompatible with capitalism and that it can only be achieved via revolution. Revisionist socialism emerged because the condition of the working class was improving by the late 1800s, so there was little evidence that history was unfolding in the way Marx said was inevitable. Revisionist socialists argue capitalist economies could improve workers' conditions, if overseen by socialist governments to keep capitalism's worst features contained. They believe that socialism and capitalism can co-exist. **Social democracy** in the UK was argued for by **Anthony Crosland**, who said that **Keynesian** economics (where the state manages the capitalist economy) had made capitalism no longer vulnerable to 'peaks and troughs'. Capitalism could now be relied upon to allow the expansion of public spending and welfare, and progress towards the ultimate socialist goal of greater equality. This allowed democratic socialists to focus their attention on other ways to pursue equality, such as ending the 11-plus selective school examinations. Crosland did warn that Europe-wide economic policy would lead to austerity.

THIRD WAY (ANTHONY GIDDENS)

The most recent form of **revisionist** socialism is the **Third Way**, associated with the UK's **New Labour** governments. It emerged in the 1990s, when the collapse of the USSR and the thriving of capitalism suggested that the case for fundamentalist socialism had disappeared. The extensive **privatisation** of the 1980s made support for a mixed economy outdated, and **globalisation** was thought to have made Keynesian economic redundant. The creator of Third Way revisionism, **Anthony Giddens**, **'triangulated'** social democracy's desire for more equality with the **neoliberal** capitalist economy that now existed. Giddens argued that privatisation and the free market were the best way to boost economic growth, therefore increasing tax income, therefore allowing for more government spending to increase equality. The most controversial aspect of the Third Way is its abandonment of the socialist principle of **equality of outcome**. Giddens said a neoliberal economy and fast economic growth led to inequality, and what was needed instead was **equality of opportunity**. Labour abandoned its commitment to common ownership. Under New Labour, public spending rose from 39% of GDP to 47%, and laws were passed to promote greater political and cultural equality.

Core Political Ideas 3: Socialism (Paper 1)

Human nature

Like liberals, socialists have an **optimistic** view of human nature. Liberals, though, believe that people are naturally self-reliant, whereas socialists believe that people are naturally **cooperative** and altruistic. Whereas liberals are optimistic about human nature as it is, socialists are more optimistic about human nature as it could be, conceding that mankind's true nature has been diluted over time. Socialists see human nature as **malleable**, or 'plastic', rather than permanently fixed. This leads socialists to believe human nature can be adjusted so that people can fulfil their true potential and contribute to a more cooperative **community**.

Society

For socialists, individuals are the product of the society into which they are born. The main way a society impacts upon behaviour is through its **economic** system. Socialists believe that society is divided up by **class**, with the biggest division being between the **proletariat (working class)** and **bourgeoisie (capitalist class)**. Socialists believe that an individual's prospects are shaped by the social class they are born into, and that these classes are profoundly **unequal** in terms of power and influence. This means that **equality of opportunity** cannot exist, and so many socialists (not **Third Way**) seek to emphasise **equality of outcome** instead, based on **social justice**.

The state

Socialists believe that a strong state is needed to bring about a fairer and more **equal** society. Some socialists, such as **orthodox communists**, argue that the state will **'wither away'** once socialism has been created. Socialists prefer a state where power is distributed and the people are empowered. Socialists believe that any reduction of state power is likely to create more inequality.

The economy

As **class** is determined by economic status, it is impossible for socialists to address **inequality** without addressing the structure of the economy. **Fundamentalist** socialists tend to believe in **common ownership** (aka **nationalisation**) and a significant **redistribution of wealth**. However, **revisionist** socialists say that this is no longer needed thanks to **Keynesian** economics having changed capitalism for the better. Socialists reject **laissez-faire capitalism** as they believe it exacerbates **social injustice**. They favour **progressive taxation** and **public spending**, state-guaranteed **public services** and state **regulation of capitalism**.

KARL MARX & FRIEDRICH ENGELS

1818-1883 & 1829-1895. **Marx and Engels** were **fundamentalist revolutionary** socialists whose ideas changed the course of world history. They argued that capitalism had created two classes: the **proletariat** and the **bourgeoisie**. In their enormously influential works *Das Kapital* and *The Communist Manifesto*, they wrote that it was **'inevitable'** that all societies would move through various historical stages, including capitalism eventually being overthrown by a **dictatorship of the proletariat**. Marx and Engels said that the state would always serve the needs of whoever controlled the economy, so it was not possible for it to provide an evolutionary path to socialism. Famously, they wrote: *'Workers of the world unite; you have nothing to lose but your chains.'*

ROSA LUXEMBURG

1871-1919. **Luxemburg** was a **fundamentalist revolutionary** socialist who was murdered after the Spartacist Rising in Germany. She agreed with Marx and Engels that revolution was necessary, but like Lenin she disagreed with waiting for this to happen. However, Luxemburg disagreed with Lenin's idea that revolution would need to be planned by an 'elite' on behalf of the working class, and instead said that it would arise 'spontaneously' after **class consciousness** had developed in the **proletariat**. She helped establish the KPD (German Community Party), saying that gaining a foothold in the political system made it easier to make the case for revolution. She said: *'What presents itself to us bourgeois legality is nothing but the violence of the ruling class… raised to an obligatory norm.'*

BEATRICE WEBB

1858-1943. **Webb** was a **fundamentalist evolutionary** socialist who contributed to early **democratic socialism**. She was a member of the **Fabian Society**, a group of socialists aligned with the **Labour Party**, and helped to write Clause IV of the 1918 Labour constitution which committed the party to 'common ownership' (until this was removed under New Labour in 1995). Webb believed in the **'inevitability of gradualism'**, the idea that democratic socialist parties would have success in elections, make changes in government that would benefit workers, and therefore would retain support once voters saw how socialism benefited them. Her 'Minority Report' suggested a cradle-to-grave **welfare state** decades before the Beveridge Report or Attlee's Labour government.

ANTHONY CROSLAND

1918-1977. **Crosland** was a **revisionist** socialist, a **social democrat** who was a senior **Labour Party** politician and cabinet minister. He argued that capitalism had been changed forever as a result of **Keynesian economics**, which would now guarantee permanent growth and which had ended the 'peaks and troughs' that capitalism was formerly vulnerable to. Crosland said that common ownership had gone far enough thanks to the post-war Attlee government, and that the true objective – **equality** – could be achieved within a managed capitalist economy. He said that societies were now 'infinitely more complex' than Marx could imagine, so a **'mixed' economy** was now needed with a balance of private ownership and nationalisation.

ANTHONY GIDDENS

1938-. **Giddens** is a **revisionist** socialist who helped create the **Third Way** approach which shaped **New Labour** under Blair and Brown. He said **free market capitalism** could empower people economically and was the most efficient economic system, so it needed to be accepted and **triangulated** with social democracy's view of society. Free market capitalism creates continuous growth, therefore increasing the money the government could collect in taxes, giving it more to spend on increasing equality. Giddens said that the state needed to retreat from economic management and instead **invest** heavily in infrastructure and education. He said that Keynesian economics was obsolete, and that greater **inequality of outcome** would have to be accepted as long as **equality of opportunity** was provided.

Tensions within socialism

Revolutionary vs. evolutionary

Revolutionary socialism rejects the use of democratic methods to pursue a socialist society, instead advocating revolution that – if necessary – is violent. Revolutionary socialists believe that the development of industrialisation brought poverty, exploitation and unemployment, and workers had little chance to influence policies as politics was dominated by the bourgeoisie. As the state itself is an 'instrument of class oppression', and the dominance of the ruling class is reinforced by the media and financial systems, gradual or **evolutionary** change will not lead to socialism because bourgeois values are too deeply entrenched. Revolutionary socialism calls for a total transformation of society, so the existing **state** needs to be completely uprooted. Neo-Marxists such as Ralph Miliband argued that post-war Labour governments (e.g. under Wilson and Callaghan) failed because they had been 'blown off course' and diluted their ideas by compromising with capitalism.

Fundamentalist vs. revisionist

Fundamentalist socialism argues that socialism and capitalism can ultimately not co-exist and so, at some point, capitalism needs to be abolished. **Revisionist socialists** after 1945 no longer sought to abolish capitalism, pointing to the success of **Keynesian** economics under Attlee's post-war Labour government. **Social democrats** made three assertions: firstly, that capitalism creates wealth but distributes it in an unequal way that results in poverty; secondly, that **state intervention** in the economy can remedy the worst outcomes of capitalism; finally, that peaceful and constitutional methods should be used to bring about change. Social democracy is concerned with a fairer distribution of wealth. The revisionist argument points out that Marx's analysis of capitalism was flawed because capitalism was proving to be much more resilient than Marx had said. Eduard Bernstein pointed out that the ownership of wealth had widened now that workers could own shares in companies, and that capitalism does not need to be brutally exploitative if key companies are **nationalised** and protections of workers are put in place. A redistributive **welfare state**, Crosland said, would achieve **social justice**. By the 1970s and 1980s, though, a sharp economic downturn exposed the balancing act of trying to achieve both continuous economic growth and **egalitarianism**. The working class had also begun to shrink due to deindustrialisation. Many socialists then moved away from social democracy and **triangulated** social justice with **free market neoliberalism**. This emphasised the importance of the market rather than the state, and **equality of opportunity** rather than **equality of outcome**.

A Level Politics Knowledge Organiser — UK Government: The Constitution (Paper 2)

Definition. A set of **rules** that describe the various **institutions** of the state, the **powers** they have (and **limits** on those powers), and the **rights** of citizens.

The development of the UK Constitution

a) 1215 Magna Carta. Established the principle of the rule of law.

b) 1688-89 The Glorious Revolution and Bill of Rights. Established the sovereignty of Parliament and its supremacy over the monarch, free elections and free speech in Parliament.

c) 1701 Act of Settlement. Parliament has the right to determine the line of succession to the throne.

d) 1707 Acts of Union. United England and Scotland, with just one Parliament in Westminster.

e) 1911 and 1949 Parliament Acts. Limited the power of the House of Lords and so established the House of Commons as superior to the Lords. Lords cannot delay money bills.

f) 1972 European Communities Act. UK joined the European Union; EU law to take precedence over UK law.

g) 1998 Devolution Acts. Power was transferred from Westminster to governments in Wales, Scotland and Northern Ireland.

h) 1998 Human Rights Act. Brought the European Convention on Human Rights into UK law.

i) 2005 Constitutional Reform Act. The Supreme Court was established, thus confirming the independence of the judiciary.

j) 2017 The UK agrees to leave the EU. Following a referendum in 2016, the UK began the process of leaving the EU and so returning all national sovereignty.

Features of UK Constitution

a) Uncodified, i.e. not laid down in a single document. There are a number of different **sources**.

b) Unentrenched, i.e. it is **flexible** and easy to change.

c) Unitary, i.e. legal **sovereignty** (supreme power) lies with Parliament (**Parliamentary Sovereignty**). US has a **federal** constitution, i.e. legal sovereignty is shared between the centre and regional bodies.

d) Rule of Law. Everyone is equal under the law and entitled to a fair trial. The government itself is subject to laws.

e) Parliamentary Sovereignty. Supreme power lies with Parliament. Parliament can make and unmake laws. NB Parliamentary sovereignty and the rule of law are often referred to as the 'twin pillars' of the constitution.

f) No separation of Powers, i.e. Government is not separately elected, but comes from Parliament (unlike US). Therefore Parliament does not control Government.

g) Strong executive. PM and Cabinet are **very** powerful (**elective dictatorship**?).

h) Constitutional monarchy. Monarch's powers have been given to the PM (these are called **prerogative powers**).

Sources of the UK Constitution

a) Statue law. Law passed by Parliament, e.g. Human Rights Act 1998.

b) Conventions. Unwritten rules, e.g. Salisbury Convention (Lords does not delay manifesto proposals).

c) Books (or works) of authority, e.g. A V Dicey's "Introduction to the Law of the Constitution" or 1689 Bill of Rights.

d) Common law. Historic laws enforced by judges. Sometimes called 'case law' or 'judge made law', e.g. 2010 Court of Appeal ruled that the Government has to allow prisoners the right to vote.

e) EU Treaties, e.g. 1992 Maastricht Treaty (includes EU law)

Labour's Constitutional reforms in UK 1997- 2010, and analysis of effectiveness

a) Devolution. Democratic and popular BUT didn't go far enough?

b) Human Rights Act 1998. Protects civil rights, reduces elective dictatorship BUT takes too much power from UK and gives it to a European court?

c) Freedom of Information Act 2000 – improved openness of government BUT still too much secrecy.

d) New **electoral systems** introduced, e.g. SV, AMS, STV…. BUT no PR for Westminster elections.

e) Elected **Mayors**. Popular in London and some cities BUT not rolled out across all of UK.

f) Stage One of **House of Lords Reform (2000)**. Removal of all but 92 hereditary peers BUT no elections to House of Lords.

g) Creation of **UK Supreme Court** in the **Constitutional Reform Act 2005**. Very active in promoting rights BUT are judges becoming too political?

Coalition 2010-15

a) Electoral reform rejected in AV referendum (2011)

b) Fixed term Parliaments Act 2011 – 5 years

c) Further **devolution** to Scottish Parliament (Independence rejected in 2014)

d) Further devolution to **Wales** (2012)

e) English votes for English laws (2015)

f) The Recall of MPs Act (2015)

Reforms since 2015

a) Leave EU. Referendum 2016, EU Act 2017

b) Further **devolution** to Scotland and Wales. Scotland Act 2016, more power over income tax and some benefits. 2016

Government of Wales Act. Welsh Government has power to apply to UK Parliament for additional powers (eg over tax)

c) Devolution to city regions. Powers given to elected mayors eg Manchester, Liverpool.

Definition of Devolution

a) Transfer of **power (NOT SOVEREIGNTY –** this is **federalism)** from central government to regional authorities.

b) It is a **process** not an event ie is ongoing. In UK it is **asymmetrical** ie all 3 regions have different powers.

c) In UK devolved powers have come through referendums, so even though in theory UK Parliament could reverse devolution, in practice it would need another referendum to remove to do this.

d) **Three types** of devolution:

- **i. Administrative:** running services such as health, education, transport
- **ii. Legislative:** making laws (Wales does not have this power yet)
- **iii. Financial:** power to levy taxes and spend the money raised (only Scotland has this atm)

How Devolution has developed

a) In England

- **Devolution to English regions.** Blair created London Mayor plus Greater London Assembly. The coalition introduced elected **mayors** in some **city** regions with power over policing transport and housing.
- **English Votes for English Laws.** Only English MPs take part when English-only matters are being discussed in Parliament. Some have also called for an English Parliament, but little public support for this.

b) Scottish Devolution

The Scottish Parliament and government (currently SNP government, led by Nicola Sturgeon) have powers such as:

- Power over the **health service and education**
- Control over a range of **welfare** services including housing and disability
- Control of **half** the receipts from **VAT** collected in Scotland
- After the **Smith Commission**, Scotland got full control over **income tax** rates and money received from income tax**.**

c) Welsh Devolution

The Welsh Assembly and government have powers such as:

- Power over the health service, education and agriculture
- Some control over taxes, including **business tax and stamp duty** on property sales
- Power to **borrow money** on open markets to fund infrastructure projects such as roads and hospitals

d) Northern Ireland Devolution

The Northern Ireland Assembly and government have powers such as:

- Power to pass laws not reserved to Westminster
- Power over education administration and healthcare
- Power over **policing** and law courts
- The Assembly has been suspended from time to time since the Good Friday Agreement because of a breakdown of trust between Unionists and Republican groups.

Evaluating Devolution

Positive Aspects

a) The United Kingdom has **not broken up**. A key objective of devolution was to head off nationalist tendencies

b) **Peace** has largely held in **Northern Ireland**, although the political arrangements remain fragile

c) There remains widespread **public support** in all three countries for devolution

d) No serious proposals have been made to **reverse** it.

e) It has made some decisive differences e.g. **i)** Scotland has no **tuition fees ii) Northern Ireland policing** has maintained peace on the whole **iii)** Welsh agriculture has been well protected **iv) Social care is free** in Scotland **v)** The **Welsh health service** is improving after several years of decline.

Negative Aspects

a) **Scottish nationalism** is endangering the United Kingdom, especially after the UK voted to leave the EU

b) **Turnouts** in elections to devolved assemblies have been **low**, suggesting some political **apathy**

c) The introduction of proportional representation systems has inhibited decisive government in the three countries. (often **coalitions**)

d) The three countries still have to receive a **subsidy** from the UK Treasury (the Barnett formula) to maintain their services, in other words they are **not yet fully self-supporting**

Should devolution be extended within England?

a) **Unfair to England** that there is no devolution. Under the 1978 Barnett formula England receives less money per person than the rest of UK. Unequal. **BUT** UK already the wealthiest region.

b) **EVEL** makes Scottish MPs second class representatives in Westminster **BUT** partially solves the **West Lothian** question.

c) **Devolution works in rest of UK,** why not in England. Principle of **subsidiarity** (power should lie at the lowest possible level) **BUT** unnecessary? – most English people see Westminster as their Parliament.

d) **Regional Assemblies** might be popular in some parts of UK? eg Cornwall with a strong local identity **BUT** Blair's proposals for these in **2004** were defeated – no popular support for this.

Debates on further constitutional reform

a) Positive view on reforms since 1997

- **Judiciary** is now genuinely independent
- Through regional and city **devolution** power has been **decentralised**.
- **Proportional representation** for elections to devolved regional assemblies has improved democracy and representation.
- **Elected Mayors** improve local democracy.
- **Citizens rights** are now better protected.
- **Freedom of information** (FoI) has been established.
- The increased use of **referendums** has extended popular democracy.
- **The House of Lords** is a more effective body.

b) Negative aspects

- The electoral system of first past the post **(FPTP**) for general elections remains (unrepresentative)
- The House of **Lords** remains **unelected**.
- The **prerogative** powers of the prime minister remain and **elective dictatorship** continue.
- The largely unreformed **House of Commons remains weak** and unrepresentative.
- The **UK Constitution** remains **uncodified,** creating uncertainty and lack of public understanding, and retaining the danger of excessively powerful government.

c) Should there be further constitutional reform?

- The **House of Lords** could be either fully **elected** or partly elected and partly appointed. Either way the remaining hereditary peers could lose their voting rights in the future.
- Changing electoral system to **PR?** If there is a future hung parliament and more indecisive election results, or excessive unfairness to small parties, the issue may well re-emerge**.**

- **Devolution** is a 'process and not an event'. There may well be further transfers of power to Scotland, Wales and Northern Ireland, and possibly to more **city** regions, in the future.
- **The size of the House of Commons** is due to be reduced from 650 MPs to 600. This will be accompanied by a redrawing of constituency boundaries to make them equal in population size.
- The Conservatives would like to replace the European Convention on Human Rights with a **British Bill of rights**.

Should UK adopt a codified constitution?

YES:
a) It would better protect **rights**
b) It would reduce power of central government (**elective dictatorship**)
c) It would bring **clarity** and have an **educational** value
d) It would be policed by senior **judges** (who are neutral and above politics) through judicial review

NO:
a) Current constitution is **flexible** – it **evolves** over time
b) Codified constitution gives **unelected judges** too much power
c) Current constitution generally creates **strong and stable government**
d) **Unnecessary** – current system works, plus **no agreement** on what would be in a new codified constitution

A Level Politics Knowledge Organiser

UK Government: Parliament (Paper 2)

Parliamentary Govt.

a) Parliament is **sovereign** –it has ultimate power
b) **Govt. comes from Parliament** (either Commons or Lords)
c) **Govt. is** accountable **to Parliament (eg PMQs, Sel Coms)**
d) **Fusion of powers** (not separation in US) means Govt. controls Parliament.

Composition of Commons

650 elected MPs, frontbench or backbench MPs, neutral Speaker, Whips, 2 types of committee (legislative – examining bills, Select – scrutinizing Govt. departments, NB Public Accounts Committee scrutinizes Govt. finances).

Composition of Lords

a) Life Peers (700+), **b)** hereditary Peers (92), **c)** Bishops (26). NB, none are elected. There are approx. 250 Conservative peers so no Govt. majority. Over 200 crossbenchers.

Functions and powers of Commons

a) **Passing legislation**. Making laws legitimate; scrutinising laws coming from the Govt.
b) **Scrutinising Govt.,** and making them accountable (eg PMQs, select committees, Vote of no confidence)
c) **Representing constituents** (and also other sections of society eg pressure groups)
d) **Debating** issues of national importance eg Syria.
e) One function is an **exclusive power** ie only the Commons does this (not Lords). This is to give consent to **taxation and public spending** (ie the budget)
f) Be able to define the term **confidence and supply**. This is a type of informal agreement often used in a hung Parliament when a small party agrees to vote with the Govt. on key issues in exchange for policy concessions (eg DUP support for Conservatives in 2017)

Functions and powers of Lords

a) **Revises legislation.** Can **delay** non-money bills for one year. In 2015 the Lords defeated Cameron's plans to reduce tax credits.
b) **Approves secondary legislation.** These are minor regulations within major laws (Commons has less time to do this, so Lords often check secondary legislation).
c) **Debating** issues

Limitations on the Lords

a) **Parliament Acts of 1911 and 1949.** Lords can only delay bills for one year (NB cannot delay money bills).
b) **Salisbury Convention.** Lords cannot block legislation that was in the manifesto.
c) **Amendments to bills.** Limited power as any Lords amendments have to be accepted by Commons.
d) **Threat of abolition.** Could be replaced with elected peers. Therefore Lords have self-restraint.

The Legislative process

Usually starts with a **Green Paper** (ideas and options), then a **White Paper** (detailed draft)

a) **First Reading.** MPs informed about the bill, but no debate
b) **Second Reading.** Main debate on bill
c) **Committee Stage.** Detailed scrutiny by public bill committee- amendments proposed
d) **Third Reading.** Final debate, and last chance to block the bill
e) **House of Lords.** Scrutinised by a committee of the whole House
f) **Royal assent.** Bill becomes an Act

Evaluation of backbench MPs work (negative and positive)

a) Many are just **'lobby fodder'**, controlled by Whips. **However**, many backbenchers are independent minded and follow their conscience (eg Tory rebel Remainers, eg from 2010-15 some coalition MPs rebelled in 35% of votes). In Jan 2018 Brexit vote over May's EU Agreement, 118 Conservative backbenchers voted against her (she lost by a huge 230 votes). Be aware of **Parliamentary Privilege**, the right of MPs to speak out in Parliament without being subject to outside influence or the law (eg cannot be sued for libel)
b) MPs **scrutinise** through **legislative** and **select committees**. Since 2010 Parliament more willing to defy the Govt. In 2010 the **Backbench Business Committee** was created, and is able to choose the topics for debate on 35 days each parliamentary session. **However** Select committee reports are often ignored, and Govt. **whips** usually ensure that bills are passed.
c) Increasing use of '**urgent questions'** by MPs which require an immediate answer from the Govt. Over 3500 between 2009-13.
d) Debates are often poorly attended, eg **adjournment** debates or backbench speeches under the **10-minute rule**. **However**, some debates result in Govt. defeats eg Cameron on **Syria** in 2013; most of the really important work of the Commons is done in committees (but Govt. has a majority on these).
e) MPS often little known in their **constituencies. However**, many work hard (surgeries etc), and some effectively represent outside pressure groups.
f) 2009-10 Expenses scandal. **However**, system tightened now.
g) Backbenchers in Lords. Often more independent than backbench MPs (less influenced by whips). Growing number of cross-benchers with no party affiliation.

Parliamentary Committees

a) Select Committees. **Good points**: i) largely **independent**, ii) power to **scrutinise** ministers, official documents and legislation, iii) **well respected** –approx 40% of SC recommendations accepted by Govt, iv) chairs now **elected** by fellow MPs not Whips, v) many are long standing and very **knowledgeable**, vi) can directly **change Govt policy** (eg in 2014 the Passport Office taken back into Home Office control after critical SC report. **BUT** i) reports often **ignored**- 60% of recommendations, ii) cannot **enforce** recommendations, iii) pressure from **Whips** limits independence, iv) Govt still has a **majority** (and an MP from the Govt party always chairs the Treasury, Foreign and Defence SCs v) lack of **resources**
b) Legislative Committees. Examine legislation in detail **BUT** divide on party lines so not independent, decisions often overturned by whole House, lack research back up.
c) Lords Committees. Good points: specialist members, independent from party control, often gain concessions from Govt. **BUT** amendments often overturned in Commons, Govt. view usually wins out.

The role and significance of the Opposition

a) Second largest party (Labour) forms the **Official Opposition**. The other parties are the general opposition. They get Short money to help do this.
b) Roles

- **Scrutiny** of Govt. - getting them to explain and justify policies (most effective if Govt has a small majority)
- Highlight **poor performance** and suggest alternatives (often in the media)
- Be an **alternative Govt.** in waiting (need to criticise but appear statesmanlike, not overly negative)

c) Methods of scrutiny

- **Ministerial question time** (including written questions to ministers). Also PMQs. – this often descends into 'Punch and Judy' politics. Often descends into personal attacks (eg all Govt ministers have to face Questions not just PM.
- PM also questioned by the **Liaison Committee** of the Commons twice a year.
- **Debates** (Opposition gets 20 days a year to propose subjects for debate) eg SNP –debate on Trident nuclear defence 2015.
- **Select Committees**. Many Labour MPs chair Select Committees.

Ministerial Question Time (Including PMQs)

a) Prime Minister's Questions every Wednesday (30 mins). Parliament holds PM to account **BUT** very 'gladiatorial' or **'Punch & Judy'** – political theatre, mud-slinging.
b) Questions for MPs on Govt. side are often **'planted'** (to present PM in a good light).
c) Also rota of questions for individual **ministers**. Usually more detailed and less partisan. MPs often raise concerns from constituents.
d) PMQs undoubtedly **test a leader** – a good performance at PMQs is essential for maintaining a leader's position in his party as well as boosting party morale.

Is the Commons effective in carrying out its functions?

a) Representation. Most MPs very active in **constituency**, and some are effective at representing **pressure groups** and causes **BUT** Commons is **not socially representative** (few women and ethnic minorities). Also, because of **FPP**, smaller parties (eg. UKIP) are under-represented. Still no effective mechanism to remove **poorly performing MPs**
b) Scrutiny. Question Time and Select Committees **BUT** PMQT is a media sideshow, most MPs don't want to be disloyal (they are Whipped). Also some MPs lack expertise, research back-up and time to investigate Govt. thoroughly
c) Legislation. Commons makes legislation legitimate **BUT** 3 line Whip and automatic in-built majority for Govt (usually) (**ED**),
d) Debating. eg. Excellent Bombing Syria Debate. Such debates are seen as a good training ground for future Ministers **BUT** proper debate is rare in a crowded timetable.

Is the Lords effective in carrying out its functions?

a) Representation. Life Peers represent wide cross section of society with **expert** knowledge, and often take up causes on behalf of neglected groups eg elderly **BUT unelected**, therefore lacks legitimacy. Also **few women** and ethnic minorities.
b) Scrutiny. More independent than MPs, **Whips less powerful**, many Peers experts in their field. Often improve or block unfair or poorly crafted aspects of bills. Every Govt. department has a frontbench representative in the Lords that peers can question **BUT** cannot force change on Commons, **no Select Committee in Lords**.
c) Legislation. Can amend laws **BUT** can only **delay** non-money bills not block, and **Salisbury Convention**
d) Debating. More time to deliberate than Lords plus experts **BUT** debates are largely symbolic.

Reform of the Lords

In 1999 all but 92 of the hereditary peers were removed from the Lords. Many have argued that the Lords should be partially or fully elected.

a) Arguments for elected Lords.

- **Democratic** (and more legitimate) – present system outdated ('cash for peerages')
- More **representative**
- Might encourage more **participation**
- Would improve **legislation** (better scrutiny of Commons, less elective dictatorship)

a) Arguments against reform.

- Could lead to **gridlock** between 2 chambers (which chamber would be more legitimate if both elected?)
- Political **parties** would take over the 2nd chambers – don't need another House of Commons.
- If one party controlled both chambers then **more elective dictatorship**?
- Life peers have **specialist** knowledge – must not lose that. Also ethnic and gender diversity can be improved through **appointment** process: "if it ain't broke, don't fix it"!

In what ways is the Lords becoming more important/assertive?

a) After removal of most hereditary peers in1999, **legitimacy** of Lords has increased.
b) Life peers are more **active**, and hence there have been more **challenges to Govt. power** eg from 1997-2019 there were 528 defeats for the Labour Govt in the Lords
c) After 1999, **Conservatives no longer dominated** the Lords, no party has overall control. This means crossbenchers play an important role eg amendments to the Health and Social Care Bill in 2012 (which Govt accepted).
d) Lib Dem peers very obstructive after 2005 eg they opposed Blair's proposals for ID cards even though it was in the manifesto (disregarding Salisbury Convention)

How does the Commons maintain its supremacy?

a) Govt usually has a **majority** in Commons so generally gets its own way, eg Coalition Govt. rejected 7 Lords amendments to its Welfare Reform and Work Bill. Govt. can use the **Parliament Act** to force a bill through eg equalising the age of consent for gay people (2000).
b) House of Lords lacks democratic **legitimacy** so often practices **self-restraint**

Reform of the Commons

a) **2010-15 reforms**, **i) Backbench Business Committee** established to choose and control debates in Commons on 27 days each year on any topic. **ii) Chairs of Select Committee** to be elected by backbench MPs (not Whips). **iii) Fixed term Parliaments** of 5 years.
b) **2015 Recall** of MPs Act. A by-election can be triggered if an MP commits a serious offence.
c) **Further future reform**. **Reducing** MPs to 600 by **re-drawing** constituency boundaries (to be completed in 2018?).

Does Govt. control Parliament?

YES: a) Usually Govt. has a **majority** (not in 2010 or 2017 though), **b)** Most MPs want **promotion** so toe the party line, **c) Whips** control MPs, **d) Legislative committees** controlled by Govt., **e)** Govt. controls Commons **timetable, f)** Lords can only delay a bill (plus **Salisbury Convention** - must pass manifesto measures), **g)** Parliamentary scrutiny (PMQs, debates, vote of no confidence) is generally **ineffective**.
NO: a) Backbench **rebellions**, **b) Select Committees** can act independently and force changes in Govt. policy, **c)** Govt. does not have a majority in the **Lords**. **d)** 2017 **Supreme Court** Article 50 decision reasserted Parliamentary sovereignty **e)** Jan 2018, Speaker allowed a backbench MP to put forward an amendment which forced May to come back with an EU 'plan B' within 3 days of her defeat on her EU withdrawal agreement. The Speaker broke with established precedent to do this. Is this Parliament reasserting more control over a weak Govt?

A Level Politics Knowledge Organiser

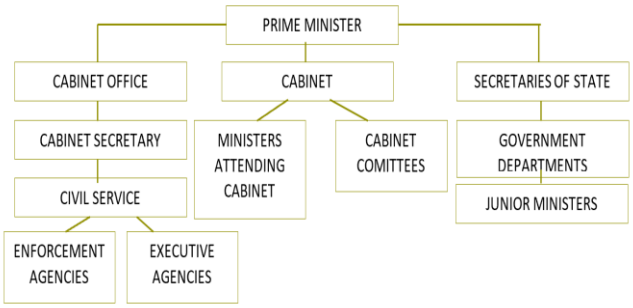
UK Government: PM and the Executive (Paper 2)

HOW DO YOU BECOME PRIME MINISTER?
* Must be an MP
* Must be a party leader
* Usually has a majority in the House of Commons

ROLE OF A PRIME MINISTER:
* Making governments:
  - Appoints other ministers
  - Can 'hire' and 'fire' the cabinet
  - They have great control over the careers of peers and MPs
* Directing government policy:
  - The core executive sets the overall direction of government policy
  - Defining Britain's strategic goals
  - Usually economic and foreign policy
* Managing the cabinet system:
  - Chairs cabinet meetings determining their number and length
  - Cabinet committees
* Organising government:
  - Structure and organise government
  - Setting up, reorganising and abolishing government departments
  - Responsible for the civil service
* Controlling parliament:
  - Controls the lower chamber and parliament
  - This control may vary during a 'hung' parliament
* Providing natural leadership:
  - Elected by the people
  - Leadership is most important at times of national crisis, war or major events

WHAT IS THE CABINET?
* A committee of the leading members of the government
* Usually 22-25 formal members
* The 'plum' jobs in the cabinet are: Chancellor of the Exchequer, Foreign Secretary, Home Secretary and Deputy Prime Minister (if there is one appointed)
* These people and the Prime Minister often form an inner circle called the 'kitchen cabinet'.
* The cabinet meets once a week or more as the Prime Minister chooses.

THE ROLE OF THE CABINET:
* Formal policy approval → formulation of policies may occur elsewhere but this is approved by the cabinet in order to make it 'official' government policy.
* Major policy decisions may be made by the Prime Minister without consulting the cabinet.
* Policy coordination → ensures that ministers know what is going on in other departments helping to reconcile the responsibilities of ministers. This allows the government to remain 'joined up'.
* Resolve disputes → Most disputes are resolved at a lower level but the cabinet can be used as the final court of appeal for disagreements.
* Forum for debate →can be used by the Prime Minister and other ministers as a place to raise issues and to stimulate discussion. However, this time is usually limited as most of the time is used for the government's agenda.
* Symbol of collective government → during these regular cabinet meetings the prime minister reports, and major policies are approved maintaining the face of UK government. This may be undermined by ministerial responsibility.



WHAT ARE THE ROLES OF THE EXECUTIVE & IS IT STRUCTURED?
* Proposing legislation:
  - This can change depending on the current main priority
  - EU
  - Providing certainty for individuals and businesses
* Proposing the budget:
  - Sets out the government income, spending and borrowing for the next year
  - Forecast these figures for the year ahead
  - Given in March
  - Autumn statement gives an update

THE STRUCTURE OF THE EXECUTIVE:
* Prime Minister:
  - Head of the executive
  - Chairs cabinet
  - Manages the agenda of cabinet
  - Appoints members of the cabinet and junior ministers
* The Cabinet:
  - 20-23 senior ministers including secretaries of state
  - Administrative help in delivering policies is given by the cabinet office headed by the cabinet secretary
* Governmental Departments:
  - Each is responsible for an area of policy
  - Headed by a cabinet minister supported by junior ministers
* Executive Agencies:
  - Semi-independent bodies that carry out functions of government departments eg. DVLA

THE MAIN ROLES OF THE EXECUTIVE:
* Proposing legislation:
  - Proposals for new laws or amendments to existing laws
  - Announce programme during the Queen's speech
  - Can propose legislation outside of a party manifesto
  - Ministers will often consult interested parties before introducing legislation such as pressure groups or professional bodies
* Proposing the budget:
  - Created by the Chancellor of the Exchequer and the Prime Minister
  - It is presented to the House of Commons for approval in march
  - If a new government comes to power a new budget is created
* Making policy decisions:
  - The executive decides the aim for the future direction of the country

POLICY MAKING DURING THE COALITION:
* During the coalition, policy making was effective as more left wing members were less powerful.
* It was not successful for Liberal Democrats as many of their manifesto promises were ignored leading to a loss in party support

DIFFERENCES BETWEEN MINISTERS AND CIVIL SERVANTS:
* Ministers:
  - Ministers must be MPs or Peers
  - Expected to run government departments by making policy and overseeing the work of Civil Servants
  - Party members
  - Temporary
  - Public figures
  - Make policy
  - Responsible to parliament
  - 1. Secretaries of state/ 2. Ministers of state/ 3.Parliamentary under secretaries of state/ 4. Parliamentary private secretaries
* Civil servants:
  - Appointed not elected
  - Permanent
  - Responsible to their ministers
  - Politically neutral
  - Anonymous
  - Work in departments
  - Advise on policy
  - They are permanent to allow the accumulation of expertise and specialist knowledge

HOW CAN CIVIL SERVANTS EXERCISE MORE POWER?
* Civil servants make minor policy decisions as the ministers can't make all policy decisions
* Major policy decisions are based on advice from civil servants
* Civil servants control the flow of information to ministers

MINISTERIAL RESPONSIBILITY:
* Ministers are responsible for deciding how they want to conduct themselves
* They only remain in office for as long as they have the confidence of the Prime Minister
* There is a ministerial code that describes the ways in which ministers behave
* Micheal Fallon resigned because of the treatment of a female journalist (November 2017)
* Priti Patel resigned as Secretary of State for International Development due to holding unauthorised diplomatic talks in Israel (November 2017)
* Amber Rudd resigned as Home Secretary due to the Windrush scandal (May 2018)
* All ministers must stand by and defend their government's position

ROYAL PREROGATIVE POWERS:
* The UK can be said to have a system of Cabinet government or 'Prime ministerial government'
* Royal prerogative powers are powers that initially belonged to the crown but have been transferred over to the Prime Minister or other ministers
  - Appointment of ministers
  - Granting legal pardons
  - Granting and withdrawing passports
  - Taking action to maintain order in the case of an emergency
  - Signing treaties
  - Declaring war and authorising the use of the armed forces
  - Awarding honours
* 2011 Fixed Term Parliament Act removed the right of the Prime Minister to determine the date of a General Election
* Theresa May attempted to use her prerogative powers to pass Article 50 but this was overruled by the Supreme Court who required it was passed through parliament
* Home Secretary Charles Clarke used the prerogative powers to stop two British men freed from Guantanamo Bay brig issued with passports in 2005

INITIATING LEGISLATION:
* Controls the majority of parliamentary time for legislation
* Party whipping systems usually push government bills through
* The executives sets a time limit for each stage of the passage of a bill
* Rebellions can occur but these are unusual
* The executive controls most of parliamentary time
* 20 opposition days
* 13 days for private member's bills
* Some other time allocated to Backbench business committee

SECONDARY LEGISLATION:
* Law made without passing a new act of parliament
* Enables a government to modify or repeal existing legislation without a new bill
* Parliament can debate an d reject a statutory instrument

A Level Politics Knowledge Organiser

Supreme Court and legislative and policy making process

The role and composition of Supreme Court:

Membership of Supreme Court =:

- 12 senior judges.
- ALL have extensive experience of sitting on cases from any part of UK.
- Head of court = president of SC
- Judges = APPOINTED by an INDEPENDENT panel of the country's senior legal figures
    - Judicial Appointment Commission

Role of judiciary as a whole is wider than that of Supreme:

- Hearing criminal and civil cases
- Making law → common law is done through judicial precedent
- Interpreting law
- Establishing case law → judges decide how the law is to be applied in cases. Once established, other courts follow the same case law.
- JUDICIAL REVIEW (the Court can inquire whether ministers have followed correct procedures in the way they implemented legislation) → courts hear cases brought by citizens, usually against gov + state when they believe they have been treated unfairly.
    - Often these cases apply the terms of the ECHR

Role of Supreme Court:

- It is the FINAL court of appeal for all CIVIL cases in UK and CRIMINAL cases from England, Wales, and N. Ireland.
- It hears appeals on arguable points of law, therefore, SC clarifies the meaning + application of law which not may be clear from the wording of the law.
- Concentrates on cases of great constitutional + public importance
- SC = leading interpreter of common law

The SC was OPENED in 2009.

- It was established by the Constitutional Reform Act (2005)

The reform was to create greater transparency and bring UK into line with most Western countries. The Constitutional Reform Act also changed the role of the lord chancellor, whose historic office combined 3 functions:

1) Cabinet minister, supervised legal system (executive)
2) Head of judiciary, appointed other judges (judiciary)

Appointment of members of Supreme Court

Cases in Supreme Court are ALWAYS heard by an odd number of justices so that a MAJORITY verdict can be reached.

Most senior figure = president.

- From 2009 - 2012 = Lord Phillips
- From 2012 - 2017 = Lord Neuberger
- From 2017 - today = LADY HALE

Lady Hale is the ONLY FEMALE JUSTICE out of the 12 members of Supreme Court.

When a vacancy occurs in the SC, nominations are made by an independent 5 member Selection Commission.

- The lord chancellor either confirms / rejects the person put forward. The appointment = confirmed by PM then by monarch

Important cases in Supreme Court

Case	Year	Legal / constitutional principle	Issue	Outcome
Gina Miller v Secretary of State	2017	Appeal from High court. Case concerned extent of prerogative powers of gov	Miller = private citizen who sought judicial review of gov's refusal to allow UK Parliament to ratify decision of 2016 referendum to leave EU	Miller WON case + gov was forced to allow the UK Parliament to vote on whether the UK should leave the EU
Schindler v Duchy of Lancaster	2016	Right to vote	Should UK citizens who have lived abroad for more than 15 years be able to vote in 2016 referendum?	Vote = DENIED to such citizens as they had forfeited their rights by living abroad so long
Trump International Golf Club v Scottish ministers	2015	Ultra vires - whether the Scottish gov had overstepped legal powers	Trump argued that the gov had exceeded its powers in allowing a wind farm to be built near his new golf club	Scottish gov WON case; it hadn't exceeded power

The principles of the Supreme Court

Only UK Parliament can overturn decisions of Supreme Court by passing NEW LEGISLATION or amending existing law.

Note: Supreme Court cannot overturn a parliamentary statute. It can only recommend the repeal or amendment of a statute but cannot compel Parliament to comply with recommendations.

Supreme Court and judiciary play key role in protecting human rights by:

- ➢ Enforcing ECHR
- ➢ Enforcing the rule of law
- ➢ Assering common law rights
- ➢ Enforcing freedom on information cases (right established by Freedom of Information Act 2000)

Rights cases in Supreme Court

Assessment of power of Supreme Court

Powers	Weaknesses
Judicial review	Cannot activate its own cases. Must wait for APPEALS.
It can interpret law + affect the way it is implemented	Sovereignty of Parliament means its judgments can be overturned by parliamentary statute
SC can still declare proposed legislation incompatible w/ the ECHR, which is influential	The European Court of Human Rights can hear appeals from the court and overturn the decision, but this is NOT binding.

UK Government: PM and the Executive (Paper 2)

Note: ECHR = part of UK law. It is NOT controlled by the EU. instead, it is controlled by a different body called the Council of Europe and will therefore still apply after the UK leaves the EU.

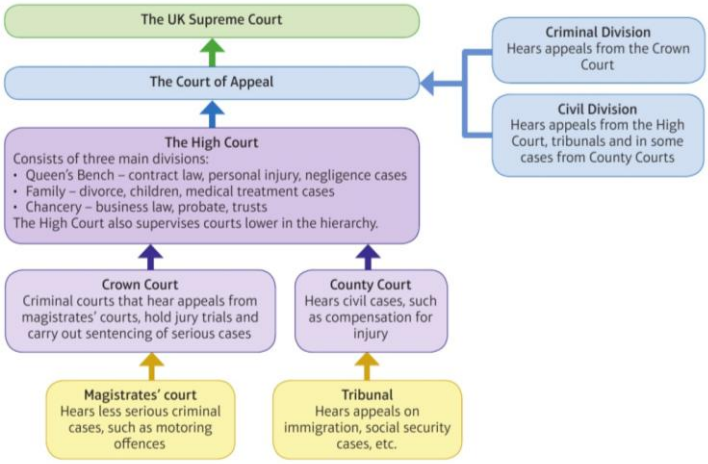
Judicial neutrality

Neutrality of WHOLE judiciary implies:

- ❖ Judges should show no political bias
- ❖ No bias in favour of / against any section of society
- ❖ Judges should base their judgments purely on principle of law + justice. Not prejudice.

Case	Year	Principle	Issue	Outcome
Brewster v N. Ireland local gov	2017	Whether cohabiting couples have the same joint PENSIONS right as married couples	Judicial review under European Convention	Brewster WON case, establishing rig cohabitants
Evans v Attorney General	2015	Freedom of information	Should PRINCE CHARLES'S letters to gov on various issues be published	Ruled that Freedom of Information DIDN'T apply to royal family

To ensure judicial neutrality, judges must refuse to sit in a case that involves a family member, friend or professional associate.



.2: The Supreme Court's position in the structure of the judiciary for England and Wales

In an interview in 2015, Lady Hale called for an effort to promote greater diversity of background in appointments to the SC.

- She pointed out that 13 justices sworn in sincer her own appointment were all white men, in which all but 2 attended Oxford or Cambridge

All of the justices are above the age of 60

Judicial independence

Judicial independence = imp for democracy:

- ❖ Judges need to be able to enforce rule of law without external pressure
- ❖ In some cases, judiciary is a key check on executive power.

UK judiciary has a no. of in-built guarantees of independence:

- ❖ TERMS OF EMPLOYMENT → Judges = appointed for LIFE so they cannot be dismissed if gov disagrees w/ their judgments
- ❖ PAY → Judges income cannot be threatened if gov disagrees w/ their wishes
- ❖ APPOINTMENT → Judges = appointed by an independent (from gov) commission

The fact that the Supreme Court is physically separate from Parliament is a visible sign of independence.

Influence of Supreme Court on government and parliament

Judiciary has various ways of controlling both Parliament + gov. These methods include the following:

- ➔ Courts enforce the ECHR when interpreting executive actions + in cases of judicial review
- ➔ Court can declare parliamentary legislation as incompatible w/ ECHR, which puts pressure on gov to amend law accordingly
- ➔ Similarly, courts impose common law, often asserting rights of citizens
- ➔ The courts impose the rule of law, ensuring ALL citizens = treated equally. This usually occurs in judicial review.

Ultra vires and judicial review

Ultra vires:

- Literally means 'beyond the powers'
    - Its value is to prevent public bodies from acting unlawfully
- It is a common subject of judicial review
    - Example: June 2019 - Backto60 is seeking repayment of all the pensions people born in the 1950s would have received if they had been able to retire earlier
    - The retirement age for women has increased from 60 to 65 but women born in the 1950s claim that the rise is unfair because they

were not given enough time to make adjustments to cope w/ years without a state pension
    - This is being debated in High Court

The relationship between the executive + parliament

Conservative politician Lord Hailsham coined the phrase elective dictatorship (a gov that dominates parliament due to large majority, therefore has few limits on power)

- Hailsham argued that only real check on executive power = periodic holding of GE. in intervals, executive can do whatever it wishes.
    - Example: coalition gov introduced the Fixed Term Parliament Act (2011)
    - Example: David Cameron offered to devolve more power to Scottish people if they rejected independence in 2014 referendum (Cameron was supported by leaders of Labour and LD party)

Executive dominance has tended to arise as a result of:

1) FPTP system → usually creates a single party gov
2) WHIP system and PM's use of PATRONAGE, which enforce party loyalty + discipline
3) Gov's domination of legislative timetable
4) SALISBURY convention

The influence and effectiveness of parliament in holding executive to account

There are some circumstances in which Parliament exercise control. This includes the following:

- Parliament can dismiss a gov in a vote of no confidence
- Parliament has reserve power to veto gov legislation
- H.O.L can delay legislation for 1 year
- Commons can amend legislation.
    - H.O.L can also do this BUT their decision can be reversed in the Commons.
- Departmental select committees have become increasingly effective in calling gov to account
    - Changes to select committees, notably the 2010 decision to allow MPs to elect their chairs, has enhanced their status.
    - Their role has expanded to scrutiny of legislation.
        - HOWEVER, although gov have to respond to select committee reports, they don't have to act on their recommendations.
- Small parliamentary majority or no majority gov = vulnerable to rebellions + obstruction.
    - Example: Tony Blair didn't lose a single vote in the Commons until after the 2005 election, when the parliamentary majority dropped by 100 seats. Even then it took a combination of Labour rebels + opposition parties to defeat his plans to extend the detention of terrorist suspects to 90 days.
    - Example: in January 2019, PM Theresa May's Brexit deal was voted by 432 - 202 votes reject the deal, which sets out the terms of Britain's exit from the EU. This became the largest defeat for a sitting gov in history.

The aims, role and impact of the EU on UK government

UK joined EU in 1973.

EU: an association of 28 states which was originally found by the European Economic Community in 1957

Referendum in June 2016 - British people voted to leave by 52% to 48%

The main areas if EU policy that will come into scrutiny after UK's exit are:

- Employment rights
- Immigration policy from outside EU
- Common Agricultural Policy (a series of rules + regulations designed to protect farmers from fluctuating market prices, to stabilise food prices + encourage agricultural development)
- Common Fisheries Policy (a series of regulations that ensures all countries have a fair share of fishing grounds)

There are 4 main features of EU:

1. It is a CUSTOMS UNION.
    a. This means that there aren't any tariffs on any goods / services being traded between members of states
    b. States cannot have separate trade agreements w/ countries outside EU
        i. ALL EXTERNAL trade agreements are common to all members
2. It is a FREE MARKET
    a. There can be no barriers to the free movement of goods / services / finance / labour or people between states
    b. Citizens of a member of state are also citizens of the EU + can live wherever they wish within the Union
3. It is a PARTIAL POLITICAL UNION
    a. There are laws made by the institutions of EU which apply throughout Union
    b. These laws ensure ALL members compete on a level playing field using same law
    c. EU collects revenue from members + distributes it in the form of DEVELOPMENT
    d. There is no single institution corresponding to executive or legislature of a typical nation.
        i. Instead, there is a balance between institutions that operate in an intergovernmental way and those w/ a supranational character
        ii. Intergovernmental operations means that members of state co-operate w/ each other in decision-making.
        iii. Supranational operations means that decision making power is transferred to a higher body (which operates independently on nation states)
4. Some member states are part of a MONETARY UNION
    a. Use same currency, the euro, which was introduced in 1999.
    b. This meant the creation of a European Central Bank.
    c. Intention was to promote trade + travel by eliminating uncertainties caused by fluctuating exchange rates.
    d. Britain + Denmark exercised right to opt out as they were not prepared to give up economic sovereignty.

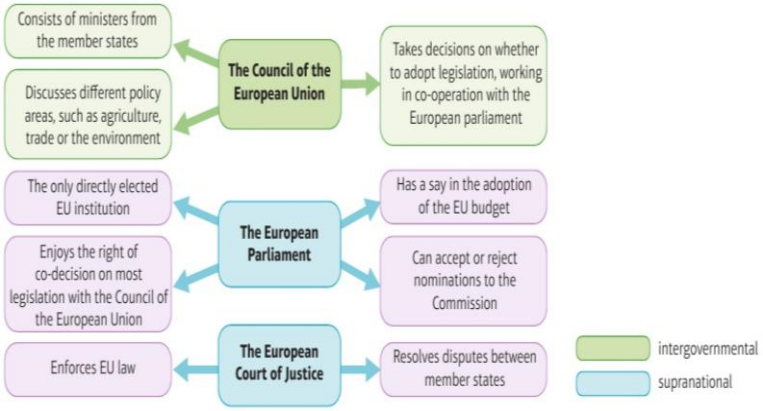


Figure 3.2: The five main EU institutions

Economic integration (unification of economic policies) took a step w/ the Single European Act (1986). Its aim was to create a single European market based on the 4 freedoms.

In addition, the EU = based on four freedoms:

1) Free movement of PEOPLE within EU
    a) Free movement of EU citizens was guaranteed from **1995** by the **Schengen agreement** (border checks were largely abolished by this agreement)
    b) Some states have introduced temporary restrictions on internal movement as a response to the 2015 migrant crisis (more than 1 million refugees arriving in EU states bordering the Mediterranean as they sought to escape conflict)
2) Free movement of LABOUR within EU
3) Free movement of CAPITAL within EU
4) Free movement of GOODS and SERVICES within EU

The role of the EU in policy making

CASE STUDY: the UK + the Common Fisheries Policy

- From **1983**, the EU regulated the amount of deep-sea fish that could be caught w/ a system of quotas. It also allows fishing boats from different members to have equal access to each other's fishing grounds.
- Critics argued that this policy allowed large fishing fleets from other countries to drive small UK trawler operators out of business
- FACTORTAME v Secretary of State for Transport case.
    - Judicial review case which lasted from 1989 - 2000
    - A Spanish fishing company, Factortame, sued the UK gov for restricting its access to UK waters
    - The law lords (who formed highest UK court at the time) followed the European Court of Justice in ruling that the 1998 Merchant Shipping Act (aimed to prevent foreign fishing fleets from fishing in British territorial waters) could not be allowed to stand because it violates EU law
    - This controversial case established the primacy of EU law over parliament

It is often cited that parliament has accepted the EU law would take priority if it conflicted w/ national legislation by joining EU.

The Brexit process is to be handled by the Department for Exiting the European Union,headed by **Stephen Barclay**

The constitutional impact of the UK leaving the EU

- UK will regain all national + legal sovereignty
- European Court of Justice will no longer have any jurisdiction in UK

The political impact of the UK leaving the EU

- Political conflict - should the UK remain in the single market?
- Conflict whether there should be free movement of labour in + out of UK
- Immigration = key issue

The location of sovereignty in the UK political system

Legal sovereignty: right to ultimate legal authority in political system (this belongs to parliament)

- While UK = member of EU, some legal sovereignty was delegated to EU

Political sovereignty: ultimate political power (this is electorate in UK)

- This stands above legal sovereignty

A Level Politics Knowledge Organiser

Different strands of feminism

FIRST WAVE FEMINISM

The first well-known work on women's rights was *A Vindication of the Rights of Women* (1792) by English liberal Mary Wollstonecraft, asserting that women needed to be offered the chance to develop as individuals through formal **education**. It was not until the mid-to-late 1800s that feminism truly emerged, mostly over the issue of **suffrage** – the right to vote. In the US, the 19th Amendment gave women equal voting rights in 1920. In the UK, the **suffragettes** successfully won married women over the age of 30 the vote in 1918, with equal voting rights with men taking until 1928. The fight for suffrage and other **legal and political rights** is known as **first wave feminism**. The assumption was that once women gained voting rights and could stand for office, many women would be placed in power and governments would pass legislation to improve women's' lives economically and socially in order to try and win their votes.

LIBERAL FEMINISM (CHARLOTTE PERKINS GILMAN / SIMONE DE BEAUVOIR)

The **first wave** was largely **liberal**. Early liberal feminism focused on liberty, women's freedom to choose the nature of their own lives. It also emphasised equality of opportunity, access to education, civil rights, property rights and democratic rights. By the 20th century liberal feminism had achieved many of its objectives, most notably the right to vote, but women continued to suffer discrimination and lack of opportunity. American liberal **Betty Friedan** in the 1960s suggested that the problem was cultural in nature, the existence of **patriarchy** that reinforced the dominance of men through **social conditioning**. This was known as **second wave feminism**, focusing on the different roles that society expected of men and women. **Simone de Beauvoir** and Friedan wrote of **otherness** – the idea that in the world of men, women are treated as outsiders. De Beauvoir famously called men 'the first sex' and women **'the second sex'**. Even before Friedan, **Charlotte Perkins Gilman** wrote about girls being 'socialised' from a young age to take on the roles of wife and mother rather than thinking of their economic life outside the home, and so women do not have equality of opportunity.
Liberal feminists want women to be free to **choose** whether to take up traditional domestic roles or to compete with men. To allow women to make their own choices, patriarchy must be fought by ending **discrimination** to bring about **gender equality**. Also, **cultural** attitudes have to be changed through education and propaganda. Finally, **legal and political equality** must be achieved, and further **legislation** passed to promote formal equality.

RADICAL FEMINISM (KATE MILLETT)

By the late 1960s, **radical feminism** emerged amongst those who believed the liberal agenda was limited in its aspirations and too simplistic in its analysis of patriarchy. Radical feminists want the **destruction of patriarchal society**, so **revolutionary** rather than being evolutionary or **reformist** like liberal feminists are. Their suggestions for how to fight patriarchy are varied, but include the abolition of the **nuclear family** and a move towards communal living (Millett), liberation from heterosexual relationships (Greer) and using technology to free women from their 'biological enslavement' of reproduction (Firestone). Whilst many liberal feminists are **equality feminists**, attempting to ignore the biological and cultural differences between men and women, radical feminists are normally **difference feminists**, stressing and celebrating these differences. Liberals say there is a **private sphere** where women should be free to make their own choices, but radicals like **Kate Millett** say that **the personal is political**, and that all relationships and lifestyle choices are impacted by **patriarchy**.

SOCIALIST FEMINISM (SHEILA ROWBOTHAM)

Socialist feminists refer to the work of Friedrich Engels, who had pointed out that women had historically been deprived of private property and so had been oppressed throughout history. As **capitalism** developed and required increasing numbers of workers, women became a source of low-paid labour. Socialist feminists believe the destruction of capitalism needs to happen for women to be liberated. While liberal feminists concentrate on issues such as equal opportunities and equal pay for women, socialist feminists say that only radical economic reform (such as **nationalisation** of industry) will stop women needing to compete against men for employment. **Sheila Rowbotham** says that under capitalism there is little hope that women will ever be able to escape the **patriarchy**. However, she believes that Marx was too narrow in his view, as the oppression of women happens in the home and in wider culture too, not just economically. Women must be freed from all form of oppression.

POST-MODERN FEMINISM (bell hooks)

Post-modern feminists see the position of women as a complex problem with many competing explanations, and also stress the importance of vocabulary in patriarchal attitudes and sexism. This is also known as **third wave feminism** and emerged in the 1990s. It is concerned with the idea that feminism had focused too much on the concerns of middle-class white women, neglecting the experiences of other women. **bell hooks** wrote about **intersectionality**, where the experiences of women are seen in terms of more than one single identity (being a woman) but rather in terms of their overlapping identities (e.g. being a black woman, or a gay woman, or a working-class woman – etc.). Post-modern feminism also proposes that women must be given the freedom to make choices for themselves. This may mean choosing a traditional role in the family, or it may mean competing with men on an equal basis.

FOURTH WAVE

Some suggest that a new, **fourth wave** of feminism has emerged since about 2008, reacting against inequality based on media images of women, online misogyny and issues arising through the expansion of social media. The **#MeToo** movement can be seen as an example of this.

Liberal feminists	Radical feminists	Socialist feminists
A reform movement.	A movement seeking a social and cultural revolution.	Often revolutionary, wants an economic transformation towards socialism.
Patriarchy is a modern phenomenon which legal & cultural reform can solve.	Patriarchy has deep roots in male and female consciousness.	Patriarchy is largely economic. Men dominate women because they dominate them economically.
Legal and economic equality will achieve liberation for women.	Legislation is not enough; male and female consciousness must change in order to liberate women.	The economic structure of employment and the family has to be transformed to economically liberate women.
Women should be free to choose how they conduct their lives and their relationships.	Freedom for women is not enough; men's domination must be destroyed.	Women cannot be genuinely free until they achieve economic freedom.

Optional Political Idea: Feminism (Paper 2)

Human nature

Feminists are divided on their view of human nature. The majority are **equality feminists**, believing that the natures of men and women are the same and that gender differences are artificial and a social construct. For these feminists, women can be liberated by challenging **gender roles** and stereotypes. **First-wave** feminist **Charlotte Perkins Gilman**, as well as **liberal feminist Simone de Beauvoir**, both believe this. Feminists who disagree with this are known as **difference feminists**, who think that men and women have fundamentally different natures and that it is vital to consider these. This idea is known as **essentialism**. **Kate Millett** said women needed to engage in lesbian relationships in order to be free from oppression.

Society

All feminists believe that women are not treated equally in society. **Liberal feminists** focus solely on the **public sphere**, meaning things that impact society. For example, **Gilman** said that in modern society there was no longer any justification to assign inferior roles to women. However, radical feminists like **Kate Millett** believe that society itself is **patriarchal** and that **'the personal is political'** because all relationships between men and women, whether public or private, are based on power and dominance and so are oppressive. **Equality feminists** want a society where gender no longer determines a person's identity, whereas **difference feminists** worry that this means making women more like men. **Post-modern feminists** like **hooks** argue that black and working-class women's experiences differ from white middle-class experiences. This is known as **intersectionality**.

The state

Liberal feminists believe the state can provide a solution through **legislation** to promote **legal and political equality**. **Radical feminists** think that this is not enough to overthrow **patriarchy**, arguing that the state itself is an agent of patriarchy. In particular, **socialist feminists** like **Rowbotham** say that the state works in the interests of capitalism.

The economy

Socialist feminists like **Rowbotham** believe that women are oppressed through **capitalism** even more so than **patriarchy**. They are that capitalism requires women to act as a **reserve army of labour**, being a low-paid and dispensable workforce. Other feminists have also commented on the economy. **Gilman** said that women's domestic servitude allowed women to dominate the outside world, whilst **Simone de Beauvoir** said that male domination of the economy restricted women's choices. **hooks** said that women living in poverty have issues hat middle-class women do not face, an example of **intersectionality**.

CHARLOTTE PERKINS FILMAN

1860-1935. **Gilman** was a **first wave liberal feminist** who expressed her views both through fiction (like *The Yellow Wallpaper*) and scholarly writings. She attacked those who used Charles Darwin's ideas to suggest that men should be dominant because they are physically stronger, and said that this no longer applied in an industrialised society where most work did not rely on physical strength. Gilman said that the way women should be liberated was through a place in the world of employment. Ahead of her time, decades before Friedan, she said that girls are **'socialised'** to be wives and mothers, and believed that child raising and housework amounted to **domestic slavery**. She thought that women should leave the nuclear family and live communally. She wrote: *'The labour of women in the house… enables men to produce more wealth… women are economic factors in society. But so are horses.'*

SIMONE DE BEAUVOIR

1908-1986. **de Beauvoir** was known as the first existential feminist, looking at the limits placed on the freedom of women. We can probably best categorise her as a **second wave liberal feminist**. de Beauvoir developed the idea of women as the **'Other'** and called them the **'second sex'** after men. In her book *The Second Sex*, she wrote about how the roles that women play have been determined for them almost entirely by men. She rejected the idea that girls are born with a nurturing instinct, and said that **'women are made, not born'** – in other words, they learn how to be a 'woman' from parents and society. de Beauvoir said that women needed education, economic freedom and more legal freedoms, but also that they must liberate themselves from the nuclear family. She wrote: *'Man defines women not in relation to herself but as relative to him; she is not regarded as an autonomous being.'*

SHEILA ROWBOTHAM

1943-. **Sheila Rowbotham** is a leading English **socialist feminist** who criticised Marxists for having too narrow a view of female oppression. She says that under **capitalism**, women have little hope of escaping from a **patriarchal society**, but that Marxists should not focus only on economic oppression as women are also oppressed in the home and in culture. Rowbotham says that women are used as a cheap source of labour and that they are denied the same opportunities as men. Both men and women are needed to end patriarchy.

KATE MILLETT

1934-2017. **Kate Millett** was an influential American **second wave radical feminist**. She said that **patriarchy** exists both in sexism and in the belief that heterosexual relationships are superior to gay ones. She said that heterosexual relationships involve men having power over women, so women should convert to lesbianism to achieve liberation. Millett said that wherever one group oppresses another, the result is political in nature – and so patriarchy is inherently political rather than just personal. She therefore disagreed with **liberal feminists** by saying that **'the personal is political'**. Her best known book was *Sexual Politics*, which was both controversial and provocative. She wrote: *'When one group rules another, the relationship… is political. All historical civilisations are patriarchies; their ideology is male supremacy.'*

bell hooks

1952-2021. **bell hooks** was a **third wave post-modern feminist**. She was best known for her work on **intersectionality**, and adopted the pen name of her great-grandmother (using lower case letters to denote the difference). hooks criticised many feminists for concentrating too much on white, middle-class women, ignoring the experiences of other women. She said that black women face problems that other women do not, and that this is also true for gay women, the poor and other minority groups. Intersectionality is the consideration of these multiple identities. In *Feminism is for Everybody*, hooks wrote that **patriarchy** has taught women to hate themselves and to see themselves as inferior to men, judging one another harshly.

Tensions within feminism

Radical vs. Liberal feminism

Liberal feminists see **patriarchy** in terms of the historical dominance of men in society. **Radical feminists** say that the liberals fail to understand patriarchy's true nature, and that it actually lies so deep in human consciousness that legal, political and cultural reform as suggested by liberals will not make enough of a difference, so **revolutionary** change is needed. Liberals say that radicals are seeking to restrict **freedom of choice**, and that as long as **legal and political equality** is in place, women should be free to pursue their own aspirations. In particular, liberals say that there is a **private sphere** in which women should be free to choose their own status. However, radicals say that **the personal is political**, and that as all relationships between men and women are impacted by the patriarchy, these relationships are all inherently political.

Socialist vs. Radical feminism

Socialist feminists argue that both radicals and liberals have underemphasised the importance of **economic** factors in the oppression of women. For them, the exploited status of women in economic life is the true source of their oppression. **Patriarchy** has economic origins and this is exacerbated by capitalism. However, radical feminists believe that socialist feminists – particularly Marxists – overemphasise the importance of these economic factors. For radical feminists, the patriarchal domination of society may have economic elements, but is ultimately more complex than this as patriarchy is cultural and psychological, not just economic. Radical feminists point out that patriarchy still exists in socialist societies.

Difference vs. Equality feminism

Difference feminists say that seeking **equality** means recognising that male characteristics are superior to female characteristics. Difference feminists deny male superiority, and instead seek to emphasise the differences between the sexes and the superior qualities of women.

A Level Politics Knowledge Organiser

US & Comparative Politics Topic 1: Constitution & Federalism (Paper 3)

Enumerated/implied powers

Set out in Article I, Congress has the power to legislate, collect taxes, declare war, amend the Constitution.

Set out in Article II, the president is head of the executive branch, can grant pardons, **nominates** cabinet members and judges, is **commander-in-chief** of the army and navy, proposes measures to Congress, and can **veto** legislation.

Set out in Article III, the judiciary has the power to rule on cases that arise under the Constitution. In ***Marbury v Madison (1803)***, the Supreme Court clarified this as meaning that it could declare federal or state laws or actions to be unconstitutional. This was **implied** in the Constitution.

Parts of the Constitution are vague, such as the **implied powers**. For example, the president is **commander-in-chief** of the army and navy. This also implies the air force, which did not exist at the time. The **'necessary and proper clause'** lets Congress make laws necessary to carry out its duties. This has been used to extend federal power.

Some powers are **concurrent**, e.g. both federal and state governments can collect taxes. All other powers are **reserved** to the states.

Selected amendments:

The **Bill of Rights** (1791) is the first 10 amendment, designed to protect Americans from a powerful centralised government.

1st: Freedom of religion/speech/press.

2nd: Right to bear arms

5th: Rights of accused persons (later led to *Miranda v Arizona* (1966))

8th: Protection from cruel and unusual punishments

10th: All undelegated powers reserved to the states or to the people

13th (1865)**:** Ended slavery.

14th (1868): Guaranteed civil rights and equal protection under the law.

15th (1870): Protected voting rights.

16th (1913): Federal government can raise income tax

17th (1913): Senate now elected

19th & 26th (1920 & 1971): Franchise

Origins of the US Constitution:

The original 13 states wanted a strong government that still preserved **states' rights** and **individual freedoms**. The **Connecticut Compromise** found a middle ground between representing all states equally and representing states according to their populations. This proposed a bicameral Congress, with the House of Representatives based on state population and the Senate based on equal representation.

The amendment process:

Amendments can be proposed either by Congress or by a constitutional convention called by two-thirds of state legislatures. However, only Congress has ever proposed one.

Proposed by Congress. Must be voted for by two-thirds in each house.

⇩

Sent to the states for ratification.

⇩

Three-quarters of state legislatures must ratify proposed amendments.

⇩

No amendment has successfully been ratified since 1992.

The amendment process was made deliberately very difficult, leading to only 27 amendments being passed. This prevents frivolous amendments passing, other than the 18th Amendment (1919) which prohibited alcohol and was repealed by the 21st (1933). However, nowadays the size of Congress has grown along with the population, and parties are much more polarised than when America was first founded. This makes it much more difficult for an amendment to be agreed upon. The Constitution is vague, though, and so has evolved without the need for formal amendment. The Supreme Court's **power of interpretation** means that its rulings can in effect change the meaning of what was written over 200 years ago.

PROS OF THE AMENDMENT PROCESS	CONS OF THE AMENDMENT PROCESS
• Flawed ideas such as a **balanced budget amendment** have not passed despite being proposed well over 100 times. • The process being so hard protects the Constitution, protects individual rights from the government (e.g. a **flag desecration amendment** failed) and protects **federalism**. • Requiring such large **supermajorities** ensure that there is broad **consensus** if amending the Constitution.	• It is too difficult to change outdated elements such as the **Electoral College**, or to make amendments with broad consensus such as an **equal rights amendment** (which achieved the required ratifications of ¾ of states, but only in 2020 when the deadline was 1982). • A minority can block proposals – **tyranny of the minority.** • Enhances the power of the unelected **judiciary**.

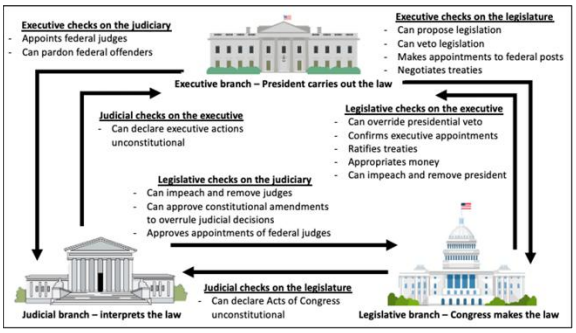
Separation of powers

The Founding Fathers wanted each branch of government to be separate and to **check** one another, to avoid tyranny. No person can be in more than one branch (so when Kamala Harris was elected VP in 2020, she had to resign from the Senate).

However, it is important to remember that it is not the powers that are separated, it is the institutions. The powers themselves are shared. For example, both houses of Congress passed the **Affordable Care Act**, President Obama signed it into law, and the Supreme Court ruled it to be constitutional.

Congress blocked Trump from his 'repeal and replace Obamacare' policy in 2017.
Congress can **override** the president's **veto**, but this happens rarely so often the president can merely threaten a veto to kill a piece of legislation.
Congress can reject the president's **budget**. This led to the longest federal government shutdown in history from Dec 2018 – Jan 2019.
The Senate **ratifies treaties**, and can reject them as it did with 1999's Comprehensive Test Ban Treaty.
The Senate **confirms the nomination of judges**. In 1987, it rejected Reagan's nominee Robert Bork. In 2016 it refused to consider Obama's nominee Garland.
Congress has the power to investigate the executive and can **impeach** the president (Johnson 1868, Clinton 1998, Trump 2019 and 2021) – but the president has always been acquitted at trial.
The courts have the power of **judicial review**.

Checks and balances:



Partisanship and divided government

It is hard to get things done in the US because the framers wanted laws, treaties and appointments made when both parties worked together in a spirit of **bipartisanship**. From 1921-69, there was **divided government** for only 10 years. This is when the presidency is controlled by one party, and one/both houses of Congress are controlled by the other party. Since 1977, divided government has been the norm. Presidents Clinton, Obama and Trump had united government for only two years (Bush had it for over four). United government does not guarantee passage of laws due to the Senate **filibuster**, as President Biden has found. In an increasingly **polarised** and **partisan** country, divided government can lead to **gridlock**. Normally, only 2-3% of **bills** introduced to Congress in a two-year session become law. In Trump's last two years, this was only 1%. However, divided government can be seen as more effective as it leads to more scrutiny of the executive. Even in Trump's final two years, both parties worked together to pass the **CARES Act** ($2.2tn of Covid relief).

Federalism

Federalism is when sovereignty is divided between a national government and state governments. The Constitution compromises between state autonomy and a strong federal government. States have **reserved powers** to regulate elections, and **concurrent (shared) powers** with the federal government to make laws & raise taxes. The **10th Amendment** reserves all remaining powers (those not explicitly delegated to the federal government) to the states.

Dual federalism (1790s to early 1930s): state & federal governments were co-equal with distinct boundaries (like a **layer cake**). States did most of the governing & the federal govt. was limited.

Cooperative federalism (early 1930s to 1960s): in the aftermath of the Depression and WW2, there was a significant increase in the power and scope of the federal government. Starting with FDR's **New Deal**, the federal govt. took on more responsibilities. Thus blurred the lines between federal and state (like a **marble cake**) and increased under LBJ due to his **Great Society** legislation. In 1963, the federal govt. spent $10.6bn a year. By 1969, this had risen to $259bn.

New federalism (1960s to 2000s): Nixon, successive Republicans and Clinton all aimed to **roll back** the powers of the federal government and return them to states.

THE US IS STILL FEDERAL: THE STATES RETAIN AUTONOMY	THE FEDERAL GOVERNMENT IS CHALLENGING STATE AUTONOMY
Laws vary across states – the **death penalty** has been abolished in 21 states. State **taxes** also differ, and 11 states have legalised recreational **marijuana** (still illegal on federal level). Some **'sanctuary cities'** instruct their law enforcement not to help federal officials identify illegal immigrants. States have control over **elections**. State governors led the response to **Covid-19**, so there were varying lockdown, reopening & mask policies. In ***NFIB v Sebelius* (2012)**, the Supreme Court ruled that states could not have their funding withdrawn for not participating in **Obamacare**. Obama also lost ***US v Texas* (2016)** over his **DAPA** immigration order.	States rely on financial support from the federal govt., especially in response to **crises** e.g. the global financial crisis or Covid-19. **Healthcare** is reliant on federal funding. Bush's **Medicare** expansion cost $400bn over ten years, and under **Obamacare** the federal govt. provided subsidised health coverage. Bush's **No Child Left Behind** Act 2002 was a major expansion of the federal government's role in education, continued by Obama's **Race to the Top** programme. Spending on national security has increased significantly, and Bush created a new federal department – Homeland Security. Trump's border wall and Obama's immigration **executive orders** have been taken to court for encroaching on state autonomy.

Strengths and weaknesses of the US Constitution: arguments and counter-arguments

ARGUMENT: THE US CONSTITUTION IS STRONG	COUNTER-ARGUMENT: THE US CONSTITUTION IS WEAK
The amendment process prevents the Constitution being changed too easily and in response to short-term trends. Any change requires major consensus.	The amendment process is almost impossible. Over 12,000 amendments have been proposed and only 27 have been passed. There is **tyranny of the minority** as small states can effectively veto any constitutional change.
The Constitution is vague, allowing courts to make interpretative judgements (e.g. ***Obergefell v Hodges* 2015**) to keep it relevant today.	Courts have 'created' rights that are not in the Constitution, giving too much power to unelected judges. Major changes should be made via amendments.
The **Bill of Rights** and **14th Amendment** protect individual freedoms and prevent excessive government control. The Constitution has also been sufficiently updated to protect rights, e.g. the 13th Amendment ending slavery.	Rights are still at risk in the US, particularly from court decisions. For example, since ***Shelby County v Holder* 2013**, states and districts have passed laws that restrict the right to vote, and the right to abortion is no longer guaranteed since ***Dobbs v Jackson Women's Health Organisation 2022***.
The **separation of powers** and **checks and balances** mean that government and Congress need to cooperate in order to serve the people. **Bipartisanship** is required, particularly in times of divided government.	Federal power has grown at the expense of states more than the framers would have foreseen. They also did not envisage the **party polarisation** of recent decades, which has created **gridlock** in US politics.

Comparative politics

Nature and sources	Separation of powers	Legislature	Executive	Judiciary	Federalism / devolution
The UK constitution emerged via evolution, the US by revolution. This is why the UK one has multiple sources and is not **codified** in one document. The UK constitution relies more heavily on convention. In the UK, constitutional change is more frequent as it is done simply via statute law. In the US, this has only ever happened 27 times as the Constitution is **entrenched**.	Both constitutions allow three branches of government, have representative democracies, **bicameral** legislatures and sub-national governments (state & devolution). However, in the US powers are designed to be separated, but in the UK there is a **fusion of powers** as the executive operates through Parliament rather than outside of Congress.	Both legislatures are **bicameral**. In the US, the House and Senate have the same legislative powers, and distinct special powers. In the UK, only the Commons is elected, and the Lords lacks democratic legitimacy. The government usually has a majority in the Commons and operates through it (unlike US separation of powers), and the Commons has more power than the Lords.	The PM and president both use **patronage** powers and have **cabinets**, although the cabinet in the US is far less powerful and meets rarely. Cabinet in the UK can pressure a PM to resign. **Checks and balances** limit the president's power, but in the UK a PM with a large majority can lead to **elective dictatorship**. It is easier for the PM to pass legislation due to no separation of powers.	Both countries have an independent judiciary, although in the US the **Supreme Court** is nominated by the president and so is far more politicised. Both courts review the actions of the govt. In the UK, they can be found ***ultra vires***, but the courts cannot overturn Acts of Parliament. In the US, **judicial review** makes the judiciary far more powerful, as it can rule on constitutionality.	In the US, sovereignty is constitutionally shared between federal and state govts. Although the balance of power has shifted in favour of federal, state autonomy is protected by **10th Amendment**. In the UK, **devolution** has taken place since 1998. Unlike in the US, this is uneven, as some parts of the UK have more devolution than others, and England has none. Devolution does not transfer sovereignty.

Comparative theories

RATIONAL (people)	CULTURAL (ideas)	STRUCTURAL (institutions)
Citizens can rationally pursue their rights through the **Bill of Rights** and the **Human Rights Act**. The **separation of powers** in the US gives US citizens more **access points** to **lobby**. There are fewer in the UK as sovereignty is central. It is in the rational interest of states and devolved governments to seek more autonomy.	The cultural history of the US reflects the goal of limiting central power & protecting **individual liberties** after freeing themselves from British rule. The UK system has evolved gradually. Americans have a strong understanding of their rights & constitution – but in the UK this is less of an emphasis in the education system.	It is much harder to amend the US constitution: it is **entrenched**, whereas in the UK major change is far easier via an Act of Parliament. **Separation of powers** in the US make all branches equal, but in the UK parliament is **sovereign** and the executive normally dominates Parliament. Both chambers being elected in the US leads to **gridlock**.

Presidential elections

The invisible primary: The official first stage in running for president is the primary process, so the **'invisible primary'** is the preparation to run in the months or years before this (Biden won the 2020 election and announced he would run in April 2019). It is important for a candidate to put together an organisation and to **fundraise**. This mostly happens in the media, as candidates hope to gain the required name recognition. A key part of the invisible primary is the televised debating that takes place within a party. These can help a party reduce candidates down, as in 2020 there were 29 Democratic candidates. This was the most expensive primary in history, as losing candidates alone spent over $1bn. A big **'war chest'** is not a guarantee of victory. Biden spent $116m, but Michael Bloomberg spent $409m and did not even make the final two. Traditionally, the front runner at the end of the invisible primary in January of election year is expected to win their party's nomination, e.g. Clinton and Trump in 2016, although Obama surprisingly beat Clinton in 2008.

PROS	CONS
Help candidates gain visibility. Normally, the winner of this gains the nomination.	Lack of serious debate, the primaries are so crowded & mostly about soundbites.
Lets a range of candidates take part. The Democrat debates in Jun 2019 had 20.	Too reliant on fundraising, which is more important than being the best candidate.
Allow candidates to be scrutinised to ensure they are 'road-tested'.	This is a long-winded process and can cause voter apathy.

Primaries and caucuses: A **primary** is an election to choose a party's candidate to run for office, in this case for the presidency. A **caucus** is a meeting of party supporters to debate and decide the same thing. Most states hold primaries, and caucuses are becoming less used (the Democrats held 14 in 2016, but only 4 in 2020, and the Iowa results were delayed for three weeks in confusion. Voters are more willing to vote than attend a meeting, so caucus **turnout** tends to be lower and they attract more ideological voters. As a result, Bernie Sanders – a socialist – did well in caucus states for the Democrats in 2016 and 2020. States decide when to hold their primaries, and moving them earlier in the schedule to try to gain more influence is called **front loading**. Some states coincide their primaries. 14 states did this on the first Tuesday in March in 2020's **Super Tuesday**. There are **closed primaries**, in which only voters registered to that party can vote, and **open primaries**, when any registered voter of either party can vote. These leads to 'cross over voting', e.g. when a Republican votes in the Democrat primaries. When an **incumbent** president is running for re-election, they rarely face a serious challenger, and some states do not run a primary.

PROS	CONS
Maintains federalism, as the varied nature of the contest lets states assert their independence.	Low turnouts: 2020 Iowa caucus = 9%. Caucuses in particular are dominated by more ideological voters, so undemocratic.

National party conventions: Once the primaries are over, parties hold a **national party convention** for 3-4 days. In theory, the conventions choose the nominee for president, as each state's **delegates** announce who they vote for. However, since 1972 the result has been known in advance. The conventions also historically chose the **vice president** and the **party platform**, but now the party nominee selects the VP and although the convention does vote on the platform (policies to pursue), parties want to avoid the appearance of disunity. However, the platform is rarely referred to again after this. The conventions do serve a number of **informal functions**. They promote party unity after bitter battles (e.g. Obama vs Clinton 2008, or Biden vs Harris 2020), they enthuse the party faithful who will be needed for campaigning, and they are often the first time that ordinary voters tune in to the campaign. This often leads to a post-convention 'bounce' in opinion polls, although President Trump actually saw his support in opinion polls fall by 3% in 2020.

PROS	CONS
A chance to engage voters, enthuse supporters and gain momentum leading up to the election, through TV and internet coverage.	Most major decisions (e.g. VP, platform) are taken before the convention.
	The convention is often reduced to soundbites, rather than policy detail.

The campaign: Following the conventions, the two major party candidates conduct their campaigns, largely through TV, social media, and key battleground states. In 2020, these states were Wisconsin, Michigan, Ohio, Pennsylvania, North Carolina, Georgia, Florida and Arizona. Three televised **debates** take place. It is debatable how impactful these debates are. A record 84 million people watched the first Trump/Clinton debate in 2016, but despite Clinton generally being seen to have outperformed Trump, he still won the election (but not the popular vote). However, Biden was generally seen to have outperformed Trump in 2020's two debates (one was cancelled due to Trump contracting Covid). Candidates can make significant mistakes in debates. In 1976, President Ford insisted: 'there is no Soviet domination of Eastern Europe', and lost to Carter. In 2000, Al Gore was mocked for leaving his podium to stand oddly close to George W. Bush.

The Electoral College: The president is not elected by **popular vote**, but by the Electoral College. Although Clinton won the popular vote by almost 3m in 2016, Trump won in the Electoral College. Each state is awarded a number of **ECVs** equal to their representation in Congress: the number of Senators (2) plus the number of Representatives, so in 2020 California had 55 while Wyoming had 3. There are 538 ECVs, and a candidate must win an absolute majority of 270. In all but two states, whoever wins a plurality of votes wins all of that state's ECVs (**winner-take-all**). **Maine and Nebraska** allocate theirs by giving one ECV to the winner of each congressional district, plus two to the winner of the state popular vote. It is up to states how to allocate their ECVs. The Electoral College never actually meets. Electors meet in their state capitals in December and send their results to the vice president who then formally announces the result to Congress in January. In 2020, President Trump pressured Mike Pence to overturn the election result, and it was at this time that pro-Trump supporters attacked the Capitol building. In both 2000 and 2016, the winner of the popular vote lost the election, causing debate as to whether the Electoral College should be abolished. In 2016, if just 77,000 votes had switched in three states, Clinton would have won, and in 2020 just 60,000 votes in three states would have won Trump the election.

The Electoral College: a debate

STRENGTHS	WEAKNESSES
Preserves the voice of small-population states. In a **popular vote**, the most populated states would dominate.	Small states are over-represented. California has 55 **ECVs**, one per 718,000 people. Wyoming has 3 ECVs, one per 192,000 people.
Reflects the **federal** nature of the US, as the Electoral College is very much state-based.	Can lead to the loser of the **popular vote** winning the election, as in 2000 and 2016. Clinton won 3m more votes than Trump.
Promotes a two-horse race where the winner often gets over 50% of the vote, important in an election for a single unifying leader.	Unfair to national **third parties**. In 1992, **Ross Perot** won 19% of the popular vote, and 8.5% in 1996. He won no ECVs on either occasion.
Alternatives all have their own problems, and the Electoral College has worked so far.	Some states do not have laws preventing '**faithless electors**'. There were 7 of these in 2016, and 3 more Electors were dismissed and replaced. This is undemocratic.

A **direct election** is a potential alternative, replacing the Electoral College with a national vote. However, with multiple candidates taking part, it is likely that the president would be elected with well under 50% of votes, harming their legitimacy. This would require an **amendment**.

A **congressional district system** would adopt the system used in **Maine and Nebraska**, giving one **ECV** to the winner of each congressional district, plus two ECVs to the state-wide winner. However, this would not always lead to a more proportional result.

A **proportional system**, allocating ECVs proportionally according to the votes in each state, would make the electors unnecessary. This would, though, encourage more voting for third parties.

It is unlikely that the Electoral College will be reformed as there is no agreement on an alternative and the current system reflects the **federal** nature of the US, unlike a direct election.

Campaign finance timeline

1974: After the Watergate scandal, the Federal Election Campaign Act (**FECA**) limited the direct contributions (**hard money**) that could be given, to try and reduce reliance on a few wealthy donors.

1976: In ***Buckley v Valeo***, the Supreme Court left the individual donation limit intact, but ruled that limitations on spending were against **1st Amendment** rights and so were unconstitutional.

1979: Congress allowed parties to raise money for voter registration and 'party-building' activities. This became known as **soft money** and many soon regarded it as out of control, leading to the need for further reform.

1976-2008: Presidential campaigns were funded largely by **federal matching funds**. The newly-formed Federal Election Commission (**FEC**) matched the money candidates raised, effectively doubling their money, if they agreed to certain limits. In 2008, Obama became the first to opt out of matching funds, and this allowed him to significantly outspend McCain. Candidates since then have chosen not to receive matching funds.

2002: The McCain-Feingold Act, aka the Bipartisan Campaign Reform Act (**BCRA**), banned 'soft money', banned contributions from foreign nationals, created the 'Stand By Your Ad' provision and banned broadcasts from mentioning candidates within 60 days of an election.

2004: Following BCRA, '**527 groups**' such as Swift Boat Veterans for Truth emerged which raised and spent millions of dollars without being directly associated with candidates.

2010: ***Citizens United v FEC***. This landmark case ended the ban on political broadcasts close to election time, saying it went against the 1st Amendment. This ruling gave corporations the same right of political free speech as individuals, leading to the emergence of **Super PACs**, which can independently raise and spend unlimited amounts.

2014: ***McCutcheon v FEC*** ended the overall cap, so donors can now donate the maximum $2,900 to as many candidates as they like in an election cycle.

Campaign finance influence

In 2020, the money raised for all elections was just under $14bn. Biden raised $1.6bn, Trump raised $1.1bn, and Super PACs spent $2.6bn. Two of the most prominent Super PACs were Future Forward USA ($114m, pro-Dem) and the Senate Leadership Fund PAC ($309m, pro-Rep).

Money often determines the outcome but not always. In 2016, Clinton significantly out-fundraised Trump and lost. Most of this goes on media – not only TV, but targeted ads. Donors often prefer to contribute to incumbents, knowing that they are more likely to retain their seat – and them doing so increases the chances of just that happening.

2020 saw the growth of '**dark money**', where the identity of the donor is secret.

BENEFITS DEMOCRACY	THREATENS DEMOCRACY
Citizens United reinforced the **1st Amendment** right to political free speech.	**Super PAC** spending is vast and often comes from a few wealthy interest groups.
Super PACs increase electoral competition.	Elections become focused on who can raise the most.

Comparative politics

In the UK, there have been frequent allegations of party funding scandals. The Conservatives accuse Labour of being in the pockets of unions, and Labour accuse the Tories of being in the pockets of big business. In 2000, the **Electoral Commission** was created, but from 2022 it is under govt. supervision so is no longer independent.

The UK uses **short money** and **Cranborne money** to fund the administrative costs of opposition parties, but in neither country had significant state funding of parties been adopted.

Comparative theories: campaign finance

RATIONAL (people)	CULTURAL (ideas)	STRUCTURAL (institutions)
Interest groups in both countries donate or make **score-cards** to try and secure favourable outcomes. This explains the link between Labour and unions, and in 2019 the Conservatives raised £37.4m in large donations, mostly from big business who felt a Conservative government would advance their interests more than a Corbyn government.	Neither country has a tradition of state funding for parties or of rigid controls on campaign finance, as there is an acceptance of freedom of expression. Support for a **free market** is stronger in the US, which has a tradition of **individualism**, so there are not limits on spending, unlike in the UK, where there are tighter regulations.	Both countries have tried to pass campaign finance laws. In the US, the **1st Amendment** makes it harder to regulate limits on political spending, as shown by ***Citizens United*** in 2010. By contrast, the UK's system of **parliamentary sovereignty** makes reforming campaign finance much more straight-forward.

Incumbency

Incumbent presidents often win, due to: (1) name recognition, as they are known to the electorate; (2) fundraising, as they have an established donor base; (3) they are often unchallenged within their parties, while their opponent has to fight a gruelling primary; (4) they can use their position, e.g. Obama announcing the Afghanistan withdrawal in 2011; (5) they have experience of what it takes to win the campaign; (6) Americans are usually unwilling to risk changing president.

Presidents have less of an incumbent advantage if they lead a divided party (Ford, Carter, G.H.W. Bush). This made them 'damaged goods' before the election began. The exception to this was Trump, who went unchallenged but faced unprecedented criticism. All these, including Trump, presided over failing economies. Unforeseen events can also be blamed on the incumbent. In Carter's final year, 52 Americans were held hostage in Iran. G.H.W. Bush had to face a third party candidate, **Ross Perot**, who won 19% of the vote in 1992. Trump's chances of re-election were damaged by **Covid-19**, and criticism of his response to it.

Incumbency is also powerful in congressional elections. Re-election rates in the House are often above 90%, and are usually above 80% in the Senate. Most members of Congress leave by retirement rather than defeat. Incumbents can provide constituent services, enjoy high levels of name recognition, and have a fundraising advantage: in 2020 Senators raised 5x as much as their challengers, and incumbents in the House more than 6x.

At times there is a **coattails effect**. This is when a strong presidential candidate can help other candidates get elected. In 1980, Reagan's victory also saw a gain of 33 House seats and 12 Senate seats. In 2020, though, Republican congressional candidates frequently outperformed the unpopular President Trump.

Comparative politics

The US has a **two-party system** in which the Democrats and Republicans alternate power in the White House, Congress, governors' races and state legislatures. There are different variations of these parties in each state, but overall third parties rarely win office in the US.

The UK is more complex. Previously it was a two-party system, as in 1955 Labour and the Conservatives combined won 96% of the vote, but in 2015 this fell to just 67%, with 11 parties represented in the House of Commons.

This is due to the increase in support for **nationalist** parties in recent decades: in Scotland, Wales and Northern Ireland, plus UKIP and the Brexit Party. Since the 1970s, unionist parties in Northern Ireland split away from the Conservatives. **Devolution** has changed the UK party system.

In the UK, control of the executive branch is still a two-party system, with Labour and the Conservatives alternating control. However, this system is undergoing rapid change. In 2010, the Lib Dems had 57 MPs and the SNP had 6. In 2019, the Lib Dems had 12 and the SNP had 48.

Comparative theories: party systems

RATIONAL (people)	CULTURAL (ideas)	STRUCTURAL (institutions)
To win office in the US, given its diversity, parties must assemble a wide **coalition** of supporters, so it is less likely for small parties to emerge. In the UK, similarly, the main parties have no incentive to support electoral reform, so a two-party system is maintained. In **devolved** areas, other systems result in different party representation.	Despite no change in the UK's electoral system, the countries now have different party systems. This is due to the distinct national culture of each part of the UK leading to the growth of **nationalist** parties, which the US has no need for due to a strong national identity. Mistrust of the EU also led to the growth of UKIP.	The **first-past-the-post** system in both countries reinforces two-party dominance. However, where **STV** or **AMS** are used in **devolved** bodies, we see multi-party systems in the UK. The **primary** system in the US also reduces the incentive to run as a third party, as voters get a choice within parties. US elections are more concerned with personal records rather than national politics.

The Republican Party

Ideas and policies

- Conservative attitude on social and moral issues. Most Republicans, especially the **religious right**, are heavily informed by **Christianity** and tend to oppose **abortion**, gay marriage and drug use. In 2020, Trump became the first sitting president to attend an anti-abortion rally. Reagan, Bush and Trump instated the **Mexico City Policy**, withdrawing government funding from organisations that provide abortion advice. Republicans seek to defend the **2nd Amendment** and favour strict law and order.
- Like classical liberals, Republicans prefer the neo-liberal **negative freedom** of **limited government**, so they favour **laissez-faire** economics and a free market with minimal government intervention. They were against Obama's financial stimulus and his Wall Street regulations. Republicans also seek to further the interests of industry & big business rather than environmental concerns: Trump withdrew from the Paris climate agreement. However, like many conservatives, Republicans are pragmatic. They supported a financial stimulus under President Bush, and Trump passed the **CARES Act** in 2020.
- Republicans believe strongly in **individualism**. They support Medicaid, a health insurance programme for low-income, disabled and elderly people, but suggest cuts to this. They believe that welfare has created a **dependency culture**. They prefer a low-tax, smaller state. They oppose universal healthcare.

Republican factions

Moderates: still conservative, favouring **low tax**, but are less socially conservative than other Republicans. Can accept a bigger role for the state, and are less willing to fully repeal Obamacare. Includes Senators Susan Collins, Mitt Romney and Lisa Murkowski.

Fiscal conservatives: want to reduce government spending, make **tax cuts** and roll back regulations. Want to balance the budget and reduce the deficit. Include the **Freedom Caucus**, plus Senators like Rand Paul. Trump passed the Tax Cuts and Jobs Act in 2017.

Social conservatives: strong supporters of Christian values, strict law and order, gun ownership and being **pro-life**. Links with the **religious right**. Include Mike Pence, plus Senators Ted Cruz and Marco Rubio.

The Democratic Party

Ideas and policies

- Democrats are informed by modern liberalism and **equality of opportunity**. They favour a mixture of punishment and rehabilitation when dealing with crime. They are strongly **pro-choice** and fight Republican attempts to weaken abortion rights. Under Obama, **same-sex rights** were enhanced by repealing 'Don't ask, don't tell', the Hate Crime Prevention Act 2010 and ending the Defense of Marriage Act 2011. The Obama government supported the Supreme Court's *Obergefell* decision.
- The Democrats favour an **enabling state**, seeing Keynesian state intervention in the economy as a way of financing a larger **welfare state** to enable positive freedom. This can be seen in Obama's 2009 economic **stimulus** of $787bn. The Democrats also supported President Trump's $2.2tn CARES Act. Obama also passed the **Dodd-Frank** Act in 2010, regulating Wall Street, arguing that neoliberal minimal regulation of the economy is what led to the near-collapse of the US economy.
- Modern liberalism has also strongly influenced the Democrats in their thinking about social welfare. President Johnson, in the 1960s, declared a 'war on poverty', and the federal government expanded its role to include responsibility for education, health, housing and the environment. Obama succeeded where Clinton failed in passing the **Affordable Care Act 2010**.

Democratic factions

Liberals/progressives: favour social justice, against the death penalty, pro-LGBTQ+ rights, in favour of free college tuition, healthcare for all, liberal drug laws & action to save the environment. Senator Bernie Sanders, Representative Alexandria Ocasio-Cortez, the **Congressional Progressive Caucus**.

Moderates/centrists: more cautious about police and healthcare reform. Tax reforms for the middle class, a 'public option' for healthcare to compete with private insurance agencies. Includes **New Democrats** & Biden.

Conservatives: socially conservative, fiscally neo-conservative. Keen to work with Republicans. Less supportive of LGBTQ+ rights. Includes the **Blue Dog Coalition** and Senator Joe Manchin.

Ethnicity

Black Americans are the Democrats' most loyal voter group and make up 13% of voters. Obama won 95% of them in 2008, but this dropped to 88% under Clinton in 2016 and 87% for Biden in 2020. The **Hispanic** population is a growing group. In 2000 they were 12% of the US population, but by 2010 this was 16%. In some states (e.g. Arizona, Texas, New Mexico) Hispanics are over 25% of the population. George W. Bush tried to win the Hispanic vote, but they are more Democrat now (65%) since Trump's anti-Mexican rhetoric. The Republicans over the past two elections have solidly won the white vote (58%).

Religion

Protestants are a key support group for Republicans, giving them 58% support in 2016 and 62% in 2020. **Evangelicals** are even stronger supporters (81% & 76%) although Catholics are more split (52% Republican in 2016, 47% in 2020). Jewish and Muslim voters strongly favour Democrats, as do Americans with no religion.

Gender

Women are usually more supportive of Democrats than men. This **gender gap** is clear: in 2016 and 2020, 53% of men and 42% of women voted for Trump, and in 2020 57% of women and 45% of men voted Biden. Democrats tend to be **pro-choice**, oppose capital punishment and support gun control, whereas Trump's treatment of women became a campaign issue.

Education

Voters whose highest level of education is high school tend to vote Republican, whereas those who graduate university favour the Democrats. Always be aware of overlap between groups, as in 2020 Trump won 70% of non-college-educated white men – but Biden won 28%, up from Clinton's 23% in 2016.

Polarisation

Republican America is overwhelmingly white and Protestant, joined by some Catholics (due to abortion). Republicans tend to be rural or suburban, and tend to think that the federal government does too much. They tend to think that tax is too high and that gun ownership rights should be protected.

Democrat America is a rainbow coalition of white, black, Asian and Hispanic Americans. They are less likely to regularly attend a place of worship. Democrats tend to be wealthier and live in urban areas. They think that the federal government should do more, including taxing the wealthy. They are pro-choice, favour gun control, same-sex marriage and support Obamacare.

However, shifts do occur. Biden won red states Arizona & Georgia in 2020, and former swing state Ohio is now more reliably red.

Comparative politics

Party unity in the US's 'umbrella' parties is much more difficult than in one-issue or nationalist parties like some of those in the UK. This is why party factions exist, all believing in the 'big ideas' but disagreeing on priorities/methods. This can lead to in-fighting.

Republicans and **Conservatives** agree on a dislike of 'big government', favour low taxes (when the economy allows for this), want to be strong on law and order, support high levels of defence spending and prefer equality of opportunity instead of equality of outcome.	**Republicans** are well to the right of the UK **Conservatives** on many issues. They disagree on the death penalty (Republicans support), same-sex marriage (Republicans reject) and a government-run healthcare system (Republicans oppose).
Democrats and **Labour** stress the rights of minorities and lower-paid workers, favour green environmental policies, high levels of government spending on health, welfare and education, and support more tax on the wealthier to fund services for the poorer.	**Democrats** sit to the right of **Labour**, but there is more agreement between them than there is between the Republicans and Conservatives. However, conservative Democrats (e.g. **Blue Dog Democrats**) have more in common with the Tories.

Interest groups

Interest groups in the US benefit from numerous **access points** within the political system. They can influence the legislature, the executive and the judiciary, as well as state-level governments. They also benefit from a weak and fragmented party system, and from election campaigns that are more about issues than parties. Some argue pressure groups advance **pluralism**, because they distribute political power amongst groups representing widely different interest. Other argue they advance **elitism**, as political power rests with a small group who are wealthy or otherwise privileged. In the US, there are sectional groups including: business groups such as the **Chamber of Commerce**, labour unions like the **ALF-CIO**, and professional groups like the **American Bar Association**. There are also promotional groups including: the **American Civil Liberties Union (ACLU)**, single-interest groups like the **NRA**, and policy groups like the **American Israel PAC (AIPAC)**.

Interest groups provide Americans with representation in all three branches of government and at both federal and state levels. They also give citizens the chance to participate in decision-making between elections, on issues they care about – for example guns, abortion, or the environment. Groups put pressure on legislators – for example pro-life groups are the reason why 41 states introduced extremely similar legislation from 2010-18. Interest groups also monitor the actions of government, and may bring legal challenges (as the **ACLU** did to challenge Trump's executive order banning those from 7 majority-Muslim countries entering the US) or compile **scorecards** of how legislators vote on key issues such as gun ownership rights (**NRA**).

Some interest groups use their wealth to great advantage. Often (but not always), this is connected to membership size. The **NRA** had an income of $412m in 2020, and spent $9.2m on campaigning for Trump's re-election. In 2018, it had a membership of nearly 5 million – although the group with the highest membership is the **American Association of Retired Persons (AARP)**, which has around 37 million members. Interest groups endorse candidates, and have affiliated **Super PACs** to donate to them. They may also organise grassroots activities such as mass letter writing to politicians or protests (such as those that happen outside the **Supreme Court**). In 2016 alone, over $3bn was spent on lobbying.

The **Susan B. Anthony List** is a **pro-life** group set up in response to the **pro-choice** group **EMILY's List**. It works to get pro-life candidates elected to state legislatures and Congress. In 2020, it helped get a record number of pro-life women elected. It also strongly lobbied for the appointment of **Amy Coney Barrett** to the Supreme Court in 2020, and has campaigned for the erosion and overturning of ***Roe v Wade***.

Influence of interest groups

Impact on Congress: Interest groups **lobby** members of Congress. They also make contact with relevant **congressional committees**, where Congress does most of its legislative work. These committees have around 16 members in the Senate and 40 in the House, so lobbyists find it easy to build a close working relationship with members of the particular policy-specific committees in which they are interested. Interest groups also publicise the voting records of House and Senate members, sometimes offering their own rankings.

Impact on the executive: Interest groups try to maintain strong links with relevant executive departments and agencies, particularly when it comes to the regulatory work of the federal government such as regulations on health and safety, business, transport and the environment. Under Trump, the budget and scope of the **Environmental Protection Agency (EPA)** was much reduced, reflecting Trump's close ties with fossil fuel industries.

Impact on the judiciary: Interest groups are very interested in nominations to the Supreme Court. The **American Bar Association (ABA)** evaluates the qualifications of nominees, playing a significant role in the Senate's confirmation process. Interest groups can also bring cases before the courts. The **ACLU** does this frequently. The **NRA** played a key role in the landmark 2nd Amendment case ***DC v Heller (2008)***.

Pressure groups are *good* for democracy as they provide legislators with useful information to help formulate policy. They also broaden the opportunities for participation between elections, and give people the chance to express their views on specific issues as the two major parties represent a wide range of policies. They increase the accountability of Congress and the executive, and enhance the right of freedom of speech. However, pressure groups are *bad* for democracy because not all groups are equal – those representing wealthy business interests are better resourced and have more regular contact with lawmakers. Former members of Congress often take up jobs with lobbying firms to make use of their contacts – this is called **revolving-door syndrome**. Some powerful groups have too much influence and can effectively draft legislation.

Comparative theories: party factions and policies

It makes sense for parties to accommodate **factions** as they need to appeal to a wide cross-section of voters. It also makes rational sense for politicians to work within the existing main parties, who have a chance of winning, rather than join a minor party or set up their own. In the UK, Change UK existed for only 10 months. In the US, even outsiders such as Donald Trump and Bernie Sanders (who sits as an independent Senator) sought the nominations of the major parties rather than standing as independents.	The history and political culture of both countries play a large part. In both countries, the main parties have always had internal divides and factions. For decades, until the civil rights movement, the Democratic Party was an uneasy coalition that included conservative pro-segregation southerners and more liberal faction elsewhere. Similarly, the Conservative Party has contained a very polarised range of views over Europe since the 1970s, and these were exacerbated by the 2016 Brexit referendum.	Structurally, internal party divides are enabled in the US by the state-based nature of US politics. Central party structures are relatively weak, so individual candidates have more scope to develop their own policies which may not always be the same as the national platform. The existence of **primaries** and **caucuses** reinforces this trend. By contrast, the more centralised structure of UK parties means that it is harder for candidates to break with the party line. At times, candidates are suspended or removed for not following the party.

Comparative politics

Pressure groups have more opportunities to influence policy in the US than in the UK, because the US has more **access points**. UK lobbyists need to focus mostly on Parliament, but in the US they can influence local, state and federal levels as there are simply more elected officials in the US than in the UK. In addition, parties also hold primaries to presidential and congressional elections, giving groups even more of a chance to exert influence. The US also has more lenient laws on finance in elections.

In the UK, trade unions have strong links with Labour and business/corporation groups with Conservatives. In the US, pressure groups overwhelmingly give their money to incumbents as they are more likely to win.

The executive has little control over the US Congress, and parties also have weak control – so lobbyists can target politicians through their constituents. In the UK, more pressure group activity is focused on the executive branch due to its dominance over the system. Lobbying of the judiciary also happens much more in the US than in the UK, because in the US the Court has a great deal of power due to its ability to exercise **judicial review**, thanks to the US having a codified and entrenched constitution. The strength of parties in the UK is also why pressure groups try to form links with them.

Comparative theories: interest groups

There are incentives for people & groups to try and gain influence through donations. This is why groups in the US tend to donate to incumbents, knowing they are most likely to win, and why groups make score-cards to ensure they endorse politicians who best represent their goals. It is also rational for unions to donate to Labour and for businesses to donate to the Tories, believing that these parties will benefit them more.	Neither country has a tradition of state funding for parties. The US has a long cultural tradition of individualism, and so it has fewer regulations on campaign spending than the UK does. For example, in the UK parties cannot buy TV airtime during election campaigns. Instead, a set number of Party Election Broadcast slots are allocated to them. Both countries have long precedents of wealthy individuals donating.	Both countries have tried to pass reform (**FECA** & **BCRA** in the US, the **PPERA** in the UK) to try and improve the transparency of political donations. However, in the US the **1st Amendment** makes it harder to regulate political spending as it is ruled to be free speech as of ***Citizens United v FEC* (2010)**. In the UK, reform is much easier to achieve due to **parliamentary sovereignty**, e.g. the Charities Act 2011.

A Level Politics Knowledge Organiser

US & Comparative Politics Topic 3: Congress (Paper 3)

The structure of Congress

Congress is **bicameral**. This was designed as a compromise: representation (435) in the House is proportional to population, and representation (100) in the Senate is equal for all states (2 each). Every 10 years, after the census, states gain or lose House seats depending on population changes. Elections to the House happen every 2 years. Terms in the Senate last 6 years, with one-third of Senators re-elected every 2 years. Congressional elections in between presidential elections are called **midterm elections**. Often, the president's party loses seats in the midterms, causing **divided government**: when the presidency is controlled by one party and one or both houses of Congress are held by the other. The Senate is a 'launching pad' to president.

House/Senate control:	Clinton 92-94 Dem/Dem	Clinton 95-96 Rep/Dem
Clinton 97-98 Rep/Rep	Clinton 99-00 Rep/Rep	Bush 01 Jan-Jun Rep/Rep
Bush Jun 01-02 Rep/Dem	Bush 03-04 Rep/Rep	Bush 05-06 Rep/Rep
Bush 07-08 Dem/Dem	Obama 09-10 Dem/Dem	Obama 11-12 Rep/Dem
Obama 13-14 Rep/Dem	Obama 15-16 Rep/Rep	Trump 17-18 Rep/Rep
Trump 19-20 Dem/Rep	Biden 21-22 Dem/Dem	Biden 23-24 ???/???

The powers of Congress

CONCURRENT POWERS	EXCLUSIVE HOUSE POWERS	EXCLUSIVE SENATE POWERS
Both houses can create **legislation**. All bills must go through all stages in both houses. Neither house can override the other. Both houses have **oversight** of the executive branch. They vote on federal budgets and conduct investigations through committees. They must work together to override a **presidential veto** of a bill (two-thirds in both houses) and to propose an amendment (same). These rarely happen. In Obama's 8 years in office, he made 12 vetoes and Congress only overrode one of them. Congress also overrode one of Trump's 10 vetoes.	All money bills (taxes) must begin in the House. However, they still have to go through all the same stages in the Senate, just as any other bill. The House has the exclusive power to bring charges of **impeachment**. This is charging someone with an offence serious enough to remove them from office. Clinton was impeached in 1998, and Trump in 2019 and 2021. If nobody wins 270 votes in the Electoral College, the House picks the president. This has not happened since 1824.	Only the Senate can **ratify** foreign treaties with a two-thirds majority (e.g. New START in 2010). However, the president can get round this by signing **executive agreements**. The Senate also confirms **appointments** to the cabinet and judiciary. For example, when Ruth Bader Ginsburg died in Sep 2020, President Trump's nominee Amy Coney Barrett was confirmed 52-48 in the Senate. If an official is impeached, the Senate conducts the trial. It acquitted Clinton and Trump (x2). In 2021, the Senate voted 57-43 to find Trump guilty, but a two-thirds majority is required to convict. If nobody wins the Electoral College, the Senate chooses the VP.

Representation

Women	24% of Congress	51% of USA
Black Americans	10% of Congress	12% of USA
Hispanic/Latino	9% of Congress	17% of USA
Has a degree	97% of Congress	32% of USA
LGBTQ+	2% of Congress	5% of USA
Average age	Congress: 59 years	USA: 38 years

Incumbents are very likely to be re-elected (over 90% in the House and over 80% in the Senate on average). Incumbents have name recognition and can engage in **pork barrel politics**, only voting for legislation if extra spending is added that benefits their own state or district. This is why the 'Big Dig Highway' in Boston cost $14.6bn instead of $3bn. Voters criticise Congress for this – unless their area benefits. Incumbents also have a **fundraising** advantage as they are more likely to be re-elected, and **gerrymandering** creates safe districts, unlikely to change hands.

Factors affecting voting behaviour within Congress

Party votes, where most of one party votes against most of the other, are increasingly common. In all the House & Senate combined, only one Republican voted for the **Affordable Care Act**. However, **primaries** mean parties cannot threaten politicians with deselection, plus the fact that they are ideologically broad **'umbrella parties'**, mean other factors are important too. Within Congress there are ideological groups called **caucuses**, e.g. the **Blue Dog Democrats** and the **Freedom Caucus**. The president and their administration (including cabinet members) can win votes in Congress by persuasion. Interest groups gain influence through donations, and lobbyists provide detailed information on the vast range of policy issues that representatives have to vote on. Ultimately, those in Congress need to take into account what their constituents want, particularly representatives in the House where elections are every 2 years. West Virginia has voted for the Republican presidential candidate in every election since 2000, and so it is no surprise that **Joe Manchin** is the most conservative Democrat in the Senate, defying President Biden.

EFFECTIVE: Congress is more diverse than ever. Elections are frequent (the House more so), so representatives are sensitive to public opinion.
INEFFECTIVE: Gerrymandering undermines representation. First-past-the-post reinforces a two-party system. Women and non-whites are still significantly under-represented. Donations lead to elitist influence.

Legislation

Every two years 10,000-14,000 bills are introduced, and only 2-4% become law. In 2019-2021, this was only 1%. Bills can be introduced in either the House or Senate, but must go through the same legislative procedure in both chambers to become law.

After a bill is introduced, it goes to **committee**, where most bills die. Each **standing committee** (policy specialists) receive far more bills than they can handle, so many are **pigeon-holed**: put aside with no action. Standing committees have the full power of **amendment** – they can add or remove anything, making them enormously important.

In the Senate, the majority and minority leaders then agree to the order bills will be debated in a **unanimous consent agreement**. In the House, the **House Rules Committee** decides if a bill goes through to the House floor, and whether it has **open rules** (can be amended) or **closed rules** (cannot be amended). This means this small committee can deny members of the House the chance to make alterations to bills.

Bills are then debated on the 'floor' of the chamber, with votes taking place on amendments and then the whole bill. Senators can **filibuster** a bill (the longest lasted over 24 hours in 1957). Filibusters were once unusual, but since the turn of the century are used so frequently that bills now effectively require 60 votes to become law, as to end a debate a **cloture** petition must be voted for by 60 senators. Use of this right means the minority party can veto legislation using only 41/100 votes.

If a bill passes both chambers, the House and Senate versions are likely to be different. Party leadership can informally agree on a compromise, or a **conference committee** can be formed (e.g. for the Tax Cuts and Jobs Act 2017). The bill then gets voted on again by both chambers.

The president can then sign a bill, do nothing (then it becomes law after 10 working days) or **veto** it. It takes 2/3 of both houses of Congress to **override** a veto, meaning that the mere threat of a veto can kill a bill. Obama used 12 vetoes and was overridden once; Trump 10 and once.

EFFECTIVE: So few bills become law that they must be of high quality. The Founding Fathers wanted limited government, and **supermajorities** in the Senate mean broad **consensus** is needed.
INEFFECTIVE: Bills are too difficult to pass. Increasing **partisanship** means legislation is almost impossible to pass in **divided government**, as this creates **gridlock**. The **veto** is too powerful and **filibusters** are now abused.

Oversight

Congress can more effectively scrutinise the executive when there is **divided government**, when it is more likely to reject legislation and the president's nominees, particularly due to increasing **polarisation**. In times of **united government**, such as Bush 2001-06, oversight can be non-existent. **Bipartisan** legislation still happens, e.g. **CARES Act 2020**.

Congress can more effectively influence the president over domestic policy (Obama was frustrated in gun control and immigration reform; Trump could not repeal or replace the ACA), as the president can use **executive powers** to get around Congress in foreign policy. Members of Congress will also be less likely to want to please the president in the run-up to an election, when winning votes has to be their main aim. When the president has high **approval ratings**, Congress is less likely to oppose them, but when these ratings are low (Trump's were the lowest of any president since WW2, averaging 41%), Congress is more confident in frustrating the president's agenda. Congress may **defer** to the president in times of crisis, e.g. it passed the **Patriot Act** after **9/11**. Congress can **impeach** the president and put them on trial (Trump in 2019 and 2021) but it requires 2/3 in the Senate to remove from office.

Most oversight takes place in **standing committees**. Here, policy specialists scrutinise legislation, holding 'hearings' on bills and amending or rejecting them. They can also hold investigations, and the **Senate Judiciary Committee** votes on judicial nominations. Congress can check the judiciary through **amendments**, but this is rare. Congress can change the number of judges on courts, but this would be controversial.

EFFECTIVE: It is good that removal from office requires a high bar, as impeachments have been politically motivated. Nixon resigned as he knew bipartisan impeachment and conviction were a near-certainty.
INEFFECTIVE: The president can veto laws or use executive powers such as **executive agreements** to get round Congress. In times of united government, effective oversight is much less likely. The power of impeachment is ineffective as every president impeached (3) was acquitted by the Senate. Congress has no realistic checks on the judiciary other than confirming nominations. In divided government, oversight can just be carried out for political gain, e.g. 8 committee hearings were held on the 2012 attack in **Benghazi, Libya**. At the time of the attack, Hillary Clinton was Secretary of State, and these hearings gave Republicans a chance to undermine her ahead of 2016's election.

Changing powers of Congress

Over time, the powers of Congress have grown significantly. The 16th Amendment (1913) gave Congress the power to charge a federal income tax. After the Great Depression, the federal government expanded under FDR as part of the New Deal. This expansion continued with WW2 and LBJ's Great Society legislation of the 1960s. The Great Society included the Civil Rights Act 1964 (prohibiting segregation), the Voting Rights Act 1965 and the Medicare and Medicaid Act 1965 (the first public health programmes). Johnson introduced 87 bills in 1965, and 84 of them became law, at a time when there was much more compromise and fewer ideological differences between parties.

Since the 1980s, parties have become increasingly **polarised**. 6-7% of legislation used to pass, and now this is 2-3%. It has become easier to prevent, rather than enact, new laws. Appointments have also become politicised, as seen when Senate Republicans refused to even consider Obama's nomination of **Merrick Garland** to the Supreme Court in 2016. In October 2020, Trump's nominee **Amy Coney Barrett** was confirmed entirely on party lines. Although bipartisanship is now rare, it can still occur, e.g. the **CARES Act 2020** (Covid relief).

The Constitution gives Congress the power to declare war, but this has not been used since 1941. Nixon conducted wars without Congress being aware, so Congress passed the **War Powers Act 1973**. This allows the president to carry out military operations for up to 90 days without approval. However, Bush vetoed a 2007 bill that tried to deny funding to the ongoing **Iraq War**, and Obama claimed the War Powers Act did not apply to his 2011 action in **Libya**. In 2020, Trump suggested he could use Twitter to inform Congress of future airstrikes, after assassinating an Iranian general.

Changing significance of parties

In 1972, a book titled *The Party's Over* suggested parties were in decline as they had few ideological differences. This has changed with increasing party **polarisation**, and politicians are now more likely to vote along party lines. **Party renewal** has been seen in nationalised election campaigns such as 1994's Republican 'Contract with America' and 2006's Democratic 'Six for 06' agenda. Party leadership has also become more powerful, influencing who chairs committees. It is now more likely that compromise bills will be discussed between the **House Speaker** and **Senate majority leader** rather than going to a conference committee if the House and Senate pass different versions.

At the start of the 1980s, there was huge ideological overlap between parties, and the differences *within* parties were far greater than the differences *between* them. In recent years, there is barely any overlap. The most conservative Democrat is Senator Joe Manchin of West Virginia, and the most moderate Republican is Senator Susan Collins of Maine. The Democrats are now a cohesive **liberal** party; the Republicans a **conservative** one. However, this does not mean that politicians always do as their parties wish (see factors affecting voting behaviour).

Comparative politics

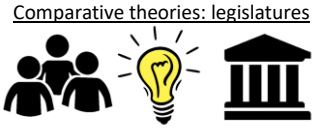
Legislation: In Congress, the two houses have equal legislative power and must agree on the final version of a bill. In Parliament, the Commons dominates, and although the Lords can amend a bill the Commons will usually get its way. Congress is a 'real' legislature; Parliament arguably is not. This is because bills are drafted by Congress, and the president can *ask* it to consider their ideas. Bills are passed *through* Parliament, as there is no **separation of powers** and the government dominates. This is why most bills are passed into law in the UK, but few succeed in the US.

Oversight: In the US, Congress and the executive are entirely separate, but in the UK Parliament and the executive are entwined, suggesting more oversight in the US. However, in the US the administration survives for its four-year term even if the president is replaced. In the UK, the survival of the government depends on maintaining the support of the Commons. Congress has more oversight power due to the Senate's ability to **ratify** appointments and treaties. Congress has the power to declare war and passed the **War Powers Act**, whilst the use of troops in the UK falls under the **royal prerogative**. However, the president often acts **unilaterally**, whilst since Brown it has been a UK convention that Parliament gives authorisation for the use of force. Parliament can frequently question the government through **Question Time**, but due to **separation of powers** Congress can only do this in committee hearings – and even then, traditionally presidents are not summoned in person.

Representation: In the UK, parties select candidates to contest elections. This gives UK parties a great deal more power than in the US, where **primaries** let voters select candidates within a party. This makes constituents much more important than parties in the US. US House Representatives will need to be more attentive to their constituents as they are re-elected every 2 years, compared to Senators who serve 6-year terms and UK MPs who usually serve 5-year terms.

US House of Representatives	**UK House of Commons**
Can impeach the president (but ineffective). Powerful standing committees. All money bills start here. 2-year terms mean strong constituency links. Cannot scrutinise executive outside of committees. **Gridlock** and **partisanship**.	Most legislation starts here. Executive operates through and **dominates** the Commons. Can directly scrutinise government but mostly political theatre. Strong parties can mean weaker constituency representation.
US Senate	**UK House of Lords**
Exclusive power over nominations and treaties. Can remove the president (never has). Recruitment pool for presidency. Can be paralysed by the **filibuster**. Cannot scrutinise executive outside of committees. More likely to act in a bipartisan way.	Members serve life terms so parties are not as strong. Higher quality of debate, members have expertise (especially **crossbench** peers). Unelected so no pressure to win votes. Undemocratic, can only delay legislation. Careers end here.

Comparative theories: legislatures



Stronger parties in the UK mean MPs are more likely to obey the **whips** than in the US House, where they serve 2-year terms so face voters more often. UK politicians need to impress the party leadership in order to advance. Members of Congress face less pressure from the executive, and can deny the legislative agenda of the president even in **united government** (e.g. Clinton and healthcare). In the UK, it is in the interest of MPs to back the prime minister; the executive is rarely defeated. The Lords is more autonomous.	US parties are influenced by varying interpretations of **liberalism** (neoliberal vs. modern liberalism), so it is hard for them to reach **bipartisan** agreement. UK parties are less polarised and there is consensus on the need for a state-funded welfare state. The Conservative Party is more pragmatic than the US Republican Party. There is more **gridlock** in the US as the Founding Fathers wanted **limited government**. All parties have factions. Moderate Republicans are labelled RINOs (Republican In Name Only).	**Separation of powers** exists in the US, but in the UK all members of the executive are members of Parliament (mostly in the Commons). The most likely outcome from UK elections is a majority government. In the US, presidents must **persuade** Congress to pass their legislation, which is tough in **divided government**, so Parliament passes more legislation. The US administration also cannot fall as it is elected independently of Congress. MPs know their fate and the government's are entwined; this is not the case in the US.

A Level Politics Knowledge Organiser — US & Comparative Politics Topic 4: Presidency (Paper 3)

Presidential powers

The US president is both **head of state** and **head of government**. Article II, Section 1 of the Constitution states 'the **Executive Power** shall be vested in a President of the United States of America', meaning that all executive power is placed with the president and so the cabinet is not a decision-making body. However, the framers feared **tyranny** and so limited the president with a number of **checks and balances**. As a result, being president can be a frustrating experience.

Head of state	Chief executive	Legislative powers	Appointment powers	Foreign policy	Pardons
The president must carry out ceremonial and diplomatic duties that in the UK are normally performed by the monarch. The president is often looked upon as a unifying figure in times of crisis.	The president runs the executive branch of the federal government. They delegate to federal departments and agencies, & have their bureaucracy – **EXOP** – to help coordinate. The president also submits the annual federal **budget** for Congress to approve.	The president can propose legislation to Congress, & must sign bills into law. They can **veto** bills that come from Congress, and it takes a two-thirds **supermajority** in both houses to overturn this.	The president nominates hundreds of executive branch officials, and the heads of executive departments must be approved by the **Senate**. Similarly, federal judges must also be **confirmed** by the Senate.	The president is **commander-in-chief** of the armed forces, a vital role during the Cold War & since **9/11**. Congress has very few effective checks in this area. The president can also negotiate **treaties**, but the Senate **ratifies** with a two-thirds vote.	Presidents can issue pardons – this power is not really checked. Trump pardoned a number of his former political associates who had been sentenced to prison time over the investigation into Russian election interference.

The vice president

The vice president assumes the role of president if necessary, and can cast a tie-breaking vote in the Senate if needed. Biden never had to use this power in his 8 years; Pence cast 13 tie-breaking votes in 4 years; Harris cast 26 between Jan 2021 & Aug 2022, the 3rd most in history, including for the significant Inflation Reduction Act 2022. The VP also announces the winner of the Electoral College. This was always ceremonial, until in 2021 Trump pressured Pence to change the outcome. Pence refusing to do this led to the attempted coup on the US Capitol building by pro-Trump supporters. Cheney and Biden are the most significant VPs. Cheney pioneered the **war on terror**, and was relied on as Bush had no experience in Congress. Biden's 36 years in the Senate (compared to Obama's 4) are why he led on **Iraq**, **gun control** and the **fiscal stimulus**.

Executive powers

Executive orders: these have the force of law and do not require congressional approval. Often, they are drafted or screened by the **OMB**. Presidents cannot use these to create new legislation, but instead can direct federal departments and agencies on how to enforce legislation. Both Obama and Trump were publicly critical of executive orders, then both made frequent use of them.

However, unlike legislation, executive orders can be easily revoked simply with the signature of the next president. Biden signed 77 in his first year, the highest number since 1979. Many of these reversed actions of Trump. For example, in 1984 President Reagan signed the **Mexico City policy**, an executive order withdrawing federal funding from any family planning clinics that informed clients about abortion options. Clinton immediately revoked this in 1993, Bush reinstated it in 2001 on his second day in office, Obama revoked it again in 2009, Trump reinstated it in 2017, and Biden reversed this once again in 2021.

Some executive orders are successful. In 1961, JFK used an executive order to create affirmative action. Bush used one in 2001 to create the Department of Homeland Security. **Deferred Action for Childhood Arrivals (DACA)**, a programme of not deporting those brought to the country illegally as children, was created through a 2012 Obama executive order and is still in effect.

However, others are less successful. In 2009, Obama signed an executive order to close **Guantanamo Bay** detention centre. As the Senate refused 90-6 to fund this closure, the order failed, and in 2018 Trump signed an order vowing to keep it open and 'load it up with some bad dudes'. Obama's **DAPA (Deferred Action for Parents of Americans)** order, which would have extended DACA, resulted in legal action by 2016 states and a declaration of unconstitutionality by the Supreme Court in ***US v Texas (2016)***.

Executive agreements: these are agreements reached between the president and a foreign nation. Unlike treaties, they do not require congressional approval. This allows the president to get around the requirement for Senate **ratification**. However, they can easily be reversed by future presidents. Obama signed two he knew Congress would never pass: the **Joint Comprehensive Plan of Action** (aka Iran nuclear deal) and the **Paris Agreement** (a global environment deal). Trump reversed both of these, and Biden rejoined the Paris Accord.

Signing statements: when presidents sign bills into law, they sometimes add a statement that challenges the constitutionality of the bill. This has been criticised as an overuse of presidential power.

Presidential approval

Winning an election gives a president an **electoral mandate** to govern. The larger the victory, the greater the chance the president has to convince Congress to pass their legislative programme (e.g. Reagan after his 49-state victory in 1984, vs. Trump's weaker 2016 victory in which he lost the popular vote). Even with an electoral mandate, though, the president may struggle if there is **divided government** due to **polarisation**. A president's approval rating also impacts their chances of success, as does their response to national events:

Bill Clinton was **impeached** in 1998 over lying about his relationship with Monica Lewinsky, and this went to trial in the Senate. This was a national embarrassment. **George W. Bush**'s response to the **9/11 terrorist attacks** saw his approval rating jump dramatically and led to electoral gains for the Republicans in 2002 and 2004. However, his slow response to **Hurricane Katrina** in 2005 was a factor in the Republicans losing control of both houses of Congress in 2006. **Barack Obama**'s response to **Hurricane Sandy** in 2012 won him praise, and helped in the presidential election. **Donald Trump** was criticised over his slow response to **Hurricane Maria** in 2017, his slow reaction to **Covid-19** and his statements about the pandemic, and his statements about the **murder of George Floyd** in police custody in 2020, which were seen as increasing racial tensions. Trump became a one-term president. **Joe Biden** in his first year had the second-lowest approval ratings of any president since WW2 other than Trump. He was predicted to lose the House in the 2022 midterms.

The cabinet

The cabinet is not mentioned in the Constitution, as all executive power lies solely with the president. Article II does say that the president 'may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices.' Even this suggests that no in-person meeting needs to take place, and that their advice is limited only to their own department. Presidents rarely hold cabinet meetings, and their frequency declines over a president's time in office (Obama held just 28 in 8 years, Bush held 49 in 8 years, and Trump held 25 in 4 years).

Although the cabinet itself lacks significance, individual cabinet members can be important – normally the Secretaries of State, Defense and Treasury. All cabinet appointments are **confirmed** by a simple majority vote in the Senate, and it is highly unusual for a president not to be able to pick their own team (the last rejection was in 1989). However, increased partisanship means that **party line votes** are more frequent even for cabinet nominations.

Since 1992, presidents have sought a balanced cabinet that, in Bill Clinton's words, 'looks like America'. However, Trump was unconcerned with this and his cabinet was older, whiter, richer, and less likely to have government experience. Trump's cabinet was also perhaps the most unstable ever. In 4 years, there were 20 cabinet changes, compared to 3 in Obama's first 4 years and just 1 in Bush's first 4 years.

However, the cabinet does allow the president to monitor the work of their team and push their agenda, as well as meetings being useful PR opportunities.

EXOP

The existence of EXOP (the **Executive Office of the President**) further limits the power of the cabinet. EXOP is made up of staff agencies that provide advice, coordination and administrative support for the president. It is needed as the size and responsibilities of the federal government have changed enormously due to the New Deal and Cold War.

The president's closest advisers make up the **White House Office**. This includes over 30 different offices such as the Office of Cabinet Affairs, Office of Communication and Office of Legislative Affairs. Overseeing all this is the White House **chief of staff**, one of the most significant jobs in the executive branch. Trump went through 4 chiefs of staff, firing one via Twitter and announcing the departure of another to the media. Ron Klain has served as President Biden's chief of staff.

The **Office of Management and Budget (OMB)** was created in 1970 to advise the president on the annual budget and to oversee the spending of all federal departments and agencies.

The **National Security Council (NSC)** was created in 1947 to help the president coordinate foreign, security and defence policy, presenting the president with options. National security adviser Condoleeza Rice played an important role in the Bush presidency. Under Obama, the NSC was less significant in his first 4 years as Secretary of State Hillary Clinton was a major voice on foreign policy. Reports suggest that Trump was resistant to hear views that contradicted his own, and he chose to hear reports rather than read them. He went through 4 national security advisers in 4 years (Obama had 3 in 8; Bush had 2 in 8).

The power to persuade

Almost all presidential powers are **checked** by an increasingly more assertive Congress. **Divided government** is now the norm. Clinton, Obama and Trump all had **unified government** (the White House & both houses of Congress) for only 2 years, after which time passing legislation became much harder. Even in unified government there are no guarantees: Clinton failed to pass healthcare reform, and Trump failed to repeal and replace Obamacare. Presidents therefore often rely on their ability to persuade Congress .

The presidency & the other branches

The power struggle between the presidency and Congress usually defines US politics. **Unified government** does not guarantee success, as both Clinton and Trump found, and **bipartisan** cooperation can still exist even in **divided government** (e.g. the **CARES Act 2020**). Congress can **override** a presidential **veto**. However, this rarely happens as it requires a two-thirds **supermajority** in both houses.

President	Vetoes used	Vetoes overridden
Bill Clinton	36	2
George W. Bush	12	4
Barack Obama	12	1
Donald Trump	10	1
Joe Biden	0	0

Presidential power is also affected by **midterm elections**, which usually cost the president one or both chambers of Congress. The president is more powerful in cases of **unified government**, as it can be very difficult to persuade Congress to pass legislation if one or both houses are held by the opposition party. As of Oct 2022 President Biden has unified government but is in a weak position, with a majority of just 9 in the House and a 50-50 tie in the Senate that VP Harris can break. This allows any Senate Democrat (e.g. **Joe Manchin**) to block legislation.

In their second terms, presidents can become **'lame ducks'** as their public popularity falls and they are less likely to have control over Congress. This is why presidents try to pass their main agenda early in their first term. **Clinton** had only 2 years of unified government, but failed to pass his healthcare programme in that time. **Obama** learnt from this and passed all his key legislation in the first 2 years. **Bush** only had 2 years of divided government and he took advantage of this to pass legislation. **Trump** achieved the **Tax Cuts and Jobs Act 2017** in his first 2 years when he enjoyed unified government, but failed to achieve anything else on his agenda – e.g. repealing and replacing Obamacare.

The president can criticise the rulings of the **Supreme Court**, as Biden did after ***Dobbs v Jackson Women's Health Organisation (2022)***, but are limited in this pressure. The Supreme Court has no power to enforce its decisions, though, so may need federal help: Eisenhower sent federal troops to Little Rock in 1957 to integrate a high school.

The Supreme Court is a powerful check on the president's powers. It declaring that Nixon was not immune from prosecution led to the president's resignation. It also declared Bush's treatment of detainees at Guantanamo Bay to be unconstitutional, and overruled Obama's executive order on immigration.

The imperial presidency

The **imperial presidency** is the idea that the president misuses their powers, often seen in foreign policy and in trying to get around Congress. Nixon was famously caught on tape saying 'if the president does it, it's not illegal'. Congress tried to reclaim powers in the 1970s, particularly with the **War Powers Act 1973**, which requires the president to gain the approval of Congress to use military force within 60 days of this beginning – and, if Congress refuses, to withdraw within another 30 days. Despite this, though, presidents continue to act **unilaterally** (on their own).

Assessments of recent presidencies: were they 'imperial'?

Bill Clinton

Despite standing as an anti-war candidate, President Clinton did not ask for Congress's permission when contributing US troops to NATO peacekeeping missions in the military effort in **Yugoslavia** in the 1990s. This was argued to be a violation of the War Powers Act.

However, if Clinton had been an imperial president, he would have been able to pass his domestic agenda. Clinton was unable to convince a Democratic Congress to pass his **healthcare** legislation, so Yugoslavia is the only example of Clinton demonstrating imperial tendencies.

Barack Obama

In his first 2 years, with Democratic majorities in both houses of Congress, Obama used his power to reshape foreign policy. He launched a major offensive in **Afghanistan**, signed a 4-year extension to Bush's **Patriot Act**, and launched ten times as many airstrikes as Bush had. Obama also engaged in a military intervention in **Libya** without Congress's approval. The Obama administration claimed that the **War Powers Act** did not apply to this conflict. In 2011, Obama ordered the assassination of an alleged terrorist using a **drone strike**. Obama could be described as imperial in his foreign policy. Domestically, Obama passed numerous pieces of legislation in his first 2 years, including **Obamacare**. His dominance may have suggested an imperial presidency, but losing the House in 2011 and the Senate in 2015 severely limited what he could achieve.

Obama was unable to close **Guantanamo Bay** as Congress refused to provide funding. **Obamacare** was also a compromise in order to keep the support of conservative Democrats. He had to use an executive agreement for the **Iran nuclear deal**, as the Senate would not ratify it. In ***US v Texas 2016***, 26 states won a lawsuit to declare Obama's immigration executive order unconstitutional.

George W. Bush

Bush only won the presidency after losing the popular vote and after a ruling by the Supreme Court. After **9/11**, Bush increased presidential power through the **'war on terror'**, invading Afghanistan & Iraq. He used executive orders for controversial anti-terrorist measures, holding alleged terrorists at **Guantanamo Bay** without trial. After 2001 Bush was able to pass much legislation, including the **Patriot Act 2001** which expanded surveillance powers. He faced very little scrutiny from a Republican Congress.

However, Bush did not act **unilaterally**. He sought and received permission from Congress for both Afghanistan and Iraq. His use of Guantanamo Bay was also limited by Supreme Court rulings in both ***Hamdan v Rumsfeld 2006*** and ***Boumediene v Bush 2006***. The Republican Congress did not pass Bush's social security reform, and he rapidly lost power in his last 2 years – being criticised for his handling of **Hurricane Katrina** and losing control of Congress in 2006.

Donald Trump

Trump appeared imperial in foreign policy by unilaterally withdrawing the US from the **Iran nuclear deal**, the NAFTA trade deal, and the **Paris climate accord**. He promised to 'bomb the shit out of ISIS', and did so. He also ordered the airstrike assassination of an Iranian general in Jan 2020. This was done without consulting Congress, and Trump suggested that in future he could use Twitter to inform Congress of airstrikes. Democrats then likened him to a dictator. Trump did attempt to overturn the 2020 election result.

However, domestically Trump appeared to better fit the **'imperilled president'** model. The **Mueller investigation** 2017-19 investigated possible links between the Trump campaign and Russia in the 2016 election campaign. Trump was **impeached** in 2019 for putting pressure on Ukraine to investigate Joe Biden's son, and acquitted by the Senate in 2020. He was impeached again in 2021 for 'incitement of insurrection' on 6/1/21. The Senate voted 57-43 that he was guilty, but this fell short of the two-thirds **supermajority** required to convict.

Trump failed to persuade a Republican Congress to repeal and replace Obamacare, and presided over the longest federal government shutdown (35 days) in history as Democrats refused to fund a **border wall**. His slow and dismissive response to **Covid-19** saw state governors take the lead in their own states.

Foreign policy

The Constitution gives the president the power of **commander-in-chief** of the armed forces, and the power to negotiate **treaties**. These are checked by Congress's powers to declare war, control the **purse strings**, and the Senate's power to **ratify** treaties. However, Congress has not declared war since 1941, and has proven unwilling to withdraw funds once a president has already committed troops abroad.

George W. Bush	Barack Obama	Donald Trump
Bush set the tone of foreign policy following the **9/11** terrorist attacks. His **'Bush Doctrine'** claimed the right to wage **pre-emptive war** against perceived threats, and the idea that the American model of democracy was superior. This aggressive policy led to the war in **Iraq** from 2003, on the mistaken belief that they had weapons of mass destruction.	Obama claimed he would return to **'soft power'**, the use of diplomacy rather than force. The **Iran nuclear deal** is evidence of this, and Obama did withdraw troops from **Iraq** in 2011, but otherwise this is debatable. Obama failed to close **Guantanamo Bay**, launched a huge offensive in **Afghanistan**, extended the **Patriot Act** and enormously increased the use of **drone strikes** including to assassinate an alleged terrorist.	Trump was a foreign policy **'hawk'** who bombed **ISIS** and Syria, cancelled Obama's **Iran nuclear deal**, and assassinated an Iranian general. However, he did also meet in person with North Korean dictator **Kim Jong-Un**, and strengthened US support for **Israel** through a deal with the UAE and Bahrain. He did also threaten to leave **NATO**, and launched a **trade war** against China.

As the **War Powers Act 1973** has been ineffective in returning foreign policy authority to Congress, foreign policy power is clearly in the hands of the president. Even when in 2007 the Democrats tried to use the **power of the purse** to end the Iraq War, Bush just vetoed the bill. What Congress can do is investigate, through committee hearings – e.g. the Senate Foreign Relations Committee and the House Foreign Affairs Committee.

Investigations

Bill Clinton	George W. Bush	Barack Obama	Donald Trump
After only 2 years of unified government, Clinton faced 6 years of intense scrutiny from a Republican Congress. This reached its peak with his **impeachment** by the House in 1998-99 over perjury and obstruction of justice concerning Clinton's relationship with intern Monica Lewinsky. In the Senate trial, Clinton was acquitted 45-55 and 50-50 on the charges brought against him.	Bush did not face much congressional **oversight** as Republicans controlled both houses of Congress for most of his time in office. This all changed once the Republicans lost both the House and the Senate in the 2006 **midterms**. Committees than subjected the executive to a great deal of scrutiny.	Like Clinton, Obama spent 6 years facing a hostile Republican Congress, which organised 6 committees and published 13 reports on the terrorist attack in **Benghazi**, Libya. Democrats felt this was used as a political weapon. However, it emerged in 2013 that the Obama administration was collecting the phone records of hundreds of millions of citizens without Congress's knowledge.	6 congressional committees investigated alleged **Russian interference** in the 2016 election. Reports published agreed there had been interference, but there was no concrete evidence to link to Trump. Trump was the first president to be **impeached** twice, the first of these over allegations that he pressured Ukraine to investigate Biden's son. He was acquitted. The second was for provoking an attempted coup. The Senate voted 57-43, 10 votes short of the required two-thirds **supermajority**.

PRESIDENT & AIMS	SUCCESSES	FAILURES
Bill Clinton • Healthcare reform • Reducing the deficit • Minority representation & civil rights • Post-Cold War foreign policy challenges	• Clinton shrunk the size of the federal government and said welfare was 'a second chance, not a way of life'. He **balanced the budget** and saw economic growth (22.5m new jobs, unemployment lowest in 30 years). • Clinton appointed the most diverse **cabinet** in history at that time, made diverse judicial appointments, and launched the **'Don't ask, don't tell'** policy, allowing homosexuals to serve in the military if they were not open about their sexuality. • Clinton helped stabilise Russia after the fall of Communism with $1.6bn in aid, contributed US forces to the NATO removal of genocidal dictator Slobodan Milosevic in **Yugoslavia**, and played a key role in the **Good Friday Agreement**, putting an end to the Troubles in Northern Ireland.	• Hillary Clinton was put in charge of healthcare reform, and proposals were too divisive for the Democratic Congress to even vote on. Clinton missed his chance to achieve his major goal: he then faced **divided government**.
George W. Bush • The **'war on terror'** • Improving education for all children • Major tax cuts • **Social security** reform	• After **9/11**, Bush created the **Department of Homeland Security** and increased mass surveillance to help prevent another terrorist attack of this scale. His approval ratings soared due to his response to this attack. • Bush's **No Child Left Behind Act 2002** significantly expanded the federal government's role in education, setting standardised national tests and tripling federal funding for reading programmes. • Bush introduced **tax cuts** of $1.35 trillion. These contributed to an increase in economic growth.	• The **'war on terror'** was undermined when Bush extended it into Iraq, only to find no weapons of mass destruction. After the invasion, the US found it hard to establish an Iraqi government. The war on terror was reported to have cost the US $6.4 trillion by 2020. • The No Child Left Behind Act 2002 did not significantly improve the education system, and some Republicans were sceptical at the growth of state involvement. • In 2004 Bush made **social security** reform his top priority, and attempted to pass a bill that would let people divert part of their social security tax into a personal retirement account. Democrats opposed this, and Republicans would not commit due to public disapproval. The policy was not clear and, as with Clinton and healthcare, Congress took no action.
Barack Obama • Healthcare reform • Solving the economic crisis • Immigration reform • Ending the war in Iraq	• Obama made the **Patient Protection and Affordable Care Act 2010** (Obamacare) his top priority, and was able to pass this by being willing to compromise with conservative Democrats – dropping the 'public option'. • The **fiscal stimulus** in 2009 pumped $787bn into economic recovery from the recession. Obama also passed the **Dodd-Frank Act 2010**, which introduced more regulation for banks to avoid further crisis. • Obama promised to end the war in Iraq, and was successful in removing troops from this country.	• As stated, **Obamacare** was a compromise. It also only passed with zero cooperation from Republicans. The 'public option' would have provided government-backed health insurance, a step towards universal healthcare coverage, but conservative Democrats would not support this. • Obama promised to pass the **DREAM Act**, which for years had failed in Congress. This would have provided a **pathway to citizenship** for those who entered the country illegally as children. This failed to pass Congress as Obama faced opposition from Republicans and conservative Democrats, so he used an **executive order** to enact this policy: **DACA**. In 2014, though, Obama expanded this policy with **DAPA**, and was sued by 26 states. The Supreme Court struck down the executive order as being unconstitutional in ***US v Texas 2016***, a huge legal defeat.
Donald Trump • Major tax cuts • Repeal and replace **Obamacare** • Build a border wall / immigration policy • Management of **Covid-19**	• Trump promised major **tax cuts**. Relying on Paul Ryan and Mitch McConnell, he passed the Tax Cuts and Jobs Act 2017. This did contribute to economic growth under the Trump administration, as the unemployment rate fell to its lowest level in 50 years. • Trump's immigration policies did see a reduction in the number of migrants attempting to illegally enter the USA. • Trump quickly passed the **CARES Act 2020** with bipartisan support, providing $2.2tn of economic aid. • Trump appointed three **Supreme Court justices**, changing the balance of the Court into a 6-3 conservative majority. This will have an impact on the course of the country.	• Trump promised to 'repeal and replace' Obamacare, but this failed to pass Congress. • Trump failed to **'build a wall'** across the US-Mexico border, as only 15 miles of new fencing wa built with the rest of it being replacement barrier. Disagreement over this led to the 35-day **federal government shutdown**. • Trump's attempt to end Obama's **DACA** executive order was overruled by the Supreme Court in *Department of Homeland Security v Regents 2020*. The policy of separating families at the border saw international outcry. • Trump was slow to recognise the danger of **Covid-19** and publicly played down its severity, also advancing misleading information. The US performed poorly against other countries in terms of cases and deaths.

Comparative politics

Roles and powers: The US president is head of both government and state, and the UK PM is head of government only and is elected as a party leader rather than being elected by the public. Unlike the US president, the UK PM can appoint their **cabinet** without needing to seek approval. As in the UK the executive operates through the legislature, the UK PM will often find it easier to pass legislation then the US president, who can face **divided government** and relies on the ability to persuade Congress to support their agenda. However, the US president has the power to **veto** legislation. The US president is **commander-in-chief** of the armed forces, whereas more recently the UK PM's power to use military force is subject to the **convention** to seek parliamentary approval. The US president has **EXOP**, extensive administrative support, whereas the UK PM has a much smaller Cabinet Office. The UK PM has no term limits, and so unlike the US president is not limited to 8 years in office. The US president can act unilaterally through **executive orders**, signing statements and their foreign policy powers, whereas the UK PM is more likely to pursue policy collectively via **cabinet**. The UK PM has to face weekly questioning from Parliament at PMQs, also making other statements to Parliament, whereas the US president does not have to face this.

Accountability: The US president faces less scrutiny than the UK PM in one way, as they are not part of the legislature. The president has no formal links in Congress, and losing votes in Congress does not end their time in office – unlike in the UK, where a **vote of no confidence** can remove the government. The president finds it harder to control the legislature, as appointments to the administration are usually not desirable offers. In both legislatures the executive's budget is subject to scrutiny, but this will almost always pass in the UK. The president needs to use persuasion in their dealings with Congress, whereas the UK PM can make use of **party discipline** and reliance on the **payroll vote**.

Cabinets: The US cabinet is part of a system which places all executive power in the hands of one person. This is why those in the US cabinet are referred to as 'secretaries' rather than 'ministers'. They may be complete strangers to one another, and are not the president's equals. Often, meetings are the only time US cabinet officers see the president, and they usually will not have anything to offer outside of their own policy brief. In the UK, the cabinet exists as part of an executive which rests on **collective responsibility**. The PM is likely to know their cabinet well, and may have served with them as part of a shadow cabinet first. Some of the cabinet may be the PM's political rivals (e.g. Brown to Blair, or Johnson to May), and the cabinet can force the PM out as they did with Margaret Thatcher in 1990.

Presidential and prime ministerial government: In both countries, there are arguments about the increasing power of the executive. However, all presidents since 1992 have had periods where they have both dominated (usually in foreign policy) and struggled (usually in domestic policy), and two have been impeached by Congress. Although PMs with large majorities lead to discussions of elective dictatorships, this is less convincing following Thatcher (1990), Blair (2007) and May (2019) being forced out.

Comparative theories: executives

RATIONAL (people)	CULTURAL (ideas)	STRUCTURAL (institutions)
The personality of the leader shapes their approach. Trump fired members of his cabinet frequently, whereas Obama was more collegiate and worked closely with Biden. Thatcher liked to dominate policy and labelled those who disagreed with her **'wets'**, refusing to change course on the Poll Tax. Blair went around his cabinet in **'sofa government'**. Cameron and Major were more willing to be collegiate. Leaders act rationally to appoint to key jobs. The PM will want potential rivals in cabinet to bind them with **collective responsibility**. The president will make judicial nominees to shape the philosophy of courts. In both countries, leaders will pursue pet projects and push them high up the legislative agenda.	US political culture grants a respect and idealisation to the president that UK culture does not to the prime minister. Both countries have cultural expectations about the extent of executive power. **Collective responsibility** is a cultural norm in the UK and is not expected to be ignored. In both countries the leader is the focus of the electoral system, even in the UK where they are not directly elected. There is a cultural expectation that they are both powerful leaders who control the executive branch, which is not always the case in reality. In both countries, the leader is turned to in times of crisis, e.g. terrorism and **Covid-19**. In both countries, the media give a great deal of attention to the leaders, which can be a benefit to them as well as making things difficult when things do not go well.	In the US, all executive power is vested in a president, and the cabinet is no more than an advisory group. In the UK, executive power is shared between monarch, PM and **cabinet**, so the PM must keep the support of their cabinet as due to **collective responsibility** they are **'first among equals'**. The PM is not directly elected but instead is the leader of the largest party in the Commons. This means that the PM depends on the continued support from their party to remain in office, and their own party can remove them. The UK executive operating through the legislature means the PM will often find it easier to pass legislation, but the president has to negotiate with Congress. PMs in minority governments more resemble a president with divided government.

PRESIDENT & AIMS	SUCCESSES	FAILURES
Joe Biden	• The **American Rescue Plan Act** was passed in 2021 to give $1.9tn in aid as a result of the Covid-19 pandemic. This passed with no Republican votes. • Negotiations on salvaging part of the Build Back Better Act led to the compromise deal of the **Inflation Reduction Act 2022**, which would reduce the deficit, lower prescription costs and invest in the climate. Unlike the Build Back Better Act, this gained the support of conservative Democrats and so it passed the Senate 51-50 after a tie-breaking vote from Vice President Harris. • The **Bipartisan Safer Communities Act 2022** was a gun safety law that provided more background checks for gun buyers who were under 21, funding for mental health programmes, and restricting access to guns for perpetrators of domestic violence.	• The **Build Back Better Act**, which would have provided social and welfare reform, was blocked by Senator Joe Manchin, a conservative Democrat, as the Senate was balanced 50-50 in Biden's first two years. • Inflation reached its highest point in 40 years, and Russia's war with Ukraine contributed to a cost of living crisis. • Attempts to protect the **right to vote**, the For the People Act and the John Lewis Voting Rights Act, both failed in the Senate due to Republican **filibusters**. Biden endorsed the **'nuclear option'** of changing the Senate rules to prevent the use of the filibuster, but some Democrats refused to vote for this rule change and so this legislation died.

Judicial independence

Supreme Court justices are appointed for life. Congress can change the number of justices in order to change its ideological balance, but the number has been 9 since 1869. Although Supreme Court justices can be impeached and removed by Congress, this has never happened. However, the Court cannot enforce its decisions, and so relies on state and federal governments to do so. The biggest factor undermining the Court's independence is the fact that justices are **nominated** by the president, then **confirmed** by the Senate. This **politicises** the process, as seen in the Senate's refusal to even consider Obama's nomination of Merrick Garland in 2016.

Judicial review

Judicial review is the power to declare laws or actions unconstitutional. The Constitution does not mention this power, and the Court 'found' it for itself in ***Marbury v Madison 1803***, the first time the Supreme Court declared an Act of Congress to be constitution. It first declared a state law unconstitutional in ***Fletcher v Peck 1810***. The power of judicial review allows the Court to effectively **update** the meaning of the Constitution, for example deciding what the 8th Amendment's **'cruel and unusual punishment'** means today. This has allowed the Court to involve itself in key political issues such as civil rights, abortion, gun control, the death penalty, freedom of speech and the outcome of a presidential election in ***Bush v Gore 2000***. Some argue that this turns the court into a **quasi-legislative** body, as its rulings – e.g. ***Obergefell v Hodges 2015*** – can 'create' new rights for American citizens.

Judicial philosophies

Strict constructionist judges embrace **originalism** or **textualism**. This means that they interpret the Constitution literally, as it was written in the text, using the meaning that the framers intended at the time. They often favour states' rights. These judges are usually referred to as 'conservative'.

Loose constructionist judges interpret the Constitution more flexibly, seeing it as a **living constitution**. This means that we should interpret it in light of the views of modern society. These judges are usually referred to as 'liberal'.

At present, the Court is balanced 6-3 in favour of 'conservatives', although **Chief Justice Roberts** at times votes with the liberal bloc. Before Trump's presidency, it was balanced 4-4, with Kennedy (now retired) as the **'swing justice'**.

Judicial activism is a term referring to when the courts use their position to promote desirable outcomes in society. This often focuses on the 'spirit' of the Constitution rather than the precise wording, and so is more often associated with liberal justices. ***Roe v Wade 1973*** (abortion) and ***Obergefell v Hodges 2015*** (same-sex marriage) are examples of judicial activism where the Court 'created' rights, but ***Citizens United v FEC 2010*** (campaign finance) and ***DC v Heller 2008*** (gun ownership) are conservative examples of this. Those who criticise judicial activism warn of judges 'legislating from the bench' or the creation of an **'imperial judiciary'** that is too powerful.

Judicial restraint is a term that describes the Court when it is more inclined to accept the actions of elected officials and will often **defer** to the other branches. A good example is ***NFIB v Sebelius 2012***, which upheld **Obamacare** as constitutional. If the court exercises judicial restraint, then it will look to past court decisions as a precedent. This is known as ***stare decisis*** (let it stand). ***Dobbs v Jackson Women's Health Organisation 2022*** overturned *Roe v Wade* after 49 years, and so is an example of the Court not upholding the decisions of its predecessors.

The appointment process

For a president, the opportunity to appoint a Supreme Court justice can be one of the most important legacies of their administration. Trump was in this sense the luckiest president since Nixon, as he appointed three justices in only four years (Obama had two in eight years).

The president's nominee receives a rating from pressure group the **American Bar Association (ABA)**, and goes through a hearing with the **Senate Judiciary Committee**. The committee then votes on whether to recommend they are **confirmed**. This is only a recommendation, but is a good indicator of whether the nomination will be successful in the Senate. Since 2017, the Senate rules have changed so that the **filibuster** cannot be used for Supreme Court nominations – so only 51 votes are needed.

The most recent rejection by the Senate was Robert Bork, Reagan's nominee in 1987. However, Bush's nominee Harriet Miers withdrew in 2005 as the committee hearings made it clear she would not be successful, and the Republican Senate refused to take any action on Obama's nominee Merrick Garland in March 2016, waiting until Obama's term in office had ended so that President Trump could fill the position instead. Republicans claimed that the public should cast their vote on which president they wanted to fill the Supreme Court seat. Controversially, when Ruth Bader Ginsburg died in September 2020, Republicans did not act in a consistent way, allowing President Trump to fill the seat with Amy Coney Barrett (changing the ideological balance of the Court) despite it being half a year closer to that year's election than Obama had been in 2016. Senate hearings can be intensely **partisan**. Clarence Thomas's hearing in 1991 was dominated by accusations of sexual harassment, and he called it a 'high-tech lynching'. Brett Kavanaugh faced sexual assault allegations in 2018, and was narrowly confirmed 50-48.

PROS OF THE PROCESS	CONS OF THE PROCESS
• Nominees receive detailed scrutiny to ensure they are a suitable candidate. • The involvement of the ABA provides expert advice on how well-qualified nominees are. • The Senate Judiciary Committee hearings are lengthy and can ascertain how suitable the nominee is (Miers withdrew in 2005). • Senate confirmation is an important check on the power of the president. • Many nominees have proven to have a different ideological outlook than their nominating president expected, e.g. Bush Snr nomination of Souter in 1990, who once on the Court often sided with the liberal justices.	• The process is now over-**politicised** with justices appointed on the basis of their perceived political leanings. Republican presidents want to pick a justice with an **originalist** outlook, and Democrat presidents want one who believes in a **living constitution**. • The above makes it harder for the Supreme Court to be an impartial referee, as all justices are labelled as liberal or conservative. • The Senate Judiciary Committee hearings can be overly personal, and is an opportunity for highly partisan interrogations. This often becomes a media circus, with public demonstrations in favour or against the nominated justice.

Supreme Court upholding existing policy

- ***Gonzales v Carhart 2007***: ruled that Congress had the authority to ban a particular type of abortion procedure, upholding the Partial-Birth Abortion Act. 5-4 cons. Seen as a move towards restricting abortion rights.
- ***NFIB v Sebelius 2012***: the National Federation of Independent Business claimed that Obamacare was unconstitutional. The Supreme Court ruled that the 'individual mandate', the part of the ACA that required Americans to purchase health insurance or face a fine, was constitutional as it was a 'tax'. This was a surprising ruling as Chief Justice Roberts sided with the liberals. 5-4 libs.
- ***Whole Woman's Health v Hellerstedt 2016***: ruled that Texas abortion restrictions were unconstitutional as they were an 'undue burden' (the test from *Casey*) to a woman seeking an abortion. 5-3 libs. Overturned a state law but upheld *Roe v Wade*.
- ***Trump v Hawaii 2018***: upheld President Trump's executive orders banning entry into the US from some Muslim-majority countries. The Court ruled that the president had the authority to do this in the interest of national security. 5-4 cons.

Supreme Court removing existing policy

- ***Lawrence v Texas 2003***: ruled that sodomy laws were unconstitutional, making same-sex activity legal across the US. Invalidated sodomy laws in 14 states. 6-3.
- ***Roper v Simmons 2005***: *Roper v Simmons* determined that due to 'evolving standards of decency', it is cruel and unusual punishment to execute someone who was under the age of 18 at the time of the crime, even for murder. 5-4 libs.
- ***Citizens United v FEC 2010***: overruled parts of the Bipartisan Campaign Reform Act 2002, and extended political free speech to corporations. This enabled the growth of Super PACs. 5-4 cons.
- ***Shelby County v Holder 2013***: see 15th Amendment.
- ***McCutcheon v FEC 2014***: overturned the Federal Election Campaign Act 1971's and BCRA's limits on overall contributions in elections, so now donors can give to as many as they choose. 5-4 cons.
- ***US v Texas 2016***: 4-4 tie that upheld the Court of Appeals ruling overturning Obama's DAPA executive order. This sided with 26 states (all with Republican governors) that claimed Obama's immigration policy was unconstitutional.

Supreme Court establishing new policy

- ***Roe v Wade 1973***: ruled that the Due Process Clause of the 14th Amendment implies a 'right to privacy' that protects a woman's right to choose an abortion. 7-2. This was later overturned by ***Dobbs v Jackson Women's Health Organisation 2022*** (6-3 cons).
- ***DC v Heller 2008*** [also removing existing policy]: ruled that D.C.'s handgun ban was unconstitutional. For the first time, this ruling stated that the 2nd Amendment right to bear arms is an individual right, rather than just applying to state militias. This was accused of creating a new right, as there is debate over the meaning of this amendment. 5-4 cons. This was extended by ***New York State Rifle & Pistol Association, Inc. v Bruen 2022***, in which the Court overturned state laws banning carrying guns outside of the home.
- ***Obergefell v Hodges 2015***: used the Equal Protection Clause of the 14th Amendment to overturn state bans on same-sex marriage. 5-4 libs and Kennedy, who wrote of 'dignity'.
- ***Carpenter v US 2018***: ruled that the 4th Amendment right to privacy applied to GPS and CSLI (cell site location information) data, so requires a warrant. 5-4 libs.

The protection of rights

1st Amendment

- ***Morse v Frederick 2007***: ruled that a school had not breached the 1st Amendment by suspending a student for unfurling a 'BONG HiTS 4 JESUS' banner, as schools have a 'compelling interest' in preventing drug use. 6-3.
- ***Snyder v Phelps 2011***: protected the hate speech of the Westboro Baptist Church near a funeral, despite it causing distress. 8-1.
- ***Citizens United v FEC 2010***: overruled parts of the Bipartisan Campaign Reform Act 2002, and extended political free speech to corporations. This enabled the growth of Super PACs. 5-4 cons.
- ***McCutcheon v FEC 2014***: overturned the Federal Election Campaign Act 1971's and BCRA's limits on overall contributions in elections, so now donors can give to as many as they choose. 5-4 cons.
- ***Burwell v Hobby Lobby Stores 2014***: allowed employers to claim a religious exemption from part of the Affordable Care Act that made employers pay for contraception as part of employee healthcare plans. 5-4 cons.

2nd Amendment

- ***DC v Heller 2008***: ruled that D.C.'s handgun ban was unconstitutional. For the first time, this ruling stated that the 2nd Amendment right to bear arms is an individual right, rather than just applying to state militias. This was accused of creating a new right, as there is debate over the meaning of this amendment. 5-4 cons.
- ***McDonald v City of Chicago 2010***: following *DC v Heller*, there was a lack of clarity about whether this interpretation of the 2nd Amendment also applied to state and local governments (as D.C. is a federal jurisdiction). This ruling overturned Chicago regulations that effectively banned handgun ownership. 5-4 cons.
- ***New York State Rifle & Pistol Association, Inc. v Bruen 2022***: overturned New York City laws which restricted gun ownership outside the home. This was the first major gun rights case since 2010, and the first since the Supreme Court became a 6-3 conservative majority. As with *DC v Heller*, this not only protected 2nd Amendment rights, but extended them.

5th Amendment

- ***Miranda v Arizona 1966***: ruled that someone in custody must be informed of their 5th Amendment right to remain silent, their right to a lawyer, and that anything they say may be used against them in court. If this does not happen (now called a 'Miranda warning'), the evidence is inadmissible in court.
- ***Berghuis v Thompkins 2010***: ruled that suspects are not protected unless they clearly and explicitly declare that they are using their 5th Amendment rights. Eroded the rights gained in the *Miranda* ruling. 5-4 cons.
- ***Salinas v Texas 2013***: ruled that a defendant was not protected against self-incrimination before they had been arrested, so *Miranda* did not apply if a suspect is being questioned whilst not under arrest. 5-4 cons.

8th Amendment

- ***Atkins v Virginia 2002***: ruled that the death penalty would be 'cruel and unusual punishment' for the intellectually disabled, due to 'evolving standards of decency'. 6-3.
- ***Roper v Simmons 2005***, ***Graham v Florida 2010*** and ***Miller v Alabama 2012***: *Roper v Simmons* determined that due to 'evolving standards of decency', it is cruel and unusual punishment to execute someone who was under the age of 18 at the time of the crime, even for murder. 5-4 libs. This was then extended by *Graham v Florida*, which ruled that life without parole was not appropriate for a juvenile offender who did not commit murder (6-3), and *Miller v Alabama* extended this to murder as well. 5-4 libs.
- ***Baze v Rees 2008*** and ***Bucklew v Precythe 2019***: in the first of these cases, the Court ruled that the use of lethal injection was not cruel and unusual punishment. 7-2. This was upheld in *Bucklew v Precythe*, which ruled that the 8th Amendment forbids cruel and unusual punishment but does not guarantee 'a painless death'. 5-4 cons.
- ***Kennedy v Louisiana 2008***: found that the death penalty was unconstitutional for any crime other than murder, even in the most extreme of cases. 5-4 libs.

14th Amendment (equal protection)

- ***Roe v Wade 1973***: ruled that the Due Process Clause of the 14th Amendment implies a 'right to privacy' that protects a woman's right to choose an abortion. 7-2.
- ***Planned Parenthood v Casey 1992***: a challenge to *Roe*. Upheld the right to abortion, but did say states could regulate abortion once the foetus became viable. Under *Roe*, abortion laws had to pass the 'strict scrutiny' test, but after *Casey* they instead had to pass the 'undue burden' test – making it more likely that abortion restrictions would be found constitutional provided they had a 'legitimate purpose'. 5-4 libs.
- ***Gonzales v Carhart 2007***: ruled that Congress had the authority to ban a particular type of abortion procedure, upholding the Partial-Birth Abortion Act. 5-4 cons. Seen as a move towards restricting abortion rights.
- ***While Woman's Health v Hellerstedt 2016***: ruled that Texas abortion restrictions were unconstitutional as they were an 'undue burden' (the test from *Casey*) to a woman seeking an abortion. 5-3 libs. Overturned a state law but upheld *Roe v Wade*.
- ***Dobbs v Jackson Women's Health Organisation 2022***: a case about a 15-week abortion ban in Mississippi. 6-3 cons. The Court sensationally overturned *Roe v Wade* after 49 years, and so the right to an abortion is no longer constitutionally protected. Many states immediately enacted anti-abortion laws following this ruling.
- ***Lawrence v Texas 2003***: ruled that sodomy laws were unconstitutional, making same-sex activity legal across the US. Invalidated sodomy laws in 14 states. 6-3.
- ***Obergefell v Hodges 2015***: used the Equal Protection Clause of the 14th Amendment to overturn state bans on same-sex marriage. 5-4 libs and Kennedy, who wrote of 'dignity'.

15th Amendment (voting rights)

The Voting Rights Act 1965 stated that states or districts with a history of denying the right to vote would have to gain preclearance (permission) from the federal government before making any future changes to their voting laws. Which states or districts had to do this was based on a 'preclearance formula' using data.

- ***Shelby County v Holder 2013***: the Supreme Court struck down the preclearance formula as unconstitutional, as it was based on data from 1965. Following this, several states have introduced more restrictive voting laws. 5 years after the ruling nearly 1,000 polling stations had closed, many in African-American areas. Almost all new restrictions have been passed by Republicans. 5-4 cons.
- ***Abbott v Perez 2018*** and ***Husted v Randolph Institute 2018*** upheld restrictions on voting in Texas and Ohio. Both decisions 5-4 cons.

Biden failed to pass the For the People Act.

Debates on the Supreme Court

The Supreme Court can, in effect, amend the Constitution with its rulings, as through its **interpretations** it changes the meaning of the text. Some argue that this makes a simpler amendment process unnecessary, whilst others suggest that this makes the court an overly political institution, as it makes decisions in contentious policy areas such as affirmative action, the death penalty, abortion, school prayer and gun control (for example).

The Court has a **quasi-legislative** power, because many of its decisions on the above issues have almost the same effect as if a piece of legislation had been passed. This is particularly seen in decisions made by **loose constructionist** judges, who in the view of their critics 'legislate from the bench', creating rights such as in ***Obergefell v Hodges 2015***.

It can be argued that the Supreme Court has too much power as it is an unelected body which can overrule the decisions of elected representatives using **judicial review** – a power which the Court gave itself in ***Marbury v Madison 1803***. It is also largely unaccountable, and has brought about significant policy change – e.g. ***Roe v Wade 1973***, its overturning in ***Dobbs v Jackson Women's Health Organisation 2022***, and ***Obergefell v Hodges 2015***. However, the Court cannot initiate cases but instead must wait for them to come from the lower courts. The Supreme Court also cannot enforce its decisions. It is checked by Congress, which can initiate amendments to override Court rulings (very unlikely) or can impeach justices (has never happened).

Debates on judicial philosophies

FOR the 'living constitution'	AGAINST the 'living constitution'
Elected politicians have not been able to extend rights and live up to the promise of America, and so only **judicial activism** can do this. The process to **amend** the Constitution is too difficult, so judicial activism is the only way it can evolve. The **'living constitution'** approach lets the Constitution be applied to a modern setting, overturning past discriminatory legislation such as in ***Brown v Board of Education 1954***, ***Lawrence v Texas 2003*** and ***Obergefell v Hodges 2015***.	The purpose of a constitution is to provide a clear framework, so altering it undermines this. **'Living constitution'** justices are accused of applying their own policy preferences rather than applying the law of the Constitution itself. This also suggests that the Court ignores former rulings and ***stare decisis***. Like ***Roe v Wade 1973***, ***Obergefell v Hodges 2015*** was **judicial activism** and horrified some groups who felt it was not the role of the Court to rule on such contentious issues.
FOR originalism / textualism	**AGAINST originalism / textualism**
The Constitution should be interpreted according to what is written and what the **framers** originally intended. This does not mean that **originalists** believe society should stay the same; they just think change should come from elected branches rather than an unelected Court. Originalists try to understand what was meant at the time the Constitution was written, as this prevents decisions from being made based on the personal beliefs of the judges.	Liberals often argue that the **Founding Fathers** would not have agreed with originalism, as the Constitution was meant to be flexible and adapted. They point to its ambiguity as evidence that it was designed for interpretation (e.g. **'cruel and unusual punishment'** in the 8th Amendment). It is also argued that originalism is not always neutral as it can be used to deny rights to some. The **9th Amendment** also makes clear that the naming of some rights does not deny other rights.

Checks on the Court's power

Congress has the power to overturn Supreme Court judgements using **amendments**, but this has only ever happened twice in the history of the US, most recently with the 16th Amendment (1913) allowing Congress to raise a federal income tax. The process of amending the constitution is so difficult that this is an almost impossible check.

Congress has the power to impeach and remove judges who abuse their power. This has never happened.

Congress can change the number of judges on the Supreme Court. FDR considered doing this to get his New Deal legislation through a reluctant Court, but Congress and the public were both against this idea.

The president can check the Court by **nominating** all federal judges. By choosing justices whose philosophy matches their own, presidents can shape the outlook of the Court for years to come. When President Trump took office, the Court was ideologically balanced. When he left, it was 6-3 in favour of conservatives. However, some justices go on to disappoint the presidents who choose them, by making 'unexpected' rulings.

Affirmative action and representation

Affirmative action refers to any policy that gives previously disadvantaged members of a group a head start, usually in higher education or employment. It can be argued to have reversed decades of discrimination and achieved greater diversity. It has also worked, as black Americans have been more likely to graduate from university. However, it has led to accusations of **reverse discrimination**, and some see it as condescending to minorities by implying they need help to succeed. Some argue that it has led to ongoing racial tensions. In 2007, Chief Justice Roberts wrote: 'the way to stop discrimination on the basis of race is to stop discriminating on the basis of race'.

Conservatives tend to favour the abolition of affirmative action, arguing that society should be about 'equality of opportunity' and stating that giving a minority group an advantage is a disincentive to hard work. They also point to Asian-Americans as an example of a minority group who have achieved success without the need for affirmative action. Moderates may agree with some of this but also point out all that affirmative action has achieved, so instead look for a time when these programmes become unnecessary. In ***Grutter v Bollinger 2003***, Justice Sandra Day O'Connor wrote that it had been 25 years since the Court declared affirmative action to be constitutional, and that the Court expected in another 25 years (2028) it would no longer ne needed. President Clinton suggested reform of affirmative action, saying: 'mend it, don't end it'. Progressive liberals, though, say affirmative action is still required, pointing to the underrepresentation of black Americans and Hispanics graduating university, plus the police treatment of black Americans as highlighted by the murder of **George Floyd** in 2020.

Minority representation in Congress is at an all-time high, as it is more diverse than ever, but they are still underrepresented compared to the population – and 84% of minority legislators are Democrats. Although Obama won the presidency in 2008, very few minority candidates have been presidential front-runners since then (although VP Kamala Harris is of black and Asian heritage). Biden's first cabinet was one of the most racially diverse in American history, particularly when compared to Trump's, which was dominated by older white males.

Affirmative action timeline

The origins of affirmative action

In 1961, Kennedy issued an **executive order** which required government contractors to take 'affirmative steps' towards non-discrimination. LBJ's **Civil Rights Act 1964** prohibited racial discrimination by employers, and established the **Equal Employment Opportunity Commission**.

Gratz v Bollinger 2003 and ***Grutter v Bollinger 2003***

Gratz overturned the University of Michigan's admissions programme, which required 100 points for a place and automatically gave 20 points to applicants from an underrepresented ethnic group. The Court ruled 6-3 that this went against the 14th Amendment's **Equal Protection Clause** as it was 'mechanistic' rather than making individual determinations. In *Grutter* (same year), the Court ruled 5-4 the law school's admissions programme was 'narrowly tailored' and so could consider race as only one of many factors. Justice O'Connor wrote that it had been 25 years since *Regents*, and the Court expected affirmative action would not be needed in another 25 years (so 2028).

Fisher v University of Texas 2013 & 2016

Abigail Fisher appealed against the university's **Texas Ten-Percent Plan**, offering a place to anyone who graduated in the top 10% of their class. Applicants who did not gain a place this way could score highly in a process that considered multiple factors, including race. The Court ruled 4-3 (libs) in favour of the university's 'tailored' programme.

Regents v Bakke 1978

The University of California set aside a number of places (a **quota**) for minority candidates. The Supreme Court ruled 5-4 that affirmative action was constitutional, but that setting aside 16 out of 100 places for minority students was unconstitutional because it was unequal treatment (white students could only apply for 84 of the 100 places, but minority students could apply for them all). This made clear that affirmative action programmes had to be less restrictive.

Parents Involved in Community Schools v Seattle School District 2007

School districts assigned students to school in order to achieve racial balance, as housing patterns meant that diversity would not be achieved otherwise. The Court ruled 5-4 (cons) that although seeking diversity in schools is a legitimate interest, this was not a **'narrowly tailored'** programme as *Adarand Constructors v Pena 1995* had required. Supreme Court Chief Justice John Roberts wrote: 'the way to stop discriminating on the basis of race is to stop discriminating on the basis of race.'

Immigration

Immigration rose sharply in the 1990s, and the vast majority of illegal immigrants enter across the 2,000-mile US-Mexico border.

In 2001, Democratic and Republican Senators introduced the **DREAM Act**, which would have created a **pathway to citizenship** for undocumented immigrants who were brought into the US as children, provided they met certain requirements. This has been introduced in Congress several times, but never passed, as Republicans are instead firmly in favour of more border security. In 2013, a bipartisan 'Gang of Eight' in the Senate introduced the Border Security, Economic Opportunity, and Immigration Modernisation Act 2013. This bill was a compromise, both offering a pathway to citizenship and also investing in more border security. It passed the Senate 68-32, with 14 Republican votes, but the Republican House refused to even call it to a vote. This led Obama to change his approach.

US v Texas 2016: In 2012, Obama had signed an **executive order** known as **DACA (Deferred Action for Childhood Arrivals)**. This instructed federal officials not to deport those who entered the country illegally as children, giving them a 2-year work permit that could be renewed if they met certain conditions. In 2014, frustrated at the failure of Congress to pass legislation, Obama expanded this with **DAPA (Deferred Action for Parents of Americans)**. He was then sued by 26 states, and the Supreme Court's 4-4 decision meant that the Court of Appeals ruling remained – that Obama's order was unconstitutional.

By 2010, 646 miles of fence had been built on the US-Mexico border. In 2016, Donald Trump promised to **'build a wall'** along the entire border and make the Mexican government pay for it. Congress refused to fund this and so could not agree on a federal budget. In Dec 2018 – Jan 2019, this led to the longest federal government **shutdown** (35 days) in US history. The funding bill that Congress eventually passed did not include money for a border wall. On the same day that Trump signed this bill, he declared a national emergency concerning the southern border, making $8bn available to him. The Trump administration also pursued a policy of separating children who crossed the border from the adults accompanying them, but this created such an international backlash that Trump signed an executive order to end this process.

Department of Homeland Security v Regents 2020: In June 2017, at President Trump's order, the Department of Homeland Security ended Obama's **DACA** policy. Multiple lawsuits were filed against the Trump administration, including by the University of California, which many **'Dreamers'** attend. The Supreme Court ruled 5-4 (libs and Roberts) that the decision to rescind DACA was unlawful, violating the principle of fairness in the operations of the federal government.

Comparative politics

Membership and powers: In the US, justices serve for life, unlike the mandatory retirement age of 75 in the UK. US justices are nominated by the president and confirmed by the Senate, and all 9 of them hear all cases. In the UK, judges are chosen by a selection commission, with one veto from the executive, and anywhere between 5 and 11 of the 12 judges hear a case (depending on importance).
The US Court has the power of **judicial review** and can overturn laws or actions of the federal or state governments. Due to **parliamentary sovereignty**, the UK court cannot overturn laws, but it can declare actions to be ***ultra vires*** – and is increasingly willing to do so. The US Supreme Court's rulings interpret the meaning of the **codified** constitution. In the UK, judges can issue a **declaration of incompatibility** with the **Human Rights Act 1998**.

Independence: Once appointed, judges in both countries are independent of the executive. In the US, life tenure was a way to protect justices from political pressure. However, there are debates about whether they are truly independent, as they are appointed for their perceived political sympathies and judicial philosophy (**loose constructionist** or **originalist**). However, US justices have proven themselves willing to go against the party that appointed them. Chief Justice Roberts is a Republican appointee but does at times side with the liberal bloc, and the Court refused to hear the unfounded claims of electoral fraud after the 2020 election, despite 6 of the 9 justices being Republican appointments (3 by Trump).
In the UK, judicial independence has only existed since the creation of the Supreme Court, as prior to this the **Law Lords** was a part of the legislature. The appointment process is far less politicised, and the **Justice Secretary**'s power of one **veto** over appointments has so far not been used. British judges are not immune from criticism, though, as Downing Street said the court had 'made a serious mistake' in ruling against Johnson over **prorogation** in ***Miller v PM 2019***.

Rights protection: US rights are protected by the Constitution, in particular in the first 10 amendments known as the **Bill of Rights**. Legislation such as Civil Rights Acts and the Voting Rights Act 1965 also protect rights. However, rights are not always effectively protected. In the UK, rights protection changed with the introduction of the **Human Rights Act 1998**, bringing the **ECHR** into UK law. However, rights are not entrenched. Since 2015, the Conservative Party has aimed to replace the HRA with a **British Bill of Rights**, which can be achieved with a simple majority in Parliament. This arguably makes rights less secure in the UK than they are in the US.

Comparative theories: **SUPREME COURTS & CIVIL RIGHTS**

RATIONAL (people)	CULTURAL (ideas)	STRUCTURAL (institutions)
In both countries, justices are guided by their own **judicial philosophies**. This is particularly clear in the US. Clarence Thomas, for example, has been described as conservative and **originalist**, and his interpretation guides his judgements. Elena Kagan and Sonia Sotomayor are described as liberals and are persuaded by the **living constitution** philosophy. In the UK, such politicisation is less obvious, although UK justices have been accused of being too liberal and favouring individual rights over the security of the state. In both political systems, it is logical for individuals and interest groups to target the Supreme Court in order to challenge the legality of laws. This makes rational sense in the US where the Constitution can be interpreted in different ways, especially if the Court has a particular 'ideological' balance.	The US Supreme Court is nearly as old as the country itself, and since ***Marbury v Madison 1803*** it has been culturally accepted as having the power of **judicial review**. This has always placed the Court at the forefront of key cases about civil rights. The UK Supreme Court is less well embedded, having only begun its work in 2009. However, there is a cultural acceptance of the rulings of both Supreme Courts, due to respect for the **rule of law**. The UK Court is also catching up in terms of high-profile decisions, for example ***Miller v PM 2019***. There is a culture of rights protection in the US that means individuals have high expectations of their rights as codified in the Constitution. This is also present in the UK, due to its cultural history including rights milestones such as the Bill of Rights 1689 and the Magna Carta 1215.	The composition and methods of appointment differ between US and UK. The US process is highly politicised, involving the Senate and the president. In the UK, the procedure is non-political. The **codified** US Constitution results in a more powerful judiciary, with Court interpretation of this meaning that **judicial review** judgements have the effect of law. This makes the US Supreme Court more powerful than the UK one. Although the UK court can declare government actions ***ultra vires***, the UK government can nullify these judgements by changing the law via Parliament as in ***Treasury v Ahmed 2010.*** Civil rights are better protected in the US, as in the UK these rights are protected by **statute law**, which in theory could be changed or abolished by a simple Act of Parliament.