

Candidate 1 evidence

2. A) In terms of nature, the UK has an uncodified constitution while the US has a codified constitution, which will affect their flexibility. Addental, in terms of status, in the UK Parliament is Supreme whereas in the US the Supreme Court has authority, which will gain impact it's flexibility.

One aspect the will impact the flexibility of the two constitutions if nature. This means that the UK has an uncodified constitution, meaning there isn't just one single document that can be reviewed. Additionally, while it's written down just like the US constitution, it spans across multiple sources and points of reference (statues, laws, conventions), which

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	<p>makes it more flexible as it can be altered with every new law that is passed. For example, the uncodified UK constitution allowed for alteration to ban private arms immediately after the Dunblane shooting, which could never be altered as quickly in the US due to the 2nd Amendment.</p> <p>Contrastingly, the US has a codified constitution. This means that the US still operates after the legal document wrote in the 18th century, which outlined both the rights of citizens and the presidential system. Additionally, it was created by the constitutional convention and developed by the federal government, thus making it less flexible as it clearly outlines what governments are and are not allowed to do and its written nature makes it hard to change. For example, since it was written on 4th May 1789, only 27 amendments (changes) have been made to the constitution.</p> <p>Consequently, the UK constitution is more flexible because its uncodified nature allows governments to alter it with every law that is passed and overturned, so it's always changing and altering, unlike the US constitution which is a single document that has a very long and complicated process of amendment.</p> <p>Another aspect that influences the flexibility of the two constitutions is status. This means that in the UK parliament is supreme and the Supreme Court is not equal to it. Additionally, judicial review can review the actions of the government but can't strike down any primary legislation, making it more flexible as governments can work around it and later it as they pass more laws. Additionally, while the Supreme Court cannot nullify any parliamentary law, they can overturn secondary legislation. For example, Boris Johnson's attempt to prorogue Parliament for five weeks was ruled illegal by the Supreme Court, thus leaving Parliament still in session.</p> <p>Contrastingly, in the US judicial review and interpretation of the constitution is supreme. This means that the US Supreme Court can review the actions of both the state and federal government. Additionally, the Supreme Court, as the final interpreter of the constitution, can strike down any law put forward by Congress or even signed by the President if unconstitutional, showing that the US constitution is not flexible because laws must be made to work around it, not the other way around like in the UK. Moreover, the US Supreme Court is the final court of appeal and its decisions cannot be overturned, unless by another set of Supreme Court judges. For example, the Citizens v Federal government ruling of 2010 deemed a series of congressional laws on the economy unconstitutional and went against them, thus showing the US constitution is not flexible because it doesn't change as more laws are being passed.</p> <p>Consequently, the UK has a more flexible constitution because it's affected by laws and governments, whereas in the US it's not flexible because it's the ultimate authority around which all other laws are passed, thus making it inflexible as government must adapt to the constitution, the constitution can't be adapted to suit governments.</p> <p>In further developed analysis, the UK has a much more flexible constitution. This is because its uncodified nature makes it more easily alterable since it's made up of multiple sources of reference that are always changing and evolving with the times, seen with how quickly the constitution could be adapted after Brexit, as well as the status of judicial review as second to parliament, which makes it more flexible as every law passed by parliament will inevitably amend the Constitution, unlike the long amendment process that the US has. Lastly, since laws make up a large part of the UK constitution, a UK law cannot be deemed "unconstitutional", showing the flexibility of the constitution by highlighting that it's already not very well defined.</p>	

Candidate 2 evidence

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2. e.	<p>In the UK scrutiny of administration is conducted through select committees. These committees are composed of MPs based on their interest in the topic and ^{membership} reflects the balance of the chamber. MPs can stay in the committee for more than one parliamentary session and MPs MPs vote for the chairs which can be from the opposition party. These committees are not well resourced and have to rely on MPs own researches, and they lack subpoena powers. They can investigate anything in their subject area. For example in 2011 the foreign home affairs select select committee launched an investigation into the executives response into of the riots in London and other cities. On the other hand in the USA scrutiny of administration is done through standing committees. Standing</p>

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committee members are also chosen based on an interest in the subject and are permanent as long as they are re-elected. ~~These~~ These committees ~~are~~ are very well resourced with roughly 3000 researchers at their disposal and they have subpoena powers meaning they can call on witnesses to be questioned and hand over documents and they must comply. For example in 2013 Hillary Clinton was called before the foreign relations select committee to be questioned about the US embassy being bombed in Libya. So the committees in the UK and USA are similar in some way like their members can stay in the committee for long periods of time. This makes them better at scrutinising the government as they can build up expertise. However it prevents

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	<p>new ideas being brought in. The UK has the benefit of chairs to possibly being from opposition parties meaning they will have no hesitation in fully scrutinising the actions of government. However the USA has the benefit of researchers meaning they can dedicate more time to finding beneficial and accurate information. Also superior powers means witnesses and documents have to comply in the USA which will further their the investigation.</p>
	<p>The legislature has a very limited role in the UK's scrutiny of personnel. As the prime minister makes many appointments such as cabinet posts but does not need parliament's approval. Since 2008 there has been roughly 60 pre-appointment hearings for appointments but they are purely ceremonial. For example in 2008 Maggie Thatcher</p>

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	<p>was made Childrens commissioner of England despite families and schools select committees disapproval. Also the impeachment hasn't been used in the UK since 1806 and common law deems it out of date. However a vote of no confidence is possible. In the USA the ^{the} congress ^{the} senates approval is needed for presidential appointments such as federal judges. and senatorial courtesy means that before electing ^{appointing} a judge the president must get the approval from the senator ^{from} the state which the judge is from. Also any federal officer can be impeached through a trial by the senate. For example Clinton was accused of perjury and obstruction of justice but was acquitted of both in 1999 so the legislature showed their power even though</p>

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	<p>most believed his innocence. So this shows the US legislature has more ability to scrutinise personnel than in the UK as pre-appointment hearings are purely ceremonial. However in the future parliament could pass a law so their approval is required for appointments. Also a vote of no confidence is possible but they likely won't lose the vote as the minister will be from the majority party. Although Boris Johnson has faced a lot of backlash from conservative backbenchers so a vote of no confidence ^{could} be looming. However in the USA senatorial approval forces the president to take into account the likely reaction of the senate before making appointments which is especially important for judges who are appointed for</p>

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	<p>life. Also impeachment poses a threat to anyone considering to break the law and even if they are acquitted like Trump who was acquitted twice. A still allows the legislature to show their power. So overall the US legislature can better scrutinise government than the UK legislature.</p>



Candidate 3 evidence

2 - (A)

2 political systems I have studied are the USA and the UK.

Within the US constitution the role of the judiciary is seen through the supreme court which has 9 judges that are appointed by the president and then are able to serve a life term or until they want to retire. The US supreme court is able to strike down any legislation they deem to be unconstitutional for example Roe vs Wade which is a battle on going to make abortion legal across all US states. On the other hand the UK supreme court also has 9 judges that are appointed by the judicial appointments commission, the UK supreme

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	<p>court however is unable to strike down primary legislation even if they do deem it to be unconstitutional as seen during the prorogation of parliament where they could only advise it be returned to session but couldn't actually make it go back. From this you can clearly view the US as being more flexible than the UK as they are able to strike down legislating making sure that they keep in line with the constitution but the UK is unable to have this same power.</p>	
	<p>The US constitution is a codified document meaning that it is one single document that is drawn from one source, due to this the US constitution has been the same document for many years since it was first written over 200 years ago with very few amendments ever being made. The UK on the other hand has a uncodified constitution meaning there is no single document with it being drawn from different sources these being statutes, royal prerogative powers and more which outline the powers that different areas have to ensure a balance of power. From this the UK constitution is more flexible than the US as these can be changed quickly and doesn't have just one document making it more flexible.</p>	
	<p>The US constitution is federal which means that each state has 2 governments - the state which looks after internal affairs of the state and the federal which looks after foreign affairs and other major issues affecting the whole country and the federal government is unable to coordinate all state governments unless all 50 agree. On the other hand the UK has a unitary system which means that Scotland, Wales and Northern Ireland have 2 governments these being a devolved national one which look after internal affairs these called devolved powers and the central government which look after the reserved powers such as foreign affairs and major crisis. The</p>	

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	<p>central government is able to coordinate all other devolved governments without any consent but would usually in practice ask for this this was seen during the joint response to the Covid 19 pandemic where the central government coordinated all UK nations together.</p> <p>Overall the UK constitution is more flexible than the US as it is easier to change and adapt with time to meet the needs of its citizens within the 21st century.</p>	