

CORRECTION OF THE FIRST SEMESTER EXAMINATION (2020/2021)

Level: Master I **Module:** British Civ **Teacher:** NESBA Asma

Activity One: Define the following terms (3pts)

1- **Life Peerage** is an honour bestowed on individuals called 'life peers' (usually retired politicians, trade unionists, businessmen academics...) who have been suggested by political parties to sit in the House of Lords and who are created peers for their lifetime.

2- **Lords Spiritual** the term refers to the two archbishops and 24 senior bishops of the Church of England who are members of the House of Lords, and who represent the Church in its parliamentary connection.

3- **Appellate Courts** are those that only hear appeals from other courts. The two most senior appellate courts are the Court of Appeal and the Supreme Court.

Activity Two: Answer the following questions. (9pts)

1- What does the "Executive" comprise?

The executive comprises the following **(a)** The Prime Minister (who is generally the leader of the political party with the largest number of seats in Parliament. **(b)** The Cabinet (selected by the Prime Minister and consists of about 20 ministers usually heads of the government departments. **(c)** Government departments and their agencies (responsible for putting government policy into practice and staffed by the civil service.)

2- What functions are reserved for the Monarch in UK?

Head of the state / the ceremonial head of the executive government / the fount of justice / the commander -in – chief of the armed forces / the supreme governor of the Church of England

3- Why is Magna Carta regarded as the foundation of democracy in England?

The Magna Carta established the idea of consultative government, an idea that is central to modern democracy. Many of the clauses of the Magna Carta controlled the ways in which the King could raise money. The King agreeing to limits on taxation was a fundamental moment in the development of democracy. The Magna Carta also piloted the idea of asserting one's rights as an individual. It established the principle that everyone is subject to the law, even the king, and guarantees the rights of individuals, the right to justice and the right to a fair trial.

Activity Three: What do the following acts state? (3pts)

1- Courts Act 1971

It transferred responsibility for many courts from cities and local authorities to central government and the Lord Chancellor.

2- The Constitutional Reform Act 2005

It brought about a significant change in the nature of the office, essentially removing the Lord Chancellor's position as a judge and head of the judiciary of England and Wales and position as the Speaker of the House of Lords.

3- Human Rights Act (1998)

It sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law.

Activity Four: Discuss the following statement (5pts)

"In the UK, the major offices and institutions have evolved to achieve balance between the Crown (and more recently the Government) and Parliament. The system resembles a balance of powers more than a formal separation of the three branches, or what Walter Bagehot called a "fusion of powers" in *The English Constitution*".

You should highlight the specificity of the issue of the separation of powers in UK. You should also clarify the contradiction and the harmony that exist in UK concerning the separation of powers. On the one hand there is no real separation of powers (rather a partial dependency) and on the other hand the model is considered as very convenient for the British context. This created a sort of a balance among the different institutions due to a 'fusion of powers'