



General Certificate of Education

**Government and Politics
5151/6151**

GOV4 Comparative UK/USA

Mark Scheme

2007 examination – June series

Mark schemes are prepared by the Principal Examiner and considered, together with the relevant questions, by a panel of subject teachers. This mark scheme includes any amendments made at the standardisation meeting attended by all examiners and is the scheme which was used by them in this examination. The standardisation meeting ensures that the mark scheme covers the candidates' responses to questions and that every examiner understands and applies it in the same correct way. As preparation for the standardisation meeting each examiner analyses a number of candidates' scripts: alternative answers not already covered by the mark scheme are discussed at the meeting and legislated for. If, after this meeting, examiners encounter unusual answers which have not been discussed at the meeting they are required to refer these to the Principal Examiner.

It must be stressed that a mark scheme is a working document, in many cases further developed and expanded on the basis of candidates' reactions to a particular paper. Assumptions about future mark schemes on the basis of one year's document should be avoided; whilst the guiding principles of assessment remain constant, details will change, depending on the content of a particular examination paper.

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CRITERIA FOR MARKING AS/A2 GOVERNMENT AND POLITICS

Introduction

AQA's revised Government and Politics specification has been designed to be objectives-led in that questions are set which address the assessment objectives published in the specification. The assessment objectives for A Level and AS are the same, but the weightings are different at AS and A2. Details of the weightings are given in paragraphs 7.2 and 8.4 of the specification.

The schemes of marking reflect these objectives. The mark scheme which follows is of the *levels of response* type showing that candidates are expected to demonstrate their mastery of the skills required in the context of their knowledge and understanding of Government and Politics. Mark schemes provide the necessary framework for examiners but they cannot cover all eventualities. Candidates should be given credit for partially complete answers. Where appropriate, candidates should be given credit for referring to recent and contemporary developments in Government and Politics.

Consistency of marking is of the essence in all public examinations. It is therefore of vital importance that assistant examiners apply the mark scheme as directed by the Principal Examiner in order to facilitate comparability with the marking of other options.

Before scrutinising and applying the detail of the specific mark scheme which follows, assistant examiners are required to familiarise themselves with the general principles of the mark scheme as contained in the Assessment Matrix.

Using a levels of response mark scheme

Good examining is about the **consistent** application of judgement. Mark schemes provide a framework within which examiners exercise their judgement. This is especially so in subjects like Government and Politics which in part rely upon analysis, evaluation, argument and explanation. With this in mind, examiners should use the Assessment Matrix alongside the detailed mark scheme for each question. The Assessment Matrix provides a framework ensuring a consistent, generic source from which the detailed mark schemes are derived. This supporting framework ensures a consistent approach within which candidates' responses are marked according to the Level of demand and context of each question.

Examiners should initially make a decision about which Level any given response should be placed in. Having determined the appropriate Level the examiners must then choose the precise mark to be given within that Level. In making a decision about a specific mark to award, it is vitally important to think first of the mid-range within the Level, where that Level covers more than two marks. Comparison with other candidates' responses to the same question might then suggest whether the middle mark is unduly generous or severe.

In making decisions away from the middle of the Level, examiners should ask themselves questions relating to candidate attainment, including the quality of language. The more positive the answers, the higher should be the mark awarded. We want to avoid "bunching" of marks. Levels mark schemes can produce regression to the mean, which should be avoided. A candidate's script should be considered by asking "Is it:

- precise in its use of factual information?
- appropriately detailed?
- factually accurate?
- appropriately balanced or markedly better in some areas than others?
- generally coherent in expression and cogent in development (as appropriate to the Level awarded)?
- well presented as to general quality of language?"

The overall aim is to mark positively, giving credit for what candidates know, understand and can do.

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT
(GOV4, GOV5, GOV6, GOV7)**

GENERIC MARK SCHEME for Question 1 part (a) (Total: 8 marks)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Levels 3–4 (2 marks) The candidate demonstrates a good to excellent knowledge and understanding of political data, concept(s) or term(s). Where appropriate, the candidate produces accurate and/or relevant examples to illustrate points made.</p>	<p>Levels 3–4 (3–4 marks) The candidate applies a good to excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p>Levels 3–4 (2 marks) The candidate communicates clearly and effectively using appropriate political vocabulary. The answer has a clear sense of direction, is focused on the question and, where appropriate, has a conclusion which flows from the discussion.</p>
	<p>Levels 1–2 (1 mark) The candidate demonstrates limited knowledge and understanding of political data, concept(s) or term(s). The candidate produces few or inaccurate examples and/or limited evidence to illustrate points made.</p>	<p>Levels 1–2 (1–2 marks) The candidate applies a limited range of concepts and makes little or limited use of political theory or ideas in developing an explanation or argument.</p>	<p>Levels 1–2 (1 mark) The candidate communicates explanations or arguments with limited clarity and effectiveness using limited political vocabulary. The answer may lack either a clear focus on the question or a sense of direction. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.</p>

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT
(GOV4, GOV5, GOV6, GOV7)**

GENERIC MARK SCHEME for Question 1 part (b) (Total: 12 marks)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (5–6 marks) The candidate demonstrates a comprehensive knowledge and understanding of political concepts, institutions and processes. The candidate fully addresses the requirements of the question and provides developed and effective to comprehensive interpretation. The answer also provides clear to accurate evidence and, where appropriate, good to excellent examples to illustrate points made.</p>	<p>Levels 3 – 4 (3–4 marks) The candidate applies a good to excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p>Levels 3–4 (2 marks) The candidate communicates clearly and effectively using appropriate political vocabulary. The answer has a clear sense of direction, is focused on the question and, where appropriate, has a conclusion which flows from the discussion.</p>
	<p>Level 3 (3–4 marks) The candidate demonstrates sound knowledge and understanding of political concepts, institutions and processes. The candidate clearly addresses the requirements of the question and provides sound interpretation and contextual awareness. The answer includes good examples to illustrate points made.</p>		
	<p>Levels 1–2 (1–2 marks) The candidate demonstrates slight to basic knowledge and understanding of political concepts, institutions and processes. The candidate makes a very limited attempt to address the requirements of the question and provides little to partial and reasonably effective interpretation. Answers offer limited or little evidence and few or inaccurate examples to illustrate points made.</p>	<p>Levels 1–2 (1–2 marks) The candidate applies a limited range of concepts and makes little or limited use of political theory or ideas in developing an explanation or argument.</p>	<p>Levels 1–2 (1 mark) The candidate communicates explanations or arguments with limited clarity and effectiveness using limited political vocabulary. The answer may lack either a clear focus on the question or a sense of direction. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.</p>

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT
(GOV4, GOV5, GOV6, GOV7)**

GENERIC MARK SCHEME for Question 1 part (c) (Total: 20 marks)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (7–8 marks) The candidate demonstrates a comprehensive knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer fully addresses the requirements of the question and demonstrates excellent contextual awareness.</p> <p>The answer includes excellent examples to illustrate points made.</p>	<p>Level 4 (7–8 marks) The candidate displays excellent awareness of the implications and demands of the question. There is an excellent focus on the specific question asked. There is a clear evaluation of political institutions, processes and behaviour which displays a sophisticated awareness of viewpoints and issues.</p> <p>Appropriate parallels and connections are clearly identified together with comparisons. A wide range of concepts is used.</p>	<p>Level 4 (4 marks) The candidate communicates arguments, explanations and conclusions with clarity. Excellent use is made of political vocabulary to construct cogent and coherent arguments. The answer has a clear sense of direction, culminating in a conclusion that flows from the preceding discussion.</p>
	<p>Level 3 (5–6 marks) The candidate demonstrates sound knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer clearly addresses the requirements of the question and demonstrates sound contextual awareness.</p> <p>The answer includes good examples to illustrate points made.</p>	<p>Level 3 (5–6 marks) The candidate displays sound awareness of the implications and demands of the question. There is a clear focus on the question. There is a sound evaluation of political institutions, processes and behaviour which displays good awareness of viewpoints and issues. There is good recognition of parallels and comparisons. Appropriate concepts are used.</p>	<p>Level 3 (3 marks) The candidate communicates arguments, explanations and conclusions well. Good use is made of political vocabulary to construct clear arguments and explanations.</p> <p>The candidate produces an answer with a conclusion linked to the preceding discussion.</p>

GENERIC MARK SCHEME for Question 1 part (c) (continued)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 2 (3–4 marks) The candidate demonstrates outline knowledge and understanding of political concepts/theories/institutions and processes and some awareness of the relationships between them. The answer makes a limited attempt to address the question and demonstrates contextual awareness covering part of the question.</p> <p>The answer includes simple examples to illustrate points made.</p>	<p>Level 2 (3–4 marks) The candidate displays limited awareness of the implications and demands of the question resulting in a restricted focus. There is a limited evaluation of political institutions, processes and behaviour which displays partial awareness of viewpoints and issues.</p> <p>There is some recognition of basic parallels and comparisons with a limited use of concepts.</p>	<p>Level 2 (2 marks) The candidate communicates arguments and conclusions adequately with a limited use of political vocabulary.</p> <p>A conclusion is offered but its relationship to the preceding discussion may be modest or implicit.</p>
	<p>Level 1 (1–2 marks) The candidate demonstrates a slight and incomplete knowledge and understanding of political institutions and processes and a limited awareness of the relationships between them. There is little attempt to address the requirements of the question.</p> <p>The answer includes few, if any, examples which may be inaccurately reported or inappropriately used.</p>	<p>Level 1 (1–2 marks) The candidate displays little awareness of the implications and demands of the question and focus is lacking. Evaluation of political institutions, processes and behaviour is superficial, with little awareness of viewpoints and issues.</p> <p>There is little, if any, recognition of parallels and comparisons. The use of concepts is superficial and naïve.</p>	<p>Level 1 (1 mark) The answer relies upon narrative, which is not fully coherent. There is little or no use of political vocabulary.</p> <p>A conclusion, if present, is not adequately related to the preceding discussion.</p>

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT
(GOV4, GOV5, GOV6, GOV7)**

GENERIC MARK SCHEME for Questions 2, 3 and 4 (Total: 40 marks)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (13–16 marks) The candidate demonstrates a comprehensive knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer fully addresses the requirements of the question and demonstrates excellent contextual awareness.</p> <p>The answer includes excellent examples to illustrate points made. The answer includes detailed and comprehensive interpretations or explanations as well as accurate evidence and relevant examples to illustrate points made.</p>	<p>Level 4 (13–16 marks) The candidate displays excellent awareness of the implications and demands of the question. There is an excellent and sustained focus on the specific question asked. There is clear and full evaluation of political institutions, processes and behaviour which displays a sophisticated awareness of differing viewpoints and recognition of issues.</p> <p>Appropriate parallels and connections are clearly identified together with well-developed comparisons. A wide range of concepts is used and developed.</p>	<p>Level 4 (7–8 marks) The candidate communicates arguments, explanations and conclusions with clarity. Excellent use is made of political vocabulary to construct cogent and coherent arguments and explanations. The answer has a clear sense of direction, culminating in a conclusion that flows from the preceding discussion.</p>
	<p>Level 3 (9–12 marks) The candidate demonstrates sound knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer clearly addresses the requirements of the question and demonstrates sound contextual awareness.</p> <p>The answer includes developed and effective interpretations or explanations and also clear evidence and good examples to illustrate points made.</p>	<p>Level 3 (9–12 marks) The candidate displays sound awareness of the implications and demands of the question. There is a clear focus on the question. There is a sound evaluation of political institutions, processes and behaviour which displays good awareness of differing viewpoints and recognition of issues. There is good recognition of parallels and comparisons. Appropriate concepts are used and developed.</p>	<p>Level 3 (5–6 marks) The candidate communicates arguments, explanations and conclusions well. Good use is made of political vocabulary to construct clear arguments and explanations.</p> <p>The candidate produces an answer with a conclusion linked to the preceding discussion.</p>

GENERIC MARK SCHEME for Questions 2, 3 and 4 (continued)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 2 (5–8 marks) The candidate demonstrates outline knowledge and understanding of political concepts/theories/institutions and processes and some awareness of the relationships between them. The answer makes a limited attempt to address the question and demonstrates contextual awareness covering part of the question.</p> <p>The answer includes a partial and reasonably effective attempt at interpretation or explanation with some examples to illustrate points made.</p>	<p>Level 2 (5–8 marks) The candidate displays little awareness of the implications and demands of the question resulting in a restricted focus. There is a limited evaluation of political institutions, processes and behaviour which displays a partial awareness of differing viewpoints and issues.</p> <p>There is some recognition of basic parallels and comparisons. Arguments and explanations are undeveloped with a limited use of concepts.</p>	<p>Level 2 (3–4 marks) The candidate communicates arguments and conclusions adequately with a limited use of political vocabulary.</p> <p>A conclusion is offered but its relationship to the preceding discussion may be modest or implicit.</p>
	<p>Level 1 (1–4 marks) The candidate demonstrates a slight and incomplete knowledge and understanding of political institutions and processes and a limited awareness of the relationships between them. There is little attempt to address the requirements of the question. There is only superficial awareness, if any, of the context of the question, with little interpretation and few, if any, examples often inaccurately reported or inappropriately used.</p>	<p>Level 1 (1–4 marks) The candidate displays little awareness of the implications and demands of the question and focus is lacking. Evaluation of political institutions, processes and behaviour is superficial.</p> <p>Analysis shows little awareness of differing viewpoints and issues. There is little, if any, recognition of parallels and comparisons. Arguments, explanations and use of concepts are superficial and naïve.</p>	<p>Level 1 (1–2 marks) The answer relies upon narrative, which is not fully coherent. There is little or no use of political vocabulary.</p> <p>A conclusion, if present, is not adequately related to the preceding discussion.</p>

1

Total for this question: 40 marks

(a) Explain the term *checks and balances* used in the extract. (8 marks)

This important political concept is much weaker in the UK than in the US where it is an established feature of the codified constitutional provisions (argued for by Madison in Philadelphia stating “ambition will be used to counteract ambition”). The concept is linked to the separation of powers and in the USA there are numerous examples that can be used by candidates to demonstrate understanding (in the extract the checks and balances between the executive branch and the legislative branch are implied) at least one should be given. By contrast the concept is not as strong in the UK where the absence of a codified constitution, and a parliamentary executive lead to the lack of checks and balances although candidates could mention the role of the opposition in the House of Commons or the House of Lords as examples of a weaker notion of checks and balances. For higher marks evidence and examples should be given from BOTH systems of government.

(b) Using the extract and your own knowledge, compare how secure the US President and the UK Prime Minister are from being removed from office. (12 marks)

This question is inviting candidates to consider which of the two executive positions has greater security of tenure and therefore needs an analysis of the ways in which they MAY be removed. Of course the holder of both positions can be removed by democratic elections as Bush was in 1992 and Major in 1997, and candidates may legitimately refer to the restriction of a President to two terms only by constitutional amendment whereas a Prime Minister who retains the support of Parliament, party and electorate may go ‘on and on’. However, it should be recognised at the higher level of analysis that a UK PM may be at greater risk of removal by a vote of no confidence (by convention) as Callaghan and his government were in 1979 when the government was defeated by one vote in the Commons and Callaghan resigned the next day. Similarly as implied by the extract, PMs can be removed if they lose the confidence of their parties (or Cabinet) as Thatcher did in 1990, or as Major could have been when he resigned to fight a leadership contest in 1995 when facing a factionalised party. This relates to the fact that PMs unlike Presidents are party LEADERS and can be removed as such by party rules. In comparison, a US President (who is NOT a party ‘leader’) has more security in office as the constitution states that they can **only** be removed after a successful impeachment process by Congress for ‘high crimes and misdemeanors’ and NOT for policy failures or losing the confidence of Congress. Good candidates would be expected to know that Clinton was impeached but not removed from office in 1998, and Nixon was going to be impeached in 1974 before he resigned. At the higher level of response expect an analysis of the security of positions of the two office holders relating to constitutions, legislatures and parties.

Excellent candidates may be aware of recent debates concerning the existence of an impeachment process in the UK and whether it would be possible to impeach the PM over his taking of the country to war in Iraq.

- (c) 'The power of both Prime Minister and President varies according to circumstances and personalities.' Discuss. (20 marks)

At the higher level of response, candidates recognise that the focus of this question is on the fact that the power of neither office is FIXED whether by the existence of a codified constitution OR by the position of PM as leader of the majority party and the exerciser of the prerogative powers of the Monarch. Weaker candidates may respond to this question by a simple description of the power of the President and the Prime Minister. Whether Presidents and Prime Ministers are 'powerful' or not in the sense of getting their agenda through Parliament and Congress is dependent on numerous VARIABLES which candidates are invited to discuss especially the CIRCUMSTANCES of their time in office OR their different PERSONALITIES OR BOTH. In the case of the US President, candidates could point to their constitutional powers and the powers that have developed since 1787 BUT recognise that circumstances may prevent them actually exercising these powers eg in the USA divided government in Washington, lack of a strong mandate, the actual issues of the time, economic factors, public opinion on issues, whether an election is near or not, etc. In the UK, the size of the parliamentary majority, whether the party the PM leads is united or divided, the strength or weakness of party discipline, back bench rebellions, etc). In the USA there have been times when the President has been VERY powerful and Congress has allowed him to be so (eg Bush after 9/11) but at other times Congress has been obstructive (gridlock occurs) and the President has failed to get what he wants or has been forced to use his veto power. Similarly UK PMs have often been VERY powerful (eg Thatcher in the 1st and 2nd terms) but at other times despite the power of their office they have been weak and 'lame ducks' as Bush and Blair recently. Similarly the power of the office and the extent to which it CAN actually be used is also related to the personality and characteristics of the actual PERSON holding the office and the recognition that a study of PMs and Presidents is to some extent a study of their own personality and characteristics. Hence Asquith's quote that "the office of PM is whatever the holder is able or chooses to make of it". The same would apply in the USA.

It will be up to the candidates to assess the evidence for the statement in the question and keep a focus on the KEY VARIABLES involved in the ACTUAL exercise of executive power in both countries with well integrated evidence and examples in their response.

2

Total for this question: 40 marks

'Defining citizens' rights in a constitution protected by the judiciary is one thing, safeguarding them in practice is another.'

Discuss with reference to the protection of citizens' rights by the judiciary in the US and the UK.
(40 marks)

Candidates are able to demonstrate their understanding of the protection of civil/citizens' rights in countries with (US) or without (UK) constitutional protection by the judicial branch. The quote is suggesting that their protection may go beyond that of a codified and entrenched Bill of Rights as seen in the first ten amendments to the US Constitution. Emphasis in the question is not merely on 'rights' (which need some definition) but their protection by **judiciaries** within two very different systems of constitutional government. It is recognised that in the US rights are codified and entrenched and protected by the constitutional status of the Supreme Court (Article 3) and reference should be made to specific cases as evidence. At the higher levels candidates may be expected to refer to concepts such as judicial activism (protecting rights) or judicial restraint (not entering the 'political thicket') or strict and loose constructionism as judicial philosophies pursued by different Justices. Some candidates may refer to cases where it is felt that the Supreme Court has **NOT** adequately protected the rights of US citizens such as internment without trial, Guantanamo Bay and some of the provisions of the Patriot Act after 9/11.

In contrast, in the UK system with its lack of a codified constitution with entrenched rights, and the Sovereignty of Parliament it could be argued that rights are **LESS** protected by the judiciary, and judges do not challenge Acts of Parliament and rights are 'negative' rather than 'positive' and where UK citizens are often referred to as 'subjects of the Crown'.

However, candidates should be familiar to a greater or lesser extent with the provisions of the 1998 Human Rights Act which incorporated the provisions of the ECHR into UK Law and the differences that this has brought to the UK to the role of the judiciary and the protection of rights. In particular, references should be made to the 'declarations of incompatibility' that can be made if Acts of Parliament conflict with the HRA (with examples of these being declared and the response of Government and Parliament eg in the Belmarsh case, asylum cases or terrorism activities). Top level candidates are aware of the debates over the growing 'Human Rights culture' in the UK and the increasing number of 'ultra vires cases' brought before the courts. Pressure groups such as the ACLU in the US and Liberty in the UK may be mentioned as 'better' protectors of civil liberties in the work that they do in publicising civil rights/liberties violations or more generally, the role of elected representatives within the legislatures in the legislative and scrutiny processes.

Candidates should be able to refer to specific examples of rights both in the UK and the USA and the ways that these are (or increasingly are not) **in practice** protected by the **judiciaries** of both countries with the strength of the answer determined by the use of specific cases as illustrative evidence.

3**Total for this question: 40 marks**

To what extent, and why, can it be argued that the US Constitution is too rigid and difficult to change whereas the UK Constitution is too flexible and easy to change? *(40 marks)*

In this question it is up to the candidates to present the arguments and analysis for these assertions regarding the degree of rigidity/flexibility of both constitutions. Candidates can accept or challenge these assertions but should present evidence and examples to back up their evaluation. Most candidates accept the view that the codified and entrenched US constitution is less easily changed than the uncodified UK constitution with its central doctrine of Parliamentary Sovereignty, and constitutional change (examples should be given such as Devolution, House of Lords reform or electoral reform) through simple Parliamentary majorities. Because of this the UK constitution is described as more 'flexible' and although it has many written parts which have stood the test of time (Magna Carta, Common Law, European Constitutional Treaties) it can easily evolve through the changes to its unwritten constitutional conventions (eg IMR and CCR). However, it may be argued by the better candidates that **some** of the conventions of the UK constitution may be well-entrenched (protected by backbenchers, the House of Lords and the Opposition in the Commons) and are always followed eg the government's resignation following a successful Vote of No Confidence in the legislature as in 1979. However, as Peter Hennessy has argued, because of the flexibility of the UK constitutional conventions they have often been ignored when inconvenient to the government. In contrast, candidates are expected to be familiar with the different processes of constitutional amendment and change. Despite being codified the US Constitution has been described as a 'living document' and has been changed 27 times (including the Bill of Rights) by the process of constitutional amendment which should be known (plus examples) and the reasons for the difficulty of the amendment process ('Super-majority' two-thirds vote in both Houses and then ratified by three-quarters of the States) and successful and unsuccessful amendments as evidence of the difficulty of reaching consensus and compromise in areas of constitutional change.

However, good candidates recognise that constitutional change can come about through OTHER means such as the constitutional interpretation of the Supreme Court and judicial activism (with cases given as evidence) or simply by establishing conventions that have developed to 'fill in the gaps' of the codified constitution (with examples).

At the higher levels of response, candidates recognise that the US Constitution is not ALWAYS rigid and the UK Constitution is not ALWAYS flexible but both have proved to be adaptable to changing conditions and different circumstances and needs. The answers are distinguished by the evidence and examples presented to back up the analysis and evaluation.

4**Total for this question: 40 marks**

How far can it be argued that, compared with the US Senate, the UK House of Lords is a mere 'talking shop'?

(40 marks)

The question invites candidates to analyse the **relative** power of the two upper chambers within the bi-cameral legislatures of the UK Parliament and the US Congress and the different roles that they play in the governing of both countries. It is recognised by most candidates that the US Senate is a very powerful body with huge powers given to it by the Constitution. This 'power' of the Senate must be discussed, relating to its role in the LEGISLATIVE process (amendment, blocking, pigeon-holing, filibustering) its power (along with the House) to override the presidential veto, block (or pass) constitutional amendments or take the country to war. Vital to the question would be discussion of the Senate's ADVICE AND CONSENT powers given to it exclusively by the Constitution and which allow it to block presidential appointments (several examples) or fail to ratify Treaties (several examples) the latter giving it significant power in US foreign policy. Mention could also be made of the extremely powerful Senate Committees such as Armed Services or Foreign Relations as illustration of the 'power' of the Senate. However, at the higher level of response candidates could suggest that the 'separation of powers' and 'checks and balances' of the US Constitution could LIMIT its 'power' in several ways.

By comparison to this power, candidates are invited to discuss the view that the UK House of Lords is "a mere talking shop" and that compared to the Senate it is a relatively WEAK second chamber. It would be up to candidates to demonstrate this 'weakness' by reference to the 1911 and 1949 Parliament Acts which reduced its legislative power, the existence of the 'Salisbury Convention', its lack of democratic legitimacy, or the primacy of the House of Commons and the 'executive dominance' found within it. However, at the higher levels candidates recognise that there are many occasions when the Lords have 'flexed their political muscles' and proved obstructive to the wishes of the dominant Commons by giving evidence of Lords' Amendments, defeats of legislation of which there are dozens of recent examples. It also retains its power of delay over legislation for 1 year.

Excellent candidates discuss the fact that it is too simplistic to state that the Senate is ALWAYS powerful AND the House of Lords is MERELY (seen as a good discriminator) a "talking shop". There is plenty of evidence to suggest otherwise and this is to be expected at the higher level of response.