



**General Certificate of Education  
June 2012**

**Government and Politics      GOV4A**

**The Government of the USA**

**Unit 4A**

***Mark Scheme***

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 students' 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 students' 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 students' 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 Section 4.2 of the specification.

The schemes of marking reflect these objectives. The mark scheme which follows is of the *levels-of-response* type showing that students 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. Students should be given credit for partially complete answers. Where appropriate, students 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.

At A2, generally speaking, there is no unambiguously 'right' or 'wrong' answer to the 30-mark questions. Answers will be judged on factors such as quality of the argument, depth of knowledge and understanding, a synoptic grasp of the subject, appropriateness of the examples and internal logic of the discussion. Where students are presented with a proposition to be discussed they may support it, reject it or adopt a balanced position.

*There are no limits to the areas of knowledge that students may feel able bring to the discussion. Therefore the specification of requirements outlined in the mark schemes can only be indicative. Students are not expected to include all the material presented in order to access the full range of available marks. At the same time they may successfully include material from their particular studies which is not indicated in the scheme.*

### 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 students' 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 students' 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 student 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 student'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 students know, understand and can do.

**A2 GOVERNMENT AND POLITICS****GENERIC MARK SCHEME for questions with a total of 10 marks**

<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<p><b>Level 4 (4 marks)</b> The student demonstrates a comprehensive knowledge and understanding of political concepts, institutions and processes. The student 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><b>Level 4 (4 marks)</b> The student applies an excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p><b>Levels 3-4 (2 marks)</b> The student communicates clearly and effectively in a sustained and structured manner, using appropriate political vocabulary. There are few, if any, errors of spelling, punctuation and grammar and the response should be legible.</p>
<p><b>Level 3 (3 marks)</b> The student demonstrates good knowledge and understanding of political concepts, institutions and processes. The student 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><b>Level 3 (3 marks)</b> The student applies a good range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p>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><b>Level 2 (2 marks)</b> The student demonstrates limited knowledge and understanding of political concepts, institutions and processes. The student makes a limited attempt to address the requirements of the question and provides little to partial, but reasonably effective, interpretation. Answers offer limited evidence and few, or inaccurate, examples to illustrate points made.</p>	<p><b>Level 2 (2 marks)</b> The student applies a limited range of concepts and makes limited use of political theory or ideas in developing an explanation or argument.</p>	<p><b>Levels 1–2 (1 mark)</b> The student 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.</p>
<p><b>Level 1 (1 mark)</b> The student demonstrates little knowledge and understanding of political concepts, institutions and processes. The student makes little attempt to address the requirements of the question and provides little interpretation. Answers offer little evidence and few, or inaccurate, examples to illustrate points made.</p>	<p><b>Level 1 (1 mark)</b> The student applies few concepts and makes little use of political theory or ideas in developing an explanation or argument.</p>	<p>There are frequent errors of spelling, punctuation and grammar and legibility may be a problem. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.</p>
<p><b>0 marks</b> No relevant response.</p>	<p><b>0 marks</b> No relevant response.</p>	<p><b>0 marks</b> No relevant response.</p>

**A2 GOVERNMENT AND POLITICS****GENERIC MARK SCHEME for questions with a total of 30 marks**

<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
<b>A01</b>	<b>A02</b>	<b>A03</b>
<p><b>Level 4 (10–12 marks)</b> The student demonstrates a comprehensive knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. A synoptic approach is fully developed, drawing appropriately on knowledge, perspectives and examples from a wide range of studies in government and politics. The answer fully addresses the requirements of the question and demonstrates excellent contextual awareness. 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><b>Level 4 (10–12 marks)</b> The student 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. Appropriate parallels and connections are clearly identified, together with well-developed comparisons. A wide range of concepts is used and developed.</p>	<p><b>Level 4 (6 marks)</b> The student communicates structured and sustained arguments, explanations and conclusions with clarity. Excellent use is made of political vocabulary to construct cogent and coherent arguments and explanations. The response should be legible, with few, if any, errors of spelling, punctuation and grammar. The answer has a clear sense of direction, culminating in a conclusion that flows from the preceding discussion.</p>
<p><b>Level 3 (7–9 marks)</b> The student demonstrates sound knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. A synoptic approach is well developed, using a range of knowledge, perspectives and examples gained elsewhere in the study of government and politics. The answer clearly addresses the requirements of the question and demonstrates sound contextual awareness. The answer includes developed and effective interpretations or explanations and also clear evidence and good examples to illustrate points made.</p>	<p><b>Level 3 (7–9 marks)</b> The student 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><b>Level 3 (4–5 marks)</b> The student communicates arguments, explanations and conclusions well. Good use is made of political vocabulary to construct clear arguments and explanations. The response should be legible but there may be occasional errors of spelling, punctuation and grammar. The student produces an answer with a conclusion linked to the preceding discussion.</p>

**GENERIC MARK SCHEME for questions with a total of 30 marks (continued)**

<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<p><b>Level 2 (4–6 marks)</b> The student 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. An attempt to develop a synoptic approach is made, using a limited range of knowledge, perspectives and examples gained more broadly in the study of government and politics. The answer includes a partial and reasonably effective attempt at interpretation or explanation, with some examples to illustrate points made.</p>	<p><b>Level 2 (4–6 marks)</b> The student 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><b>Level 2 (2–3 marks)</b> The student communicates arguments and conclusions adequately, with a limited use of political vocabulary. There are frequent errors of spelling, punctuation and grammar and legibility may be a problem. A conclusion is offered but its relationship to the preceding discussion may be modest or implicit.</p>
<p><b>Level 1 (1–3 marks)</b> The student demonstrates a slight and incomplete knowledge and understanding of political institutions and processes and a limited awareness of the relationships between them. A very limited attempt at synopticity is made, sometimes using superficial or inaccurate knowledge, perspectives and examples cited from elsewhere in their study of government and politics. 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><b>Level 1 (1–3 marks)</b> The student 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><b>Level 1 (1 mark)</b> The answer relies upon narrative that is not fully coherent. There is little or no use of political vocabulary. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible. A conclusion, if present, is not adequately related to the preceding discussion.</p>
<p><b>0 marks</b> No relevant response.</p>	<p><b>0 marks</b> No relevant response.</p>	<p><b>0 marks</b> No relevant response.</p>

**Topic 1: The Constitutional Framework of US Government**

Total for this topic: (40 marks)

01 Explain the concept of fundamental law.

*(10 marks)*

Fundamental law describes the very basis of government. In the United States it is synonymous with the Constitution, codified in a single document. Better students may identify the US Constitution as the second incarnation of fundamental law, the first being the Articles of Confederation drafted by the Continental Congress, which came into effect in 1781. The Constitution defines the essential powers of the various political institutions and describes the relationships between them and establishes the rights of the citizen. It further determines the manner in which the Constitution may be amended. Students should be able to determine the superiority of fundamental law in relation to the political institutions of the state. The actions of both the legislature and the executive are regulated by the Constitution. Presidential actions can be declared unconstitutional by the Supreme Court (for example the Line Item Veto, in *Clinton v. New York City* in 1998). Since the case of *Marbury v. Madison* in 1803, acts of Congress may also be struck down. As such there should be an understanding of a constitution as something antecedent and paramount to all branches of government, including even their legislative representatives; fundamental law controlling statutory law. Better responses are likely to be able to identify the means by which fundamental law can be changed through constitutional amendment.

02 Assess the view that the US Constitution ensures limited government.

*(30 marks)*

Students may argue that those who devised the US Constitution did so with the intention of limiting the power of government (or for that matter any political institution). Today many see limited government as a principle associated with controlling the size and scope of government so that it is consistent with the promotion of the common good of the people. The better responses might identify limited government in terms of the constitutional constraints. Most students should be able to identify the separation of powers/checks and balances as the means for delivering limited government. Examples of these powers should be provided to fully benefit from the point being made. Such an illustration would be the ineligibility for a member of the executive to be a member of either chamber of Congress. Better responses will provide evidence of how the separation of powers has worked in practice, an example being Barack Obama, Joe Biden and Hillary Clinton having to give up their seats in the US Senate before being able to take up executive office. Answers may also examine federalism and the 10<sup>th</sup> Amendment of the Bill of Rights. Students may also allude to the distrust that many Americans feel towards the state; this manifests itself in a public antipathy towards big government. The Tea Party movement was able to strike a chord with this view in the most recent congressional elections in 2010 over the size of the federal government in general and 'Obamacare' in particular. Better responses will be able to evaluate the arguments about limited government. In particular they may be able to identify an ebb and flow of the popularity of big government and that during times of economic and military crisis or after a natural catastrophe the call for federal government action is great. Examples might include the New Deal, the response to Soviet expansionism and the aftermath of Hurricane Katrina, where public expectations of the federal government were high. In all these cases, the government in Washington DC was able to respond in spite of the constitutional constraints that existed. McKay argues that there is a paradox here. The Founding Fathers created institutional fragmentation in order to limit government, which has fostered the hostility to federal government which is supported by a number of anti-Washington pressure groups. The reality, however, is that frequently there are high expectations of what government should be doing, with expectations often being raised by other organised interest groups. Good students may make reference to Locke and Montesquieu.



**Topic 2: The Legislative Branch of Government: US Congress**

Total for this topic: (40 marks)

03	Explain the practice and importance of the filibuster in the government of the USA.	(10 marks)
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Students should be able to offer the explanation that the filibuster is a device used in the US Senate which is aimed at preventing the passage of legislation in the Congress. The filibuster is the practice of speaking in unlimited debate, leaving insufficient time for a bill to be enacted. The practice was common among many southern Democrat senators who were opposed to civil rights measures discussed in the Senate in the 1950s and 1960s. In 1957, Strom Thurmond conducted a filibuster against a civil rights bill that lasted for 24 hours. A filibuster can be ended by a procedure known as a cloture (or closure). In order to succeed, a cloture must be signed by 16 senators and then voted for by at least three-fifths (60) of the Senate. The three-fifths rule means that if one political party wins more than 60 seats in the Senate, it should be able to prevent successful filibusters. Between 1917 (when the cloture rule was introduced) and 1970 very few cloture votes were attempted because of the built-in veto power of southern Democratic senators. It may be argued that the decline of this faction and changes in the cloture rule in 1975, which reduced the figure from 66 to 60, has made it somewhat easier to overcome filibustering in the Senate. In the election of 2008, the Democrats fell just short of the 60 seats and became dependent upon independents in the Senate (as well as upon mavericks within the party). In 1999-2000, 27 out of 57 cloture votes were successful, demonstrating that the filibuster is perhaps not the potent weapon it once was. Students may mention the filibuster of confirmation hearings. In order to access the higher mark levels, students should be able to explain both the practice and importance of the filibuster.

04	‘I would rather be a senator than a member of the House of Representatives.’ Discuss this statement, comparing the roles of senators and members of the House of Representatives.	(30 marks)
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The main thrust of the statement in the question is that the Senate has more power than the House of Representatives and for this reason it is a more worthwhile place to work. Students should be able to examine the distinct powers of the two chambers of Congress. Lower-level responses may do little more than describe these powers without any analysis. Such answers may do no more than offer a list of the respective powers of the two chambers. Better responses are likely to compare and contrast these powers in a manner consistent with the statement in the question. These are likely to demonstrate that the Senate is indeed a preferable chamber in which to work. To illustrate this view it may be argued that the Senate has a number of exclusive powers, including the confirmation of presidential appointment, the ratification of treaties and the power to remove the president (and other federal appointments) from office after a trial of impeachment. It may also be argued that the Senate is a more prestigious place to work with only 100 members (compared to the House's 435). The Senate has traditionally been seen as a stepping stone to the presidency. Both President Obama and Vice President Biden are former senators. Past presidential hopefuls have included Senators McCain, Clinton and Kerry. It may also be argued that serving a six-year term is far preferable to serving one of only two years. Senators, unlike members of the House of Representatives, are not in an almost perpetual state of election campaigning. Furthermore it could be argued that members of the Senate are less parochial and may be seen as dealing with the big issues of state. The best responses should evaluate these judgements, offering analysis which might counter the contention in the statement in the question. Given that most congressmen and women represent smaller electoral districts than senators this tends to give House members a closer link to their constituents and communities, ensuring greater accountability and responsiveness. Furthermore, while the Senate's more exclusive membership may make it seem the more powerful of the two chambers of Congress, the House is charged with a vital task: the power to

raise revenue through taxes. This affords the House considerable power. The process of impeachment originates in the House and although the trials of impeachment take place in the Senate, no trial can take place unless the House impeaches first. Finally, in the event of an inconclusive outcome in a presidential election, with electoral college votes tied, it is the House of Representatives that gets to choose the president.

### Topic 3: The Executive Branch of Government

Total for this topic: (40 marks)

05 Explain the significance of 'iron triangles' in US government.

(10 marks)

Students should be able to clearly identify the phenomenon of iron triangles. The term was first used in the 1960s by writers such as Douglass Carter and Lieper Freeman. Reference may also be made to the use of the term 'military-industrial complex' used by Eisenhower. It is used to describe the three-sided relationship that exists between distinct political bodies, usually a congressional committee, a government department or agency and a special interest group. There should be an understanding of why the word 'iron' is used. In one sense, the relationship has been described as impenetrable, with policy outcomes that are to the mutual benefit of the three parties involved. In another sense the relationship is based on a high degree of interdependence. An example of an iron triangle would be the relationship between defence contractors, the House and Senate Armed Services Committees and the Defense Department. Other policy areas where iron triangles may be seen to have been at work include public works and agriculture. Their significance may be seen in terms of the undue influence that these arrangements can bring about. Stronger responses may look at the fluctuating influence of iron triangles over time, mentioning their relative decline in influence during the Clinton presidency and their resurgence during the time of George W Bush. Better students may link iron triangles with concepts such as clientelism and agency capture.

06 'More imperilled than imperial.' Discuss this view of the US presidency.

(30 marks)

In order to successfully answer this question, students should be able to analyse both of the terms used in the question. It is likely that weaker responses will concentrate either mainly or entirely on the imperial presidency. Better responses will be able to identify the origin of the term (the 1973 book *The Imperial Presidency* by Arthur Schlesinger). The origins of the idea may be traced back to the early 1940s and the crisis following Pearl Harbor which enabled President Roosevelt to escape some of Congress's conventional restrictions on the executive. It may be argued that successive presidents were able to enhance their power. The term has more recently been used to characterise the presidency in terms of the abuse of office, excessive secrecy and arrogance of power. Given that this era coincided with America's post-war dominance, responses may concentrate on foreign policy for the best examples of the imperial presidency, including the cold war, Cuban missile crisis, Vietnam and Cambodia under Dwight Eisenhower, John Kennedy, Lyndon Johnson and Richard Nixon. Better responses will examine how this power extended into the conduct of domestic policy. Nixon, for example, promoted policies aimed at clamping down on anti-war protests and impounded funds appropriated by Congress for programmes he disliked. Towards the end of his presidency Nixon was making extensive use of the presidential veto. In order to achieve marks in the higher levels of response, students need also to examine the term 'imperilled presidency'. It may be argued that during and following the disgrace of Nixon, Congress enacted a number of measures which would limit the power of the president (such as the War Powers Act of 1973 which tied the hands of the Ford administration after Saigon was overrun by the Communist forces of North Vietnam in 1975). Both Gerald Ford and Jimmy Carter appeared to be much weaker presidents than their immediate predecessors. Stronger responses will examine more recent presidents. Ronald Reagan and George W. Bush may be highlighted to indicate a partial return of the imperial presidency, however, Bill Clinton and Barack Obama do not. The best responses may conclude that the power of the president ebbs and flows due to many circumstances. It may be argued that the

imperial presidency did not exist. Richard Nixon, perhaps the most imperial president of all, was forced out of office because his political base in Congress collapsed.

**Topic 4: The Judicial Branch of Government: The Supreme Court**

Total for this topic: (40 marks)

07 Explain the principle of entrenched rights.

(10 marks)

Students should be able to identify that rights in the United States are entrenched. This entrenchment comes about as a consequence of the US codified constitution. Citizens' rights were not enshrined in the original constitution document in 1787 but were added as the first ten amendments (or Bill of Rights) four years later. The Bill of Rights includes protections relating to the freedom of expression (1st Amendment), illegal searches and seizures of property (4th Amendment), and the right to a speedy public trial (6th Amendment). These Amendments have the same status as the original articles of the constitution and require an onerous procedure of amendment to be gone through before any changes can be made. In this sense entrenched rights protect the citizen from politicians who might like to change them. This contrasts sharply with the United Kingdom, where governments have been able to use their House of Commons majorities to pass Acts which have altered the rights of UK citizens. Stronger responses will be able to identify that the Bill of Rights is somewhat uneven in its coverage. It is quite specific in respect of freedom of speech and assembly, but is more vague in respect of gun ownership (2nd Amendment). Similarly there has been much discussion over the years about what constitute 'cruel and unusual punishments' mentioned in the 8th Amendment. The constitutionality of the death penalty has been the subject of much debate. In the case of *Furman v. Georgia* in 1972, the Supreme Court held that there was a random element in deliberations leading to the death penalty that was unacceptable and executions ceased for several years. This decision was overturned in 1976. In this respect there is perhaps not complete certainty over citizens' rights in the United States.

08 'Nine politicians in robes.' Discuss, with reference to the US Supreme Court.

(30 marks)

The question aims to test students' assessment of the US Supreme Court as being either a political or a judicial institution. A further evaluation may be that it has elements of both. Students should be able to demonstrate a knowledge and understanding of the functions of the Supreme Court which may offer the opportunity to balance out both political and judicial functions. A clear focus of answers is likely to be that of constitutional interpretation. Students will be expected to identify the practice of judicial review and how this process has developed. As such, responses may conclude that Supreme Court justices behave more like politicians than justices. Better responses may examine the manner in which members of the Supreme Court are appointed and conclude that it is essentially a political process from nomination through to confirmation. (It may be argued, however, that the appointment system offers no guarantee of how a justice might behave once appointed – as Earl Warren would clearly indicate.) Better responses are likely to focus on the controversies surrounding a number of high-profile Supreme Court rulings. These examples may be used to illustrate concepts such as judicial activism and judicial restraint as well as loose constructionism and strict constructionism. Better responses may attempt to identify a dynamic element, examining whether judges have become more politicised over time. The best responses may offer analysis as to whether, as a consequence of some of the more controversial rulings, there has been politicisation at the top of the US judicial system. The best responses are likely to be able to examine the nature of the Supreme Court over time, comparing and contrasting the Court under different chief justices to challenge the politicisation thesis. It is very important that students are able to evaluate the point made in the question and not simply present a response that essentially confirms the role of judges as political. The extent to which judges seek to uphold the constitution first and foremost would echo most of the public utterances of the judges themselves. The constraints on the actions of the Supreme Court might also be highlighted to illustrate the limitations to their freedom of

action. Responses may make reference to the United Kingdom to offer a clear distinction between judiciaries on both sides of the Atlantic.

### ASSESSMENT OBJECTIVE GRID

<b>A2 Assessment Objective</b>	<b>Marks allocated by Assessment Objective 10-mark question</b>	<b>Marks allocated by Assessment Objective 30-mark question</b>	<b>Total Marks by Assessment Objective</b>
<b>AO1</b>	4	12	16
<b>AO2</b>	4	12	16
<b>AO3</b>	2	6	8
<b>Total</b>	<b>10</b>	<b>30</b>	<b>40</b>