

GCE 2005
January Series



Mark Scheme

Government and Politics (GOV4)

(A2 Unit 4 – Comparative UK/USA Government)

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

The 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 marking 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 (Maximum 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) Using the extract, explain the term *federal system*. (8 marks)

Involves knowledge of concept of dispersed, divided, shared and de-centralised power (USA) of unitary systems, where although some power may be devolved, power is concentrated and centralised (UK). Related to constitutional provisions of two levels of government (USA), federal and state. In a federal system there are variations in laws and rules, unlike a unitary system, e.g. laws made by the Westminster parliament apply across the UK.

Numerous examples of key differences to show A01 and A02 skills.

- (b) Using the extract and your own knowledge, compare the way in which the membership of the House of Lords and that of the US Senate is determined. (12 marks)

USA: Senate democratic elections every 2 years; staggered elections to the Senate - 1/3 of senators elected every 2 years for 6 year terms; direct election since the 17th amendment in 1913; equal representation of the states regardless of ‘population’ (extract) from ‘geographic units’ (extract); constitutional age requirements and also conventions (senators to come from the states that they represent); no unelected element. Has democratic legitimacy therefore.

UK: No democratic or direct popular elections (extract); a ‘rump’ of 92 hereditary positions (extract) after stage 1 reforms; ‘other non-elected positions’ (extract) include life peers, Law Lords and ‘The Lords Spiritual’; selection by PM after ‘soundings’ and other advice; appointed by monarch; criticisms of ‘cronyism’ and ‘lack of democratic legitimacy’ (extract); position of Lord Chancellor also.

- (c) Evaluate the claim that the US Senate is far more powerful than the UK House of Lords. (20 marks)

Involves clear understanding of the powers of the two upper chambers and the differing roles that they play in their respective political systems. The far more powerful role of the Senate can be examined in numerous ways, but particular stress would be expected on the Senate’s power in legislation (blocking, pigeon-holing and filibustering. Also conference committee and its part in the congressional over-ride of the presidential veto) scrutiny (the power of the Senate’s committees, e.g. Armed services or Finance) and the crucial role of the Senate (denied the House) through its ‘advice and consent’ powers over executive appointments and Treaties. However, the Senate is also ‘checked and balanced’ by powers given by the constitution to the lower house, the President (veto) and the Supreme Court (constitutional interpretation). Senators are also always at risk of electoral defeat.

By contrast, the House of Lords in the UK can be seen as a relatively weak upper chamber as evidenced by several factors, such as executive dominance, the power of the Commons (Parliament Acts 1911 and 1949 and conventions such as the Salisbury convention) and the Lords lack of democratic legitimacy which weakens its role. However, the Lords is not always quiescent and there is much evidence of its value to the legislative and scrutiny processes of Parliament and its ability to amend, delay or otherwise block the government’s wishes. The best candidates will recognise that it is too simplistic to argue that the Senate is **always** powerful and the Lords is **always** weak. It depends!

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

To what extent do the judiciaries of the UK and the USA play a significant role in the political process? *(40 marks)*

It is clear that the judiciary plays some ‘political’ role in both the UK and the USA, but not to the same extent. The more significant role of the US judiciary, particularly the Supreme Court, will be evidenced by analysis of its appointment process (presidential nomination and senate confirmation both dominated by ‘political factors’ and the desire to nominate ‘liberal’ or ‘conservative’ justices), the Court’s role in **both** judicial review (*Marbury v Madison*) **and** constitutional interpretation (Article 3) and debates about ‘judicial activism’ or ‘judicial restraint’ or ‘original intent’. There is little doubt that the Supreme Court in the USA plays a ‘significant role’ in the political process and numerous cases, especially ‘landmark’ ones should be presented as evidence, as well as the different courts such as Warren or Rehnquist.

It can be argued that judges in the UK are becoming more ‘political’ through increasing judicial review (numerous examples), the impact of the Human Rights Act and the development of a more ‘human rights culture’ (numerous examples) and the (if it still exists) office of Lord Chancellor and the position of the Law Lords. However, the absence of a codified constitution and the principle of parliamentary sovereignty gives judges in the UK a much less ‘political’ role than their US counterparts.

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

“Constitutions, whether codified or uncodified, are no longer accurate guides to political reality.”
Discuss this view of the constitutions of the UK and the USA. *(40 marks)*

This question demands a clear understanding of the role played by a constitution in the political and governmental life of a nation. It cannot simply be a description of the main characteristics of the two constitutions, but needs analysis of the ways in which constitutions lay down rules and regulations for the conduct of political life, and the ways in which they are **actually followed**.

The US constitution, with its key provisions of separation of powers, checks and balances, federalism and guaranteed rights, which are interpreted by the Supreme Court, does not always operate in the way envisaged by the founding fathers. It has also been developed through conventions, such as the existence of the cabinet or the power of the congressional committee. The power of the president (Article 2) has also been extended through changing practices, and the Supreme Court has developed the power of judicial review not given by the constitution (these are simply examples, there are many others such as the arguments currently over civil liberties after the passage of the Patriot Act; or arguments over the need for constitutional amendments on certain issues such as gay marriage).

Similarly, the uncodified constitution of the UK, with its numerous unwritten conventions, gives candidates scope for arguments that the UK constitution is simply ‘whatever happens’ or ‘whatever the government (with a large parliamentary majority and strong party discipline) wants it to be’.

4

Total for this question: 40 marks

“Both the UK Prime Minister and the US President are effectively unrestrained in the exercise of executive power in their respective countries.”

How far do you agree with this statement?

(40 marks)

This is not simply a question asking about the powers and roles of the PM and President, but asks whether they are so powerful that they can do as they wish. This question demands analysis of the restraints (or lack of them) on the ability of PMs and Presidents to set their own agenda and get it passed.

In the UK, there are numerous arguments about prime ministerial power, and control and evidence may be given of the exercise of this power in the context of the PM’s role within **both** the cabinet and Parliament (Blair, Major, Thatcher, etc.), **but** it will be seen that PMs have numerous constraints on their power and control, such as cabinet opposition (examples), back-bench rebellions (examples) and generally the power of ‘events’ that can lead to a **lack** of power rather than to its easy exercise (examples).

By comparison, a US President may appear more powerful, especially in foreign policy and on the ‘world stage’ (examples), **but** the numerous constitutional and political constraints on a President’s power are substantial (especially the numerous constraints from a powerful Congress) which can lead to arguments about an ‘imperilled’ rather than an ‘imperial presidency’. Strong candidates will recognise that Presidents and Prime Ministers can be powerful **or** weak depending on the circumstances and events of their time in office.