



General Certificate of Education

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Government and Politics
1151/2151

GOV4A The Government of the USA

Specimen Mark Scheme

Specimen mark scheme for examinations in June 2010 onwards
This mark scheme uses the [new numbering system](#)

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Dr Michael Cresswell, Director General.

**A2 GOVERNMENT AND POLITICS
GENERIC MARK SCHEME for 10 mark questions**

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 4 (4 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>Level 4 (4 marks) The candidate applies an 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 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. 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 marks) The candidate demonstrates good 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>Level 3 (3 marks) The candidate applies a good range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	
<p>Level 2 (2 marks) The candidate demonstrates limited knowledge and understanding of political concepts, institutions and processes. The candidate 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>Level 2 (2 marks) The candidate applies a limited range of concepts and makes 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. 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>Level 1 (1 mark) The candidate demonstrates little knowledge and understanding of political concepts, institutions and processes. The candidate 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.</p>	<p>Level 1 (1 mark) The candidate applies few concepts and makes little use of political theory or ideas in developing an explanation or argument.</p>	

A2 GOVERNMENT AND POLITICS**GENERIC MARK SCHEME for 30 mark questions**

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 4 (10–12 marks) The candidate 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>Level 4 (10–12 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. 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 (6 marks) The candidate 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>Level 3 (7–9 marks) The candidate 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>Level 3 (7–9 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 (4–5 marks) The candidate 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 candidate produces an answer with a conclusion linked to the preceding discussion.</p>

GENERIC MARK SCHEME for 30 mark questions (continued)

Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
AO1	AO2	AO3
<p>Level 2 (4–6 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. 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>Level 2 (4–6 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. There is some recognition of basic parallels and comparisons. Arguments and explanations are undeveloped with a limited use of concepts.</p>	<p>Level 2 (2–3 marks) The candidate 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>Level 1 (1–3 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. A very limited attempt at synopticity is made sometimes using superficial or inaccurate knowledge, perspectives and examples sited 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>Level 1 (1–3 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. 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 mark) The answer relies upon narrative, which 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>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>	<p>0 marks No relevant response.</p>

Topic 1**Total for this topic: 40 marks**

(01) Explain the principle of the separation of powers found in the US Constitution.

(10 marks)

Candidates recognise and explain that the separation of powers is the main underlying principle of the US Constitution and was originally the idea of Montesquieu, and was incorporated by the Founding Fathers into their 1787 codified document. Candidates should understand that the separation is of the legislative, executive and judicial powers through the 3 branches of government (in the first 3 articles) and this was done in order to prevent the concentration of power and subsequent tyranny. In the US system there is also a separation of personnel as no person can be a member of more than one branch at the same time, and evidence should be expected of this at the higher level of response. Excellent candidates may refer to views that it is not so much the separation of powers, but separate branches of government sharing power (Neustadt) and that this shows the interdependent nature of power in the US constitutional system compared to the fusion of powers found in the UK.

(02) "Our constitution works!" Gerald Ford, post-Watergate President.

To what extent and why can a constitution written in and devised for the 18th century still work in the 21st century? (30 marks)

Candidates are expected to be familiar with the writing of the US Constitution in the 18th century by the Founding Fathers when conditions were very different from those in the US today (13 States, 3 million population, small government, less complex issues, etc). They are familiar with the principles of the constitution laid down in the articles such as limited government, checks and balances and entrenched rights and the codified nature of the document, its acceptance as fundamental law and its relationship to the governmental and political life of the nation. The focus of a strong answer should be on how this document can **still** be applied under much **changed conditions** (50 States, 300 million population, Big Government, complex issues and the US's status as the world's only superpower). The quote in the question refers to Ford's view that the Constitution had coped with the Watergate crisis of government, which was an illustration of its applicability to, and survival of, those changed conditions. It is expected that candidates will argue that instead of the often described 'rigidity' of the US Constitution it is not a 'tablet of stone' and its shortness and vague language (which should be illustrated) has made it a remarkably flexible document that has seen many changes either through interpretation or through amendment in its adjustment to changing political conditions and new political realities. Good candidates should illustrate their answer with examples of the **amendment process** and some of the changes that the constitutional amendment process has brought about. They may also suggest that the difficulties of the amendment process have protected the constitution from hasty, ill-thought out and constant change, which has protected and preserved its status. At the higher level of response candidates should be also aware of the process of constitutional change through the **interpretation** of the document through Supreme Court cases, with examples of these being given, which keeps it up to date with changed political conditions. Excellent candidates at the very highest level of response refer to the fact that the constitution has also been changed by **usage or convention** and illustration of this 'working' of the constitution should be given as evidence such as the role of the Cabinet, the power of congressional committees and the use of primary elections. There should be strong recognition

that the US constitution is a 'living document' and is not necessarily 'rigid' as often described and has proved highly adaptable to the changed conditions and political realities since it was written which has preserved its status as 'Fundamental law'.

Many of the above points lend themselves to synoptic development by juxtaposing constitutional conventions, mechanisms for change, limitations on governmental powers in the UK and/or elsewhere. Credit should be given for relevant comparisons with the uncodified and 'flexible' UK constitution and its evolutionary nature to illustrate arguments. In addition, theories and concepts introduced elsewhere in a candidate's studies must be rewarded.

Topic 2**Total for this topic: 40 marks**

(03) Consider the relative importance of party as an influence on voting in the US Congress. (10 marks)

Candidates should be familiar with influences on congressional voting behaviour and be able to refer to the importance as party as simply **one** of these influences. The majority of candidates refer to the apparent weakness of party within the congress, but higher level responses may suggest that party influence has in fact been **strengthening** in recent years and votes in Congress have been showing **more** party cohesion. However, it should be stressed that because members of Congress do not stand on a 'party line' expressed through a manifesto (although in 1994 the Congressional Republicans stood on their 'Contract with America' platform) they **do not** follow one in Congress and their voting is more connected to the wishes of the 'folks back home' in their Districts or States, their own ideological views or pressure group influence. Strong candidates recognise the lack of sanctions possessed by the party whips in Congress to enforce party voting (like those found in the UK Parliament) such as promotion or whip withdrawal and explain **why** they are absent within Congress.

(04) Evaluate the claim that the Senate is far more powerful than the House of Representatives within Congress. (30 marks)

Candidates should be familiar with the concept of bicameralism within the Congress and recognise that the Constitution created two very powerful but **different** chambers with each chamber representing different constituencies, with different sizes and terms of office all with the intention of producing different behaviour and operating within the checks and balances principle of the constitution. Knowledge and understanding of these differences will be expected and will be illustrated in the answer. **If** accepting the thrust of the question, candidates are expected to refer to the longer terms of the Senate, its smaller size and the importance of Senators being the representatives of the States within a federal system, and the subsequent status and prestige associated with the membership of the Senate. It should be recognised by candidates to a greater or lesser extent that although both chambers have legislative and oversight power (although exercised differently), the power of the purse, the power to declare war and the power of initiating constitutional amendments the Senate, **unlike the House**, has the 'Advice and Consent' power of the confirmation of executive appointments and the ratification of treaties which it could be argued raise it above the House in terms of power. Examples should be given of the Senate actually exercising these powers in recent times. The two Houses also play different roles in the Impeachment process which should be known by the better-prepared candidates. Although the House lacks the Advice and Consent powers, candidates could argue that the House was given the power to initiate all money bills which allows it to set the financial agenda and control the purse strings of government through its Ways and Means and Appropriations committees. The strength of the answer is determined by the examples and evidence presented to illustrate the nature of the exercise of power **within** the bicameral Congress and the **differences** between the two chambers. Candidates should be given credit for relevant comparisons with the bicameral Westminster Parliament and the power distribution within it to illustrate their arguments. Comparison of the US Federal system with the unitary system of the UK, or other federal system will enhance the answer. Such synoptic dimensions will be rewarded.

Topic 3**Total for this topic: 40 marks**

(05) Explain the circumstances in which a President will have to leave office. (10 marks)

It should be recognised that Presidents have to leave office when they are defeated in an election (as George Bush in 1992), at the end of a two term Presidency as specified by the 22nd amendment (as Clinton in 2000 and GW Bush in 2008) or as a result of a **successful** impeachment process as specified by the Constitution because of proven 'High Crimes and Misdemeanours'. Good candidates recognise the difficulties involved in this process (Articles of Impeachment drawn up by the House, trial in the Senate) with examples drawn from the Nixon or Clinton presidencies and the circumstances of the almost impeachment of Nixon and the actual impeachment of Clinton. At the highest level of response it is recognised that there is no equivalent of the UK Vote of No Confidence or removal through party procedures, and Presidents cannot be removed for policy failures as they are not responsible to the Congress or to their own party.

(06) 'The US President is effectively unrestrained in the exercise of political power within the US system of government'. How far do you agree with this statement? (30 marks)

Candidates may or may not accept the thrust of this question but have to evaluate the nature of presidential power and the ability (or lack of) to **actually** exercise it. The key word in the quote is **effectively**, as at certain times, certain Presidents **are** restrained in using their executive power and at other times they are **not**. It is up to candidates to recognise this and argue the case using evidence and examples from recent presidencies as to the ability of Presidents to use **both** their **formal** powers from the constitution (Chief Executive, Chief Diplomat and Commander-in-Chief) as well as their more **informal** powers which have developed over time ('Chief legislator', Party leader, world leader). It is recognised by better candidates that **all** Presidents operate under constitutional constraints, constraints from a powerful Congress and from the Supreme Court with the power of judicial review and examples and evidence should be given of these constraints to gain higher marks. At the higher level of response expect reference to concepts such as 'Imperial' or 'Imperilled' Presidencies, Neustadts 'power of persuasion' and recent evidence of a 'bifurcated' Presidency or from very well informed candidates a 'Unitary Presidency' with reference to developments in presidential power under GW Bush since 9/11 and the War on Terror with evidence of a less assertive (Republican) Congress allowing much leeway for presidential assertion of power. It may also be recognised by well-informed candidates that with divided control of the Presidency and Congress returning to Washington after the 2006 Mid-Terms that Bush may now be a 'lame Duck President' with little opportunity to use executive power in a way that he would like. There is recognition by very strong candidates that a US President can be **very** powerful or **very** weak depending on the circumstances of their time in office and the events and personalities of the time and be able to give evidence of this from several presidencies. It is probably recognised by the majority of candidates that a US President **appears** more powerful because they (unlike Congress) 'tread the world stage' and tend to dominate in foreign policy. However, they are less powerful in domestic policy where Congress tends to assert its power and block presidential initiatives and agendas. It could be recognised that there are also instances where the President is forced to use his power of veto which may demonstrate weakness rather than strength. The strength of the answer is determined by the use of evidence and examples used to back up the analysis

and evaluation of the **realities** of the exercise of presidential power. At the lowest levels of response, expect limited descriptions of the power of the President with little reference to context. Candidates should be given credit for references to other executives and comparisons and contrasts of their powers, both formal and informal may be made. Such synoptic responses will be rewarded.

Topic 4**Total for this topic: 40 marks**

- (07) Explain the way in which Supreme Court Justices are selected and appointed in the US. (10 marks)

It is recognised that the selection and appointment process of SC Justices in the US can be **highly political** and also at times controversial. Selection is by the President and the nominee needs Senate Confirmation. It should be known that the President tends to select nominees who are close to him ideologically (either liberal or conservative) because he wishes to leave a 'legacy' on the Court. Difficulties arise when the nominee is perceived as **too** controversial (with perhaps a low ABA rating) and this especially occurs with divided control of the branches as shown by the difficulties with Reagan's nominees in the 1980s and difficulties when GW Bush's choice of Harriet Miers had to be withdrawn because of the fear of Senate rejection of an inexperienced but conservative nominee. Excellent candidates analyse examples of nominations and the reasons for selection by the President and for acceptance or rejection by the Senate. Higher level responses may indicate that selection and appointment can **only** occur when there is a vacancy on the Court through death or resignation.

- (08) 'Nine politicians sitting on a Bench.' Critically evaluate this description of the US Supreme Court. (30 marks)

It is recognised by the majority of candidates that this is a well known but contested description of the US Supreme court and that there are long held debates as to whether it can best be perceived as a political or a judicial institution or whether it has elements **of both**. It is up to candidates to critically evaluate the quotation and focus on analysis which either supports or denies the charge that Supreme court judges when they are carrying out their function of constitutional interpretation or through judicial review are actually behaving more like 'politicians' than justices. The question demands from the higher level candidates a thorough knowledge and understanding of the **functions** of the Supreme Court and the controversies that arise through the exercise of its functions. Reference should be made to some of its landmark decisions that have led to accusations of '**politicisation**' because of the controversial nature of its rulings that are bound to trigger disagreement and dissent. Candidates should demonstrate a solid understanding of the way that the Court works in practice and how cases reach the Court and how the decisions are made. At the higher levels of response expect references to judicial activism and restraint, strict and loose construction, Original Intent and liberal and conservative judgements. Reference to the 'politicised' nature of the appointment process could also be legitimately used in the analysis. Answers should be distinguished by the extent of the evidence and examples presented to illustrate strong understanding of the crucial role of the Supreme Court within the constitutional and political system of the USA and the impact of its rulings in America. Candidates should be given credit for comparisons and contrast with other judiciaries, for example the weaker and less 'politicised' role of the UK judiciary in the uncodified constitution and under the principle of parliamentary sovereignty, relations with executives and legislature, appointment, and references to recent developments in the UK may be prominent. Such synoptic references will be rewarded.

ASSESSMENT OBJECTIVE GRID

A2 Assessment Objective	Marks allocated by Assessment Objective 10 mark questions	Marks allocated by Assessment Objective 30 mark questions	Total Marks by Assessment Objective
AO1	4	12	16
AO2	4	12	16
AO3	2	6	8
Total	10	30	40