

Mark Scheme (Results) Summer 2013

GCE Government and Politics 6GP04 4A EU Political Issues

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Question Number	Question
1.	How is the national veto exercised and how important does
	it continue to be?

Candidates should demonstrate an understanding of what the national veto is and the way in which it is exercised:

- It enables a single EU member state to block a treaty or change.
- It only applies to certain areas such as defence, immigration and policing.
- It is has been increasingly replaced with Qualified Majority Voting for other policy areas.

Ways in which it could be seen to still be important include:

- It can prevent further sovereignty being removed against a states' agreement such as David Cameron's use of the veto to block changes to the Lisbon Treaty.
- It retains control for individual states over some of the most important policy areas, such as defence and policing.
- As the EU expands it becomes even more powerful as any one of 27 states can limit a change. In this case it is also a guarantee of equality of membership.
- The threat of a veto often sufficient to force an agreement that is more acceptable to member states.

Ways in which it could be seen to have lost importance include:

- The increasing use of QMV in most areas.
- The political cost of using the veto which tends to make it a 'weapon of last resort' again Cameron's use could be cited as an example.
- The notion of equality of veto is illusory whilst major powers use of the veto effectively kills a proposal, smaller countries can be 'pushed into line'
- Whilst the veto can prevent the EU taking on further powers, it is useless to prevent them exercising these powers in particular ways once given up (e.g. in making new regulations).

A threshold Level 2 response will typically exhibit the following features:

• Limited, and possibly implicit, understanding of how the National Veto is used. Limited knowledge of at least two arguments for or against its importance.

- Clear and explicit understanding of how the National Veto is used.
- Clear explanation of at least three pertinent arguments, including at least one argument for and one argument against its importance.

LEVELS	DESCRIPTORS
Level 3 (11-15 marks)	 Knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
Level 2 (6-10 marks)	 knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
Level 1 (0-5 marks)	 Very poor to weak: knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

Question Number	Question
2.	Explain the role and significance of the ECJ
Indicative conten	t (this is not an exhaustive account of relevant noints)

Candidate should demonstrate an understanding of the role of the European Court of Justice as the highest court in the EU, tasked with interpreting EU law and ensuring its equal application across all <u>EU member</u> states. Reference may also be made to its effective role as an arbitrator.

Ways in which the ECJ could be seen to be significant may include:

- It clarifies EU law, and acts as a guarantor of rights in the absence of an EU constitution.
- Its decisions have policy making significance beyond that of a normal court.
- It acts as an arbitrator or 'referee' between EU members and institutions in a way that national courts do not, because power and sovereignty is so widely spread through the union.
- It has played a key role in promoting integration, especially with decisions such as *Costa v ENEL (1964)* that confirmed the primacy of EU law over national law, the *Cassis de Dijon* case that simplified the introduction of the Single Market and the *Factortame* case.
- It is genuinely judicially independent with no political influence and with representation from across the member states.

It is perfectly acceptable for candidates to explain 'significance' with reference in turn to different aspects of the Court's role, provided the significance of each role is made explicit.

Some credit will be given for attempts to assess this significance, such as workload, reactivity, inability to set the initial rules and lack of enforcement powers. However the main focus of responses should be on 'significance'

A threshold Level 2 response will typically exhibit the following features:

• Limited, and possibly implicit, awareness of the role of the ECJ.

Limited knowledge of at least two ways in which the ECJ is significant.

- Clear, and probably explicit, awareness of the role of the ECJ.
- Clear explanation of at least three ways in which the ECJ is significant.

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Question Number	Question
3.	What have been the main implications of the Social Chapter?
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Candidates should demonstrate an awareness of the nature of the Social Chapter, which may include:

- Its role as part of the single market.
- Some of its provisions such as fair remuneration of employment, health and safety at work, rights of disabled and elderly, maximum working week etc.
- The UK opt-out and later membership.

Implications that may be identified include:

- It has improved the working conditions of employees across the EU examples such as the minimum wage and increased parental leave may be offered.
- This has particularly affected workers in specific sectors such as Junior Doctors (working hours) and workers in low paid industries like catering and hospitality.
- It has extended EU rules and regulations into new areas that arguably erode sovereignty.
- It 'evens the playing field' within the EU by preventing individual countries from undercutting others with lower labour costs or lower employment protection.
- Equally this could be seen to increase the threat from non EU economic powers that do not operate such tight labour regulations such as the China, Russia and the USA.

Advantages and disadvantages of the Social Chapter can only be credited insofar as they identify and explain effects of it.

A threshold Level 2 response will typically exhibit the following features:

- Limited, and possibly implicit, awareness of the nature of the Social Chapter.
- Limited knowledge of two implications of the Social Chapter.

- Clear, and probably explicit, awareness of the nature of the Social Chapter.
- A clear explanation of at least three implications of the Social Chapter.

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Level 3 (11-15 marks)	 Knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
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Question Number	Question
4.	Define subsidiarity and explain its significance for European
	Integration

Candidates should demonstrate an awareness of the nature of subsidiarity, which may include:

- It is the principle that policy-decisions should be taken as close to those affected by the decisions as possible.
- Therefore policy should only be made at EU level if local or national governments are less able to achieve the goals of the policy.
- It was originally designed to guarantee regional autonomy **and** to limit the EU's ability to intervene and further encroach on national sovereignty.

Points on the impact of subsidiarity on integration may include:

- Euro-sceptics argue that it is too easy to make the case for almost all policy areas being addressed most effectively at EU level rather than at the lowest level, pointing to the increasing number of policy areas introduced to EU control by recent treaties e.g. social policy, CFSP, and the environment.
- Euro-sceptics may also argue that it in effect a 'sop' giving minor issues to lower levels whilst permitting further integration on key issues. It is therefore effectively an alibi for "creeping federalism".
- Others argue that subsidiarity is being used as an excuse to limit further integration, by potentially allowing national parliaments to decide whether EU legislation complies with the principle of subsidiarity (under the Lisbon Treaty).
- Subsidiarity may also be used as an excuse to retain national control in areas which might be best dealt with at EU level e.g. defence, foreign affairs and the environment.
- Subsidiarity also arguably prevents further integration by creating additional bodies to deal with locally or regionally decided policy issues, such as the Committee for the Regions.

It is not necessary to consider points that advance *both* an increasing and decreasing level of integration in order to achieve Level 3, although this may be a feature of the strongest answers.

A threshold Level 2 response will typically exhibit the following features:

- Limited, and possibly implicit, awareness of the nature of subsidiarity.
- Limited knowledge of at least two effects of subsidiarity.

- Clear and explicit understanding of the nature of subsidiarity.
- A clear explanation of at least three effects of subsidiarity.

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Level 3 (11-15 marks)	 Knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
Level 2 (6-10 marks)	 knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
Level 1 (0-5 marks)	 Very poor to weak: knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

Question Number	Question
5.	On what grounds have Euro-sceptics in the Conservative Party
	criticised the EU?

Candidates should show an awareness that Euro-scepticism in the Conservatives Party encompasses different factions, although this may be implicit for all but the strongest responses. These may include those who wish to remain in but resist further integration, those who wish to 'take back' powers, and those who wish to leave the EU entirely.

Grounds on which Conservatives Euro-sceptics have criticised the EU may include

- The loss of British sovereignty, particularly given the reduction of the veto and increase in QMV which makes it harder to resist further loss.
- The departure from the original purpose of a Single Market, which was the main argument for entry and during the 1975 referendum, into becoming apolitical union.
- The increasing 'mission creep' of the EU into a social role such as the Social Chapter.
- The one size fits all approach, e.g. of the CAP, which fails to recognise cultural and economic distinctions.
- The level of bureaucracy, including the lack of democratic accountability.
- The cost to the UK of membership, particularly given the current squeeze on public spending.
- The impact of recent expansion on immigration, with increasing numbers of East-Europeans coming to Britain in search of work.

A threshold Level 2 response will typically exhibit the following features:

- Limited, and probably implicit, awareness of the nature of Conservative Euroscepticism.
- Limited knowledge of at least two Eurosceptic Conservative criticisms of the EU.

- Clear, and probably explicit, understanding of the nature of Conservative Euroscepticism.
- A clear explanation of at least three Eurosceptic Conservative criticisms of the EU.

LEVELS	DESCRIPTORS
Level 3 (11-15 marks)	 Knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making good use of appropriate vocabulary.
Level 2 (6-10 marks)	 knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making some use of appropriate vocabulary.
Level 1 (0-5 marks)	 Very poor to weak: knowledge and understanding of relevant institutions, processes, political concepts, theories or debates. ability to analyse and explain political information, arguments and explanations. ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary.

Question Number	Question
6.	A constitution in all but name – discuss this view of the Lisbon
	treaty

Candidates should demonstrate an understanding of the main provisions of the Lisbon Treaty, which may be used as examples to support their substantive arguments. These <u>could</u> include:

- More centralised decision-making e.g. changing the role and powers of key institutions.
- Increased use of QMV.
- Increased powers to the European Parliament and European Court of Justice into home affairs.
- The Charter of Human Rights became legally binding.
- An enhanced the foreign policy role for the EU.
- A new post of President of the European Union.

Arguments in support of the premise that this is a constitution in all but name include:

- It represented only minor change from the draft European Constitution.
- It dealt with areas traditionally considered to be part of a constitution including the powers to the EU's Parliament, courts and 'central government'.
- It also established new and powerful posts including the President of the European Union and the High Representative for Foreign Affairs.
- By further extending EU powers in several areas, and reducing the veto, the treaty cemented the role of the EU as a federal superstate, effectively giving the treaty equivalent status to the US Constitution.
- Euro-sceptics argue that even if it the treaty is not in itself a full constitution, it makes such an eventual outcome inevitable in this sense it could perhaps be seen as like the US articles of Confederation.

Arguments that the Lisbon Treaty is not a constitution in all but name include:

- It dropped the 'constitutional' name of the previous treaty to counter the objections of those who claimed it was creating an EU constitution.
- It continues to allow opt-outs for various Human Rights and Foreign Policy issues, which would not generally be included in genuine constitutions.
- It has very little impact on certain areas often considered to be part of a constitution including defence, policing, taxation etc.
- Unlike the original constitution it does not replace earlier treaties but rather streamlines and simplifies processes which were designed for a club of six but have been used for a club of 27 it is simply the 'next step' in an evolutionary process.
- Unlike most national constitutions it does not have any 'higher status' within European Law than any other treaty.

- Limited understanding of the provisions of the Lisbon Treaty.
- Largely one-sided in the arguments presented, although still with some acknowledgement of the counter-case.

- A focus on general or vague arguments with regard to the extent to which this could be seen as a constitution.
- Limited awareness of competing political viewpoints.

A threshold Level 3 response will typically exhibit the following features:

- A clear awareness of at least two provisions of the Lisbon Treaty.
- Clear attempts at balance with at least two arguments on each side of the question and an evaluative conclusion.
- Specific and detailed arguments with regard to the extent to which this could be seen as a constitution.

• Strong awareness of competing political viewpoints.

AO1	Knowledge and understanding
Level 3 (9-12 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 2 (5-8 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
Level 1 (0-4 marks)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates
AO2	Intellectual skills
Level 3 (9-12 marks)	Intellectual skills Good to excellent ability to analyse and evaluate political information, arguments and explanations
Level 3 (9-12	Good to excellent ability to analyse and evaluate political

AO2	Synoptic skills	
Level 3 (9-12 marks)	Good to excellent ability to identify competing viewpoints or perspectives, and clear insight into how they affect the interpretation of political events or issues and shape conclusions	
Level 2 (5-8 marks)	Limited to sound ability to identify competing viewpoints or perspectives, and a reliable awareness of how they affect the interpretation of political events or issues and shape conclusions	
Level 1 (0-4 marks)	Very poor to weak ability to identify competing viewpoints or perspectives, and a little awareness of how they affect the interpretation of political events or issues and shape conclusions	
AO3	Communication and coherence	
Level 3 (7-9 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary	
Level 2 (4-6 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary	
Level 1 (0-3 marks)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary	

Question Number	Question
7.	TWE is the Euro crisis a reflection of the deeper flaws of monetary union?

Candidates should demonstrate an awareness of features of both the Euro crisis and of monetary union which may be used as examples to support their substantive arguments. This may include

- The single currency.
- The sovereign debt crisis.
- The Eurozone bailouts.
- The context of the global economic crisis.

Arguments in support of the premise that the crisis reflects deeper flaws in monetary union include:

- The EU could be argued to have suffered more than other economies such as the US and emerging economies in Asia.
- The Euro crisis highlighted the problems of a 'one size fits all' policy when differing economic cycles in national economies needs more flexibility than the European Central Bank allow e.g. the property boom in Spain and Eire was the reverse in Germany where costs were squeezed down.
- Monetary Union has increased the level of interdependence between members to dangerous levels, whereby a crisis in one relatively small member state threatens to derail the economies of all.
- The crisis has also highlighted the lack of effective enforcement of the provisions of Monetary Union 14 Eurozone states breached the Stability and Growth Pact rules in 2009- even economically strong countries like France and Germany have struggled to stay within the required debt and deficit rules
- It could equally be contended that the problem was a lack of monetary union, not an excess of it – such as a failure to implement common banking reforms, collectively limit the 'excesses of capitalism', or provide the ECB with sufficient powers.

Arguments that the crisis does not reflect deeper flaws in monetary union include:

- The crisis was global in nature, and monetary union has simply altered the way in which it impacts – 'spreading the pain' across the EU rather than increasing it overall.
- Without monetary union several economies that have survived, albeit in straightened circumstances, may have gone under entirely – it could be argued that the problems in Greece and Ireland were not due to EU rules, but rather to systemic cultural or political failings in those countries that would have existed anyway.
- The Euro has survived the 2008 economic crisis its value remained strong while the value of the US dollar and UK Sterling fell, and in fact it gained in popularity.
- The continuing problems in the UK, including double dip, could be cited as evidence that remaining outside parts of monetary union has not let to any reduction in the crisis.
- Several alternative factors may be advanced as the primary cause(s) of the Eurozone crisis including the excessive power of multinational corporations,

global lack of banking regulation etc.

A threshold Level 2 response will typically exhibit the following features:

- Limited understanding of the nature of the Euro crisis and of monetary union.
- Largely one-sided in the arguments presented, although still with some acknowledgement of the counter-case.
- A focus on general or vague arguments with regard to the extent to which the crisis is a result of deeper flaws in monetary union.
- Limited awareness of competing political viewpoints.

- A clear awareness of the nature of both the Euro crisis and of monetary union.
- Clear attempts at balance with at least two arguments on each side of the question and an evaluative conclusion.
- Specific and detailed arguments with regard to the extent to which the crisis is a result of deeper flaws in monetary union.
- Strong awareness of competing political viewpoints.

AO1	Knowledge and understanding	
Level 3 (9-12 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
Level 2 (5-8 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
Level 1 (0-4 marks)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
AO2	Intellectual skills	
Level 3 (9-12 marks)	Good to excellent ability to analyse and evaluate political information, arguments and explanations	
Level 2 (5-8 marks)	Limited to sound ability to analyse and evaluate political information, arguments and explanations	
Level 1 (0-4 marks)	Very poor to weak ability to analyse and evaluate political information, arguments and explanations	
AO2	Synoptic skills	
Level 3 (9-12 marks)	Good to excellent ability to identify competing viewpoints or perspectives, and clear insight into how they affect the interpretation of political events or issues and shape conclusions	
Level 2 (5-8 marks)	Limited to sound ability to identify competing viewpoints or perspectives, and a reliable awareness of how they affect the interpretation of political events or issues and shape conclusions	
Level 1 (0-4 marks)	Very poor to weak ability to identify competing viewpoints or perspectives, and a little awareness of how they affect the interpretation of political events or issues and shape conclusions	

AO3	Communication and coherence	
Level 3 (7-9 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary	
Level 2 (4-6 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary	
Level 1 (0-3 marks)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary	

Question Number	Question
8.	The European Commission is the major driving force within the EU. Discuss

Candidates should demonstrate an awareness of the nature, role and powers of the European Commission, which may include

- Its multinational nature with representative from all 27 member states.
- Its method of appointment, by the Council of Ministers and European Parliament.
- Its power of 'legislative initiative'.
- Its role in implementing and enforcing policy.

Arguments that the Commission is the major driving force in the EU include:

- The Commission holds 'executive power' with its governmental powers being such that some, such as former Belgian Prime Minister Guy Verhofstadt, have suggested changing its name to the "European Government"
- The Commission initiates, and therefore shapes, policy other bodies do not have this 'legislative initiative'. It also remains closely involved in all discussions that take place while proposals are being debated by other bodies.
- The Commission is responsible for implementing and enforcing policy, and enjoys substantial discretion as to how this is done.
- The Commission has responsibility for specific areas of foreign policy (especially trade) and for negotiations with applicant states.
- Since the Lisbon Treaty the Council of Ministers can no longer withdraw the Commission's powers (and this was only ever theoretical) they are now granted directly by treaties.
- Other EU institutions continue to have various weaknesses such as their lack of powers (EU Parliament) or their reactive nature (ECJ).

Arguments that the Commission is not the major driving force in the EU include:

- The Commission is not directly elected but is appointed by both the Council of Ministers and the European Parliament having a role in this.
- In practice the Commission is mainly limited to making policy proposals.
- The Council of Ministers makes most policy decisions and is where key interministerial negotiations take place.
- Much real negotiation goes on outside of all EU institutions, between ministers from the larger member states.
- The European Parliament, since the adoption of the Lisbon Treaty, has become more powerful, particularly in EU legislation, and this is likely to curtail the power of the Commission.

Detailed discussion of the powers of multiple other EU institutions, whilst creditable insofar as it relates to the question of the Commission's level of power, is not sufficient by itself to reach level 3.

A threshold Level 2 response will typically exhibit the following features:

• Limited and possibly implicit awareness of the nature, role and powers of the European Commission.

- Largely one-sided in the arguments presented, although still with some acknowledgement of the counter-case.
- A focus on general or vague arguments with regard to the extent to which the Commission could be considered a driving force.
- Some, limited, awareness of different viewpoints

- Clear and probably implicit awareness of the nature, role and powers of the European Commission.
- Clear attempts at balance with at least two arguments on each side of the question and an evaluative conclusion.
- Specific and detailed arguments with regard to the extent to which the Commission could be considered a driving force.
- Strong awareness of competing political viewpoints.

AO1	Knowledge and understanding	
Level 3 (9-12 marks)	Good to excellent knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
<i>Level 2</i> (5-8 marks)	Limited to sound knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
Level 1 (0-4 marks)	Very poor to weak knowledge and understanding of relevant institutions, processes, political concepts, theories or debates	
AO2	Intellectual skills	
Level 3 (9-12 marks)	Good to excellent ability to analyse and evaluate political information, arguments and explanations	
Level 2 (5-8 marks)	Limited to sound ability to analyse and evaluate political information, arguments and explanations	
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AO2	Synoptic skills	
Level 3 (9-12 marks)	Good to excellent ability to identify competing viewpoints or perspectives, and clear insight into how they affect the interpretation of political events or issues and shape conclusions	
Level 2 (5-8 marks)	Limited to sound ability to identify competing viewpoints or perspectives, and a reliable awareness of how they affect the interpretation of political events or issues and shape conclusions	
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AO3	Communication and coherence	
Level 3 (7-9 marks)	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary	
Level 2 (4-6 marks)	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary	
Level 1 (0-3 marks)	Very poor to weak ability to construct and communicate coherent arguments, making little or no use of appropriate vocabulary	

SUMMARY A2 MARKING GRIDS

These grids should be used in conjunction with the fuller Level descriptors.

PART A - SHORT QUESTIONS (15 marks)

Level 3	Excellent	15
	Very good	13-14
	Good	11-12
Level 2	Sound	10
	Basic	8-9
	Limited	6-7
Level 1	Weak	4-5
	Poor	2-3
	Very poor	0-1

PART B – ESSAY QUESTIONS (45 marks)

AO1 / AO2 / Synopticity		
Level 3 (Good to excellent)	9-12	
Level 2 (Limited to sound)	5-8	
Level 1 (Very poor to weak) 0-4		

AO3	
Level 3 (good to excellent)	7-9
Level 2 (Limited to sound)	4-6
Level 1 (Very poor to weak)	0-3

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