



GCE MARKING SCHEME

SUMMER 2016

**GOVERNMENT & POLITICS – GP4a
1404/01**

INTRODUCTION

This marking scheme was used by WJEC for the 2016 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

GOVERNMENT AND POLITICS - GP4a

MARK SCHEME SUMMER 2016

Q.1 (a) Explain how the US constitution promotes the concept of federalism. [10]

Credit could be given for explaining the following:

- Amendment 10 of the Bill of Rights reserves all powers not listed in the Constitution to the people and states.
- The Constitution limits the powers of the federal government but not those of the states.
- The processes and procedures of each state have to be respected by the other states.
- Any other relevant material.

AO1		AO2	
4-6	Knowledge and understanding is accurate and detailed, using a range of relevant evidence/examples.	3-4	Argument is clearly structured and focused, providing a convincing explanation.
1-3	Knowledge and understanding is basic in detail with limited evidence/examples.	1-2	Argument is limited in terms of coherence and focus.
0	No relevant knowledge or understanding.	0	No relevant explanation.

- (b) **'The Bill of Rights is more significant than other parts of the US Constitution.'** Discuss. [30]

Credit could be given for analysing/evaluating the following:

- Arguments that it is might include: it lists the basic rights of all US citizens; it applies to the federal government and the states; Amendment 9 allows for future rights to be added to it; it is guarded and interpreted by the Supreme Court; discussion of the specific importance of certain Amendments such as Amendment 1, 2, 5 or 8.
- Arguments that it is not might include: the significance of other parts of the Constitution, such as the Commerce Clause, Elastic Clause, Necessary and Proper Clause, the enumerated powers of the president; the preamble of the Constitution and its significance; the significance of the principles underpinning the Constitution as a whole, such as federalism or separation of powers; the lack of relevance of some Bill of Rights amendments.
- Any other relevant material.

AO1		AO2		AO3	
8-10	Content is accurate and detailed with a range of relevant evidence/examples from both sides of the argument. Depth and range of knowledge are displayed though not necessarily in equal measure.	9-12	Differing viewpoints are clearly structured and focused, providing a convincing explanation. Depth and range of analysis are displayed though not necessarily in equal measure.	7-8	The argument is clearly structured and sustained, using appropriate political vocabulary; accurate spelling, punctuation and grammar.
4-7	Content is reasonably accurate but less detailed using some evidence/examples from both sides of the argument. Depth or range of knowledge are displayed.	5-8	Differing viewpoints are reasonably thorough and coherent. Depth or range of analysis are displayed.	4-6	The argument is clear using some political vocabulary; some inaccuracies in spelling, punctuation and grammar.
1-3	Content is described in basic detail with limited evidence/examples from both sides of the argument OR reasonably accurate but a one-sided view only.	1-4	Argument is limited and basic in terms of coherence and focus.	1-3	The argument is basic and limited in clarity and structure; errors in spelling punctuation and grammar.
0	No relevant knowledge or understanding.	0	No relevant analysis.	0	No relevant argument is constructed.

Q.2 (a) Explain why the financial role of Congress is important.

[10]

Credit could be given for explaining the following:

- Part of the checks and balances system (legislature on the executive).
- It is a power of the House only, separation of powers.
- It can cause gridlock.
- Any other relevant material.

AO1		AO2	
4-6	Knowledge and understanding is accurate and detailed, using a range of relevant evidence/examples.	3-4	Argument is clearly structured and focused, providing a convincing explanation.
1-3	Knowledge and understanding is basic in detail with limited evidence/examples.	1-2	Argument is limited in terms of coherence and focus.
0	No relevant knowledge or understanding.	0	No relevant explanation.

(b) Assess whether Congress performs its function of oversight more effectively than its other functions. [30]

Credit could be given for analysing/evaluating the following:

- Arguments that it does might include: the effectiveness of various oversight committees especially in relation to the growing executive agencies, e.g. the Senate Intelligence Committee investigations into the activities of the CIA 2014; the effectiveness of specific studies or inquiries conducted by Congress into the actions of the executive, eg. Iran-Contra, Watergate, 9/11; the power of the purse – control over finance for Presidential programmes; bipartisanship on committees; the weaknesses of Congressional performance of other functions.
- Arguments that it does not might include: the sporadic nature of the spectacular inquiries; the overwhelming quantity of executive work that needs to be scrutinised; partisan control of committees; debates about Congressional decline; the perceived greater effectiveness of other functions of Congress such as legislation or representation.
- Any other relevant material.

AO1		AO2		AO3	
8-10	Content is accurate and detailed with a range of relevant evidence/examples from both sides of the argument. Depth and range of knowledge are displayed though not necessarily in equal measure.	9-12	Differing viewpoints are clearly structured and focused, providing a convincing explanation. Depth and range of analysis are displayed though not necessarily in equal measure.	7-8	The argument is clearly structured and sustained, using appropriate political vocabulary; accurate spelling, punctuation and grammar.
4-7	Content is reasonably accurate but less detailed using some evidence/examples from both sides of the argument. Depth or range of knowledge is displayed.	5-8	Differing viewpoints are reasonably thorough and coherent. Depth or range of analysis is displayed.	4-6	The argument is clear using some political vocabulary; some inaccuracies in spelling, punctuation and grammar.
1-3	Content is described in basic detail with limited evidence/examples from both sides of the argument OR reasonably accurate but a one-sided view only.	1-4	Argument is limited and basic in terms of coherence and focus.	1-3	The argument is basic and limited in clarity and structure; errors in spelling punctuation and grammar.
0	No relevant knowledge or understanding.	0	No relevant analysis.	0	No relevant argument is constructed.

Q.3 (a) Explain the importance of the president's power to persuade. [10]

Credit could be given for explaining the following:

- Constitutional limits on executive power.
- The ebb and flow of power both within Congress and between the legislative and executive branches.
- The importance of log-rolling.
- Any other relevant material.

AO1		AO2	
4-6	Knowledge and understanding is accurate and detailed, using a range of relevant evidence/examples.	3-4	Argument is clearly structured and focused, providing a convincing explanation.
1-3	Knowledge and understanding is basic in detail with limited evidence/examples.	1-2	Argument is limited in terms of coherence and focus.
0	No relevant knowledge or understanding.	0	No relevant explanation.

(b) 'The main problem with the federal bureaucracy is clientelism.' Discuss. [30]

Credit could be given for analysing/evaluating the following:

- Arguments that it is might include: the relationships between elements of the federal bureaucracy and their 'clients', and the perceived results of this such as the federal bureaucracy 'going native', or becoming over-cautious; iron triangles; the lack of effectiveness of regulatory agencies; the protection of special interests at the expense of the public interest; candidates may argue that the federal bureaucracy performs other functions better, making them not as much a problem as clientelism.
- Arguments that it is not might include: any perceived benefits of clientelism, such as reciprocity and the delivery of compliance by the 'client'; other criticism of their deferral bureaucracy such as inefficiency, incrementalism, waste and arbitrariness, the lack of control over it.
- Any other relevant material.

AO1		AO2		AO3	
8-10	Content is accurate and detailed with a range of relevant evidence/examples from both sides of the argument. Depth and range of knowledge are displayed though not necessarily in equal measure.	9-12	Differing viewpoints are clearly structured and focused, providing a convincing explanation. Depth and range of analysis are displayed though not necessarily in equal measure.	7-8	The argument is clearly structured and sustained, using appropriate political vocabulary; accurate spelling, punctuation and grammar.
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0	No relevant knowledge or understanding.	0	No relevant analysis.	0	No relevant argument is constructed.

Q.4 (a) Explain why the Supreme Court is needed to interpret the US Constitution.

[10]

Credit could be given for explaining the following:

- The Constitution has the status of superior law.
- The Supreme Court needs to protect citizens or the states in disputes over whether federal government actions are constitutional.
- It is vague and capable of varying interpretations so the Supreme Court is needed to give modern meaning to it.
- Any other relevant material.

AO1		AO2	
4-6	Knowledge and understanding is accurate and detailed, using a range of relevant evidence/examples.	3-4	Argument is clearly structured and focused, providing a convincing explanation.
1-3	Knowledge and understanding is basic in detail with limited evidence/examples.	1-2	Argument is limited in terms of coherence and focus.
0	No relevant knowledge or understanding.	0	No relevant explanation.

(b) 'The US Supreme Court reflects rather than leads public opinion in the USA.' Discuss. [30]

Credit could be given for analysing/evaluating the following:

- Arguments that it does might include: the legal role of the Supreme Court; restrictions on its power and over the cases it hears; judicial restraint and strict construction with examples; the importance of precedent and 'stare decisis'; examples of landmark cases that reflected public opinion at the time or the SC overturning its own precedent to accommodate changes in public opinion; the engagement of the judges with public opinion through the media and amicus curiae briefs.
- Arguments that it does not might include: the political nature of the Supreme Court – the appointments process, controversies and debates; lifetime tenure and the small number of justices; periods of judicial activism with examples, the impact of loose constructionists, the ideological disposition of justices; the duty of the Supreme Court to interpret the constitution in a modern setting; the role of the Supreme Court in changing America's moral values through landmark judgements; the importance of dissents; the validity of Supreme Court judgements even in the most contentious circumstances e.g. 2000 presidential election.
- Any other relevant material.

AO1		AO2		AO3	
8-10	Content is accurate and detailed with a range of relevant evidence/examples from both sides of the argument. Depth and range of knowledge are displayed though not necessarily in equal measure.	9-12	Differing viewpoints are clearly structured and focused, providing a convincing explanation. Depth and range of analysis are displayed though not necessarily in equal measure.	7-8	The argument is clearly structured and sustained, using appropriate political vocabulary; accurate spelling, punctuation and grammar.
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0	No relevant knowledge or understanding.	0	No relevant analysis.	0	No relevant argument is constructed.