

CAMBRIDGE INTERNATIONAL EXAMINATIONS

Pre-U Certificate

MARK SCHEME for the May/June 2013 series

9770 COMPARATIVE GOVERNMENT AND POLITICS

9770/01

Paper 1 (Concepts and Institutions), maximum raw mark 100

This mark scheme is published as an aid to teachers and candidates, to indicate the requirements of the examination. It shows the basis on which Examiners were instructed to award marks. It does not indicate the details of the discussions that took place at an Examiners' meeting before marking began, which would have considered the acceptability of alternative answers.

Mark schemes should be read in conjunction with the question paper and the Principal Examiner Report for Teachers.

Cambridge will not enter into discussions about these mark schemes.

Cambridge is publishing the mark schemes for the May/June 2013 series for most IGCSE, Pre-U, GCE Advanced Level and Advanced Subsidiary Level components and some Ordinary Level components.

Page 2	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

Generic marking descriptors: short essays

- The full range of marks will be used as a matter of course.
- Examiners will look for the ‘best fit’, not a ‘perfect fit’ in applying the Levels.
- Examiners will provisionally award the middle mark in the Level and then moderate up/down according to individual qualities within the answer.
- The ratio of marks per AO will be 3:2.
- The weighting of marks for each AO should be considered, but this is reflected in the descriptor: marking should therefore be done holistically.
- Question-specific mark schemes will be neither exhaustive nor prescriptive. Appropriate, substantiated responses will always be rewarded.

Level/marks	Descriptors
5 25–21 marks	<p>ANSWERS MAY NOT BE PERFECT; BUT WILL REPRESENT THE VERY BEST THAT MAY BE EXPECTED OF AN 18-YEAR-OLD.</p> <ul style="list-style-type: none"> • Excellent focused explanation that answers the question convincingly. Towards the bottom, may be a little unbalanced in coverage yet the answer is still comprehensively explained and argued. • Excellent knowledge and understanding of relevant political terms and/or institutions. Answer is comprehensively supported by an excellent range of concepts and examples that are used to sustain the argument. • Excellent substantiated synthesis bringing the explanation together.
4 20–16 marks	<p>ANSWERS WILL SHOW MANY FEATURES OF LEVEL 5, BUT THE QUALITY WILL BE UNEVEN ACROSS THE ANSWER.</p> <ul style="list-style-type: none"> • A determined response to the question with strong explanation across most but not all of the answer. • High level of knowledge and understanding of relevant political terms and/or institutions. Answer is well illustrated with a variety of concepts and examples to support the argument. Description is avoided. • Good substantiated synthesis
3 15–11 marks	<p>THE ARGUMENT WILL BE COMPETENT, BUT LEVEL 3 ANSWERS WILL BE LIMITED AND/OR UNBALANCED.</p> <ul style="list-style-type: none"> • Engages well with the question, although explanation is patchy and, at the lower end, of limited quality. • Fair display of relevant political knowledge and understanding, but this tends to be used to illustrate rather than support the argument. Explanation starts to break down in significant sections of description • Synthesis is patchy in quality.
2 10–6 marks	<p>ANSWERS WILL SHOW A LIMITED LINK BETWEEN THE QUESTION AND ANSWER.</p> <ul style="list-style-type: none"> • Some engagement with the question, but explanation is limited. • Limited explanation within an essentially descriptive response. • Patchy display of relevant political knowledge and understanding that illustrates rather than supports any argument. • Synthesis is limited/thin in quality and extent.

Page 3	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

1 5–0 marks	<p>ANSWERS WILL SHOW A CLEAR SENSE OF THE CANDIDATE HAVING LITTLE IF ANY ENGAGEMENT WITH THE QUESTION.</p> <ul style="list-style-type: none"> • Little or no engagement with the question. • Little or no explanation. • Little or no relevant political knowledge. • Little or no synthesis
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Page 4	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

Generic marking descriptors: full essays

- The full range of marks will be used as a matter of course.
- Examiners will look for the 'best fit', not a 'perfect fit' in applying the Levels.
- Examiners will provisionally award the middle mark in the Level and then moderate up/down according to individual qualities within the answer.
- The ratio of marks per AO will be 1:2.
- The weighting of marks for each AO should be considered, but this is reflected in the descriptor: marking should therefore be done holistically.
- Question-specific mark schemes will be neither exhaustive nor prescriptive. Appropriate, substantiated responses will always be rewarded. Answers may develop a novel response to a question. This is to be credited if arguments are fully substantiated.

Level/marks	Descriptors
5 50–41 marks	<p>ANSWERS MAY NOT BE PERFECT; BUT WILL REPRESENT THE VERY BEST THAT MAY BE EXPECTED OF AN 18-YEAR-OLD.</p> <ul style="list-style-type: none"> • Excellent focused analysis that answers the question convincingly. • Excellent sustained argument throughout with a strong sense of direction that is always well substantiated. Excellent substantiated conclusions. • Excellent understanding of relevant political knowledge (processes, institutions, concepts, debates and/or theories) illustrated with a wide range of examples. • Towards the bottom, may be a little unbalanced in coverage yet the answer is still comprehensively argued. • Candidate is always in firm control of the material.
4 40–31 marks	<p>ANSWERS WILL SHOW MANY FEATURES OF LEVEL 5, BUT THE QUALITY WILL BE UNEVEN ACROSS THE ANSWER.</p> <ul style="list-style-type: none"> • A good response to the question with clear analysis across most but not all of the answer. • Argument developed to a logical conclusion, but parts lack rigour. Strong conclusions adequately substantiated. • Good but limited and/or uneven range of relevant knowledge used to support analysis and argument. Description is avoided.
3 30–21 marks	<p>THE ARGUMENT WILL BE COMPETENT, BUT LEVEL 3 ANSWERS WILL BE LIMITED AND/OR UNBALANCED.</p> <ul style="list-style-type: none"> • Engages soundly with the question although analysis is patchy and, at the lower end, of limited quality. • Tries to argue and draw conclusions, but this breaks down in significant sections of description. • Good but limited and/or uneven range of relevant political knowledge used to describe rather than support analysis and argument.
2 20–10 marks	<p>ANSWERS WILL SHOW A LIMITED LINK BETWEEN QUESTION AND ANSWER.</p> <ul style="list-style-type: none"> • Limited engagement with the question, with some understanding of the issues. Analysis and conclusions are limited/thin. • Limited argument within an essentially descriptive response. Conclusions are limited/thin. • Factually limited and/or uneven. Some irrelevance. • Patchy display of relevant political knowledge.

Page 5	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

1 9–0 marks	<p>ANSWERS WILL SHOW A CLEAR SENSE OF THE CANDIDATE HAVING LITTLE IF ANY ENGAGEMENT WITH THE QUESTION.</p> <ul style="list-style-type: none"> • Little or no engagement with the question. Little or no analysis offered. • Little or no argument. Assertions are unsupported and/or of limited relevance. Any conclusions are very weak. • Little or no relevant political knowledge.
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Page 6	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

Section A: UK Concepts and Institutions

1 Explain what is meant by ‘parliamentary sovereignty’. [25]

General

The generic mark scheme is the most important guide for examiners and drives the marking of all answers. Assess which level best reflects most of each answer. No answer is required to demonstrate all the descriptions in any level to qualify. Examiners are looking for ‘best fit’, not ‘perfect fit’. Provisionally award the middle mark in the level and then moderate up or down according to the qualities of the answer, using the question-specific marking notes below.

No set answer is expected. Candidates may answer the question from a wide variety of different angles, using different emphases, and arguing different points of view. The marking notes here are indicative and not exhaustive. What matters is the quality of the explanation, supported with valid examples. That said, candidates must answer the question set and not their own question.

Specific

The purpose of the question is to explain the concept of ‘**parliamentary sovereignty**’, which can be defined as: parliamentary sovereignty is a principle of the UK constitution. It makes **Parliament the supreme legal authority** in the UK, which can create or end any law. Generally, the courts cannot overrule its legislation and no Parliament can pass laws that future Parliaments cannot change. Parliamentary sovereignty is, arguably, the most important single part of the UK constitution.

Candidates could explain some of the more recent developments that have taken place affecting parliamentary sovereignty. Parliament has passed laws **reflecting political developments both within and outside the UK** that have limited the application of parliamentary sovereignty. These include:

- **The devolution of power to the Scottish Parliament (Scotland Act 1998), the Welsh Assembly (Government of Wales Act 1998) and the Northern Ireland Assembly (Northern Ireland Act 1998).**
- **The Human Rights Act 1998.**
- **The decision to establish a UK Supreme Court in 2005 (opened in 2009) which ended the House of Lords’ function as the UK’s final court of appeal.**
- **The UK’s entry to the European Union in 1973 and its subsequent signature of various European treaties.**
- **Decisions of the European Court of Human Rights, e.g. in the Abu Qatada case (2012).**

These developments do not fundamentally undermine the principle of parliamentary sovereignty, since, in theory at least, Parliament could repeal any of the laws implementing these changes.

Page 7	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

2 Explain the role of the Supreme Court in the UK.

[25]

General

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Specific

The purpose of this question is for candidates to focus on the political aspects of the **Supreme Court's role**. Candidates could start by explaining that this Court was set up by the Constitutional Reform Act of 2005 and began work in 2009. Issues that candidates could explain in relation to its political role include:

- **The judges are appointed by the monarch on the advice of the PM after the Judicial Appointments Commission has completed a selection procedure and recommended a candidate.**
- **The Court is the supreme court in all matters under English law, Northern Ireland law and Scottish civil law.**
- **It assumed the judicial functions of the House of Lords.**
- **The Court has jurisdiction to resolve disputes relating to devolution in the UK and the legal powers of the three devolved governments.**
- **The Court is limited in its powers of judicial review. It cannot overturn any primary legislation made by Parliament, but it can overturn secondary legislation.**
- **Under the Human Rights Act 1998, the Court may make a declaration of incompatibility.**

NB This is a politics syllabus so the emphasis here is on the political and constitutional role of the court. No special legal knowledge is required.

Page 8	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

3 Explain the relationship between Government and Parliament. [25]

General

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Specific

The purpose of this question is for candidates to identify and briefly explain the main features of the relationship between government and parliament. Candidates might begin by defining the two terms:

Government: Government runs the country. It has responsibility for developing and implementing policy and for drafting laws. Known as the Executive.

Parliament: Parliament is the highest legislative authority in the UK. It has responsibility for checking the work of government and for debating, scrutinising and approving proposed laws. Known as the Legislature.

Candidates might then explain some of the issues that concern the relationship between the two institutions, such as:

- **Governments are formed from the political party that wins the most seats in a general election (not the case, of course, with minority or coalition governments).**
- **Government ministers are chosen from members of Parliament (MPs and some Lords).**
- **Scrutiny of Government by Parliament, particularly in financial policy.**
- **Government needs to maintain the confidence of the majority of Parliament, but it has an in-built majority in the Commons and traditionally the party whip system allows it to control the Commons – but MPs have shown a far greater willingness to rebel in the last few years (especially in the parliament elected in 2010).**
- **In the Lords, governments have less control (especially since the 1999 House of Lords Act removed most hereditary peers) but, usually, Government can force their will in the end by using the Parliament Act.**
- **Government has the upper hand over Parliament, and backbenchers have very little power, but recent developments suggest that Parliament is asserting itself more, e.g. the developing role of select committees, including the Liaison Committee (which from 2002 has had the power to question the Prime Minister), the creation of the Backbench Business Committee in 2010 and the election of select committee chairs (from 2010); the role taken by Speaker Bercow (elected 2009) in controlling ministers and giving more time to backbenchers; the agreement (2010) to set up a House Business Committee by the third years of the present Parliament.**

Page 9	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

4 To what extent is the size of a pressure group the main factor in determining their success? [50]

General

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Specific

The purpose of this question is for candidates to consider the relative importance of factors that can determine the success of a pressure group and come to a judgement on the question.

There are a number of factors that the candidate could consider. There should be a serious discussion of the factor given in the question, namely the size of its membership, if the question is to be answered fully. This should then be weighed up in relation to other factors, such as:

- **Resources:** the resources of a pressure group can influence the ability to campaign and lobby.
- **Information:** pressure groups need to know the issues and the political system in order to enhance their credibility with decision-makers.
- **Importance in society:** The more important the particular group is in society, the more likely the government is to hear its opinions.
- **The nature of the government:** some governments will be more responsive to this type of activity.
- **Organisation:** how well organised is the pressure group?
- **Public opinion:** the extent to which public opinion is sympathetic?
- **Opposition:** are there any powerful groups who opposed their aims?
- **Access:** insider or outsider status.

Answers that do not address seriously the issue of the size of a pressure group will not have answered the question fully so will not be able to score a mark above Band 4 (40 marks).

Page 10	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

5 How effective are the electoral systems used in the UK?

[50]

General

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Specific

The purpose of the question is for candidates to consider the effectiveness of the various systems used in the UK and come to a judgement on the question.

Candidates could establish what is meant by 'effectiveness' and then assess this through a range of examples based on the actual systems employed:

- **The first-past-the-post system – used in UK General Elections and local council elections in Wales and England (except London).**
- **Supplementary Vote system – used from 2000 in elections for the Mayor of London and other elected mayors.**
- **Alternative Vote system – used to elect the majority of chairs of select committees in the House of Commons, the Lord Speaker in the House of Lords and for by-elections for hereditary peers in the Lords.**
- **Single Transferable Vote – used in Northern Ireland for Assembly elections (from 1999) and European Parliament elections (from 1999). Used also for local council elections in Scotland (from 2007) and Northern Ireland, and for electing Deputy Speakers of the House of Commons.**
- **Closed Party List system – used from 1999 in European Parliament elections in the UK (but not Northern Ireland).**
- **Additional Member System – used from 1999 in Scottish Parliament and Welsh Assembly elections, and elections for the London Assembly.**

Candidates might consider issues such as representation, effectiveness, the nature of constituencies, electoral fraud, voter turnout and disaffection, etc. Candidates might note that the question raises an issue of recent development – prior to the first Blair government; first-past-the-post was used for all UK elections.

NB This is not a question about electoral reform *per se*, but many reform issues are relevant in a question requiring examination of electoral systems.

Page 11	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

6 'Prime Ministers have become too powerful.' How far do you agree with this view? [50]

General

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Specific

The purpose of the question is for candidates to consider the power of modern Prime Ministers and come to an overall judgement on the question. The following provide some of the arguments that could be included:

Arguments that Prime Ministers are becoming 'too powerful'

- **Formal and informal powers of the Prime Minister are considerable and most recent PMs have used them extensively (e.g. Thatcher, Blair).**
- **There are no effective constitutional limits to the power of the PM.**
- **Fusion of executive and legislative branches of government gives the PM direct influence over both.**
- **The apparatus of government is hierarchically organised with the PM at its head.**
- **The office of PM has increased in size over time.**
- **PM's importance is magnified by media attention.**
- **PM represents the country in widely publicised international meetings.**

Arguments that PM's power is still restricted:

- **Modern government is so complicated that one person cannot possibly control it.**
- **PM has powerful and ambitious rivals in office. Some may be ignored, but not all and this weakens a PM (e.g. Browne v Blair).**
- **Important political factions within the party need to be represented in the Cabinet, which means there is a need for collective leadership.**
- **The media can be a powerful critic of the PM. Can be weakened by a hostile press.**
- **Senior cabinet figures can also attract the political limelight and represent the country abroad.**
- **The PM's office is relatively small compared with the Civil Service.**
- **Much depends on the style/personality of the individual prime minister, e.g. the consensual style of John Major's premiership – or was that forced on him by circumstance (slim parliamentary majority)? In this context, what of David Cameron as Prime Minister in a coalition government where he has to negotiate with key ministers from another political party?**

Arguments need to be supported by examples since 1979.

NB Candidates may, but are not expected, to consider competing theories of executive power.

Page 12	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

Section B: US Concepts and Institutions

7 Explain the role of the Cabinet in the USA. [25]

General

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Specific

The focus of this question is to explain the role of the Cabinet. Candidates can explain a range of issues and rules that govern its role. These could include the following:

- **The Cabinet is not a decision-making body. In fact, it makes no decisions at all.**
- **Discussions may centre on key elements of the administration's policy, but these discussions do not result in binding decisions.**
- **The members of Cabinet are appointed by the President subject to ratification by the Senate.**
- **Presidents can use cabinets in different ways.**
- **The Constitution specifies that they must not be drawn from Congress [thus preserving the principle of separation of powers].**
- **The President looks outside Congress to areas such as civil servants, retired politicians, academics, pressure group leaders and leading businessmen.**
- **Presidents often use the EOP [Executive Office of the President] rather than cabinet.**
- **Cabinet Secretaries have limited powers because:**
 - they can be overruled by the President.**
 - their legislative plans may be thwarted by Congress.**
 - they rely on Congress for the appropriation of funds.**

Page 13	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

8 Explain the significance of the ‘separation of powers’ in the USA. [25]

General

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Specific

The purpose of this question is for candidates to give an explanation of the term ‘separation of powers’ in the context of the U.S.A.

Candidates could start with a definition, which explains that it is a theory of government by which power is divided between three branches of government – the legislature, the executive and the judiciary – each acting both independently and inter-dependently.

Further explanation could involve outlining that the three branches are divided as follows:

- **The legislature – makes the laws**
- **The executive – carries out the laws. It often proposes the laws too**
- **The judiciary – enforces the laws. Judiciary also interprets the laws and the Constitution.**

Candidates will need to consider the significance of ‘checks and balances’ built into the U.S. system. They could further explain that the functions are not completely separated. It is not the powers that are separated but the institutions. Reference to ‘shared powers’ rather than ‘separated powers’ would be useful.

Page 14	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

9 Explain the functions of the Federal Bureaucracy.

[25]

General

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Specific

The purpose of this question is for the candidate to explain the functions of the Federal bureaucracy.

- **The three main functions are to implement, administer and regulate public policy, putting into effect the policies decided by the political arms of government.**
- **However, the bureaucracy is a powerful body in its own right. Candidates could go on and explain that its power lies in the fact that bureaucrats have access to, and to some extent control over, information, which is essential to the successful implementation of policies. Secondly, the bureaucrats are permanent and they stay in office regardless of who wins elections.**
- **Candidates could illustrate the functions by giving examples and by explaining the structure of the Federal Bureaucracy (e.g. the types of bodies that constitute the Bureaucracy: Department Agencies and Independent Regulatory Commissions).**
- **The top 4,000 posts are not permanent. ‘Schedule C’ appointments are political - which can lead to clashes between the permanent staff and the political staff.**

Page 15	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

10 Evaluate the relationship between the President and Congress.

[50]

General

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Specific

The purpose of this question is for candidates to consider the relationship between the President and Congress and come to a judgement on the question. Among the range of issues that could be considered are:

- **The formal powers of the President and Congress as stated in the Constitution – the separation of powers is essential to the U.S. system of government, but makes for difficult government when the President does not control Congress.**
- **The informal powers of persuasion that the President uses through both individuals and institutional resources.**
- **The effects of electoral changes during each presidency.**
- **Changes in attitudes in Congress concerning party discipline and constituents’ wishes.**
- **The different background of many recent presidential candidates, resulting in ‘Washington outsiders’ becoming President.**

Essays might consider the growing difficulty of this relationship, especially under President Obama. Is U.S. party politics becoming so polarised that effective government of the U.S.A. is becoming increasingly impossible?

Points made in the arguments offered need to be illustrated with examples since 1977.

Page 16	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

- 11 'The Senate is more important than the House of Representatives.' How far do you agree with this view? [50]

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Specific

The purpose of the question is for candidates to consider the relative importance of the two Houses of Congress and come to a judgement on the question.

Some arguments for the Senate being more important:

- **Senators represent the entire state, not just part of the state.**
- **Senators serve a 6-year term.**
- **Only 100 senators rather than 435 in the House.**
- **Senators more likely to chair committees.**
- **Senators have greater scope to derail legislation (filibuster)**
- **House members often seek election to the Senate, seeing it as 'promotion'.**
- **Senators more likely than Congressmen to be presidential candidates.**

Some arguments that the two Houses are equal:

The most important argument here concerns the equality of the two Houses in the legislative process.

- **All bills must go through all stages in both Houses.**
- **Both Houses have powerful standing committees.**
- **At the conference committee stage, members of both Houses are represented.**
- **Both Houses must agree to the compromise reached at the conference committee.**
- **To override a presidential vote, a two-thirds majority in both Houses is required.**

Page 17	Mark Scheme	Syllabus	Paper
	Pre-U – May/June 2013	9770	01

12 How important is the Supreme Court in the US system of government?

[50]

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Specific

The purpose of this question is for the candidate to consider the importance of the Supreme Court in US government and come to judgement on the question. The range of issues for possible discussion includes:

Arguments that Supreme Court is important:

- **The Court has a wide jurisdiction. Article III of the Constitution did not describe a wide jurisdiction but left scope for appellate jurisdiction being generously interpreted.**
- **Judicial review extends beyond the law to the actions of government (both Federal and State).**
- **The Court's judgements can only be reversed through the process of constitutional amendment or judicial review.**
- **The Court has immense authority and prestige.**
- **The Court judges are protected from the pressures of public opinion due to the fact that they are appointed for life.**
- **The Court has created a wide appellate jurisdiction for itself in their judgements in a number of cases, e.g. Marbury v Madison (1803) and Fletcher v Peck (1810).**

Arguments that the Supreme Court is not so important:

- **The Court is limited in its ability to enforce its rulings.**
- **The Court has no power of initiative and cannot consider a hypothetical legal question.**
- **Congress has powers over the Federal courts.**
- **Congress has the power of impeachment.**
- **Congress can initiate a constitutional amendment if they oppose a ruling of the Court.**
- **The Court, in the long run, cannot ignore public opinion.**
- **The Court can only rule on cases deemed 'justiciable'.**

NB This is a politics syllabus so the emphasis here is on the political and constitutional role of the court. No special legal knowledge is required.