



2011 Politics

Higher – Paper 2

Finalised Marking Instructions

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2011 Politics

Higher

Paper 2

“Pass” and better answers must feature both knowledge and understanding of the issues and analysis of and balanced comment on, the issues being addressed.

If the answer merits a “pass” or better, you should now grade it. “Pass” and better answers are graded taking into account such criteria as the relevancy, accuracy and extent of detailed, exemplified description and analysis.

The marks available for each grade are:

C 10-11 B 12-13 A 14-20

Use the full range of marks, up to and including 20.

Section A – Political Theory

Question A1

Compare and contrast the key features of Liberalism and Conservation, using the works of Locke and Burke.

(20)

Candidates must refer to the quote and structure a robust and relevant answer around it and develop links to the relevant theorists Locke and Burke in order to gain high marks ie 14 or more out of 20.

Credit appropriate historical background/contexts used by candidates. It is important that candidates do not just describe or explain each theorist’s work in turn; they must compare and contrast their ideas appropriately in order to gain high marks.

Credit references to aspects of the following:

Liberalism

John Locke supported the Parliamentarians during the War of The Three Kingdoms and supported the Glorious Revolution of 1688 – and he contributed to the development of Liberal principles as follows:

- **Consent** – willing agreement – “consent of the governed” aware of dangers of tyranny – developed into a need for democracy and representation including a bill of rights and written constitution.
- **Toleration** – to think, act and speak (within some limits) Locke advocated religious toleration for all except Roman Catholics. Toleration leads to social enrichment – pluralism is healthy: natural balance and harmony-no such thing as irreconcilable difference.

Individualism – core principles of liberalism – a belief in the supreme importance of the human individual as opposed to any social group.

- **freedom** – individual freedom or liberty is a core value of Liberalism: arises naturally from belief in individual.
- **reason** – world has rational structure and humans have ability to reason-believe in progress and the capacity of individuals to resolve their differences through debate not war.
- **equality** – “born equal” – liberals have a commitment to equal rights especially before the law and in politics eg one person, one vote, favour equality of opportunity-meritocracy-rather than equality of outcome.
- Any other relevant points.

Conservatism

Edmund Burke was in opposition to the radical new ideas of those leading the French revolution – and he developed his thoughts into a logical and full account of early conservative principles as follows:

- Man is not a rational creature but is driven by basic instincts and emotions – the imperfections of man had to be recognized.
- Since man is not capable of being perfect through education etc he must have discipline imposed on him by some superior force.
- Man needs order and security – which are more desirable than individual freedom and tolerance. The purpose of political power is to create and maintain good order.
- This is best achieved through continuity and respect for traditional institutions – eg landed interests, the family, the church.
- Rapid and violent change is to be avoided – reforms only when necessary and with regard to tradition.
- Ownership of property brings responsibility – those who own should try to look after/protect those who don't.
- Credit other relevant points.

Question A2

Marxism provides an analysis of the state that conflicts with the pluralist model of the state.

(20)

Discuss

Credit highly candidates who refer to the “state debate” and its key questions in their answer: Comparing and contrasting the Marxist and pluralist approaches, ie – What is meant by the state? What is the nature of state power? What should be done by the state and what should be left to private individuals and associations? What is the state and how can it be distinguished from government.

Marxism

- Although Karl Marx is an obvious source here candidates may also use Lenin.
- Marx did not provide a coherent, detailed analysis of the state but his writings have been interpreted widely by many and extended by Lenin (amongst others).
- State power is about the economic base and an individual’s relationship to the means of production – proletariat/bourgeoisie; worker/capitalist.
- The state regulates conflict and tries to maintain order and stability.
- State acts as an instrument of class rule – to protect and maintain the interests of the dominant economic/political class.
- The state is a set of political institutions which reflects the nature of class divisions in society.
- State is a product of historical class struggle – state is not neutral but plays a key role in representing and operating in the interests of the dominant class.
- Candidates could choose UK and illustrate the argument put forward by some that a single, coherent ruling class exists – power is due to its ownership and control of capital – credit appropriate examples and explanations, particularly to materialism and the economic system as the basis of society. Superstructure and substructure and their relationship to policy and power.
- Candidates may use USSR or China or Cuba and show how Lenin or others extended Marx’s ideas.
- Notion of the dictatorship of the proletariat and the fact that there will be no need for a state when the lower phase of socialism moves on to the higher phase of communism.

Pluralism

- Assumption that society is made up of many groups.
- A comparative process where a plurality of organised interests try to control or influence government policy.
- State is politically neutral – power is widely and evenly distributed.
- Comes from a liberal tradition – state acts as umpire in society.
- No single group or elite dominates but in reality political access and power are unevenly distributed.
- Pluralists concentrate on government therefore not the state – with the state being discussed and the courts, the civil service and military being seen as political actors in their own right rather than elements of a broader state machine.
- Candidates may refer back to John Locke to illustrate the theory.
- Some theorists believe the role of the state is to respond to external pressures – reactive role.
- Others believe the state should create the framework for society to operate effectively but be able to respond to social pressures – proactive role.
- State action must be in response to the needs and demands of ordinary citizens – good examples in UK in terms of the economy, living standards and the development of the welfare state.
- Government bodies act within constraints of election and re-election. This means popular control, choice and participation for individuals.

Question A3

To what extent is legitimacy crucial to the distinction between power and authority. You should refer to the works of Lukes and Weber in your answer.

(20)

Candidates must refer to the quote, structure a robust and relevant answer around it and develop links to the relevance of their theories today in order to gain high marks ie 14 or more out of 20.

Credit references to aspects of the following:

Legitimacy

- The crux of the question is that the term legitimacy broadly means rightfulness and therefore it confers an authoritative or binding character which transforms power into authority.
- The claim to legitimacy is sometimes more important than the fact of obedience – a willingness to comply, a way of giving consent which obligates individuals to acknowledge the authority of government.
- Why do people obey the state? – this tends to reflect a shift from the philosophy of why should they obey the state to the political sociology of Max Weber in which he identifies in each case the basis on which legitimacy was established.
- Candidates can refer in depth to Weber's three ideal types of authority; traditional, charismatic and legal-rational.
- Importance of concept of consent in terms of it being the main distinction between power and authority – Weber's typologies allow candidates to refer to both consent and obligation and explore how these operate within particular states or historically.
- Consent through voting and elections can be compared to traditional charismatic examples of Weber.

Power

- Credit reference to different definitions of power eg the ability to get what we want – power to – and the capacity to achieve objectives rather than to exercise control over other people.
- The consensus view of power is rejected by those who favour the view of power based on conflict – power is getting people to do what they not have done otherwise ie power over others. This allows candidates to distinguish between different dimensions of power or as Steven Lukes (1974) describes them:
- Power as decision making – the open-face of power that can be seen to be exercised when a decision is taken. This type of decision-making can nevertheless be influenced in a variety of ways. Credit references to other theorists if relevant but not if they are substitutes for the theorists asked for in the question.
- Power as agenda setting – the secret face of power – exercised behind closed doors. Those who have power to set the political agenda have the power to determine not only what can be discussed but also, most importantly, what cannot be discussed. Power is also therefore about preventing decisions being taken ie 'non-decision making'.
- Power by manipulating desires – people with such power can persuade others that what is being offered is desired – ability to shape what someone thinks.

Authority

- Closely connected with power – additional factor that those over whom power is exercised must believe the power holder has the moral right to exercise power and to employ sanctions if they wish – 'legitimate power'.
- Using Max Weber's work the student should be credited for describing different types of authority and giving relevant examples to illustrate these eg traditional authority – rooted in history; charismatic authority which stems from personality and legal-rational authority which is grounded in a set of impersonal rules.
- Credit appropriate linking examples traditional – monarchy; charismatic – Ghandi or Hitler; legal-rational – bureaucracies

Section B – Political Structures

Question B4

Compare and contrast the links between elected representatives and their constituents in the UK Parliament with those in **either** the Scottish Parliament **or** the US Congress.

(20)

The UK

- Candidates may contrast the elected lower chamber (House of Commons) with the unelected upper chambers (House of Lords); explanation of single MP constituencies is important when comparing with Scotland or the USA; reference to links between MPs and their constituents eg surgeries, local party meetings, events in the constituency, lobbying on their behalf, taking up cases against Ministerial departments, meetings at Westminster, access to the Commons Chamber public gallery (although curtailed due to recent breaches of security)...etc.
- MPs take care to represent the interests of constituencies. Whips accept that this may transcend party loyalty on occasion. Members of Government party have defied Government policy over such issues as Iraq, Identity cards, nuclear waste dumping sites and the siting of motorways and railways.
- Candidates may mention the role each MP plays in representing particular interests – mention of MPs and sponsorship by outside groups including trade unions, business and cause groups individual campaign spending is very limited by law so there is little need for financial support from such groups.
- Any other relevant points.

The USA

- The US Congress is one of the most pluralist bodies in western democracies; power is extremely diffused and access to key centres of power is very open through the lobby.
- Explanation of the types of representation in Congress eg differences between the Senate and House of representatives is this due to terms of office ie six years as against 2 years; Senators therefore less open to pressure from constituents than Representatives who are sensitive to constituency opinion; differences in terms of local/state representation – number of Representatives versus only 2 Senators...
- Senators take more of a national outlook while Representatives are more concerned with domestic issues.
- The committee system relies heavily upon information and opinion from interest groups.
- Fewer Senators so they are better known than Representatives who have less prestige; bills have more chance of success in the Senate.
- Party loyalty is important – members tend to toe the party line more and more these days but the party system is weaker than in the UK and allows for members to support external groups more openly.
- The voting and speaking record of members is well known; Representatives more than Senators have to look after their constituents' needs.
- Members rely heavily upon interest groups for finance of election campaigns and political support.
- Any other relevant points.

Scotland

- The electoral system – using both the first-past-the-post and additional member system gives better representation – credit details appropriately in terms of who represents constituents (regional and list MSPs); still notion of surgeries etc in terms of direct and indirect contact between constituents and elected MSPs; ministers/shadow minister/ MSPs – candidates may argue that having two local MSP in parliament gives them greater access to their elected representatives than with their Westminster counterpart.
- The work of the Public Petitions Committee is very different from what happens in the UK and USA – The PPC is a special committee set up to allow the public direct access to the Parliament. Any individual or group can make a request (petition) for the Parliament to: take a view on a matter of public interest or concern: or change existing legislation or introduce new legislation. The PPC will consider each petition and make a decision on the course of action to be taken in each case. The PPC has several courses of action it may take. Basically, it decides whether the parliament as a whole should debate the issues, a specific committee should deal with it or whether it is more appropriate for another body to consider the petition. Provided the subject matter is within the Scottish Parliament's remit (ie refers to a devolved matter) the PPC must consider the petition.
- The Committee system in Scotland was designed to encourage significant public involvement in the Parliament's activities. For example, individuals as well as members of organisations and groups can appear before committees or write to them to give evidence.
- Scottish Parliament has "family friendly" business hours unlike Westminster.
- Any other relevant points.

Question B5

An independent judiciary is essential to safeguard the constitution and citizens' rights.

(20)

Discuss

In order for a candidate to ensure a pass mark in this essay they **MUST** compare and contrast – simply describing the role of the judiciary in one country followed by another should score around half marks.

Credit references to aspects of the following:

The UK

- The principle that separates the judiciary from the legislative and executive in the UK is called the independence of the judiciary – in theory at least; no written constitution – place of judiciary in precedent, case law etc.
- The separation of powers is critical also in this answer before candidates describe examples of reality ie senior judges are appointed by the Lord Chancellor – a member of the Cabinet and therefore a politician, member of the Executive and Legislative body (Lords).
- Principle of Parliamentary Sovereignty; Parliament in the UK is supreme and no other body can overrule or alter laws made by parliament and so the courts cannot overrule legislation (in contrast to the USA where the judiciary can overrule Congress and declare legislation unconstitutional).
- Courts in UK have however been able to challenge legislation as a result of membership of the EU (ie the Factortame case) and the introduction of the Human Rights Act. This appears to introduce an element of judicial review of UK legislation.
- However judges in the UK do not have the same powers as in the US as judges in the UK cannot set aside Acts of Parliament and are limited to making a “declaration of incompatibility” which does not affect the validity of the legislation itself. Parliament also retains the power to repeal the Human Rights Act or withdraw from the EU thus ensuring parliamentary supremacy.
- The creation of the Supreme Court of the United Kingdom by the Constitutional Reform Act (2005) and the legislation of the Lord Chief Justice as the head of the judiciary in England and Wales has enhanced judicial independence as the judiciary is no longer headed by a member of the executive branch (the Lord Chancellor) and the highest court of appeal is no longer part of the legislative branch as the Appellate Committee of the House of Lords technically was.
- Recent legislation has taken the appointment of judges away from the executive branch and is now in the hands of the independent Judicial Appointments Commission.
- Judicial neutrality implies also that cases are heard without bias – the view has always been that judges are not normally neutral. They are frequently seen as a conservative body of people who tend to favour the status quo and the authority of the state against progressive ideas and the interests of individual citizens. Judges contribute to both the making and development of the laws – through judicial interpretation of laws ie clarifying what the laws actually mean; through Case Law – showing how laws are applied; through common law ie tradition (judicial precedents).
- Some argue they are not elected and therefore not accountable (Phillip Norton) while others believe they belong to an unrepresentative elite (Professor John Griffiths).
- The principle of the ‘Rule of law’ which according to Dicey acts as a check on parliamentary sovereignty and allows a degree of protection for rights by enabling the courts to review allegations that government ministers or officials have acted illegally.
- Any other relevant points.

Scotland

- The major law appointments in Scotland are still made through the Queen on the advice of the PM/Lord Chancellor and are still run to a great extent from London.
- There has never been the right to appeal criminal matters in Scotland to the House of Lords but civil matters can and do go to the Lords.
- The Minister for Justice in Scotland who is an MSP in the Scottish Parliament is responsible for criminal justice, Youth justice, social work, police, prisons and sentencing policy, courts and law reform as well as a member of other related matters.
- The Lord Advocate and the Solicitor – General for Scotland are the ultimate source of legal advice to the Government on all Scottish matters, and, along with the English Law Officers (Attorney – General and Solicitor – General), of advice on matters of constitutional and international law (such as the constitutional aspects of European Community obligations) and other legal matters affecting the United Kingdom as a whole. They are Ministers in their own right, independent of the Secretary of State.
- The Lord Advocate’s Department in London, whose permanent head is the Legal Secretary to the Lord Advocate and First Parliamentary Counsel for Scotland. The members of the Department are the Parliamentary Counsel for Scotland. The members of the Parliamentary Counsel for Scotland – Legal specialists who draft both Scottish Bills and the Scottish provisions in Bills applying also to other parts of the United Kingdom. They also give advice on matters of Scots Law to other Government departments.
- Any other relevant points.

The USA

- The importance of the constitution in the USA and how it lays out the roles and powers of the judiciary – the constitution is sovereign in the USA while parliament is said to be sovereign in the UK.
- The independence of the judiciary and separation of powers both critical in the USA context – except explanations and exemplifications of both in some detail.
- The latter points should show a much clearer separation between the legislative and the judicial branches of government.
- The appointment process – the President’s choices for the judge need to be approved by a Senate (sometimes controlled by another party); appointed for life – have to be impeached to be removed, none ever has.
- Judicial impartiality is different from judicial independence. The first is to do with fairness in approach and judgement based on merits and not bias whereas the other means that judges should be free from outside interference or control.
- The judicial review process and famous examples like *Brown v the Board of Education, Topeka 1954* a ruling that all segregation caused inequality and was therefore unconstitutional.
- Any other relevant points.

Question B6

Compare and contrast the checks and balances that are in place to curb the powers of the UK Prime Minister with those of **either** Scotland's First Minister **or** the President of the USA.

(20)

Credit references to aspects of the following:

- Comparing the UK's Prime Ministerial executive with Scotland's First Minister or the American President will lead to some similarities and differences and interpretations/ conclusions about which is more or less "powerful" in one area or another – if Scotland is chosen it should be clear the First Minister lacks power in several critical areas when compared to the PM.
- Candidates should detail what the powers of the respective chosen executives are and begin to compare and contrast the various checks and balances that exist.
- The UK and USA examples, if chosen, could point to a number of similarities eg extensive powers of patronage/appointment; chief policy makers; heads of governing party, foreign policy, role of Commander-in-Chief of armed forces – critical in the US especially; policy making – checked by size of majority (if one exists at all), economic conditions; clear differences between UK and/or USA and that of Scotland in terms of power (reserved areas, those topics UK only can deal with for Scotland...etc).
- Variations in power tend to be more subtle – the President dominates his cabinet and unlike the PM he cannot be outvoted by them; patronage is directly from the President for the whole of the administrative services – he does not share this with cabinet members; the President cannot be removed from office for political reasons by the legislation whereas the PM depends on parliamentary support.
- The PM though is not limited by an entrenched constitution – a big plus for the PM over the President: PM's patronage does not need the approval of the legislature like the President's do; MPs' party support much stronger than that which a President in the USA can count on where the party machine is much weaker; PM dominates Parliament whereas President may not dominate Congress; UK more unitary therefore less problems than President who has to deal with strong regional forces and he has limited jurisdiction among the states; PM chooses date of elections – dates fixed in the USA.
- Other checks and balances eg Opposition parties, Cabinet ministers/members, question time, the media and access to the media, committee system, cabinet versus Prime Ministerial/Presidential government; constitutions.
- Candidates may wish to try and reach a conclusion based on the evidence they present about which Executive is more or less powerful given the checks and balances in their chosen countries – credit appropriately for well thought through conclusions.
- Any other relevant point.

Section C – Political Representation

Question C7

Explain with examples the key advantages and disadvantages of using the Single Transferable Vote (STV) system as used in Scottish Local Government elections.

(20)

Credit reference to aspects of the following:

- Candidates should explain the basic facts of the system of local government election in Scotland-moving from a first past the post system (1993) to an STV system in 2009.
- System used in Northern Ireland for European and Assembly elections.
- Councillors elected from multi-member wards which creates a wider geographic area-total number of councillors remains unchanged at 1,222.
- Voters have a single vote but may express as many preferences as there are representatives to be elected from each ward.
- Credit highly candidates who consider the impact of the new system on the fortunes of the political parties and control of local councils in the 2007 elections.
- Labour influences declined, SNP had 363 councillors to Labour's 348; only five of the 32 Councils had a majority party in control. Only Glasgow and North Lanarkshire remained under Labour majority administrations control, SNP lost control of Angus.

Advantages

All votes count – votes are added up and reallocated. Voter can rank in order of preference or if they wish only vote for one candidate.

- Greater voter choice-elections give opportunity of selecting between and within candidates from different parties.

Gives smaller parties a greater chance of being elected-greater representation of Greens for example.

Maintains link between representative and electorate. In AMS regional lists chosen by party leaders – electorate have no influence.

Encourages more voters to vote as FPTP created one party dominance in cities for example Glasgow, Labour had over 90% of councillors with less than 60% of votes under FTP.

Introduction of STV led to a significant number of new councillors (48% elected for first time) In Aberdeen City a new broom of young councillors have entered politics.

Disadvantages

AMS has a smaller threshold than STV. It takes about 4% of votes to elect an MSP under the list system, but takes about 7% to elect a representative under STV.

More difficult to maintain the link between representative in rural areas which have larger geographic multi-member constituencies. Again voters can be confused as they have more than one local representative.

As stated above STV has credited numerous unstable coalition administrations across Scotland in the present difficult economic climate, it is difficult for Local Government to make tough decisions. Small parties can have disproportionate influence on decision making.

Question C8

Compare and contrast the **main theories** of voting behaviour, illustrating your answer with examples from the UK.

(20)

Candidates must refer to the different theories and structure a robust and relevant answer around these theories in order to gain high marks.

Credit references to aspects of the following:

Psephology – the scientific study of voting behaviour – is still very important despite major problems with prediction of election results.

The sociological model links voting behaviour to group membership eg social class membership. In 1997 the political scientist PJ Pulzer declared: “class is the basis of British party politics: all else is embellishment and detail”. However there is certainly evidence of such links being considerably weakened over the years – there are various models/theories here to use:

The party identification model – electors seen as people who identify with a particular party as long-term supporters, voting is therefore partisan rather than influenced by other factors mentioned above.

Candidates should be aware of partisan dealignment – a general fall in party identification and habitual voting patterns over recent years.

The dominant-ideology model is similar to the sociological model but concentrates on how information is presented to voters through education, the media and the government.

The rational-choice model is about voting according to self-interest – a means to an end. Short term influences are specific to a particular election and do not allow conclusions to be drawn about voting patterns in general – candidates may refer to the state of the economy as a major influence here; this reflects the important link between unemployment, inflation and income and a government’s popularity – many UK PMs have won elections on the strength of the economy eg Tony Blair, Margaret Thatcher. Both were accused of creating pre-election booms – using the budget to improve taxes and disposable income – in order to improve their chances of re-election. This also shows the importance of the PM being able to choose the date of the election.

- The personality and public standing of the party leaders is political – media exposure and the “branding” of politicians and their policies have increased over the years. This may lead to parties ditching one leader for another who is considered more electable eg Margaret Thatcher was ousted and replaced by John Major in 1990 who then led the party to an unlikely victory in 1992. Criticism of Blair over Iraq war was considered a factor in his decision to resign. Brown’s present popularity is low and there is division within the Labour party.
- Style and effectiveness of the parties’ electoral campaigning.
- The mass media can have a significant effect as claimed by some eg in 1992 when the Sun newspaper was credited with ensuring people voted the Conservatives back in rather than Neil Kinnock’s Labour Party, and again in 1997 when the SUN switched to New Labour. In 2009 Sun newspaper declined it would support Conservatives in 2010 elections. However SNP won the 2007 Scottish Parliament elections despite hostility of the popular press.
- Any other relevant point.

Question C9

Explain with examples the main functions of elections in the UK.

(20)

Candidates must cover the key functions and include relevant illustrations from the UK system of elections.

Credit references to aspects of the following:

- Candidates may mention by way of introduction several of the principles that underpin the organisation and conduct of elections eg elections should be free and fair – with secret ballot, regular and universal suffrage; elections should be transparent – easy to understand, counting accessible to all candidates, administered fairly.
- Functions of elections include – recruitment of politicians – principle source of political recruitment are elections, nomination of candidates through to elections; candidates may mention skills required of politicians related to electioneering eg oratorical, committee experience.
- Making governments – more correctly elections influence the formation of government in the UK – major party and single government; coalitions eg in Scotland.
- Providing representation – a way of channelling demands from the public to the government ie giving mandates.
- Influencing policy – deter UK governments from too radical an agenda but sometimes a single issue can dominate an election eg Iraq, the economy, Trade Union power.
- Educating voters – campaigning process should be explained and this provides information for electorate about candidates, policies, parties, leader etc – turnout might be mentioned to show increasing apathy in certain elections, particularly European and local elections.
- Building legitimacy – elections help to foster legitimacy by providing justification for a system of rule.
- Strengthening elites – elites may use elections to manipulate and control the masses.
- Any other relevant points.

[END OF MARKING INSTRUCTIONS]