



**General Certificate of Education**

**Government and Politics**  
**5151/6151**

**GOV4**      **Comparative UK/USA**  
**Government**

**Mark Scheme**

*2008 examination – January series*

Mark schemes are prepared by the Principal Examiner and considered, together with the relevant questions, by a panel of subject teachers. This mark scheme includes any amendments made at the standardisation meeting attended by all examiners and is the scheme which was used by them in this examination. The standardisation meeting ensures that the mark scheme covers the candidates' responses to questions and that every examiner understands and applies it in the same correct way. As preparation for the standardisation meeting each examiner analyses a number of candidates' scripts: alternative answers not already covered by the mark scheme are discussed at the meeting and legislated for. If, after this meeting, examiners encounter unusual answers which have not been discussed at the meeting they are required to refer these to the Principal Examiner.

It must be stressed that a mark scheme is a working document, in many cases further developed and expanded on the basis of candidates' reactions to a particular paper. Assumptions about future mark schemes on the basis of one year's document should be avoided; whilst the guiding principles of assessment remain constant, details will change, depending on the content of a particular examination paper.

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*Dr Michael Cresswell, Director General.*

## CRITERIA FOR MARKING AS/A2

### GOVERNMENT AND POLITICS

#### Introduction

The AQA's revised Government and Politics specification has been designed to be objectives-led in that questions are set which address the assessment objectives published in the specification. The assessment objectives for A Level and AS are the same, but the weightings are different at AS and A2. Details of the weightings are given in paragraphs 7.2 and 8.4 of the specification.

The schemes of marking reflect these objectives. The mark scheme which follows is of the *levels of response* type showing that candidates are expected to demonstrate their mastery of the skills required in the context of their knowledge and understanding of Government and Politics. Mark schemes provide the necessary framework for examiners but they cannot cover all eventualities. Candidates should be given credit for partially complete answers. Where appropriate, candidates should be given credit for referring to recent and contemporary developments in Government and Politics.

Consistency of marking is of the essence in all public examinations. It is therefore of vital importance that assistant examiners apply the marking scheme as directed by the Principal Examiner in order to facilitate comparability with the marking of other options.

Before scrutinising and applying the detail of the specific mark scheme which follows, assistant examiners are required to familiarise themselves with the general principles of the mark scheme as contained in the Assessment Matrix.

#### Using a levels of response mark scheme

Good examining is about the **consistent** application of judgement. Mark schemes provide a framework within which examiners exercise their judgement. This is especially so in subjects like Government and Politics which in part rely upon analysis, evaluation, argument and explanation. With this in mind, examiners should use the Assessment Matrix alongside the detailed mark scheme for each question. The Assessment Matrix provides a framework ensuring a consistent, generic, source from which the detailed mark schemes are derived. This supporting framework ensures a consistent approach within which candidates' responses are marked according to the level of demand and context of each question.

Examiners should initially make a decision about which Level any given response should be placed in. Having determined the appropriate Level the examiners must then choose the precise mark to be given within that Level. In making a decision about a specific mark to award, it is vitally important to think first of the mid-range within the Level, where that Level covers more than two marks. Comparison with other candidates' responses to the same question might then suggest whether the middle mark is unduly generous or severe.

In making decisions away from the middle of the Level, examiners should ask themselves questions relating to candidate attainment, including the quality of language. The more positive the answers, the higher should be the mark awarded. We want to avoid "bunching" of marks. Levels mark schemes can produce regression to the mean, which should be avoided. A candidate's script should be considered by asking "Is it:

- precise in its use of factual information?
- appropriately detailed?
- factually accurate?
- appropriately balanced or markedly better in some areas than others?
- generally coherent in expression and cogent in development (as appropriate to the level awarded)?
- well presented as to general quality of language?"

The overall aim is to mark positively, giving credit for what candidates know, understand and can do.

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT  
(GOV4, GOV5, GOV6, GOV7)**

**GENERIC MARK SCHEME for Question 1 part (a) (Total: 8 marks)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<b>Levels 3–4 (2 marks)</b> The candidate demonstrates a good to excellent knowledge and understanding of political data, concept(s) or term(s). Where appropriate, the candidate produces accurate and/or relevant examples to illustrate points made.	<b>Levels 3–4 (3–4 marks)</b> The candidate applies a good to excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.	<b>Levels 3–4 (2 marks)</b> The candidate communicates clearly and effectively using appropriate political vocabulary. The answer has a clear sense of direction, is focused on the question and, where appropriate, has a conclusion which flows from the discussion.
	<b>Levels 1–2 (1 mark)</b> The candidate demonstrates limited knowledge and understanding of political data, concept(s) or term(s). The candidate produces few or inaccurate examples and/or limited evidence to illustrate points made.	<b>Levels 1–2 (1–2 marks)</b> The candidate applies a limited range of concepts and makes little or limited use of political theory or ideas in developing an explanation or argument.	<b>Levels 1–2 (1 mark)</b> The candidate communicates explanations or arguments with limited clarity and effectiveness using limited political vocabulary. The answer may lack either a clear focus on the question or a sense of direction. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT**  
**(GOV4, GOV5, GOV6, GOV7)**  
**GENERIC MARK SCHEME for Question 1 part (b) (Total: 12 marks)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<p><b>Level 4 (5–6 marks)</b></p> <p>The candidate demonstrates a comprehensive knowledge and understanding of political concepts, institutions and processes. The candidate fully addresses the requirements of the question and provides developed and effective to comprehensive interpretation. The answer also provides clear to accurate evidence and, where appropriate, good to excellent examples to illustrate points made.</p>	<p><b>Levels 3 – 4 (3–4 marks)</b></p> <p>The candidate applies a good to excellent range of developed concepts and uses appropriate political theory to construct a clear and cogent explanation or argument.</p>	<p><b>Levels 3–4 (2 marks)</b></p> <p>The candidate communicates clearly and effectively using appropriate political vocabulary. The answer has a clear sense of direction, is focused on the question and, where appropriate, has a conclusion which flows from the discussion.</p>
	<p><b>Level 3 (3–4 marks)</b></p> <p>The candidate demonstrates sound knowledge and understanding of political concepts, institutions and processes. The candidate clearly addresses the requirements of the question and provides sound interpretation and contextual awareness. The answer includes good examples to illustrate points made.</p>		
	<p><b>Levels 1–2 (1–2 marks)</b></p> <p>The candidate demonstrates slight to basic knowledge and understanding of political concepts, institutions and processes. The candidate makes a very limited attempt to address the requirements of the question and provides little to partial and reasonably effective interpretation. Answers offer limited or little evidence and few or inaccurate examples to illustrate points made.</p>	<p><b>Levels 1–2 (1–2 marks)</b></p> <p>The candidate applies a limited range of concepts and makes little or limited use of political theory or ideas in developing an explanation or argument.</p>	<p><b>Levels 1–2 (1 mark)</b></p> <p>The candidate communicates explanations or arguments with limited clarity and effectiveness using limited political vocabulary. The answer may lack either a clear focus on the question or a sense of direction. A conclusion, where appropriate, may be offered but its relationship to the preceding discussion is modest or implicit.</p>

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT  
(GOV4, GOV5, GOV6, GOV7)**

**GENERIC MARK SCHEME for Question 1 part (c) (Total: 20 marks)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<p><b>Level 4 (7–8 marks)</b> The candidate demonstrates a comprehensive knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer fully addresses the requirements of the question and demonstrates excellent contextual awareness.</p> <p>The answer includes excellent examples to illustrate points made.</p>	<p><b>Level 4 (7–8 marks)</b> The candidate displays excellent awareness of the implications and demands of the question. There is an excellent focus on the specific question asked. There is a clear evaluation of political institutions, processes and behaviour which displays a sophisticated awareness of viewpoints and issues.</p> <p>Appropriate parallels and connections are clearly identified together with comparisons. A wide range of concepts is used.</p>	<p><b>Level 4 (4 marks)</b> The candidate communicates arguments, explanations and conclusions with clarity. Excellent use is made of political vocabulary to construct cogent and coherent arguments. The answer has a clear sense of direction, culminating in a conclusion that flows from the preceding discussion.</p>
	<p><b>Level 3 (5–6 marks)</b> The candidate demonstrates sound knowledge and understanding of political concepts/theories/institutions and processes and the relationships between them. The answer clearly addresses the requirements of the question and demonstrates sound contextual awareness.</p> <p>The answer includes good examples to illustrate points made.</p>	<p><b>Level 3 (5–6 marks)</b> The candidate displays sound awareness of the implications and demands of the question. There is a clear focus on the question. There is a sound evaluation of political institutions, processes and behaviour which displays good awareness of viewpoints and issues. There is good recognition of parallels and comparisons. Appropriate concepts are used.</p>	<p><b>Level 3 (3 marks)</b> The candidate communicates arguments, explanations and conclusions well. Good use is made of political vocabulary to construct clear arguments and explanations.</p> <p>The candidate produces an answer with a conclusion linked to the preceding discussion.</p>

**GENERIC MARK SCHEME for Question 1 part (c) (continued)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<p><b>Level 2 (3–4 marks)</b> The candidate demonstrates outline knowledge and understanding of political concepts/theories/ institutions and processes and some awareness of the relationships between them. The answer makes a limited attempt to address the question and demonstrates contextual awareness covering part of the question.</p> <p>The answer includes simple examples to illustrate points made.</p>	<p><b>Level 2 (3–4 marks)</b> The candidate displays limited awareness of the implications and demands of the question resulting in a restricted focus. There is a limited evaluation of political institutions, processes and behaviour which displays partial awareness of viewpoints and issues.</p> <p>There is some recognition of basic parallels and comparisons with a limited use of concepts.</p>	<p><b>Level 2 (2 marks)</b> The candidate communicates arguments and conclusions adequately with a limited use of political vocabulary.</p> <p>A conclusion is offered but its relationship to the preceding discussion may be modest or implicit.</p>
	<p><b>Level 1 (1–2 marks)</b> The candidate demonstrates a slight and incomplete knowledge and understanding of political institutions and processes and a limited awareness of the relationships between them. There is little attempt to address the requirements of the question.</p> <p>The answer includes few, if any, examples which may be inaccurately reported or inappropriately used.</p>	<p><b>Level 1 (1–2 marks)</b> The candidate displays little awareness of the implications and demands of the question and focus is lacking. Evaluation of political institutions, processes and behaviour is superficial, with little awareness of viewpoints and issues.</p> <p>There is little, if any, recognition of parallels and comparisons. The use of concepts is superficial and naïve.</p>	<p><b>Level 1 (1 mark)</b> The answer relies upon narrative, which is not fully coherent. There is little or no use of political vocabulary.</p> <p>A conclusion, if present, is not adequately related to the preceding discussion.</p>

**A2 GOVERNMENT AND POLITICS, EXCLUDING SYNOPTIC UNIT  
(GOV4, GOV5, GOV6, GOV7)**

**GENERIC MARK SCHEME for Questions 2, 3 and 4 (Maximum 40 marks)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<p><b>Level 4 (13–16 marks)</b> The candidate demonstrates a comprehensive knowledge and understanding of political concepts/theories/ institutions and processes and the relationships between them. The answer fully addresses the requirements of the question and demonstrates excellent contextual awareness.</p> <p>The answer includes excellent examples to illustrate points made. The answer includes detailed and comprehensive interpretations or explanations as well as accurate evidence and relevant examples to illustrate points made.</p>	<p><b>Level 4 (13–16 marks)</b> The candidate displays excellent awareness of the implications and demands of the question. There is an excellent and sustained focus on the specific question asked. There is clear and full evaluation of political institutions, processes and behaviour which displays a sophisticated awareness of differing viewpoints and recognition of issues.</p> <p>Appropriate parallels and connections are clearly identified together with well-developed comparisons. A wide range of concepts is used and developed.</p>	<p><b>Level 4 (7–8 marks)</b> The candidate communicates arguments, explanations and conclusions with clarity. Excellent use is made of political vocabulary to construct cogent and coherent arguments and explanations. The answer has a clear sense of direction, culminating in a conclusion that flows from the preceding discussion.</p>
	<p><b>Level 3 (9–12 marks)</b> The candidate demonstrates sound knowledge and understanding of political concepts/theories/ institutions and processes and the relationships between them. The answer clearly addresses the requirements of the question and demonstrates sound contextual awareness.</p> <p>The answer includes developed and effective interpretations or explanations and also clear evidence and good examples to illustrate points made.</p>	<p><b>Level 3 (9–12 marks)</b> The candidate displays sound awareness of the implications and demands of the question. There is a clear focus on the question. There is a sound evaluation of political institutions, processes and behaviour which displays good awareness of differing viewpoints and recognition of issues. There is good recognition of parallels and comparisons. Appropriate concepts are used and developed.</p>	<p><b>Level 3 (5–6 marks)</b> The candidate communicates arguments, explanations and conclusions well. Good use is made of political vocabulary to construct clear arguments and explanations.</p> <p>The candidate produces an answer with a conclusion linked to the preceding discussion.</p>



**GENERIC MARK SCHEME for Questions 2, 3 and 4 (continued)**

	<b>Knowledge and Understanding: Recall, Select &amp; Deploy</b>	<b>Skills: Analysis &amp; Evaluation</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
	<p><b>Level 2 (5–8 marks)</b> The candidate demonstrates outline knowledge and understanding of political concepts/theories/institutions and processes and some awareness of the relationships between them. The answer makes a limited attempt to address the question and demonstrates contextual awareness covering part of the question.</p> <p>The answer includes a partial and reasonably effective attempt at interpretation or explanation with some examples to illustrate points made.</p>	<p><b>Level 2 (5–8 marks)</b> The candidate displays little awareness of the implications and demands of the question resulting in a restricted focus. There is a limited evaluation of political institutions, processes and behaviour which displays a partial awareness of differing viewpoints and issues.</p> <p>There is some recognition of basic parallels and comparisons. Arguments and explanations are undeveloped with a limited use of concepts.</p>	<p><b>Level 2 (3–4 marks)</b> The candidate communicates arguments and conclusions adequately with a limited use of political vocabulary.</p> <p>A conclusion is offered but its relationship to the preceding discussion may be modest or implicit.</p>
	<p><b>Level 1 (1–4 marks)</b> The candidate demonstrates a slight and incomplete knowledge and understanding of political institutions and processes and a limited awareness of the relationships between them. There is little attempt to address the requirements of the question. There is only superficial awareness, if any, of the context of the question, with little interpretation and few, if any, examples often inaccurately reported or inappropriately used.</p>	<p><b>Level 1 (1–4 marks)</b> The candidate displays little awareness of the implications and demands of the question and focus is lacking. Evaluation of political institutions, processes and behaviour is superficial.</p> <p>Analysis shows little awareness of differing viewpoints and issues. There is little, if any, recognition of parallels and comparisons. Arguments, explanations and use of concepts are superficial and naïve.</p>	<p><b>Level 1 (1–2 marks)</b> The answer relies upon narrative, which is not fully coherent. There is little or no use of political vocabulary.</p> <p>A conclusion, if present, is not adequately related to the preceding discussion.</p>

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1**Total for this question: 40 marks**

(a) Explain the term *federal system* used in the extract.

(8 marks)

Candidates should be aware of the main differences between the divided (dual sovereignty) and de-centralised system of government in the USA where the constitution separates the federal level of government from the State level of government through the provisions of the 10<sup>th</sup> amendment with the unitary system of government in the UK where, although power has been devolved to Scotland and a lesser extent Wales, it can be taken back and sovereignty remains concentrated in the Westminster Parliament. Concepts such as dispersed or concentrated power, centralised or decentralised power are expected at the higher levels of response. Evidence of law-making at different levels would be expected in Level 3 and above.

(b) Using the extract and your own knowledge, consider the main differences between the sources and status of the constitutions of the UK and the US.

(12 marks)

Candidates are expected to be aware of the key nature of the constitution within the two systems of government with some reference to the differing role of the constitutions in both countries in terms of as in the US Supreme Law and 'the rules that govern the government' with sovereignty lying with the Constitution itself contrasting with the constitutional principle of parliamentary sovereignty in the UK. Candidates are invited to indicate the varied sources of the constitutions with reference to the 'codified' nature of the US constitution and the document itself, written after the revolutionary upheavals of the 1770s and 1780s and which is regarded as 'sovereign' (plus its written amendments) in contrast to the UK Constitution which is 'unwritten' and uncoded and the product of its history and the organic change (extract) which has brought it about. As the extract states however, it is 'scattered over the centuries' and 'strung together by precedent and convention' and therefore is found in various sources which would need to be identified at the higher level of response. At this level, expect reference to Magna Carta, constitutional statutes, constitutional conventions and common law. The differing sources of the Constitution and the differing status attached to the Constitution leads to clear differences between the two governmental systems and the way that they operate and change which should be recognised at the highest level of response.

- (c) Evaluate the extent to which the UK and US constitutions are able to change and adjust to new political realities. *(20 marks)*

Candidates are asked to evaluate constitutional change (rigidity/flexibility arguments) in the two countries as neither of the constitutions are 'tablets of stone' and are subject to both **change and adjustment** through parliamentary statute in the UK (numerous examples) or by changing constitutional conventions (numerous examples) or through the process of constitutional amendment in the US (numerous examples), constitutional interpretation by differing Supreme Courts (numerous examples) or by developing conventions that 'fill in the gaps' (numerous examples).

At the higher level of response examples are expected of all three processes of constitutional change and adaptation to '**changing political realities**'. It would be up to candidates to identify **examples** of these and to provide analysis of the **extent** to which this happens in the two systems. Both constitutional systems are constantly evolving and changing over time. At the higher levels of response, it is evident that constitutions are not always constraints on political behaviour and in both countries the 'rules of the political game' are sometimes ignored or evaded.

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2

Total for this question: 40 marks

'Members of the House of Representatives in the US Congress are significantly more powerful than MPs in the House of Commons.' Discuss. (40 marks)

Candidates should focus on the representative, legislative and scrutiny roles of the members of the lower houses of Congress and Parliament and the reasons for their power or lack of it. The question demands an analysis of their roles as representatives of the people within their respective legislatures, and so requires a clear understanding of the two houses and their relationship with their respective executives. Candidates should analyse their differing terms of office, how they are elected and their expected roles within the two houses.

It is expected that candidates indicate the functions that are carried out within the legislatures such as legislative, scrutiny, representation and the **extent of** their power/influence in performing these activities. It is likely that the majority of candidates will argue that representatives are '**significantly**' more powerful than MPs and back this up with evidence from both systems, for example the differing party systems within the legislature with MPs being described as 'lobby fodder' for their parties and the executive and often playing subordinate roles in scrutiny of both legislation (with little legislative initiative apart from Private Members Bills) and in Committees, whilst members of the US House of Representatives are elected separately from the executive with their own mandates and with little, if any, party discipline act as 'independent political entrepreneurs' in powerful congressional committees and with real legislative power (article 2) as well as the 'power of the purse' and war powers given by the Constitution.

At the higher levels of response candidates are expected to offer full explanations for '**significant**' differences in power, relationships with the executive branch, constitutional roles and the people that they have been elected to represent. Excellent analytical responses should indicate that MPs are not always docile 'lobby fodder' always supporting their party in the division lobbies, and that US members of the lower House may willingly surrender their power to the executive and follow its wishes. Backbench members of Parliament CAN exercise a degree of power and influence within the House and Members of the House of Representatives may at times display weakness and this should be recognised in the answers at the top of Level 4 with identification of key explanatory variables.

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3

Total for this question: 40 marks

'Real power and decision-making within any system of government lies with permanent bureaucracies, not with temporary executives.' Discuss with reference to the UK and the US.  
(40 marks)

The stress here is on the word **REAL** to discriminate between candidates, knowledge and understanding of the role of bureaucracies within the governmental systems of the UK and the USA. Knowledge of what bureaucracies DO will be essential to answering this question (advise governments, run the machinery of government, implement the decisions made) to allow for an analysis of whether they **are** MORE powerful (because of their permanence, expertise, neutrality and lack of electoral accountability) than the elected and accountable politicians that they serve. OR whether power inevitably is with the elected politicians with mandates from their electorates even with the 'temporary' nature of their offices (especially two term presidents in the US) as policy decisions arise from their manifestos, their electoral mandates and the ideological nature of their power (UK).

At the lower levels of response candidates may simply describe what civil servants and federal bureaucrats do with a list of their characteristics. At the highest levels of response expect some analysis of the 'politicisation' of bureaucracies, the role of special advisers, 'iron triangles', issue networks and 'capture' and/or 'going native' and a discussion of the nature of bureaucratic power within systems of 'big' and complex government decision making in both the US (with a more 'politicised' bureaucracy at the higher levels) and UK (with a permanent Civil Service albeit with increasing numbers of 'special advisers' being appointed) systems of government.

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4**Total for this question: 40 marks**

'The role of judges in any democracy is to interpret and apply the law, not to become involved in political decisions.' To what extent does this statement apply to the judiciaries of the US and UK?  
(40 marks)

The question is provocative and invites candidates to consider the extent of the 'political' as opposed to the clear legal role of judiciaries. It is recognised that the role of judiciaries is to 'interpret and apply the law' made by the legislatures of both countries but in both the UK and the USA, (to differing extents), judiciaries are inevitably involved in some form of 'political' activities. It will be recognised that this is inevitably more extensive in the US with its 'politicised' appointment process with presidential nomination and Senate Confirmation, Article 3 of the Constitution giving the Supreme Court power of constitutional interpretation, and the Courts accretion of powers of Judicial Review after the Marbury case in 1803 all giving the Supreme Courts more 'involvement in political decisions'.

At the higher levels of response this is backed up with evidence of controversial cases (numerous) and controversial Courts (such as Warren and Rehnquist) and reference to 'judicial activism' as opposed to 'judicial restraint and 'strict' and 'loose' constructionism. By contrast, it is argued that the doctrine of Parliamentary Sovereignty and the absence of a codified constitution demanding interpretation, has lessened the potential 'political' role of the UK higher courts. However, it is likely to be argued by the better prepared candidates at the higher levels of response that UK judges are now becoming more 'political' as a result of the Human Rights Act (and declarations of incompatibility) and judicial activism through increasing judicial review and 'ultra vires' cases which have brought the executive and the judiciary into conflict in recent years (numerous examples). Candidates may also develop that argument that as judges 'interpret and apply' the law, they are in a sense also 'making it'.