



ASSESSMENT and  
QUALIFICATIONS  
ALLIANCE

# Mark scheme

## June 2003

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### GCE

## Government and Politics

### Unit GOV4

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## CRITERIA FOR MARKING

### 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, the weightings are different. 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 mark 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 principals 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 analyses, evaluation, arguments and explanations. 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.

One of the main difficulties confronting examiners is what precise mark should be given within a 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 that such an award would be 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.

**ASSESSMENT MATRIX**

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Level 4</b>	Candidates demonstrate a comprehensive knowledge of political institutions and processes and the relationship between them, producing answers which fully address the requirements of the question and demonstrate excellent contextual awareness. They produce answers which include detailed and comprehensive interpretations or explanations and provide accurate evidence and up to date examples to substantiate and illustrate points made.	Candidates confidently apply a wide range of well developed concepts and theories, using appropriate political vocabulary, to analyse and synthesise political information and to construct cogent and coherent arguments and explanations. Candidates provide analysis which displays a sophisticated awareness of differing viewpoints and a clear recognition of issues. Parallels and connections are identified together with well developed comparisons. There is a clear and full evaluation of political institutions, processes, behaviour, arguments and explanations.	Candidates communicate arguments, explanations and conclusions with clarity and produce answers with a clear sense of direction culminating in a conclusion which flows from the discussion.
<b>Level 3</b>	Candidates demonstrate sound knowledge of political institutions and processes and the relationships between them, producing answers with a clear attempt at addressing the requirements of the question and demonstrating sound contextual awareness. They produce answers which include developed and effective interpretations or explanations and provide clear evidence backed up by good examples to illustrate points made.	Candidates apply a range of developed concepts and theories, using political vocabulary to analyse and synthesise political information and to construct clear arguments and explanations. Candidates provide analysis which displays an awareness of differing viewpoints and recognition of issues. There is a clear recognition of parallels and connections together with some comparisons. There is good evaluation of political institutions, processes, behaviour, arguments and explanations.	Candidates communicate arguments, explanations and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion.

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Level 2</b>	Candidates demonstrate an outline knowledge of political institutions and process and some awareness of the relationships between them, producing answers with a limited attempt at addressing the requirements of the question. They may demonstrate contextual awareness covering part of the question. They produce answers which include a partial but reasonably effective attempt at interpretation or explanation with some not very detailed examples to illustrate points.	Candidates use a limited range of concepts and theories to consider political information and begin to construct arguments and explanations. Candidates offer limited analysis which shows some awareness of differing viewpoints. There is a recognition of basic parallels and connections together with limited comparisons. There is a simple attempt to evaluate political institutions, processes, behaviour, arguments or explanations.	Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered but its relationship to the preceding discussion may be modest or implicit.
<b>Level 1</b>	Candidates demonstrate a slight and incomplete knowledge of political institutions and processes and limited awareness of the relationships between them, with very limited attempt to address the requirements of the question. Only superficial awareness of the content of the question, with little interpretation and few examples often inaccurately reported or inappropriately used.	Discussions are supported by few if any concepts and theories. Arguments and explanations are sparse and incomplete. Analysis shows little awareness of differing view points and very few parallels and connections are used to establish comparisons. Evaluations of political institutions, processes, behaviour, argument or explanations are superficial and naive.	Answers rely upon narrative which is not fully coherent and conclusions are not adequately related to the preceding discussion.

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(a)</b> <b>8 marks</b>	<b>Level 3-4 (2 marks)</b> Candidates demonstrate a good understanding of the term “Bill of Rights” as it applies to UK and US government. They refer to the importance of the term as the first 10 amendments to the American Constitution ratified in 1791 which are entrenched within the constitution. In contrast the UK has no such entrenched document and although there is the European Convention on Human Rights, rights are not guaranteed and can be easily taken away.	<b>Level 3-4 (3-4 marks)</b> Candidates use a wide range of concepts and theories to explain the nature of entrenched, guaranteed and inalienable rights contained within a document as in the USA compared with UK where there are no entrenched rights due to the nature of Parliamentary sovereignty but the Human Rights Act has incorporated the ECHR’s into British law. Rights are clearly more protected in the USA (interpreted by the Supreme Court) but cannot be guaranteed and therefore protected in the same way in the UK. Examples could be taken from the extract to show this.	<b>Level 3-4 (2 marks)</b> Candidates communicate arguments and conclusions with a clear sense of direction ending with a conclusion which flows from and is linked to discussion.
	<b>Level 1-2 (1 mark)</b> Candidates demonstrate an outline understanding of the term with perhaps a simple definition being provided.	<b>Level 1-2 (1-2 marks)</b> Candidates apply a limited range of theories and concepts to explain the term with the answer limited to a simple description of some of the contents of the Bill of Rights shown in the extract. There may be no comparative reference to the UK.	<b>Level 1-2 (1 mark)</b> Candidates communicate arguments adequately with a straightforward explanation. A conclusion may be offered but its link with the discussion may be modest or implicit

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(b)</b> <b>12 marks</b>	<p><b>Level 4 (5-6 marks)</b></p> <p>Candidates demonstrate a comprehensive knowledge and understanding of the differences between a federal and a unitary state. They are aware that in a unitary state like the UK power is centralised and concentrated at the national level of government, and other powers may be devolved to lower levels as in the Scottish Parliament and the Welsh Assembly or to local government. These powers however may be taken back as the Westminster Government did with the powers devolved to Northern Ireland. In contrast the USA incorporates federalism through the Constitution and particularly the 10<sup>th</sup> amendment (in extract) and there are both federal and state layers of government (in extract). Each are sovereign in their own areas of power laid down by the constitution.</p>	<p><b>Level 4 (4 marks)</b></p> <p>Candidates apply wide-ranging concepts and theories to explain the nature of federalism and unitary forms of state and government. They are aware in the USA of the nature of “reserved” and “implied” powers through constitutional provisions (Amendment 10). The key concepts of de-centralisation of power in the USA and its centralisation in the UK will be present at this level as will discussion of the concentration or dispersal of power within the 2 systems. Examples given are either from the extract (guns) or from candidates’ own knowledge. They may include differences in State law in the USA, national law in the UK or the power within a unitary system to take back power which has been devolved unlike in the USA where the federal government may not interfere with the states let alone take away their power (although good candidates may demonstrate that the nature of the balance of power between the states and federal government may change).</p>	<p><b>Level 3-4 (2 marks)</b></p> <p>Candidates communicate arguments, explanations and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(b) (cont'd)</b>	<b>Level 3 (3-4 marks)</b> Candidates demonstrate sound knowledge of the differences between federal and unitary states but their answers may not contain the depth or the breadth of examples level 4 answers. There may also be a more unbalanced answer with a concentration on 1 country, either federalism in the USA or the unitary state and government in the UK.	<b>Level 3 (3 marks)</b> Candidates apply a range of concepts and theories to analyse the differences in federal and unitary states. The answer may be more unbalanced and may also fail to utilise the information given in the extract or fail to extend the analysis beyond the extract. Less use is made of examples or specific evidence to back up the arguments, and there is less attention to any changes which have taken place recently which may show the changing nature of centralised/de-centralised power or concentrated/dispersed power in both countries.	<b>See level above</b>
	<b>Level 1-2 (1-2 marks)</b> Candidates demonstrate a limited knowledge of differences and their answer does not go beyond the evidence given in the extract, or they fail to utilise the evidence given in the extract.	<b>Level 1-2 (1-2 marks)</b> Candidates apply limited theories and concepts to analyse federal/unitary state differences in both countries, failing even to use the evidence presented in the extract. The arguments and evidence presented are limited.	<b>Level 1-2 (1 mark)</b> Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered but its relationship to the preceding discussion may be modest or implicit.

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 1(c)</b> <b>20 marks</b>	<b>Level 4 (7-8 marks)</b> Candidates demonstrate very high levels of knowledge and understanding of the difficulties faced in bringing about political change in the USA and the UK. It is recognised that this particularly applies to the US system of government where numerous forces, both constitutional and political work to constrain government and make it exceedingly difficult to act (except perhaps in extreme circumstances such as the period of the New Deal or America post September 11 <sup>th</sup> ). It is possible to use several illustrations of this such as the difficulties that a president has in getting his legislative proposals through a powerful and often obstructive Congress. Also the role of the Supreme Court through judicial review to block congressional legislation or presidential actions (with examples). In contrast the UK system with the absence of codified rules, the existence of parliamentary sovereignty, a dominant executive with a large parliamentary majority and with the benefit of party discipline can force through change in	<b>Level 4 (7-8 marks)</b> Candidates confidently apply a comprehensive range of political theories and concepts to analyse and evaluate the frameworks that lead to “gridlock” and the difficulty in bringing about political change in the USA and “elective dictatorship” and the ease of change in the UK. Regarding the USA there is likely to be reference to the separation of powers, checks and balances and the constitutional constraints of “limited government”. Despite constitutional powers it is argued that the President has only the “power to persuade” a powerful and independent Congress with legislative power particularly in conditions of divided government and in the absence of strong electoral mandates. There are references to specific examples of difficulties in enacting legislative change in these circumstances particularly with weak parties and almost non-existent party discipline. The power of congressional committees could also be legitimately mentioned. Finally even when there IS change enacted the Supreme Court has the power to declare it unconstitutional and therefore void. In the UK it is recognised that there is executive dominance of Parliament and therefore a government under normal circumstances, given party loyalty, discipline, mandates and control, CAN force through change. However, there is the possibility back-bench rebellions or obstruction	<b>Level 4 (4 marks)</b> Candidates communicate arguments, explanations and conclusions with clarity and produce answers with a clear sense of direction with a conclusion which flows from the discussion



	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(c) (Cont'd)</b>	<p><b>Level 4 cont'd (7-8 marks)</b></p> <p>“normal circumstances”. It is up to candidates at this level to suggest that change can easily take place in the USA, and change can be blocked in the UK given certain circumstances (which constantly change). It is expected at this level that candidates illustrate their answer with supporting evidence, and examples should be given of the ease of change (e.g. the poll tax in the UK) or the difficulty of change (e.g. health care or gun law reform in the USA) and that this is well integrated. The focus must be on the 2 systems and the ease or difficulty of CHANGE. Also at this level it is likely that candidates introduce the terms “gridlock” and “elective dictatorship” and show a thorough understanding of these terms as they apply to American and British government.</p>	<p><b>Level 4 cont'd (7-8 marks)</b></p> <p>from the Lords and governments cannot always get their way. Some candidates may recognise that there is NO legal challenge to an Act of Parliament, with only ultra vires being a check on Ministers and their actions. Strong answers show this kind of evaluation and analysis rather than see the US government as ALWAYS gridlocked or the UK government as ALWAYS getting its own way.</p>	

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 1(c) (Cont'd)</b>	<p><b>Level 3 (5-6 marks)</b></p> <p>Candidates display sound knowledge and understanding of the difficulties in bringing about political change in the USA compared with the UK. Their answers are supported by evidence and examples, but not as many as in level 4 answers and the linkage to the question may be more tenuous. Knowledge and understanding may be stronger on one country than the other and the focus must clearly be on change and its relative ease or difficulty in the 2 systems. Level 3 answers may lack the strong focus found in level 4 answers and the answer may tend towards the descriptive.</p>	<p><b>Level 3 (5-6 marks)</b></p> <p>Candidates are able to apply a wide range of concepts and theories to analyse and evaluate the ways in which political change is either easy or difficult in the UK and the USA and the reasons for this. They are able to refer to concepts such as gridlock or elective dictatorship but without the insights of a level 4 answer. They are able to refer to the reasons for the differences in bringing about political change in both countries, but the answer may be less balanced than a level 4 answer perhaps concentrating on the role of the President and congress in the USA and making little comparative reference to the UK. Also the examples and evidence used to illustrate the analysis may be less impressive and the focus of the answer may not be as clear as in level 4.</p>	<p><b>Level 3 (3 marks)</b></p> <p>Candidates communicate arguments, explanations and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion.</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(c) (Cont'd)</b>	<p><b>Level 2 (3-4 marks)</b> Candidates demonstrate an outline knowledge and understanding of the ways in which, and the extent to which, political change can occur in the USA compared with the UK. The answer may simply be descriptive of legislative procedures or the role of Congress and Parliament rather than an attempt to show understanding of the difficulties in bringing about change (or the ease of change) in both countries. Few examples are given, evidence to back up arguments may be lacking and the answer may be more unbalanced with a greater focus on one country to the exclusion of the other.</p>	<p><b>Level 2 (3-4 marks)</b> Candidates use a limited range of concepts and theories to analyse and evaluate political change in the UK and the USA. Their answers may lack a comparative approach and may be very unbalanced and more descriptive. They may be unaware of important aspects such as the strength of Congress and the relative weakness of Parliament vis-à-vis the executive branch and examples may only be tenuously linked to the question. Few examples are integrated into the answer as evidence for the arguments given.</p>	<p><b>Level 2 (2 marks)</b> Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered but its relationship to the preceding discussion may be modest or implicit.</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 1(c) (Cont'd)</b>	<p><b>Level 1 (1-2 marks)</b> Candidates display only slight and often incomplete knowledge of the “political” role of the judiciary in the UK and the USA. They may focus more on simply describing the parts of the political decision making process in both countries and there is superficial knowledge of the difficulties of bringing about change because of the nature of the different systems found in the USA and the UK. There are few if any examples and evidence used to illustrate arguments.</p>	<p><b>Level 1 (1-2 marks)</b> Candidates’ analysis of political change in the UK and USA is very limited and superficial with little or no attempt to address the requirement of the question. The response is purely descriptive and there are no examples to illustrate points made.</p>	<p><b>Level 1 (1 mark)</b> Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion.</p>

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 2</b> <b>40 marks</b>	<b>Level 4 (13-16 marks)</b> Candidates demonstrate comprehensive knowledge and understanding of the role and powers of the upper or second chambers of the UK Parliament and the US Congress. In this level of response candidates explicitly address the “too powerful” or “too weak” aspect of the question demonstrating a clear knowledge of the extent of the role that they play within a bi-cameral legislature. Candidates are aware of the key role in the USA of the Senate within the constitution as well as its membership, representational role, terms of office and specific powers (many of which are not given to the House). Candidates understand its key role in legislation and oversight (too powerful?), its role vis-à-vis committees and the crucial role of the Senate filibuster (too powerful?). At this level knowledge of the Senate’s “advice and consent” powers with regard to appointments and treaties is known and illustrations are given of the actual exercise of those powers (too powerful?)	<b>Level 4 (13-16 marks)</b> Candidates confidently apply a comprehensive range of concepts and theories to analyse and evaluate bi-cameralism and the nature of second chambers and the differences in their role and powers in the liberal democracies of the USA and UK. At this level it is necessary to specifically address the “too powerful” or “too weak” part of the question. Candidates understand the key role envisaged for the Senate in the constitution in the USA, with its longer terms of office, its role as a representative of the States at the federal level (and its democratic mandate and electoral legitimacy unlike the Lords) and its greater powers in both domestic policy (e.g. the confirmation powers, its role in legislation – particularly its (too powerful?) authority to block) and foreign policy (through its (too powerful?) capacity regarding the ratification of treaties). The weakness of the UK’s second chamber within the bi-cameral Westminster Parliament is analysed and evaluated through discussion of its lesser powers (delay and revision), its lack of initiation and control over executive appointments and the weakness of the “ping-pong” procedures that occur when there is conflict between the two chambers (however, candidates may argue that this forces the government to “think again” and allows for more detailed scrutiny). Candidates may present a case to suggest that the Lords should NOT have too large a role	<b>Level 4 (7-8 marks)</b> Candidates communicate arguments, explanations and conclusions with clarity and produce answers with a clear sense of direction with a conclusion which flows from the discussion

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 2 (Cont'd)</b>	<p><b>Level 4 cont'd (13-16 marks)</b></p> <p>By comparison, the UK House of Lords can be shown to be “too weak” (compared to the Senate) as a functioning second chamber with legislative and scrutiny weaknesses. Candidates are aware of the power of delay but not veto and exceptionally strong candidates will know of the Salisbury convention (therefore too weak?). Its role as a revising chamber is likely to be discussed and its value to the overloaded Commons may be explored. Candidates may demonstrate knowledge and understanding relating to the composition of the chamber and arguments which follow from this. Level 4 is distinguished by the use of strong evidence and examples to illustrate points made with a clear focus on the precise demands of the question (too weak and too powerful) and a strong understanding of the second chambers of both democracies.</p>	<p><b>Level 4 cont'd (13-16 marks)</b></p> <p>because of its “democratic deficit” lacking both legitimacy and mandates. There should be a clear focus on the analysis of the relative political and constitutional strength of the Senate and the relative political constitutional weakness of the Lords. Very strong candidates may address the question “too powerful” or “too weak” for what? At this level analysis is backed up by the strong use of evidence and examples from both the upper chambers of the UK and the USA.</p>	

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 2 (con'td)</b>	<p><b>Level 3 (9-12 marks)</b> Candidates demonstrate a sound knowledge and understanding of the main characteristics of the upper chambers of both legislatures and the extent of their power and influence within their respective systems. They show awareness of the reasons for these differences in power, perhaps relating them to differing constitutional provisions, and are able to present evidence of the main differences of the 2 systems. At level 3 there may not be as much attention to either the Lords or the Senate. There also may be some acceptance of the quote with little or no attempt to address the “too weak” or “too powerful” part of the question. Candidates may be less aware of the main powers and roles of the 2 chambers as seen at Level 4. Examples and evidence are not as precisely focused on the main thrust of the question and its need for debate.</p>	<p><b>Level 3 (9-12 marks)</b> Candidates apply a wide range of concepts and theories to analyse and evaluate arguments concerning the power or lack power of the upper chambers of the UK and the US legislatures. The answer, however, may be less evaluative than a level 4 answer and more descriptive of the two systems. The answer may be more unbalanced with a concentration on either the US Senate or the UK House of Lords and there may be less attempt at a truly comparative answer. Also at this level the candidates may not be precisely focused on the thrust of the question and may accept the quote without addressing the “too powerful” or “too weak” part of the question. The nature of second chambers in a bi-cameral system is understood but without the insights of a level 4 answer and with less evidence and examples presented to reinforce the analysis.</p>	<p><b>Level 3 (5-6 marks)</b> Candidates communicate arguments, explanation and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion.</p>

	Knowledge and Understanding	Skills	Communication
	AO1	AO2	AO3
<b>Question 2 (con'td)</b>	<b>Level 2 (5-8 marks)</b> Candidates demonstrate an outline awareness of some of the features of the upper chambers and the differences in the roles that they play within the political system. They may present an adequate description of both chambers without showing why the 2 chambers are different and without discussing their relative strengths, weaknesses and powers. Examples may be limited and the thrust of the question (too powerful? Too weak?) may be ignored.	<b>Level 2 (5-8 marks)</b> Candidates utilise a limited range of concepts and theories to analyse and evaluate the arguments concerning the role of second chambers. The answer may be very descriptive of the Senate and the House of Lords and may be very unbalanced in the analysis with little attempt to present a comparative analysis and also lacking in evidence and examples. No attempt is made to address the challenge presented in the quotation or to consider the relative powers of the 2 chambers.	<b>Level 2 (3-4 marks)</b> Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered, but its relationship to the preceding discussion may be modest or implicit.
	<b>Level 1 (1-4 marks)</b> Candidates demonstrate very slight or incomplete knowledge of the US Senate and the UK House of Lords. Their answers make little attempt to address the requirements of the question. Knowledge is superficial and evidence and examples are few or non-existent.	<b>Level 1 (1-4 marks)</b> Candidates discussion of the Senate and the House of Lords is not supported by theories and concepts and there is no attempt to analyse and evaluate differences in power. Arguments are not adequately constructed and the response is very limited and superficial with little evidence or examples presented.	<b>Level 1 (1-2 marks)</b> Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion.



	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 3</b> <b>40 marks</b>	<p><b>Level 4 (13-16 marks)</b> Candidates demonstrate a comprehensive knowledge and understanding of the role, power and influence of the Cabinet in both the USA and the UK. At this level it is recognised that the power of the cabinet vis-à-vis the President or the Prime Minister is not fixed but varies and is dependent on variables such as the circumstances of the time, the events and the personalities involved, e.g. strong or weak Presidents/Prime Ministers. It is recognised that in the USA all executive power is vested in the President, and the cabinet has NO constitutional status. It has developed through usage and convention. It has traditionally been viewed as a weak institution with a limited role BUT there is much evidence of its variable use by Presidents and numerous examples of this can be given. Strong candidates are aware of the vital role of the US cabinet vis-à-vis Congress, and the executive departments. In contrast the UK has “cabinet government”, in theory at least, and constitutionally the PM is simply “first among equals” suggesting</p>	<p><b>Level 4 (13-16 marks)</b> Candidates demonstrate a comprehensive range of developed concepts and theories to explain the nature of executive power in the USA and the UK and the presence or absence of collective government and collective decision-making. Both the USA and the UK have cabinets but the only real similarity is the name. At this level candidates clearly evaluate the nature of presidential government in the USA and Cabinet government in the UK. There is no collective responsibility in the USA compared with the UK. However, presidents who are “Washington outsiders” (lacking expertise) such as Reagan or GW Bush are more likely to use their cabinet for policy advice, co-ordination of the executive branch and liaison with Congress. In this sense the power of the cabinet is “underestimated”. Excellent candidates may refer to the “Iron triangles” and issue networks” of American government. In contrast, the UK, in theory at least, has “cabinet government” with collective decision making and collective responsibility with strong cabinet functions such as policy initiation and co-ordination. However, at this level, candidates stress the many weaknesses of the cabinet and the increasing role of Prime Minister within the “core executive”. The main focus at this level is addressing the precise nature of the question (overestimated or</p>	<p><b>Level 4 (7-8 marks)</b> Candidates communicate arguments, explanations and conclusions with clarity and produce answers with a clear sense of direction with a conclusion which flows from the discussion.</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 3 (cont'd)</b>	<p><b>Level 4 cont'd (13-16 marks)</b>  a powerful role for the Cabinet within the “core executive”. It may be recognised that the collective nature of British government and the Presidential nature of American government may both be more of a myth in modern conditions of government. The quote in the question demands addressing and at this level candidates are aware of the debate over the nature of executive power within the democracies of the UK and the USA. The “how far” part of the question is explicitly addressed and backed up by strong evidence and examples.</p>	<p><b>Level 4 cont'd (13-16 marks)</b>  underestimated power of the cabinets) and not turning the question into a debate on the nature of Presidential or Prime Ministerial power. However, it is recognised that both the collective nature of British government and the presidential nature of American government may be more mythical in modern conditions of government. Analysis and evaluation are backed up by the use of strong evidence and examples to argue in a focused way that cabinets either are or are not powerful in both the UK and the USA. There is also a strong comparative approach in the top of level 4 answers.</p>	

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 3 (cont'd)</b>	<p><b>Level 3 (9-12 marks)</b></p> <p>Candidates demonstrate sound knowledge and understanding of the cabinets in the UK and the USA. At this level, candidates are aware of the differences in the nature of executive power and its distribution in both countries but their responses lack the insights and evidence of a level 4 answer. There may be a more unbalanced answer with a concentration on the characteristics of either the USA cabinet or the UK cabinet. There is, however, a well developed understanding of the role of executive decision-making with some evidence and examples integrated into the answer. The answer is likely to lack the precise focus of a level 4 answer and the “underestimated” and “overestimated” part of the question may not be as explicitly addressed.</p>	<p><b>Level 3 (9-12 marks)</b></p> <p>Candidates apply a range of developed concepts and theories to analyse and evaluate the nature of the power and role of cabinets in the UK and the USA. Their answers however lack the insights of a level 4 answer and offer a less balanced focus with a concentration on one country to the exclusion of the other and therefore lacking a comparative approach. Their arguments are also backed up with less evidence and examples to back up their analysis. However, the question is explicitly addressed and the role of the cabinets in both countries is analysed and evaluated.</p>	<p><b>Level 3 (5-6 marks)</b></p> <p>Candidates communicate arguments, explanations and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion.</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 3 (cont'd)</b>	<p><b>Level 2 (5-8 marks)</b> Candidates demonstrate an outline knowledge and understanding of the role and power of the cabinets of the UK and the USA but the answer may be largely descriptive and lacking elements of understanding with reference to one or both countries. The approach may be largely descriptive, lacking specific evidence and examples, and there is a limited attempt at assessment. The answer may lack focus and may drift into Presidential/Prime Ministerial power arguments.</p>	<p><b>Level 2 (5-8 marks)</b> Candidates use a limited range of concepts and theories to analyse and evaluate the nature of cabinet power in both the UK and the USA. There is some understanding that the cabinet plays an important but different role in the political systems of both countries but the answer is more descriptive than analytical and lacks specific evidence and examples to back up whatever arguments are being made. The answer will be less balanced and more unfocused than a level 3 answer. There may be a tendency to focus more on the President and Prime Minister rather than the cabinets.</p>	<p><b>Level 2 (3-4 marks)</b> Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered but its relationship to the preceding discussion may be modest or implicit.</p>
	<p><b>Level 1 (1-4 marks)</b> Candidates demonstrate only a slight and incomplete knowledge of cabinets and their role and power in a democratic state such as the UK and the USA. There is little attempt to address the requirements of the question and comparative knowledge is lacking. The answer is superficial with very limited evidence and few if any examples.</p>	<p><b>Level 1 (1-4 marks)</b> Candidates discussion of the nature of the cabinets in the UK and the USA and their influence is not supported by an analysis or evaluation and contains no conceptual understanding and little evidence and few examples, if any. The answer is superficial, unfocused and descriptive.</p>	<p><b>Level 1 (1-2 marks)</b> Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion.</p>

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	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 4</b> <b>40 marks</b>	<p><b>Level 4 (13-16 marks)</b></p> <p>Candidates demonstrate a comprehensive knowledge and understanding of the importance of the presence (in the USA) or the absence (in the UK) of the process of constitutional interpretation, selecting evidence and examples to back up their arguments. There is explicit recognition of the provocative nature of the quotation and the extent to which the political significance of the judiciary in both countries is due to the powers of constitutional interpretation (or other factors). At this level candidates are aware of the importance of the presence or absence of judicial review (dating from the Marbury V Madison case in 1803 in the USA) giving the Supreme Court the power to review the constitutionality of both legislation and actions. This, as well as the powers conferred under Article 3 of the constitution gives the Court its “political significance”. It can also be argued at this level that “political significance” can also come through the politicised appointment process (and the fact that in some US states the judiciary are elected).</p>	<p><b>Level 4 (13-16 marks)</b></p> <p>Candidates apply a comprehensive range of theories and concepts relating to the political significance of the judiciaries of the USA and the UK. There is clear and focused analysis and evaluation of both the power of constitutional interpretation and of judicial review. In the USA this “judicial activism” rather than “judicial restraint” has meant that the Supreme Court frequently enters the “political thicket” as seen in numerous cases which give evidence of this activism such as the Brown case in 1954 or Roe v Wade in 1973. Candidates at this level are able to argue that the Supreme Court has great political significance, but also has no legislative or executive power so cannot enforce its judgements. This is in contrast to the UK where judges are bound by parliamentary sovereignty and cannot challenge Acts of Parliament, and have no role in constitutional interpretation because of the absence of a codified constitution. However, candidates may point to increasing cases of judicial review in the UK and the arguments surrounding a more “politicised” judiciary with more ultra vires cases and the impact of the Human Rights Act and “Declarations of Incompatibility”. Analysis and evaluation is backed up by strong evidence and examples from both countries. There is a clear focus on the question</p>	<p><b>Level 4 (7-8 marks)</b></p> <p>Candidates communicate arguments, explanations and conclusions with clarity and produce answers with a clear sense of direction with a conclusion which flows from the discussion.</p>

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	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 4 (cont'd)</b>	<p><b>Level 4 cont'd (13-16 marks)</b></p> <p>This is in contrast to the UK where judges interpret statutes passed by Parliament but cannot challenge their “constitutionality”. Also the appointment process may be introduced to show some “politicisation” as judges are appointed by the Crown with a large amount of input from the Lord Chancellor. The role of the Law Lords within the House of Lords, the legislative branch, may also be legitimately introduced by candidates. A comparative approach to the “political” role of judges in both the UK and the USA is clear at this level, rather than separate knowledge of the judiciaries in both systems and strong evidence and good examples are integrated into the answer. This is likely to include key cases from both countries.</p>	<p><b>Level 4 cont'd (13-16 marks)</b></p> <p>and a clear comparative approach. The quotation is explicitly addressed with the causes of greater political significance in the USA analysed and evaluated. It is recognised that the judiciary of both countries will, to a greater or lesser degree, be involved in “political processes”.</p>	

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	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 4 (cont'd)</b>	<p><b>Level 3 (9-12 marks)</b></p> <p>Candidates demonstrate a sound knowledge and understanding of the “political significance” of the judiciaries of both the UK and the USA but without the insights of the level 4 answers. They show awareness of the reasons for the differences and are able to present evidence from the constitutional positions of the judiciaries and their characteristics and present some of the key reasons for the more “political” role of the judiciary in the USA and the less important role of the judiciary in the UK. At this level the approach may not be wholly comparative as in level 4, and the knowledge and understanding maybe greater of either the UK or the USA. The use of evidence and examples of judiciaries in action may not be as strong as that for level 4 answers. The thrust of the question and its focus may not be as explicitly addressed.</p>	<p><b>Level 3 (9-12 marks)</b></p> <p>Candidates apply a range of theories and concepts to analyse and evaluate the political significance of the judiciaries and the causes of the extent of this in the UK and the USA. The answers do not contain the insights of a level 4 answer and the approach may be less balanced, with more attention being paid to either the UK or the USA. The emphasis may also only be on one area of judicial power such as interpretation, judicial review or the appointment of judges. There are fewer examples and less evidence compared with a level 4 answer but the focus is clear.</p>	<p><b>Level 3 (5-6 marks)</b></p> <p>Candidates communicate arguments, explanations and conclusions well and produce answers with a conclusion clearly linked to the preceding discussion.</p>

	<b>Knowledge and Understanding</b>	<b>Skills</b>	<b>Communication</b>
	<b>AO1</b>	<b>AO2</b>	<b>AO3</b>
<b>Question 4 (cont'd)</b>	<p><b>Level 2 (5-8 marks)</b> Candidates demonstrate an outline knowledge of some of the differences regarding the political significance of the judiciaries in the USA and the UK but the emphasis may be more on description of their roles than an explicit attempt to determine the causes for the differences. The answer may be markedly weaker on either the UK or the USA or be lacking in comparative arguments. Evidence and examples are more limited and there may be little or no reference to specific cases.</p>	<p><b>Level 2 (5-8 marks)</b> Candidates use a limited range of concepts and theories to analyse and evaluate the political significance of the judiciaries of the UK and USA. There is some attempt at analysis of the roles of the judiciaries and the reasons for differences but the approach may be more descriptive of the judiciaries, and also may be much weaker on one country with a much more limited attempt to “discuss”. Some examples may be given of “what judiciaries do” but these are likely to be limited and fail to analyse the extent to which judges are involved in areas of “political significance”.</p>	<p><b>Level 2 (3-4 marks)</b> Candidates communicate arguments and conclusions adequately with straightforward narrative and/or explanation. A conclusion may be offered but its relationship to the preceding discussion may be modest or implicit</p>
	<p><b>Level 1 (1-4 marks)</b> Candidates demonstrate a slight and incomplete knowledge and understanding of the political significance of the judiciaries in the UK and the USA. The answer makes little attempt to address the requirement of the question. There is only a superficial awareness of the role of judiciaries and no evidence or examples are used to illustrate the answer.</p>	<p><b>Level 1 (1-4 marks)</b> Candidates discussion of the political significance of judiciaries in the UK and the USA is not supported by any theories or concepts and contains little, if any, analysis or evaluation. There are few examples, little evidence and the answer is largely superficial and descriptive with perhaps reference to only one country.</p>	<p><b>Level 1 (1-2 marks)</b> Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion</p>