

**MARK SCHEME for the May/June 2010 question paper
for the guidance of teachers**

9770 COMPARATIVE GOVERNMENT AND POLITICS

9770/01

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

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

Mark schemes must be read in conjunction with the question papers and the report on the examination.

- CIE will not enter into discussions or correspondence in connection with these mark schemes.

CIE is publishing the mark schemes for the May/June 2010 question papers for most IGCSE, Pre-U, GCE Advanced Level and Advanced Subsidiary Level syllabuses and some Ordinary Level syllabuses.

Page 2	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Generic marking descriptors for Paper 1 (short essays)

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

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

Page 3	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Level/marks	Descriptors
<p>2</p> <p>10–6 marks</p>	<p>ANSWERS WILL SHOW A LIMITED LINK BETWEEN THE QUESTION AND ANSWER.</p> <ul style="list-style-type: none"> • Some engagement with the question, but explanation is limited. • Limited explanation within an essentially descriptive response. • Patchy display of relevant political knowledge and understanding that illustrates rather than supports any argument. • Synthesis is limited/thin in quality and extent. • The answer shows some accuracy in grammar, punctuation and spelling, but contains frequent errors.
<p>1</p> <p>5–0 marks</p>	<p>ANSWERS WILL SHOW A CLEAR SENSE OF THE CANDIDATE HAVING LITTLE IF ANY ENGAGEMENT WITH THE QUESTION.</p> <ul style="list-style-type: none"> • Little or no engagement with the question. • Little or no explanation. • Little or no relevant political knowledge. • Little or no synthesis. • The answer shows significant weaknesses in the accuracy of grammar, punctuation and spelling.

Page 4	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Generic marking descriptors for Paper 1 (full essays)

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

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

Page 5	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Level/marks	Descriptors
2 20–10 marks	<p>ANSWERS WILL SHOW A LIMITED LINK BETWEEN QUESTION AND ANSWER.</p> <ul style="list-style-type: none"> • Limited engagement with the question, with some understanding of the issues. Analysis and conclusions are limited/thin. • Limited argument within an essentially descriptive response. Conclusions are limited/thin. • Factually limited and/or uneven. Some irrelevance. • Patchy display of relevant political knowledge. • The answer shows some accuracy in grammar, punctuation and spelling, but contains frequent errors.
1 9–0 marks	<p>ANSWERS WILL SHOW A CLEAR SENSE OF THE CANDIDATE HAVING LITTLE IF ANY ENGAGEMENT WITH THE QUESTION.</p> <ul style="list-style-type: none"> • Little or no engagement with the question. Little or no analysis offered. • Little or no argument. Assertions are unsupported and/or of limited relevance. Any conclusions are very weak. • Little or no relevant political knowledge. • The answer shows significant weaknesses in the accuracy of grammar, punctuation and spelling.

Page 6	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Section A [UK]

1 Explain the principle features of the British constitution. [25]

General

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

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

Specific

The purpose of the question is to focus on explaining a range of features that reflect the nature of the British Constitution. Candidates do not have to include all the features in order to be awarded the higher levels. The features that could be included are:

- The constitution is unwritten and, therefore, **flexible**.
- It is **parliamentary**, meaning that Parliament lies at the centre of the system.
- It is **unitary**, meaning that sovereignty lies in one place.
- There is a **constitutional**, or limited **monarchy**.
- The **rule of law** operates.
- The **separation of powers** does not really exist.
- Sovereignty has been limited by **membership of the EU and by the passage of the Human Rights Act**.

2 Explain the relationship between the Prime Minister and the Cabinet. [25]

General

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

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

Page 7	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Specific

Candidates need to focus on explaining the **relationship** between the PM and their Cabinet. There are a number of issues that could be included. Candidates are not expected to include all of the following points:

- It is the **sole responsibility of the PM** to appoint and dismiss members of the Cabinet.
- **PM has two tasks** to perform when constructing a Cabinet:
 - A] select senior ministers e.g. Foreign Secretary, Home Secretary and Chancellor of the Exchequer. These ministers automatically sit in the Cabinet.
 - B] construct a team of ministers who will lead the Government.
- **All Cabinet members must be members of Parliament**, either Commons or Lords. Most come from the Commons.
- **Nature of the relationship can vary.**

3 Explain the main functions of the House of Lords.

[25]

General

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

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

Specific

The purpose of this question is to focus on the **functions** of the House of Lords. Candidates might explain the functions using references to the main constraints on the powers through the:

- A] Parliament Act 1911
- B] Parliament Act 1949
- C] the Salisbury Convention 1945

Therefore, the powers of the House of Lords are limited but it has the following functions.

Candidates might discuss some of the following:

- **Delaying Bills** – in order to encourage the government to think again.
- **Amending Bills.**
- Debating issues.
- **Safeguarding human rights** – acting as a bulwark against the 'elective dictatorship' of the Government.
- **Role of committees.**
- **Judicial role.**

Candidates may prioritise these functions but there is no requirement for them to do so.

Page 8	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

4 To what extent do pressure groups damage the democratic process in the UK? [50]

General

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

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

Specific

There is a range of issues that candidates may discuss and they could include the following:

A] Arguments that **pressure groups are a positive element** in democracy:

- They act as an **effective channel of communication** between the governed and the Government.
- They provide **opportunities for people** to actively take part in the political process.
- They ensure that minority groups and **interests are heard**.
- They can act as **important checks** on the power of the State.
- They can act as a **channel for discontent**, which uses peaceful means, and, therefore, possibly preventing disorder and violence.

B] Arguments that **pressure groups are a threat** to democracy:

- They can be seen as **vehicles for 'vested interests'**.
- Pressure groups themselves **may not be democratic organisations**. Therefore, they might become merely reflections of elitism rather than true pluralism.
- Some pressure groups, political parties and/or the media **might become too influential** as a result of their financial resources and links with political parties.

5 To what extent have Prime Ministers become more 'presidential' since 1979? [50]

General

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

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

Page 9	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Specific

The purpose of the question is to focus on a discussion of the powers of the Prime Minister. Candidates might be advised to attempt to define 'presidential' in order to provide a criteria for judgment. Candidates need to provide a balanced discussion and the following provide some of the arguments that could be included:

A] Arguments that **Prime Ministers are becoming more 'presidential'**

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

B] Arguments that **PM's power is restricted**:

- Modern government is so complicated that **one person cannot possibly control it**.
- PM has **powerful and ambitious rivals in office**. Some may be ignored, but not all.
- Important **political factions within the Party need to be represented** in the Cabinet, which means there is a need for collective leadership.
- The **media can be a powerful critic** of the PM. Can be weakened by a hostile press.
- **Senior cabinet figures can also attract political limelight** and represent the country abroad.
- **The PM's office is relatively small** compared with the Civil Service.

The various points need to be illustrated with examples since 1979.

6 How far has UK membership of the European Union affected the British constitution? [50]

General

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

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

Specific

The purpose of this question is to focus on a discussion of the effects of Britain's membership of the EU on the constitution and, therefore, on how Britain is governed. There are many issues that candidates could discuss and some of them could include:

Page 10	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

A] **Limited effects:**

- The **constitution has not changed a great deal**, in a practical sense, as Britain has already lost some of its sovereignty when it previously joined NATO and WTO.
- **Any loss of sovereignty is neither final nor absolute** as Parliament could, if it wished, revoke membership of the EU.
- In terms of the machinery of government the **UK has adapted existing structures** rather than change them. There is no special Ministry of Europe as in many other countries.
- **Local governments, regional organisations and pressure groups have responded** by moving into Brussels where they replicated their activities and organisations.
- **Constitutional effects have been slight** with the exception of parliamentary sovereignty.

B] **Significant effects.**

- **The main effect has been on the sovereignty of Parliament.** Parliament must accept EU law, and cannot change or repeal it.
- **British courts must both accept and enforce European Law.**
- **Increase in the political power of the Government** and Cabinet as the Government has more influence in Brussels than Parliament. This could be argued from a positive angle.
- Should there be any conflict between British law and **European Law, the latter must always prevail.** This was clearly shown in 1991 in a case known as Factortame.
- **The impact on nationalism and devolution.**

Page 11	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

Section B [USA]

7 Explain the key principles of the US constitution. [25]

General

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

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

Specific

The focus of this question is to explain the **principles** of the Constitution. There are a number of principles that the candidates could explore and they could include the following principles:

- The Constitution offers a form of government **based, in part, upon the representation of the people**. The Constitution rests upon the belief that a government's right to rule – its legitimacy – depends upon the consent of the people.
- The representation of the people **takes a constrained form**. The Constitution promises a 'republic' that will be responsive but also responsible.
- The Constitution is structured around a **'separation of powers'**. Three separate institutions will exercise three responsibilities.
- The Constitution **rests upon checks and balances**. Constitution requires that many decisions must have the endorsement of more than one branch, e.g. Legislature, Executive and the Judiciary.
- The Constitution is **based on federalism**.

8 Explain the relationship between the President and the Cabinet. [25]

General

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

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

Specific

The focus of this question is to explain the **relationship** between the President and the Cabinet. Candidates can explain a range of issues and rules that govern the relationship. These include the following:

Page 12	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

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

9 Explain the role of the Supreme Court in upholding the US constitution [25]

General

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

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

Specific

The purpose of this question is to explain the role of the Supreme Court in upholding the US constitution. There are a number of issues that candidates might explain and they include the following:

- **Article III of the Constitution** is the focal point for the role of the Supreme Court.
- The Founding Fathers were anxious to create **courts that would be independent of political pressure.** Judicial independence is stated in Article III.
- This has led to the issue of '**Judicial Review**', which is the power of the Court to scrutinize the actions of other branches of government. Based on the Court's ability to act as arbiter of the Constitution.
- The issue of **Judicial Review** was not fully stated by the Constitution but was **developed later, particularly by the third Chief Justice, John Marshall.**
- There are **limits to the Supreme Court's power** which include:
 - a] The Court does not have power to initiate its own cases.
 - b] The Court has no power to enforce its decision.
 - c] To avoid confrontation the Court tends to avoid dramatic reversals of decisions.
 - d] The Court's ability to interpret the Constitution is limited in some areas.
 - e] The Court is ultimately in the hands of politicians if they choose to change its composition.

Page 13	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

10 How important are pressure groups in the decision making process in the USA? [50]

General

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

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

Specific

The focus of this question is the need to provide arguments for and against the **importance** of pressure groups in the USA. Candidates need to give a balanced argument and could include some of the following arguments:

A] Arguments in favour of pressure groups as important:

- Some groups are important **due to their size**.
- The **commitment of the pressure group's members** to the organisation's goals.
- Size and commitment of a pressure group may mean **they can influence the voting** habits of their members.
- The **financial resources** of a pressure group can be used in election campaigns.
- Pressure groups have **used the courts to publicise issues** and to attain court rulings that influence legislation.
- Pressure groups **can forge close relationships with key decision makers** in Congress. 'Iron Triangles'.
- Pressure groups have **developed ties with the federal bureaucracy**.
- **Role of pressure groups at State level**.

B] Arguments against the importance of pressure groups:

- The ability of pressure groups to **'buy' the support of influential decision makers** is sometime exaggerated.
- Many pressure groups face an **'equal and opposite reaction'** from other pressure groups which can sometimes mean that their efforts cancel each other out.
- Pressure groups **do not always achieve their objectives** as their proposals can be hindered, amended and halted by others.

Page 14	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

11 Evaluate the powers of the President of the USA.

[50]

General

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

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

Specific

The focus of this question is to provide a balanced argument, which evaluates the powers of the President on one hand and evaluates the constraints on those powers on the other hand. Candidates will need to evaluate the extent of those powers. There is a range of issues that can be raised and they include the following:

A] The powers of the President:

- Powers of the President are contained in **Article II of the Constitution** but the Founding Fathers did not spend as much time on the President's powers in comparison to those of Congress. Therefore, some presidents have interpreted their power more liberally than originally intended.
- The President is the **chief executive** – responsible for the implementation of laws and policies.
- Therefore, the President is **responsible for the Federal Bureaucracy**.
- The President as **chief legislator** has taken on the responsibility for setting the legislative agenda for the federal government, including the Budget.
- The President is the Head of State and, therefore, is the **chief diplomat**. Therefore, the President is central to foreign policy and can negotiate treaties and appoint ambassadors. The President is responsible for the Intelligence Services.
- The President is **Commander-in-Chief of the Armed Forces**.
- The President has **influence with the Judiciary** through the appointment of Supreme Court judges.

B] The constraint on the powers of the President:

- The President is **limited to two terms in office**.
- **Laws and policies are approved by Congress**, particularly the appropriations of funds e.g. military purposes.
- **Appointments are ratified by the Senate**.
- **Supreme Court may declare legislation as unconstitutional**.
- **Treaties need to be ratified by the Senate**.
- Although there is no constitutional constraint, the **bureaucracy can be difficult to manage** as it can have power and aims of its own.
- **Federalism**.
- **Veto can be overturned**.

Page 15	Mark Scheme: Teachers' version	Syllabus	Paper
	Pre-U – May/June 2010	9770	01

12 Assess the part played by the Federal Bureaucracy in the US government. [50]

General

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

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

Specific

The purpose of this question is to focus on an evaluation of the role of Federal Bureaucracy in the US government. Candidates need to provide a balanced discussion in which the functions of the Federal Bureaucracy are assessed in the light of the constraints of their influence. There are various issues that candidates might discuss and they could include the following:

A] Arguments that the Bureaucracy's role is important:

- The Federal Bureaucracy has four main functions:
 - a] **policy implementation.**
 - b] **the development and imposition of regulations.**
 - c] **interpretation, adjudication and arbitration.**
 - d] **information gathering.**
- The Bureaucracy has **greatly increased in size** and, therefore, in importance.
- The Bureaucracy **serves both the President and Congress.**
- **Some of the Departments and Executive Agencies have very important roles.**

B] Arguments against the importance of the Bureaucracy's role:

- The President has some powers and political resources that **enable him to influence the character** of the Federal Bureaucracy.
- The President has **the power of appointment.**
- The President has **the power of reorganisation.**
- The role of the Cabinet demonstrates that the **Bureaucracy has relatively little importance in policy-making decisions.**