



General Certificate of Education

Government and Politics 6151

GOV4 Comparative UK/USA Government

Mark Scheme

2006 examination - June 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.

CRITERIA FOR MARKING AS/A2 GOVERNMENT AND POLITICS

Introduction

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)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Levels 3–4 (2 marks) 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.</p>	<p>Levels 3–4 (3–4 marks) 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>Levels 3–4 (2 marks) 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>Levels 1–2 (1 mark) 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.</p>	<p>Levels 1–2 (1–2 marks) 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>Levels 1–2 (1 mark) 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 (b) (Total: 12 marks)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (5–6 marks) 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>Levels 3–4 (3–4 marks) 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>Levels 3–4 (2 marks) 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>Level 3 (3–4 marks) 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>Levels 1–2 (1–2 marks) 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>Levels 1–2 (1–2 marks) 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>Levels 1–2 (1 mark) 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)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (7–8 marks) 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>Level 4 (7–8 marks) 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>Level 4 (4 marks) 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>Level 3 (5–6 marks) 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>Level 3 (5–6 marks) 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>Level 3 (3 marks) 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)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 2 (3–4 marks) 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>Level 2 (3–4 marks) 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>Level 2 (2 marks) 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>Level 1 (1–2 marks) 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>Level 1 (1–2 marks) 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>Level 1 (1 mark) 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)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 4 (13–16 marks) 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>Level 4 (13–16 marks) 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>Level 4 (7–8 marks) 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>Level 3 (9–12 marks) 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>Level 3 (9–12 marks) 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>Level 3 (5–6 marks) 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)

	Knowledge and Understanding: Recall, Select & Deploy	Skills: Analysis & Evaluation	Communication
	AO1	AO2	AO3
	<p>Level 2 (5–8 marks) 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>Level 2 (5–8 marks) 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>Level 2 (3–4 marks) 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>Level 1 (1–4 marks) 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>Level 1 (1–4 marks) 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>Level 1 (1–2 marks) 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>

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

(a) Explain the term *collective responsibility* used in the extract. (8 marks)

Key constitutional convention in the UK relating to the fact that decision taking is collective and the Cabinet collectively is responsible (to the House of Commons and therefore to the wider electorate) for decisions taken in its name. All must abide by the decision and defend it in public, regardless of any internal divisions and disagreement. Breaches of CCR are serious and regarded as resigning or sacking matters (several examples). In comparison, in the USA there is NO collective responsibility as the constitution vests all executive power in the President and the Cabinet has no constitutional status or defined powers, and cannot be held to account by the congress. There is some evidence that the convention is weakening in the UK.

(b) Using the extract and your own knowledge, consider the factors taken into account by UK Prime Ministers and US Presidents when constructing their Cabinets. (12 marks)

Cabinet construction in both countries is regarded as significant in terms of who is selected and why. In the UK, the PM will take several factors into account when constructing a Cabinet, especially after a general election and, unlike the US President, will select from the majority party, so the Cabinet will have an ideological coherence which is sometimes lacking in the USA. In both countries, there are personal considerations to be considered (age, gender, experience, competence) and, in the UK, several party considerations also (political standing within the party, ideological balance of the various party factions, loyalty to the PM and party, and possible rivalry such as Blair and Brown). Inclusion in Cabinets can be used to ‘silence’ rebels

Today, in both Cabinets, there is likely to be attention paid to gender and even ethnicity to reflect the make-up of the population as a whole. In the USA, the President has more of a free hand when selecting Cabinet members and there is no requirement for party considerations such as balance or long term political experience. Cabinet members can come from anywhere (apart from Congress in the US) and there may be a bi-partisan approach, where members of the losing party may be selected. Good candidates will note the requirement for Senate confirmation in the US and may give instances of Senate rejections. However, the UK PM is not subject to any such constraints. Evidence should be given of specific examples of choices with reasons for these at the highest levels of response.

(c) ‘The Cabinet is the main decision-making body in the UK but not in the US.’ Discuss. (20 marks)

This question is open to challenge, and arguments may be presented which demonstrate either that cabinets DO make decisions (with evidence from both countries) or that they DON’T. The power of Cabinets is not fixed and the way in which cabinet systems work will depend on the numerous variables involved. There is much evidence that will show that UK Cabinets can be either weak (with several examples drawn from the Thatcher and Blair use of the Cabinet) and that US Cabinets can be strong (eg under the GW Bush administration with the inclusion of the ‘Washington Insiders’ Cheney and Rumsfeld and the inexperience of GW Bush as a ‘Washington Outside’).

Candidates will recognise that how decisions are made and by whom is dependent on several variables which are not fixed, such as the events, personalities or circumstances of the time. There are times when there is evidence of Prime Ministerial power, such as the use of bi-laterals and Cabinet committees to make decisions, and the by-passing of Cabinet procedures. Similarly, the view that the Cabinet is a body which lacks decision-making power can be either accepted and argued with evidence from numerous recent presidencies or UK governments or the opposite view can be put, eg the PM is only 'first among equals' and the Cabinet can 'flex its political muscles' and override the wishes of the PM (and indeed lead to their removal, as with Thatcher in 1990). A key focus should be kept at all times on the 'is' and the 'not' of the question to demonstrate analysis rather than description of what Cabinets do, backed up by relevant evidence and examples. The focus should be on Cabinets and not Presidents and Prime Ministers.

2

Total for this question: 40 marks

Compare the extent to which the constitutional principles of ‘the separation of powers’ and ‘checks and balances’ exist in the constitutions of both the UK and the US. *(40 marks)*

In this question the focus is on the operation of two key constitutional principles and the **extent to which** they are found within the constitutional provisions of the UK and the USA. It should be argued that it is in the USA where these principles are found in their clearest form within the codified constitution and its written provisions. Knowledge of the separation of both the legislative and executive powers in the USA will be known through the first two articles of the constitution, and the judicial powers are also separated through Article 3.

In the UK, where the constitution is uncodified, the legislative and executive powers are fused through the existence of a parliamentary executive, which allows the executive to dominate and control the legislature (which could not happen in the USA). It could also be argued that in the UK the existence of the office of Lord Chancellor (although changes may have happened here) contradicts the idea of a separation of powers, as does the existence of the Law Lords. Similarly, there are large differences in the operation of checks and balances in the two countries stemming from the nature of the constitutions.

In the US, there are codified powers and provisions setting out clear checks and balances particularly between the executive and legislature and numerous examples could be given (veto, congressional override, advice and consent powers of the Senate, war powers, etc). These operate as constitutional rules, rather than some of the conventions that operate in the UK. It could be argued that the UK has many fewer checks and balances because of parliamentary sovereignty, executive dominance, tight party control, the weakness of the second chamber, etc. However, it would be wrong to state that the UK has **no** checks and balances and the USA has **too many**. In both countries political realities and changes have made both systems operate differently and not always in accordance with constitutional rules.

3

Total for this question: 40 marks

Evaluate the view that in the US congressional committees are too powerful and in the UK parliamentary committees are too weak. *(40 marks)*

This question asks the candidates to make an evaluative response to the question, particularly with regard to the **TOO powerful and TOO weak** part of the question. They will recognise that both committees in the USA and the UK share similar functions, particularly legislative and scrutiny or oversight and how these processes work in both countries away from the floor of the chambers. They should also be aware of the numerous reasons for the power of the congressional committees, including constitutional powers, which give them power over the passage of legislation (Standing committees, Rules committee, Conference committees, for example) or the power of the purse, (Appropriations committees and the Taxation and budget committees). They also exercise congressional oversight over the executive branch. They can and do use these powers to block or change legislation (eg pork barrelling) or to reduce or increase spending. It is these powers that make the committees seem **TOO** powerful, although there are times when the committees bow to the executive branch and fail to exercise their constitutional powers.

In the UK, the parliamentary Standing and Select committees have much less power than their congressional counterparts due to executive dominance and party discipline and control. Evidence shows that most legislation passes the standing committees in exactly the form that the government wishes, and that select committees (although their power and status has increased somewhat in recent years) are weak in scrutiny of executive action and have no real powers against the dominance of the executive. However, it should be recognised that the congressional committees are **relatively** strong (but not always) and the parliamentary committees are **relatively** weak (but not always). The strength of the answer depends on the integration of strong evidence and examples into the arguments and a clear knowledge and understanding of the actual operation of the parliamentary and congressional committees.

4

Total for this question: 40 marks

‘Judiciaries in liberal democracies can be distinguished by the presence or absence of the power of judicial review.’ Discuss with reference to the judiciaries of the US and the UK. (40 marks)

This question relates to the presence or absence of the power of judicial review in both the UK and the USA. It is recognised that the power of judicial review is the power of the courts (in the USA) to declare Acts of Congress or actions of the executive unconstitutional. This was not power given by the constitution but was discovered in the Marbury V Madison case in 1803. This power has been used on several occasions against both federal and state laws (examples needed) and against presidential actions (against Nixon during Watergate, for example). This leads to ‘judicial activism’ and great powers for the Supreme Court to update the meaning of the wording of the constitution. Using its power of judicial review it is recognised that the Supreme Court has involved itself in a number of political decisions, turning itself into a quasi-legislative body. This means that the Court is a powerful body, in a sense above the two elected branches.

By contrast in the UK, the higher courts have NO power over the legislative supremacy of Parliament (apart from in cases where UK Statute contradicts EU Law post the Factortame case). The courts cannot declare Acts of Parliament ‘unconstitutional’ in the US sense. However, there is evidence of increasing judicial activism in the UK, and the number of applications for ‘judicial review’ of legislation has increased with a growing number of ‘ultra vires’ cases (examples needed) and ministers acting outside the powers given them by parliamentary statute. This has particularly been the case since the passage of the Human Rights Act with its provisions for the courts to issue ‘declarations of incompatibility’. However, these powers are not the same as the judicial review power in the USA. At the top end, candidates are aware of the reasons for the differences between the two countries and the greater powers of the US Supreme Court and the weaker powers of the UK higher judges. They should be backed up by evidence from cases in both countries.