



ASSESSMENT and  
QUALIFICATIONS  
ALLIANCE

# Mark scheme January 2003

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## GCE

### Government and Politics

### Unit GOV4

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## Unit 4: Comparative UK/USA Government

### 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 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 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 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.

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.<br>Candidates provide analyses which display 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 analyses which display an awareness of differing viewpoints and a 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 processes 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 straight-forward 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 will be sparse and incomplete. Analyses will show little awareness of differing view points and very few parallels and connections will be used to establish comparisons. Evaluations of political institutions, processes, behaviour, arguments or explanations will be superficial and naive.  | Answers rely upon narrative which is not fully coherent, conclusions will frequently not be 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><br><b>8 marks</b> | <b>Levels 3-4 (2 marks)</b><br>Candidates demonstrate a good understanding of the term “judicial independence” as it applies to UK and US government. They refer to the importance of the term as a constitutional principle protecting the freedom of the judiciary to make decisions without the influence of the other branches of government, thus protecting the liberty of the citizens. Under this principle, judges cannot be removed when in office. | <b>Levels 3-4 (3-4 marks)</b><br>Candidates apply a range of concepts and theories to explain the nature of judicial independence in both the UK and the USA, relating it to the separation of powers and democracy, and preserving independence from the other two branches of government, and preserving the liberty of citizens. The judiciary under this principle is not accountable to the other branches of government and cannot be controlled or removed by them. Good candidates may refer to the position of the Lord Chancellor in the UK. | <b>Levels 3-4 (2 marks)</b><br>Candidates communicate arguments and conclusions with a clear sense of direction ending with a conclusion which flows from and is linked to discussion.                |
|  | <b>Levels 1-2 (1 mark)</b><br>Candidates demonstrate an outline of the term with perhaps a simple definition being provided.  | <b>Levels 1-2 (1-2 marks)</b><br>Candidates apply a limited range of theories and concepts to explain the term with the answer limited to a simple description of judicial independence, rather than the theory behind it and its importance in preserving liberty and democracy in both the UK and the USA.   | <b>Levels 1-2 (1 mark)</b><br>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><br><b>12 marks</b> | <p><b>Level 4 (5-6 marks)</b><br/>Candidates demonstrate a comprehensive knowledge and understanding of the differences in the appointment process for the higher judiciary in both the UK and the USA. They recognise that appointment is carried out by the executive branch in both countries, which makes the process ‘political’. In the USA, the president selects and the senate confirms, and in the UK, selection is made by the Queen on the advice of the PM, Lord Chancellor and Committees. Examples of this process would be expected at this level, especially from the USA where the process is more open.</p> | <p><b>Level 4 (4 marks)</b><br/>Candidates apply wide-ranging concepts and theories to explain the process of selection of senior judges in the UK and the USA, and why this is a ‘political process’. In reference to the USA they are able to refer to the reasons for the selection of Supreme Court Justices by presidents, and give examples of this process to show that democratic presidents tend to select more ‘liberal’ justices and republican presidents more ‘conservative’ ones. They refer to the process of senate confirmation and point to the difficulties that can arise when the presidency and the senate are held by different parties. Examples are likely to be included to back up these arguments. In the UK there is less emphasis on ‘political’ background and judicial philosophy but in both countries candidates may point to the prevalence in the higher ranks of a limited range of socio-economic backgrounds. The position of the Lord Chancellor in the UK is likely to be analysed at this level.</p> | <p><b>Levels 3-4 (2 marks)</b><br/>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)</b> | <p><b>Level 3 (3-4 marks)</b><br/>Candidates demonstrate sound knowledge of the differences in appointment, but their answers may not contain the depth of knowledge or the breadth of examples of Level 4 answers. There may also be a more unbalanced answer with a concentration on one country.</p> | <p><b>Level 3 (3 marks)</b><br/>Candidates apply a range of concepts and theories to analyse the differences in the selection of judges in both the UK and the USA, and the extent to which this is a ‘political’ process. 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 to back up the arguments, and there is less attention to the ‘political’ nature of the appointment process in both countries.</p> | See Level above.   |
|                             | <p><b>Levels 1-2 (1-2 marks)</b><br/>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.</p>  | <p><b>Levels 1-2 (1-2 marks)</b><br/>Candidates apply limited theories and concepts to analyse the ‘political’ nature of the judicial appointment process in both countries, failing even to use the evidence presented in the extract. The arguments and evidence presented are limited.</p>   | <p><b>Levels 1-2 (1 mark)</b><br/>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)</b><br><b>20 marks</b> | <p><b>Level 4 (7-8 marks)</b><br/>Candidates demonstrate very high levels of knowledge and understanding of the way in which the judiciary in both the UK and the USA have a role which is ‘political’ as well as judicial. They are able to demonstrate the difference between these roles, and are able to refer to the more significant role of the Supreme Court in the USA, with its powers of both constitutional interpretation (Article 3 of the constitution) and also the power of judicial review, developed since the Marbury v Madison case in 1803. This contrasts with the system in the UK where Parliamentary sovereignty leaves less of a ‘political’ role for the judiciary, although at this level candidates will be aware of changes brought about by the Human Rights Act and the increasing number of cases of judicial review. They may also illustrate their answer with reference to the interpretation of common law by the courts in the UK.<br/>It is expected at this level that candidates will illustrate their answers with evidence and</p> | <p><b>Level 4 (7-8 marks)</b><br/>Candidates confidently apply a comprehensive range of political theories and concepts to analyse and evaluate the nature of the ‘political’ role of the judiciary in both the UK and the USA, and the way in which judiciaries are “making laws as well as enforcing them”.<br/>In reference to the USA they are able to refer to the importance of constitutional interpretation given to the Supreme Court by Article 3 of the constitution and what has followed from this. They are also aware of the crucial importance of judicial review developed from 1803 and the power that this gives to the Supreme Court to challenge the constitutionality of legislation. If legislation passed by the congress and the president does not fit with the constitution it must therefore be declared void. This is in contrast to the UK where the existence of parliamentary sovereignty limits the powers of the courts, and no challenge can be made to an Act of Parliament. However, at this level candidates will be aware of the impact of the Human Rights Act and the ability of judges to</p> | <p><b>Level 4 (4 marks)</b><br/>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 1(c) (cont)</b> | <b>Level 4 (cont)</b><br>examples using cases from both countries that have had a large ‘political’ impact, as opposed to the normal legal processes, and that this evidence is well integrated into the answer. | <b>Level 4 (cont)</b><br>make “declarations of incompatibility when a UK law is in breach of the convention.” They are also aware of the increasing number of cases of ‘ultra vires’ which bring judges further into the political arena. It is expected that at this level candidates are clearly focusing on the role of the judiciaries in both countries and clearly making contrasts between them based on the differing constitutional frameworks that give differing powers to the courts. There are several references to specific cases in both countries to illustrate the analysis and evaluation. |                      |

|                             | <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)</b> | <p><b>Level 3 (5-6 marks)</b><br/>Candidates display sound knowledge and understanding of the ‘political’ nature of the judiciary in the UK and the USA. 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 on the question may not be as clear as in Level 4. The requirement to ‘contrast’ may not always be adhered to and the answer may tend more towards the descriptive.</p> | <p><b>Level 3 (5-6 marks)</b><br/>Candidates are able to apply a wide range of concepts and theories to analyse and evaluate the ways in which the judiciaries of the UK and the USA are “making as well as enforcing laws”. They are able to refer to concepts such as constitutional interpretation, judicial review and parliamentary sovereignty, but without the insights of a Level 4 answer. They are able to refer to the reasons for the differences in the role of the judiciary in both countries. The answer may be less balanced than a Level 4 answer, perhaps concentrating on the role of the Supreme Court in the USA, making little comparative reference to the UK. Also, the examples used to illustrate the analysis may be less extensive/well applied.</p> | <p><b>Level 3 (3 marks)</b><br/>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)</b> | <p><b>Level 2 (3-4 marks)</b><br/>Candidates demonstrate an outline knowledge and understanding of the ways in which, and the extent to which, the judiciary in the UK and the USA have a ‘political’ as well as a judicial role within the system. The answer may simply be descriptive of judicial processes rather than an attempt to show understanding of the more political role of the judiciary in both countries. Few examples are given and the answer may be more unbalanced with a greater focus on one country than on the other.</p> | <p><b>Level 2 (3-4 marks)</b><br/>Candidates use a limited range of concepts and theories to analyse and evaluate the role of the judiciary 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 judicial review or ‘ultra vires’, and examples may only be tenuously linked to the question.</p> | <p><b>Level 2 (2 marks)</b><br/>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 (1-2 marks)</b><br/>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 judiciary and there is only a limited attempt to address the precise nature of the different systems. There are few if any examples used to illustrate arguments.</p>   | <p><b>Level 1 (1-2 marks)</b><br/>Candidates analysis of the role of the judiciary in the UK and the USA in “making as well as enforcing law” is very limited and superficial with little or no attempt to address the requirement of the question. The response is purely descriptive with no examples to illustrate points made.</p>  | <p><b>Level 1 (1 mark)</b><br/>Answers rely on narrative which is not wholly coherent. Conclusions are not related 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 2</b><br><b>40 marks</b> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates demonstrate comprehensive knowledge and understanding of the nature of the federal system in the USA within a written constitution, and the nature of the unitary system of government in the UK within an uncodified constitution. They show knowledge and understanding of the role of the federal or central government in the USA and the institutions of that government, and the autonomous power of the states within the union. Examples are given of that autonomy and the diversity that it produces within the US. It is recognised that the Constitution regulates and determines the relationship and certain powers are reserved for the states through the constitution (e.g. Amendment 10). In contrast, the UK is a unitary state with power centralised within the Westminster Parliament, although at this level the devolution of power is understood and discussed as are the effects of devolved power, through a discussion of Scotland, Wales and/or Northern Ireland.</p> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates confidently apply a comprehensive range of concepts and theories to analyse and evaluate the differences between the federal system of government laid down in the American constitution and the de-centralisation and dispersal of power that was intended by the founding fathers and the unitary system in the UK as a result of the constitutional principle of parliamentary sovereignty.<br/>In the UK power is not dispersed and, although there are levels of government as in the USA, the Westminster Parliament can restrict their power and even abolish them. Candidates are able to identify the constitutional principles involved in federalism and the importance of such concepts as states rights and autonomy. At this level candidates are aware of changes to the federal/state relationship as implied by such concepts as 'new federalism', and also to the importance of the vagueness of parts of the constitution, such as the 'elastic clause' of Article 1, which has allowed the power of the national government in Washington</p> | <p><b>Level 4 (7-8 marks)</b><br/>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 2 (cont)</b> | <p><b>Level 4 (cont)</b><br/>At this level, candidates will explicitly address the “how far” aspect of the question, with attention to the fact that changes in both countries have meant that in the USA, despite federalism, power has been moving towards the federal government in Washington through its control of finance, but that the states jealously protect their autonomy. Similarly, candidates explicitly address the fact that devolution of power has brought about changes in the central government/sub-national government relationship and examples are given of these changes. It is recognised that in a unitary system, power that has been devolved can be taken back by the sovereign Parliament. Level 4 is distinguished by the use of strong evidence and examples to illustrate points made.</p> | <p><b>Level 4 (cont)</b><br/>to be stretched. Candidates recognise that federalism is not a fixed concept but that in fact it constantly changes. Regarding the UK candidates are able to analyse and evaluate the nature of the unitary system but with powers that have been developed to national assemblies. There is an understanding if the concept of centralised power within the UK.</p> <p>At this level it is necessary to specifically address the “how far” part of the question, and apart from the devolution of power from the central government, it would be acceptable if candidates were to argue that power has moved upwards to the European Union as well as downwards to devolved assemblies in the UK.</p> <p>At this level analysis is backed up by the strong use of evidence and examples from both the UK and the USA.</p> |                      |

|                          | <b>Knowledge and Understanding</b>  | <b>Skills</b>   | <b>Communication</b>   |
|--------------------------|---|---|--|
|                          | <b>AO1</b>  | <b>AO2</b>  | <b>AO3</b>   |
| <b>Question 2 (cont)</b> | <p><b>Level 3 (9-12 marks)</b><br/>Candidates demonstrate a sound knowledge and understanding of the main characteristics of the federal system in the USA and the unitary system of government in UK. They show awareness of the reasons for these differences perhaps relating them to differing constitutional provisions, and are able to present evidence of the main differences of the two systems.</p> <p>At Level 3 there may be as much attention to a comparative aspect, or the answer may be more unbalanced with more attention to either the UK or the USA. There also may be some acceptance of the quote with little or no attempt to address the “how far” part of the question. Candidates may be less aware of the changes brought about in recent years, which have changed the relationship between the different levels of government in both countries.</p> <p>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><br/>Candidates apply a wide range of concepts and theories to analyse and evaluate arguments concerning federalism in the USA and the unitary nature of government in the UK. The answer, however, may be less evaluative than a Level 4 answer and more descriptive of the two systems. The answer may be less balanced, with a concentration on either the USA or the UK, 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 “how far” part of the question. Federal and unitary systems and the centralisation or dispersal of power are 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><br/>Candidates communicate arguments, explanation 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 2 (cont)</b> | <p><b>Level 2 (5-8 marks)</b><br/>Candidates demonstrate an outline awareness of some of the features of the federal system of the USA compared to the unitary system of government found in the UK. They may present an adequate description of both centralised and devolved power without showing why the two systems are different or explaining any recent changes within the central government/state government relationship in the USA or the changes since 1997 in the UK with the devolution of power. Examples may be limited and the thrust of the question may be ignored.</p> | <p><b>Level 2 (5-8 marks)</b><br/>Candidates utilise a limited range of concepts and theories to analyse and evaluate federal and unitary systems and the changes that have taken place in both the UK and the USA that have led to changes in the systems. The answer may be very descriptive of federalism and unitary government and may be very unbalanced in the analysis, with little attempt to present a comparative analysis and lacking in evidence and examples. No challenge is presented to the quotation, which is simply accepted by the candidate.</p> | <p><b>Level 2 (3-4 marks)</b><br/>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><br/>Candidates demonstrate very slight or incomplete knowledge of the federal system in the USA and the unitary system in the UK. Their answers make little attempt to address the requirements of the question. Knowledge is superficial and evidence and examples few or non-existent.</p>  | <p><b>Level 1 (1-4 marks)</b><br/>Candidates discussion of federal and unitary states is not supported by theories and concepts, and there is no attempt to analyse and evaluate differences and changes. Arguments are not adequately constructed and the response is very limited and superficial with little evidence or examples presented.</p>  | <p><b>Level 1 (1-2 marks)</b><br/>Answers rely on narrative which is not wholly coherent. Conclusions are not related 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</b><br><b>40 marks</b> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates demonstrate a comprehensive knowledge and understanding of the importance of the role of the bureaucracy in the USA and the UK, and the functions of advising elected governments carrying out the executive function and running the machinery of government. There is awareness that in the USA the federal bureaucracy includes the executive agencies such as the CIA, NASA and the EPA, as well as the executive departments, such as the Department of State and the Department of Defence. Similarly in the UK there are ‘hived off’ executive agencies (‘Next Steps’) which have a role in governmental decision-making. The function of the bureaucracies also involves implementing government policy, and their role is administrative rather than political, although there are overlaps and these are recognised at this level. Candidates are able to discuss the permanent nature of the bureaucracies and the subsequent development of expertise. This is less true in the USA where there are changes with each incoming administration and a more ‘politicised’</p> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates demonstrate a comprehensive range of developed concepts and theories to explain the extent of the decision-making role of the federal bureaucracy in the USA compared to the Whitehall civil service in the UK. They are able to explicitly address the requirement of the question to assess, and are able to accept or challenge the quote with analysis and evaluation. At this level arguments regarding ‘politicisation’ are expected and the reasons for the (increasing) power of bureaucrats are addressed. Concepts regarding political neutrality and its extent in both countries are covered, as is the concept of a career in the civil service with permanence and expertise (“knowledge is power”) as essential features, as opposed to the more temporary and less expert elected politicians. At the very highest level, some candidates are aware of ‘clientelism’ and the ‘iron triangles’ and ‘agency capture’ of American government. Similar arguments apply in the UK with ‘departmental views’ and ‘weak’ ministers and ‘strong’ civil servants and the reasons for this.</p> <p>Analysis and evaluation is</p> | <p><b>Level 4 (7-8 marks)</b><br/>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)</b> | <p><b>Level 4 (cont)</b><br/>bureaucracy as a result. Some candidates may be aware of the increasing use of ‘special advisers’ in the UK and the controversies that this has triggered. The quote in the question demands addressing and, at this level, candidates are aware of the debate over the nature of bureaucratic power within the democracies of the UK and the USA.</p>   | <p><b>Level 4 (cont)</b><br/>backed up by the use of strong evidence and examples to argue that bureaucracies either <b>do</b> or <b>do not</b> ‘drive governments’ in both the UK and the USA. There is also a strong comparative approach at the top of Level 4 answers.</p>   |   |
|                          | <p><b>Level 3 (9-12 marks)</b><br/>Candidates demonstrate sound knowledge and understanding of the bureaucracies in the UK and the USA and address the question as to whether the UK civil service, with its Northcote Trevelyan principles and its permanent and expert nature, represents a greater decision-making role. At this level, candidates are aware of the differences in the bureaucracies of both countries, but 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 federal bureaucracy or the Whitehall civil service. There is however a well developed understanding of the role of bureaucratic decision-making with evidence and examples integrated into the answer.</p> | <p><b>Level 3 (9-12 marks)</b><br/>Candidates apply a range of developed concepts and theories to analyse and evaluate the nature of bureaucratic power 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, 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 bureaucracies in both countries is analysed and evaluated.</p> | <p><b>Level 3 (5-6 marks)</b><br/>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>   |
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|                          | <b>AO1</b>  | <b>AO2</b>  | <b>AO3</b>   |
| <b>Question 3 (cont)</b> | <p><b>Level 2 (5-8 marks)</b><br/>Candidates demonstrate an outline knowledge and understanding of the decision-making role of the bureaucracies of the UK and the USA, but the answer may be largely descriptive and lacking key elements of understanding of one or both countries. The approach may be largely descriptive and lacking specific evidence and examples, and there is a limited attempt at assessment.</p> | <p><b>Level 2 (5-8 marks)</b><br/>Candidates use a limited number of concepts and theories to analyse and evaluate the nature of bureaucratic power in both the UK and the USA. There is some understanding that the bureaucracy plays an important 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 is less balanced and more unfocused than a Level 3 answer.</p> | <p><b>Level 2 (3-4 marks)</b><br/>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><br/>Candidates demonstrate only a slight and incomplete knowledge of bureaucracies and their functions 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><br/>Candidates' discussion of the nature of the bureaucracies in the UK and the USA and their decision-making power is not supported by any analysis or evaluation and contains no conceptual understanding and little evidence and examples, if any. The answer is superficial and descriptive.</p>  | <p><b>Level 1 (1-2 marks)</b><br/>Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion.</p>   |

|                                      | <b>Knowledge and Understanding</b>  | <b>Skills</b>  | <b>Communication</b>   |
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|                                      | <b>AO1</b>  | <b>AO2</b>   | <b>AO3</b>   |
| <b>Question 4</b><br><b>40 marks</b> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates demonstrate a comprehensive knowledge and understanding of the committee systems of both the US Congress and the UK Parliament. Specific references are made to both roles and powers. They are able to distinguish between the different types of committee in both systems including the standing or legislative committees and the select or scrutiny committees. There is explicit recognition of the greater power of the congressional compared to the parliamentary committees, and an understanding of the reasons for the differences in power. Examples are given of the committees in action in both the legislative and scrutiny processes in both countries, including the permanent committees and the temporary ad-hoc committees formed for specific purposes and then disbanded. Specific reference may be made to committees such as the Rules Committee or the Conference Committees in the US Congress. Candidates will be aware that the committees are similar in functions but not in outcomes.</p> | <p><b>Level 4 (13-16 marks)</b><br/>Candidates apply a comprehensive range of theories and concepts relating to the role and power of the legislative and scrutiny committees in Congress and in Parliament. They clearly refer to the importance of both the legislative and scrutiny processes within the legislatures and the concept of accountability. They are likely to analyse the importance of executive dominance in the UK which weakens the role and power of the committees, and the lack of executive control in the USA which strengthens them. The committees are considered within the context of weak or strong legislatures and answers show that legislation is likely to pass in the committees in the UK because of executive control, but that legislation has a much more difficult passage in the USA because of the power of the committees to block legislation. The same is true of the scrutiny process, where in the UK the select committees are relatively weak compared to the congressional committees. Good candidates may be aware of recent attempts in the UK to strengthen the committees.</p> | <p><b>Level 4 (7-8 marks)</b><br/>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> |
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|                          | <b>AO1</b>  | <b>AO2</b>  | <b>AO3</b>           |
| <b>Question 4 (cont)</b> | <p><b>Level 4 (cont)</b><br/>Candidates may refer to committees in both the house and the senate in the USA and also in the commons and the Lords in the UK, and are likely to place the committees in the overall context of the UK parliament and the US congress and their role and power within the systems of government. They are likely to point to the relative power of the congressional committees and the relative weakness of the parliamentary committees (depending on circumstances).<br/>A comparative approach is clear at this level, rather than separate knowledge of the committees in both systems and good strong evidence and examples are integrated into the answer.</p> | <p><b>Level 4 (cont)</b><br/>At this level candidates are aware of the importance of party dominance and control and its relative strength in the UK parliament and relative weakness in the US congress. Analysis and evaluation are backed up by strong evidence and examples of this from both countries. There is a clear focus on the question and a clear comparative approach.</p> |                      |

|                          | <b>Knowledge and Understanding</b>   | <b>Skills</b>  | <b>Communication</b>  |
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|                          | <b>AO1</b>   | <b>AO2</b>   | <b>AO3</b>  |
| <b>Question 4 (cont)</b> | <p><b>Level 3 (9-12 marks)</b><br/>Candidates demonstrate a sound knowledge and understanding of the differing roles and powers of the committees within the legislatures 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 legislative and scrutiny processes that take place within the committees (under normal circumstances) and the relative lack of power of the parliamentary committees (under normal circumstances). At this level the approach may not be wholly comparative as in Level 4, and the knowledge and understanding may be greater of either the UK or the USA. The use of evidence and examples of committees in action may not be as strong as that for Level 4 answers. There may be reference to either legislation or scrutiny only.</p> | <p><b>Level 3 (9-12 marks)</b><br/>Candidates apply a range of theories and concepts within the legislatures of the UK and the USA. The answers will 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 committee jurisdiction, such as either within the legislative process or in the scrutiny or oversight process.<br/>There are fewer examples and less evidence compared to a Level 4 answer, but the focus on committees is clear.</p> | <p><b>Level 3 (5-6 marks)</b><br/>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>  |
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|                          | <b>AO1</b>   | <b>AO2</b>   | <b>AO3</b>  |
| <b>Question 4 (cont)</b> | <p><b>Level 2 (5-8 marks)</b><br/>Candidates demonstrate an outline knowledge of some of the differences between the committees in the UK and the USA, but the emphasis may be more on description of the processes involved than on an explicit attempt to compare and contrast. 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.</p>       | <p><b>Level 2 (5-8 marks)</b><br/>Candidates use a limited range of concepts and theories to analyse and evaluate the role and powers of committees in Parliament and Congress. There is some analysis of either strength or weakness and the reasons for this, but the approach may be more descriptive of the processes, and also may be much weaker on one country with a much more limited attempt to “assess”. Some examples may be given of either the legislative or scrutiny role of the committees, but they are likely to be limited and there will be a failure to see the committees in the overall context of an elected legislature and its functions.</p> | <p><b>Level 2 (3-4 marks)</b><br/>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><br/>Candidates demonstrate a slight and incomplete knowledge and understanding of any similarities or differences between the committees of the legislatures of 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 and power of committees and no evidence or examples are used to illustrate the answer.</p> | <p><b>Level 1 (1-4 marks)</b><br/>Candidates discussion of the role and powers of legislative and scrutiny committees in the UK and the USA is not supported by any theories or concepts and contains little analysis or evaluation. There are few examples and 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><br/>Answers rely on narrative which is not wholly coherent. Conclusions are not related to the preceding discussion.</p>  |