

Additional Assessment Materials
Summer 2021

Pearson Edexcel A Level in Politics
9LP0 3A

Resource Set 3 Comparative Politics - USA:
Extended essay writing

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Additional Assessment Materials, Summer 2021

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General guidance to Additional Assessment Materials for use in 2021

Context

- Additional Assessment Materials are being produced for GCSE, AS and A levels (with the exception of Art and Design).
- The Additional Assessment materials presented in this booklet are an **optional** part of the range of evidence you may use when deciding on a candidate's grade.
- 2021 Additional Assessment Materials have been drawn from previous examination materials, namely past papers.
- Additional Assessment Materials have come from past papers both published (those materials available publicly) and unpublished (those currently under padlock to our centres) presented in a different format to allow you to adapt them to use with your candidates.

Purpose

- The purpose of this resource to provide qualification-specific sets/groups of questions covering the knowledge, skills and understanding relevant to this Pearson qualification.
- This document should be used in conjunction with the mapping guidance which will map content and/or skills covered within each set of questions. The mapping guidance will also highlight where the question originally came from to allow you to access further support materials (mark schemes, examiner reports).
- Use of these assessment materials will assist you in assessing candidates' current performance in areas not assessed elsewhere. Their use will also provide an extra opportunity for candidates to demonstrate their performance at the end of their course of study.
- Specific guidance relating to this selection of material for this subject is detailed below.
- These materials are only intended to support the summer 2021 series.

Subject Specific Guidance

Indicative content in the mark schemes reproduced was reflective of current affairs at the time of the original examination and has not been updated; some limited updating by centres may be appropriate. Contemporary information which is relevant to the question must be rewarded.

9PL0: Comparative Politics – USA

Paper 3A, Section C

Sample Assessment Material

EITHER

- 3** (a) Evaluate the extent to which the Supreme Court is now an 'imperial judiciary'.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (b) Evaluate the extent to which Congressional oversight of the President is ineffective.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (c) Evaluate the extent to which racial equality has been advanced in the 21st century.

You must consider this view and the alternative to this view in a balanced way.

(30)

(Total for Question 3 = 60 marks)

General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Question number	Indicative content
3(a)	<p>AO1 (10 marks), AO2 (10 marks), AO3 (10 marks)</p> <p>AO1 will be used by candidates to underpin their analysis (AO2) and evaluation (AO3). AO2 and AO3 require candidates to develop their answers showing analytical and evaluative skills to address the question – such responses will be underpinned by their use of knowledge and understanding.</p> <p>Candidates may demonstrate the following knowledge and understanding (AO1) in relation to the view that the Supreme Court is an imperial judiciary:</p> <p>Agreement</p> <ul style="list-style-type: none"> • Judicial Review remains politically accepted • the Court is willing to overrule elected branches of government • Constitutional Amendments are rare but are the only way of overturning a Supreme Court decision • some recent cases have only a tenuous basis in the Constitution • the only way to remove a judge abusing this power is impeachment. <p>Disagreement</p> <ul style="list-style-type: none"> • there has been a decline in the number of cases heard in recent years • an increasingly conservative Court since 2005 has acted with greater deference to elected branches • the Constitution still restrains their rulings • there is usually only a handful of landmark cases each year • <i>stare decisis</i> remains a principle of the Court, which limits their power. <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when agreeing with the view:</p> <ul style="list-style-type: none"> • Judicial review grants the Court power to overrule any state or federal law without effective checks, even those with widespread public support (AO2), therefore the Court's power is imperial in nature and there is not another institution that can affect this, they are all powerful in how they act and not even the voters can influence their decisions (AO3) • the Supreme Court is unelected and yet can overrule Congress or the President striking down the laws made by these branches and in doing so the Supreme Court is overruling those with a democratic and popular mandate (AO2), this is clear evidence of how it behaves in an imperial way as there seem to be no checks and balances, and the other institutions are powerless to curb the actions of the Court (AO3) • the amendments process requires such bipartisanship and large majorities that it has happened only once in the Court's history and so the lack of checks allows the Court to exercise vast power with few restrictions (AO2), therefore the Court is clearly imperial as the mechanism for control is so cumbersome it is ineffective and there are no moves to reform this process and make the Court more accountable (AO3)

Question number	Indicative content
3(a) (contd.)	<ul style="list-style-type: none"> judicial activism often goes beyond the literal wording, which places considerable power over 300 million people in the hands of just nine unelected justices (AO2), consequently this is clear evidence that the Court is acting imperially by creating more power for itself and that there is not any restriction to this power (AO3) impeachment is difficult to do and seldom used, therefore allowing judges to act without fear of repercussion (AO2), thus representing a clear signal that the Court is imperial in nature as this mechanism of control is ineffective and means that they can exert their power without any real consequences (AO3). <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when disagreeing with the view:</p> <ul style="list-style-type: none"> the decline in the number of cases restricts their impact on US politics at both state and national level, meaning their power is limited in its actual impact (AO2), therefore the Court is not really imperial in nature as their power is diminishing and is reliant on the cases coming to them and they have no control over that (AO3) the Court relies on the elected branches to enforce its rulings and this upholds the democratic mandate of the American people, as well as allowing elected branches the choice over enforcement (AO2), consequently this is clearly not imperial in nature as beyond the rulings they have no power of enforcement and are relying on other factors and the American people have power over them (AO3) the Court is able to interpret from the Constitution only, regardless of their personal or political opinion and this restricts the ability of the Court to act with judicial activism (AO2), these factors, therefore, ultimately limit their impact so the Court cannot be imperial as there are clear restrictions on their power to act freely (AO3) there has been no increase in the number of landmark cases compared to previous Courts, which were equally willing to overturn government, decisions (AO2), thus the Court is not as powerful as before and therefore they cannot be considered as imperial because the current Court has been less influential (AO3) as they are largely bound to follow previous Court decisions so this acts as an unofficial check on the Court's power, restricting their ability to become quasi-legislative (AO2), therefore this is a factor that shows they cannot be imperial as there are checks and restrictions on their power, that previous case law means that their future decisions are bound and that they do not have total freedom to act (AO3). <p>Candidates must consider both views in their answers in a balanced way. The judgement a candidate reaches about these views should be reflected in their conclusion.</p> <p>Candidates who <i>have not</i> considered both views in a balanced way cannot achieve marks beyond Level 2.</p> <p>Accept any other valid responses.</p>

Question number	Indicative content
3(b)	<p>AO1 (10 marks), AO2 (10 marks), AO3 (10 marks)</p> <p>AO1 will be used by candidates to underpin their analysis (AO2) and evaluation (AO3). AO2 and AO3 require candidates to develop their answers showing analytical and evaluative skills to address the question – such responses will be underpinned by their use of knowledge and understanding.</p> <p>Candidates may demonstrate the following knowledge and understanding (AO1) in relation to the view that Congressional oversight is ineffective:</p> <p>Agreement</p> <ul style="list-style-type: none"> • Congress's legislative power can be overturned by a presidential veto • Congressional oversight is often reactive • Congressional oversight is dependent on party control • in foreign policy, Congress has limited powers to oversee the President • approval ratings reduce the impact that Congress can have. <p>Disagreement</p> <ul style="list-style-type: none"> • the Constitution still grants considerable checks to Congress • during divided government, scrutiny is often better • Congress is especially effective when a President is weaker, or towards the end of their presidency • Congress retains control over the budget • in domestic policy, Congress is much more effective as they control the legislative process. <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when agreeing with the view:</p> <ul style="list-style-type: none"> • the Constitution allows a President to overturn Congress even if they have a more recent mandate and yet Congress has displayed only a minimal ability to use the veto override (AO2), this shows, therefore, weaknesses in the exercise of their power, shows that the President is more powerful and that Congress power is restricted and cannot be wholly effective (AO3) • Congress reacts with enumerated powers, such as investigations and veto override, which need the President to act first, these powers of Congress restrict their ability to act proactively (AO2), therefore this has allowed the President to dominate so that the oversight is ineffective as the balance of power still remains with the President and Congress is not in control (AO3) • in times of unified government there is often reduced scrutiny of the President, increasing their power, yet in times of divided government, Presidents often rely on more imperial powers to bypass Congress (AO2), consequently in both cases, Congress fails to appropriately check the President and they cannot effectively act as a check or balance on Presidential power whatever the political landscape of the time and the mechanisms in place fail (AO3)

Question number	Indicative content
3(b) (contd.)	<ul style="list-style-type: none"> the power to ratify treaties, control the budget and the vagueness of Article II has allowed the dominance of the President in foreign policy and to circumvent congressional powers (AO2), therefore all these elements ensure that Congress cannot be effective in limiting the power of the President and that the system needs reviewing in order for Congress to be more effective (AO3) higher approval ratings for a President than Congress are normal and give the President more freedom for manoeuvre, which means it can be difficult for Congress to utilise the media in order to scrutinise the President (AO2), thus it is clear evidence that Congressional oversight is ineffective, as the President has better access to influencing the voting public and the media, which in the 21st century is a crucial way of gaining and maintaining power and Congress is always going to be less able to affect change this way (AO3) <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when disagreeing with the view:</p> <ul style="list-style-type: none"> Congress has proven it is capable of thwarting Presidents' demands with Constitutional checks and where Presidents have tried to circumvent them, they have been found unconstitutional by the Supreme Court or suffered in the media (AO2), consequently reducing his power and showing themselves to be effective in how they check presidential power and also how they use the other mechanisms to aid this checking (AO3) in divided government, the opposition party is more willing to exercise their powers and directly challenge the President (AO2), therefore the resulting gridlock could be considered an effective check on the President preventing them from acting alone (AO3) Congress is especially effective when a President is weaker, or towards the end of their presidency when their mandate is weaker and elections are looming, as challenging the President will not lose them votes (AO2), therefore they are able to maximise public opinion in order to prevent unpopular presidential actions, which is clearly an effective check on presidential power (AO3) through the legislative process, Congress can decide on which presidential policies pass into law. Executive actions can be overruled and amended in this manner, preventing the President's will becoming law (AO2), therefore they are clearly effective in stopping the actions of the President and have power to intervene, these actions are a highly effective way to curb presidential actions and are used (AO3) by controlling the budget, Congress has the ability to defund wars and retain some control over foreign policy, even in times of government shutdown (AO2), thus this has prevented unilateral action from the President and therefore is clear evidence that Congress is effective in overseeing the actions of the President and can have a huge impact on what happens both in the country and abroad (AO3). <p>Candidates must consider both views in their answers in a balanced way. The judgement a candidate reaches about these views should be reflected in their conclusion.</p> <p>Candidates who <i>have not</i> considered both views in a balanced way cannot achieve marks beyond Level 2.</p> <p>Accept any other valid responses.</p>

Question number	Indicative content
3(c)	<p>AO1 (10 marks), AO2 (10 marks), AO3 (10 marks)</p> <p>AO1 will be used by candidates to underpin their analysis (AO2) and evaluation (AO3). AO2 and AO3 require candidates to develop their answers showing analytical and evaluative skills to address the question – such responses will be underpinned by their use of knowledge and understanding.</p> <p>Candidates may demonstrate the following knowledge and understanding (AO1) in relation to the view that racial equality has advanced in the 21st century:</p> <p>Agreement</p> <ul style="list-style-type: none"> • Obama introduced the Deferred Action for Childhood Arrivals (DACA) policy in June 2012 • Obama's Executive Orders of 2014 introduced the Deferred Action for Parents of Americans policy and expanded of DACA • affirmative action has been upheld by the Supreme Court • action against illegal immigrants has been struck down by the Supreme Court • the 114th Congress is the most diverse ever. <p>Disagreement</p> <ul style="list-style-type: none"> • the lack of DREAM Act passage, despite electoral promises • the bipartisan 'immigration bill' compiled by the Gang of 8 came to nothing • the Supreme Court has struck down executive orders on DAPA and DACA • states continue to introduce legislation to disadvantage racial minorities • high-profile national tragedies and protests such as Trayvon Martin, the Charlestown shooting and the Ferguson unrest, suggest a perceived lack of advancement. <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when agreeing with the view:</p> <ul style="list-style-type: none"> • of the successful DACA applicants, over half have found it easier to get a job and open a bank account, which is a considerable step forward for the 5 million illegal immigrants in the USA (AO2), therefore this clearly shows that the country has moved forward in a positive way to affect racial equality in the country as it has a more tolerant approach to immigration, racial and cultural diversity (AO3) • the 2014 executive orders further expanded those eligible for relief from deportation and work authorisation, which should increase their income and raise them out of poverty (AO2), consequently poverty is a clear marker in race equality, this change signals that this century has made huge steps forward in ensuring that equality can be achieved despite coming from impoverished circumstances (AO3) • rulings such as <i>Fisher vs. Texas</i> have meant any remaining inequality can continue to be addressed by the Supreme Court, which recognises the importance of the programme even after the election of a black President (AO2), therefore this change shows the clear shift in thinking about racial equality and the intention to continue to improve the situation and build on the positive fact of Obama's election (AO3) • in <i>Arizona vs US</i>, SB1070 was struck down, which went some way to prevent racial profiling, ensuring that states could not discriminate against minority groups within state legislation, therefore protecting their rights (AO2), thus this is clear evidence that racial equality has advanced greatly this century and that the country has embedded some crucial steps to ensuring that positive advances continue (AO3)

Question number	Indicative content
3(c) (contd)	<ul style="list-style-type: none"> with 1 in 5 members in Congress from an ethnic minority, including a substantial growth in Hispanics, this gives power to minority caucuses and allows members to bring bills and issues forward that are relevant to their minority communities (AO2), therefore this represents a substantial advance in the ethnic make up of Congress that should positively affect how this institution operates, it heralds that a kind of better representation in respect of race will continue in the future (AO3) <p>Candidates may refer to the following analytical (AO2) and evaluative (AO3) points when disagreeing with the view:</p> <ul style="list-style-type: none"> the failure of this central plank of immigration policy has meant reliance on executive orders, which are easily overturned by Congress or the Supreme Court (AO2), this therefore is a failure to protect minorities in the USA and clearly shows that advancement this century has been limited and is ineffective (AO3) Boehner refused to hear the immigration bill in the House of Representatives and subsequent gridlock has ensued. In trying to court Congress on this matter, Obama has deported more illegal immigrants than George W Bush (AO2), consequently this is arguably a step backwards for racial equality and if a black President cannot support racial equality then this does not bode well for future positive advancements (AO3) in striking down DAPA and DACA, states will be able to institute some deportation policies against illegal immigrations. Any substantive advances must come through Congress, which has been reticent to pass immigration legislation (AO2), thus leaving minorities with ineffective protection or advancement and shows that change has been minimal and that Congress is still reluctant to fully embrace racial equality (AO3) federalism and the size of the US have prevented full implementation of rulings such as <i>Brown vs Topeka</i> (for example in Mississippi, 2016) and a lack of federal political will, coupled with gridlock, is unlikely to prevent this (AO2), therefore any advancement seems unlikely as the system is against true racial equality and there are too many issues in the way for advancement to be truly effective (AO3) minorities still appear to suffer at the hands of white Americans and the failure to achieve substantive change to, for example, racial profiling or gun control remains an ongoing issue (AO2), therefore this is a major factor in ensuring that advancement in racial equality will never go far, as the country is not able to embrace it fully and it would require a huge cultural and political shift, which does not look likely to happen significantly in the 21st century (AO3). <p>Candidates must consider both views in their answers in a balanced way. The judgement a candidate reaches about these views should be reflected in their conclusion.</p> <p>Candidates who <i>have not</i> considered both views in a balanced way cannot achieve marks beyond Level 2.</p> <p>Accept any other valid responses.</p>

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> • Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). • Limited analysis of aspects of politics with partial, logical chains of reasoning, which makes simplistic connections between ideas and concepts (AO2). • Makes superficial evaluation of aspects of politics, constructing simple arguments and judgements, many which are descriptive and lead to limited unsubstantiated conclusions (AO3).
Level 2	7–12	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Some emerging analysis of aspects of politics with some focused, logical chains of reasoning, which make some relevant connections between ideas and concepts (AO2). • Constructs some relevant evaluation of aspects of politics, constructing occasionally effective arguments and judgements, some are partially substantiated and lead to generic conclusions (AO3).
Level 3	13–18	<ul style="list-style-type: none"> • Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Mostly focused analysis of aspects of politics with focused, logical chains of reasoning, which make mostly relevant connections between ideas and concepts (AO2). • Constructs generally relevant evaluation of aspects of politics, constructing generally effective arguments and judgements, many of which are substantiated and lead to some focused conclusions that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). • Consistent analysis of aspects of politics, with coherent logical chains of reasoning, which make relevant connections between ideas and concepts (AO2). • Constructs mostly relevant evaluation of aspects of politics, constructing mostly effective arguments and judgements, which are mostly substantiated and lead to mostly focused, justified conclusions (AO3).
Level 5	25–30	<ul style="list-style-type: none"> • Demonstrates thorough and in-depth knowledge and understanding of political institutions, processes, concepts, theories and issues, which are effectively selected in order to underpin analysis and evaluation (AO1). • Perceptive analysis of aspects of politics, with sustained, logical chains of reasoning, which make cohesive and convincing connections between ideas and concepts (AO2). • Constructs fully relevant evaluation of aspects of politics, constructing fully effective substantiated arguments and judgements, which are consistently substantiated and lead to fully focused and justified conclusions (AO3).

9PL0: Comparative Politics – USA

Paper 3A, Section C

Specimen Papers

EITHER

- 3** (a) Evaluate the view that the US Constitution ensures that civil rights are effectively protected by the Supreme Court.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (b) Evaluate the view that campaign finance is the most significant factor in determining the outcome of congressional elections.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (c) Evaluate the view that the legislative process is more effectively influenced by pressure groups than political parties.

You must consider this view and the alternative to this view in a balanced way.

(30)

General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Guidelines for Marking Essay Question

AO1 (10 marks)

Marks here relate to knowledge and understanding. It should be used to underpin analysis (AO2) and evaluation (AO3)

AO2 (10 marks)

Candidates should form analytical views which support and reject the view presented by the question

AO3 (10 marks)

Candidates are expected to evaluate the information and arguments presented. They may rank the importance of the prior analysis.

They should be able to make and form judgments and they should reach reasoned conclusion.

Candidates must consider both views in their answers in a balanced way.

The judgement a candidate reaches about these views should be reflected in their conclusion.

Candidates who have not considered both views in a balanced way cannot achieve marks beyond Level 2.

Other valid responses are acceptable

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(a)	<p>Agreement</p> <ul style="list-style-type: none"> A number of rights are explicitly provided for in the original constitution e.g. habeus corpus Congress added the Bill of Rights to the Constitution in the first 10 amendments, which the Supreme Court refers to in its rulings Subsequent amendments to protect civil rights e.g. Thirteenth Amendment have added to the Supreme Court's remit The Supreme Court's constitutional role is to adjudicate on issues arising from the Constitution and the lower courts- including civil rights cases 	<p>Agreement</p> <ul style="list-style-type: none"> The rights enshrined in the original Constitution are therefore considered inviolate and cannot be altered without going through the formal amendment process or a ruling by the Supreme Court on points of interpretation The addition of the Bill of Rights ensures that a list of specific rights are emphasised in importance and protected in the same way as the rights in the original Constitution The amendments process for the Constitution allows Congress to pass additional amendments to protect rights that may not have been considered previously or require additional entrenchment which has in the past been influenced by Supreme Court rulings The Supreme Court is widely considered to be the guardian of the Constitution and so as part of its remit becomes the guardian of the rights contained within it, including the Bill of Rights 	<p>Agreement</p> <ul style="list-style-type: none"> Therefore the Constitution itself can be referred to on points of law in court cases related to civil rights This allows the Supreme Court to rule on constitutionality in cases related to the Bill of Rights as well as on legislation related to civil rights This can then supercede legislation passed and then enshrine those rights more deeply in both American society and points of law Therefore the Supreme Court then helps to ensure that rights enshrined within the Constitution are protected, and can also hear cases related to the constitutionality of legislation in relation to civil rights

<p>3 (a) (cont'd)</p>	<p>Disagreement</p> <ul style="list-style-type: none"> • The Constitution is a relatively short document that does not cover all areas related to civil rights • The Supreme Court cannot initiate cases related to civil rights • The Supreme Court does not have to hear all cases related to civil rights • The Supreme Court has no power of enforcement 	<p>Disagreement</p> <ul style="list-style-type: none"> • The Constitution was not intended to focus solely on civil rights, which were not a major consideration at the time- as suggested by the late inclusion of the Bill of Rights- so does not and cannot specify all areas of civil rights • The powers of the Supreme Court are limited to selecting cases that have been referred to them as the highest court of appeal, rather than choosing to discuss issues related to civil rights • Many cases related to civil rights may be considered to be controversial, or not directly related to issues of constitutionality as they may be related to congressional or state law • The Supreme Court cannot act to enforce its rulings and so is reliant on Congress and the states to take action 	<p>Disagreement</p> <ul style="list-style-type: none"> • This then means that many areas of civil rights are subject to the interpretation of the courts in how they relate to the Constitution, or must be related to legislation rather than the Constitution • This means that the Supreme Court must wait until a point of law has been raised on constitutionality or that all other possible appeals have been exhausted before cases are referred to them • This means that the Supreme Court may choose to practice legislative deference and uphold laws that attack or limit civil rights e.g. <i>Plessy vs Ferguson</i> or <i>Buck vs Bell</i> • This makes it difficult to ensure rulings take effect immediately, as some rulings may require amendments to, or new legislation to be passed- which is a time-consuming process
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Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(b)	Agreement <ul style="list-style-type: none"> The scale of US elections means that Congressmen begin fundraising again as soon as they are elected The majority of candidates elected are incumbents with sizeable campaign 'war chests' There has been a marked increase in the number and fundraising activities of PACs in recent years Legislation to limit the impact of campaign finance has included loopholes 	Agreement <ul style="list-style-type: none"> Terms of office, particularly in the House of Representatives and the cost of elections means that campaign finance is a priority for many congressmen, as they must consider re-election costs as well as issues once elected Incumbents overwhelmingly dominate both house of Congress and are more likely to receive large donations that can be used for campaigning The increase in number and fundraising activities by PACs and the emergence of Super-PACs suggests that campaign finance is becoming increasingly important Campaign finance legislation has not eliminated/dealt with all the criticism of the impact of money on electoral outcomes as many lawmakers rely on campaign finance from corporations and unions 	Agreement <ul style="list-style-type: none"> Therefore actions in Congress can be influenced by contributions received in the previous election by various organisations or by pledges of donations for future elections So incumbents are more likely to be seen as a 'safe bet' by organisations and individuals who wish to contribute This also contributes towards incumbency as funding is more likely to be given to incumbents than new candidates or freshmen congressmen This suggests that loopholes have been left to ensure that congressmen can still access the funding they need
3 (b) (cont'd)	Disagreement <ul style="list-style-type: none"> The congressional record of candidates is also a major feature in electoral campaigns The 'coat-tails' effect in presidential elections is a factor Political context such as the state of the economy or the party's reputation can also affect outcomes 'Name recognition' can affect the degree of media coverage candidates receive 	Disagreement <ul style="list-style-type: none"> Congressmen also focus considerable efforts on creating a record of action in Congress that will appeal to their electorate ('bringing the bacon home') Popular presidents can 'bring congressmen with them', as associating candidates with the president of the same party can lead to balanced ticket voting across all elections- the 'coat-tails' effect Congressional elections can be affected by the political climate of the country, such as a major crisis or economic recession where the ruling party is blamed for problems and punished at the ballot box Individual congressmen can become celebrity-like in their status in their home district or also in the media, especially if they are perceived as a potential future president candidate 	Disagreement <ul style="list-style-type: none"> Therefore campaign finance, while still important, cannot compensate for a proven track record of earmarking projects for congressional districts that demonstrate why an incumbent should be re-elected This is a particular feature for newly elected presidents or during the honeymoon period of the first mid-term elections for a presidential candidate where gains can be made by the ruling party Therefore the perception of Congress can be skewed by the political situation or also the reputation of the president Therefore such candidates may find their elections more widely covered in the media to the exclusion of their opponent, particularly if they are a long-standing incumbent or have a significant position within Congress or on a committee

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(c)	Agreement <ul style="list-style-type: none"> Pressure groups exist to influence change rather than seek election so can focus their efforts on influencing legislation e.g. by lobbying Pressure groups are influential in mobilising support for campaigns, especially in the digital age and so can directly influence individual congressmen Political parties or individuals within Congress can be reliant on pressure groups for funding and support Pressure groups can also make connections with executive departments or agencies who can influence the formation of legislation 	Agreement <ul style="list-style-type: none"> The very nature of pressure groups means that they are more able to focus their campaign efforts on one issue or piece of legislation Pressure groups are becoming increasingly effective at mobilising mass support through other methods such as bringing cases to court or the use of social media to encourage constituents to bombard congressmen if Congress proves unresponsive/unwilling to legislate The cost and frequency of elections- especially in the House- means that many individuals within political parties are more reliant on pressure groups or Super PACs for donations than their own party Pressure groups also seek to form direct connections with executive departments or agencies to give them direct access to those who are involved in writing and reviewing legislation 	Agreement <ul style="list-style-type: none"> Whereas political parties- especially in the House of Representatives- have to consider the proximity of elections and their constituents' wishes This can then lead to additional pressure on Congress to legislate on issues that have not been fully addressed by current legislation to avoid being seen to be overruled by the courts or face re-election issues This can give pressure groups direct access to congressmen or committee members and affect how they amend or vote on legislation The sharing of expertise and advice to these departments agencies can lead to direct access to the president and to more direct involvement in drafting legislation or amendments
3 (c) (cont'd)	Disagreement <ul style="list-style-type: none"> Pressure groups are still reliant on political parties within Congress to support and act on the issues they campaign on The effectiveness of pressure groups to affect any legislation is limited by the party in power in Congress and the power of opposition to filibuster legislation Legislation has been passed to limit the power and influence of pressure groups in legislation Political parties are becoming more polarised and so more likely to organise around party votes 	Disagreement <ul style="list-style-type: none"> While pressure groups in the USA do have a wide number of access points available to them in Congress, they must still wait for a political party sympathetic to their cause/to be pressured by the political climate or media coverage to be in power The ideology of the ruling party can limit the effectiveness of pressure groups because of the political context of the time or the issue the pressure group represents Pressure groups may find it harder to make direct links with congressmen after legislation passed to limit the impact of lobbying Political parties are becoming more unified around ideology and policy programmes and so more likely to vote in a partisan manner in Congress which leaves fewer opportunities for pressure groups to influence legislation 	Disagreement <ul style="list-style-type: none"> This makes it very difficult for minority parties to push through legislation without the ruling party or president's approval So political will is essential for bringing issues to the legislative table in a Congress with an ever-increasing legislative workload This means they are more reliant on the goodwill or ideology of individual congressmen or the political will of party leaders to take up their issue in Congress Increased polarisation limits the ability of pressure groups to influence individual congressmen and legislation through the usual channels

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> • Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). • Limited comparative analysis of political information with partial, logical chains of reasoning, referring to similarities and/or differences within political information, which make simplistic connections between ideas and concepts (AO2). • Makes superficial evaluation of political information, constructing simple arguments and judgements, many of which are descriptive and lead to limited unsubstantiated conclusions (AO3).
Level 2	7–12	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Some emerging comparative analysis of political information with some focused, logical chains of reasoning, referring to similarities and/or differences within political information, which make some relevant connections between ideas and concepts (AO2). • Constructs some relevant evaluation of political information, constructing occasionally effective arguments and judgements, some are partially substantiated and lead to generic conclusions without much justification (AO3).
Level 3	13–18	<ul style="list-style-type: none"> • Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Mostly focused comparative analysis of political information with focused, logical chains of reasoning, drawing on similarities and/or differences within political information, which make mostly relevant connections between ideas and concepts (AO2). • Constructs generally relevant evaluation of political information, constructing generally effective arguments and judgements, many of which are substantiated and lead to some focused conclusions that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). • Consistent comparative analysis of political information, with coherent, logical chains of reasoning, drawing on similarities and differences within political information, which make relevant connections between ideas and concepts (AO2). • Constructs mostly relevant evaluation of political information, constructing mostly effective arguments and judgements, which are mostly substantiated and lead to mostly focused and justified conclusions (AO3).
Level 5	25–30	<ul style="list-style-type: none"> • Demonstrates thorough and in-depth knowledge and understanding of political institutions, processes, concepts, theories and issues, which are effectively selected in order to underpin analysis and evaluation (AO1). • Perceptive comparative analysis of political information, with sustained, logical chains of reasoning, drawing on similarities and differences within political information, which make cohesive and convincing connections between ideas and concepts (AO2). • Constructs fully relevant evaluation of political information, constructing fully effective arguments and judgements, which are consistently substantiated and lead to fully focused and justified conclusions (AO3).

9PL0: Comparative Politics – USA

Paper 3A, Section C

Summer 2019

- 3** (a) Evaluate the view that US foreign policy is dominated as much by Congress as by the presidency.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (b) Evaluate the view that the effective working of the US Constitution depends more on interest groups than the Supreme Court.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (c) Evaluate the view that the procedures for electing US presidents and members of Congress are not fit for purpose.

You must consider this view and the alternative to this view in a balanced way.

(30)

General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Guidelines for Marking Essay Question
AO1 (10 marks) Marks here relate to knowledge and understanding. It should be used to underpin analysis (AO2) and evaluation (AO3)
AO2 (10 marks) Candidates should form analytical views which support and reject the view presented by the question
AO3 (10 marks) Candidates are expected to evaluate the information and arguments presented. They may rank the importance of the prior analysis. They should be able to make and form judgments and they should reach reasoned conclusion. Candidates must consider both views in their answers in a balanced way. The judgement a candidate reaches about these views should be reflected in their conclusion. Candidates who have not considered both views in a balanced way cannot achieve marks beyond Level 2. Accept any other valid responses.

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(a)	Agreement: <ul style="list-style-type: none"> The Constitution has a system of checks and balances to prevent any one branch dominating policy such as foreign policy Presidential power in foreign policy depends on the willingness of Congress to grant funds Presidential power in foreign policy can be limited by other factors such as public opinion, which Congress is very responsive to Congress has become increasingly willing to check presidential power over foreign policy through the committee system 	Agreement: <ul style="list-style-type: none"> This means that the president must consult with Congress on certain actions such as treaties Presidential actions in deploying troops or allocating funding for trade or aid in executive agreements must be approved by Congress In the digital age public opinion on foreign policy is often polarised by an increasingly dogmatic media, and presidents who may need to run for re-election or who are reliant on Congress to allocate funds or approval must pay heed Committees can investigate issues or vote on funding or to approve or reject presidential proposals which can put pressure on presidents to rethink proposals 	Agreement: <ul style="list-style-type: none"> Therefore presidents cannot act unilaterally when dealing with other countries This can be difficult to achieve for presidents to achieve for controversial policies, especially in times of a divided government where foreign policy may not align with one or both chambers of Congress This is particularly true in an election year when media coverage can make or break a candidate's electoral chances and so presidents cannot rely on support for their foreign policy in Congress, especially it is perceived as weak or controversial by the public or the media This is particularly true in times of divided government when Congress is more likely to challenge a president of the opposing party, especially if they appear to be more likely to gain support within Congress for opposition

	Disagreement: <ul style="list-style-type: none"> Presidents have the constitutional power to dominate foreign policy as they are the designated commander-in-chief Presidents can make executive agreements with other countries without formal ratification by Congress Supreme Court rulings have previously confirmed that presidents should be dominant in foreign policy Presidents have become increasingly willing to use executive orders to create foreign policy without the need for legislation 	Disagreement: <ul style="list-style-type: none"> Therefore, presidents can deploy troops into active combat without consulting Congress first as long as they do not declare war This gives presidents the opportunity to make links and agreements with other countries that do not require formal debate or approval by the legislative branch. This has increased over time. This includes the use of executive agreements, which have been ruled to have the same legal status as treaties, thus increasing the power of the president to act alone in foreign policy While executive orders may still require authorisation from Congress for funding of troops or projects, this still adds to the power of the president when considering the use of executive orders for 'emergency' actions or developing relations with countries 	Disagreement: <ul style="list-style-type: none"> It is less likely that Congress will refuse any funding for troops who already 'in the field' as this may lead to media and public criticism which may harm individual popularity Therefore, presidents may still act arbitrarily without consultation with the other branches of government without any formal limitations on this power, with the increased use of executive agreements suggesting this has become the preferred method of conducting foreign policy for modern presidents This therefore allows modern presidents to act without fear of agreements being declared unconstitutional This adds to the perception that in foreign policy the president is 'imperial' and does not have to rely on approval from the legislative branch for his policies
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Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(b)	<p>Agreement:</p> <ul style="list-style-type: none"> Interest groups are more likely to ensure the effective working of the Constitution because they are able to take on a significant role in the US political system because the separation of powers and checks and balances can limit effective government Interest groups allows for an alternative method of ensuring the Constitution can be updated to despite the long and arduous amendment process Interest groups play a vital role in challenging some aspects of the Constitution which have been criticised as being unfit for a modern democratic society Federalism means that state governments have reserved powers over issues not explicitly referenced in the Constitution, thus allowing interest 	<p>Agreement:</p> <ul style="list-style-type: none"> Interest groups can therefore fill the political vacuum caused by the frequent gridlock between the branches of government and also within the branches that separation of powers can create Interest groups are able to campaign to uphold the key principles of the Constitution either through new legislation or <i>amicus curiae</i> or initiating cases This includes some of the amendments themselves e.g. the 2nd amendment, the electoral process, the amendment procedure itself, the system of checks and balances, which have become difficult to amend because they are embedded in the culture of US society This is especially important in issues related to civil rights where interest groups have been able to use state 	<p>Agreement:</p> <ul style="list-style-type: none"> In times of divided government it can be very difficult to gain agreement amongst all groups on the shape of a bill and so many bills fail which means that the role of interest groups and lobbying becomes vital for ensuring members of Congress seek compromise and agreement This means that much interest groups have the power to make amendments to the political system by directly influencing legislation through lobbying or through the courts e.g. same-sex marriage was legalised through <i>Obergefell v Hodges</i> Therefore some aspects of the Constitution are arguably kept in place because they are traditional features of US society and government rather than features of a modern democratic society and only the campaigning of interest groups helps to ensure democracy is upheld Interest groups are therefore able to ensure the Constitution works effectively by targeting state governments as well as the federal

groups another access point for upholding the Constitution.	initiatives and propositions and the state courts.	government, often using state laws and rulings to then go on to challenge constitutional issues on a federal level.
<p>Disagreement:</p> <ul style="list-style-type: none"> Interest groups are not always necessary to guarantee the Constitution works effectively as the system of checks and balances and the separation of powers does still effectively ensure that legislation is carefully considered and carries majority support Interest groups who may have disproportionate power because of political links or campaign finance are prevented from having undue influence over the constitution by the amendment procedure, which was designed to be difficult and time-consuming to avoid rapid or controversial changes being made too easily The development of judicial review, allows the Supreme Court to be the more effective protector of the US Constitution, as this allows the court to rule on aspects of modern society that could not be provided for in the Constitution e.g. on issues of privacy <p>CONTINUED ON NEXT PAGE</p>	<p>Disagreement:</p> <ul style="list-style-type: none"> This prevents any one part of government dominating another and forcing through rushed legislation, even in a time of united government, as intended by the founders of the Constitution The difficulty in amending the Constitution has been demonstrated in the past, with lengthy debates over proposed amendments to ban flag-burning which is at odds with the 1st amendment guaranteeing free speech The Constitution was designed to be brief and ambiguous to allow the political system to develop as necessary to meet the needs of an evolving society <p>CONTINUED ON NEXT PAGE</p>	<p>Disagreement:</p> <ul style="list-style-type: none"> Therefore, the Constitution still allows society to be protected from one dominant political group in government without the courts or interest groups This suggests that the amendment procedure actually benefits society and is a democratic way of ensuring the constitution works effectively by preventing potential amendments that could affect individuals or groups of individuals adversely being brought about by powerful interest groups This makes the Constitution more flexible than it first seems and allows the Supreme Court to directly make changes without the need for a formal amendment such as the legalising of same-sex marriage on <i>Obergefell v Hodges</i>, whereas interest groups are reliant on the support of elected officials or the Supreme Court itself to have an impact on the working of the Constitution <p>CONTINUED ON NEXT PAGE</p>

	<ul style="list-style-type: none"> It could be argued that the Constitution is <u>not</u> well protected by interest groups or the Supreme Court, particularly as the power of judicial review has arguably grown beyond that intended by the Founding Fathers <p>Accept any other valid responses.</p>	<ul style="list-style-type: none"> Campaigns by interest groups- particularly on controversial issues- which are often related to constitutional matters, for example, always not heard by the Supreme Court as they may choose to avoid hearing such cases for fear of causing conflict with the legislature or the executive <p>Accept any other valid responses.</p>	<ul style="list-style-type: none"> This means that some parts of the Constitution or issues related to the Constitution are not operating effectively in the modern era, as the Constitution is open to interpretation in places and yet is not always being discussed by the courts <p>Accept any other valid responses.</p>
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Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(c)	<p>Agreement:</p> <ul style="list-style-type: none"> • Presidential and congressional elections have been criticised for being too focused on fund-raising at the expense of policy-particularly with the frequency of House elections • The Electoral College has led to criticisms that campaigns focus too much on a small number of key states • Presidential campaigns have become too long, with the 'invisible primary' starting as soon as the results are announced • Presidential and congressional election systems allow too much focus on the individual rather than parties or policies 	<p>Agreement:</p> <ul style="list-style-type: none"> • This has led to claims that the winner of US elections are not necessarily the most qualified but the most wealthy or most able to raise money • As some states tend to be 'swing states' with large number of Electoral College votes, campaigns in close elections are too focused on voters and policies that affect those states rather than a national campaign • This can lead to the perception that by the time the actual election takes place that the result is a foregone conclusion, particularly as there is a long nomination process as well • This makes the election campaign more about personality rather than policy 	<p>Agreement:</p> <ul style="list-style-type: none"> • This therefore prevents many potential candidates from aspiring to the presidency/prevents Congressmen from focusing on their constituents and leads to a focus on the ability to raise money rather than the ability to design and pass policy • This means that some voters or issues in key states may have a disproportionate effect on the formation of policy during campaigns • This can lead to voter apathy and a perception that the result is largely decided by party bosses who have nominated the candidates rather than a truly democratic process • The impact of this increases polarisation in US society between the parties, especially with controversial candidates, and can also lead to a disassociation between the voter and political parties, where candidates are perceived as individuals rather than representatives of a party
	<p>Disagreement:</p> <ul style="list-style-type: none"> • Long campaigns and the expense of elections are inevitable in such a large country • The Electoral College successfully produces presidents so does not need to be reformed- there is no real demand for reform • Presidential and congressional elections can make use of primaries or caucuses to choose candidates • Congressmen still have to consider the needs of their constituents during their terms of office, as well as the need to raise funding <p>Accept any other valid responses.</p>	<p>Disagreement:</p> <ul style="list-style-type: none"> • Candidates who cannot raise a 'war chest' of campaign funds are seen as 'outsiders' with little chance of success as they will not be able to conduct a lengthy or truly nationwide campaign with limited funds • Demands to reform elections largely centre around funding rather than the process itself • Primaries encourage participation and give wider choice, while caucuses encourage more knowledgeable selection of candidates • As Congressmen are still reliant on the 'folks back home' for votes, and often for donations to their campaigns <p>Accept any other valid responses.</p>	<p>Disagreement:</p> <ul style="list-style-type: none"> • It is therefore necessary for candidates to be able to organise large amounts of funding for their campaign, either from personal wealth or other activities in order to be able to compete in the electoral process • Therefore, the process fulfils its ultimate role of producing presidents with popular support that is distributed across the country • Therefore, enhancing democracy • This suggests that the system still allows Congressmen to fulfil their representative functions as they must focus their efforts on policies that help their constituents to use in re-election campaigns <p>Accept any other valid responses.</p>

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> • Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). • Limited comparative analysis of political information with partial, logical chains of reasoning, referring to similarities and/or differences within political information, which make simplistic connections between ideas and concepts (AO2). • Makes superficial evaluation of political information, constructing simple arguments and judgements, many of which are descriptive and lead to limited unsubstantiated conclusions (AO3).
Level 2	7–12	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Some emerging comparative analysis of political information with some focused, logical chains of reasoning, referring to similarities and/or differences within political information, which make some relevant connections between ideas and concepts (AO2). • Constructs some relevant evaluation of political information, constructing occasionally effective arguments and judgements, some are partially substantiated and lead to generic conclusions without much justification (AO3).
Level 3	13–18	<ul style="list-style-type: none"> • Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Mostly focused comparative analysis of political information with focused, logical chains of reasoning, drawing on similarities and/or differences within political information, which make mostly relevant connections between ideas and concepts (AO2). • Constructs generally relevant evaluation of political information, constructing generally effective arguments and judgements, many of which are substantiated and lead to some focused conclusions that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). • Consistent comparative analysis of political information, with coherent, logical chains of reasoning, drawing on similarities and differences within political information, which make relevant connections between ideas and concepts (AO2). • Constructs mostly relevant evaluation of political information, constructing mostly effective arguments and judgements, which are mostly substantiated and lead to mostly focused and justified conclusions (AO3).
Level 5	25–30	<ul style="list-style-type: none"> • Demonstrates thorough and in-depth knowledge and understanding of political institutions, processes, concepts, theories and issues, which are effectively selected in order to underpin analysis and evaluation (AO1). • Perceptive comparative analysis of political information, with sustained, logical chains of reasoning, drawing on similarities and differences within political information, which make cohesive and convincing connections between ideas and concepts (AO2). • Constructs fully relevant evaluation of political information, constructing fully effective arguments and judgements, which are consistently substantiated and lead to fully focused and justified conclusions (AO3).

9PL0: Comparative Politics – USA

Paper 3A, Section C

Autumn 2020

- 3** (a) Evaluate the view that the presidential power of persuasion is the most significant influence on the policies and ideas of political parties.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (b) Evaluate the view that the constitutional system of checks and balances is an obstacle to effective government.

You must consider this view and the alternative to this view in a balanced way.

(30)

AND/OR

- (c) Evaluate the view that presidential appointments to the Supreme Court ensure it is a political body rather than a judicial one.

You must consider this view and the alternative to this view in a balanced way.

(30)

General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Guidelines for Marking Essay Question	
AO1 (10 marks)	Marks here relate to knowledge and understanding. It should be used to underpin analysis (AO2) and evaluation (AO3)
AO2 (10 marks)	Candidates should form analytical views which support and reject the view presented by the question
AO3 (10 marks)	<p>Candidates are expected to evaluate the information and arguments presented. They may rank the importance of the prior analysis. They should be able to make and form judgments and they should reach reasoned conclusion.</p> <p>Candidates must consider both views in their answers in a balanced way.</p> <p>The judgement a candidate reaches about these views should be reflected in their conclusion.</p> <p>Candidates who have not considered both views in a balanced way cannot achieve marks beyond Level 2.</p> <p>Accept any other valid responses.</p>

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(a)	<p>Agreement</p> <ul style="list-style-type: none"> State of the Union address can be used by presidents to try to influence the political agenda of the party in control of Congress Public, media and international focus on the president as head of state, and therefore his/her agenda Because of the separation of powers, the party in control of Congress need to work with president to pass their own policy agenda (to prevent vetoes) The nature of 'personality politics' in USA means that there is more focus on the individual than the party, during both legislative sessions and election time 	<p>Agreement</p> <ul style="list-style-type: none"> This is because it can help sway public opinion and the media to the president's side This focus can give the president the ability to launch national or international policy to gain direct support and bypass their party This is particularly important in a time of divided government, when party leaders in Congress are reliant on their relationship with the president to pass legislation This allows presidents to offer support for the personal agenda of individual party members or to party leaders in 	<p>Agreement</p> <ul style="list-style-type: none"> This puts additional pressure on party members to introduce/support passing the president's legislative proposals, particularly in an election year This can give the president more leverage to influence policies and ideas when negotiating with party leaders in Congress as they can demonstrate support from media outlets and world leaders for their agenda As presidents have no formal power over members of Congress, it is vital that s/he maintains good relationships with party leaders Which can be seen as most effective in allowing the president to influence the policies and ideas of political parties when the president's party controls both houses

	<p>Disagreement</p> <ul style="list-style-type: none"> Parties can and do work together, independent of presidential influence, on creating national policy agendas Parties can also work together to oppose divisive or controversial policy, e.g. Bush and funding for the war in Iraq, Trump and healthcare reform Interest groups can have a more significant impact than the presidential power of persuasion on party policies, especially PACs and Super-PACs The influence of voters on the policies and ideas of individual members of a political 	<p>return for support for their legislative programme</p> <p>Disagreement</p> <ul style="list-style-type: none"> This is particularly significant when a president of the opposing party is in office e.g. Contract with America, 6 for 06, Trump and the federal shutdown over funding for the Mexico border wall Weak party discipline allows this, as US parties tend to be broad-based coalitions rather than united around a national policy agenda Parties - and particularly individuals who are running for election - rely on interest group support and funding to run successful campaigns Party candidates must appeal directly to their constituents during elections, and 	<p>Disagreement</p> <ul style="list-style-type: none"> This can mean that presidents with divided government facing a united opposition will find it difficult to gain the support needed in Congress to pass their agenda as the opposition may be more focused on passing their policies instead This makes it harder for presidents to influence party policy as s/he is not seen as the head of the party and cannot control individual party members This has led to party members acting in opposition to the president - even if he is from the same party - in order to maintain support from interest groups who fund them This is especially important for members of the House of Representatives, who tend to be elected based on local rather than national issues, whereas presidents tend to be more focused on national
	party can also be a more significant influence, particularly in an election year	cannot rely on the appeal of the president's platform to gain them votes	issues during elections that may not appeal to all states or districts

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(b)	Agreement <ul style="list-style-type: none"> Liberals believe that there are too many checks and balances contained in the Constitution which hinder effective government Conservatives believe that the system of checks and balances has been inadequate to prevent the expansion of the federal government When the same party is in control of both the presidency and Congress, the checks and balances may cease to be effective Checks and balances can also hamper effective government when there are divisions over controversial issues 	Agreement <ul style="list-style-type: none"> The consequence of this is that government can become gridlocked The expansion of federal government has been at the expense of the states, and of the power of the Supreme Court This can mean that presidents are more likely to be able to pass their policy agenda with limited checks by Congress, especially in an era of increasing partisanship Conflicts between Supreme Court rulings and legislation Congress has passed on issues such as abortion have made the Supreme Court a quasi-judicial body 	Agreement <ul style="list-style-type: none"> This then makes important change impossible to enact, and change that does occur does so very slowly This means the founding principles of the Constitution have been compromised and too much power concentrated in the hands of the federal government This makes it more difficult for the opposition party to delay or check legislation as the presidential party will dominate the legislative process, e.g. through the committee system This means that the founding principle on the separation of powers has been contravened
	Disagreement <ul style="list-style-type: none"> The survival of the system of checks and balances shows that it has served its purpose of preventing one branch of government achieving disproportionate power Checks and balances do not prevent effective government, but can help to ensure change is dependent on broad-based enduring support The Constitution itself prevents populist legislation being passed simply to win electoral support on some issues that are seen as protected, e.g. gun rights 	Disagreement <ul style="list-style-type: none"> This is particularly true as there is still the ultimate check of judicial review by the Supreme Court after legislation has been passed by the executive and legislature Both chambers of Congress must agree bills in the same format, and go through an elaborate system of checks through the committee system before the final bill is signed by the president This has been demonstrated with presidents who have made a single issue a central plank of their presidency and then had to work with Congress to try to pass legislation, e.g. both Obama and Trump's healthcare reforms Over 90% of bills 'die' in the committee stage due to the numerous powers committee chairman have over whether or not bills progress to the next stage 	Disagreement <ul style="list-style-type: none"> This prevents effective dictatorship, particularly when one party dominates the presidency and both chambers of Congress This means that compromise and an ability to work with opposition party members and politicians in different roles is essential to pass legislation effectively This helps to ensure policy is well-designed and heavily scrutinised and so more likely to have input from a variety of sources rather than drafted by a single branch This can significantly delay or even entirely prevent the passage of legislation that does not fit the agenda
	<ul style="list-style-type: none"> Other barriers are more significant in preventing effective government, e.g. the committee system in Congress 		of committee chairmen, rather than following the will of the majority of Congress

Question number	AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
3(c)	Agreement <ul style="list-style-type: none"> The appointments system politicises the Supreme Court because they are often made on an ideological basis by president who seeks to influence the make-up of the SC Senate confirmation hearings are often influenced by which president is in office, meaning that the success or failure of an individual nominee can be a politicised process Media coverage/perception of SC justices enhances their increasing political role, e.g. Ruth Bader Ginsberg features heavily in profiles of the SC SC is often finely-balanced between liberal and conservative judges, so leading to 'swing justices' who may have disproportionate influence over key issues 	Agreement <ul style="list-style-type: none"> This can allow presidents to change the ideological makeup of the SC, particularly if the opportunity arises to appoint more than one justice This can give a president with his own party in charge of the Senate a higher chance of success in appointments This has been supported by the increasing number of social and/or controversial issues that the SC has chosen to hear cases on This means that when the opportunity to appoint a justice arises, presidents will seek to influence the ideological makeup of the SC by nominating a justice aligned with their liberal or conservative ideology 	Agreement <ul style="list-style-type: none"> Therefore because appointments are for life, presidential appointments can change the ideological outlook of the SC in the long-term This can also work in reverse - when a president faces opposition in the Senate - with the active prevention of confirmation hearings for political rather than judicial reasons, e.g. Garland Therefore the SC has been criticised for taking on a quasi-judicial role This suggests that appointments are more focused on ideology than judicial suitability
	Disagreement <ul style="list-style-type: none"> Once in office SC justices are independent of presidential or congressional influence, so maintaining their judicial role SC appointments are for life: only other justices can remove them through the impeachment process SC justices do not have to follow the ideology expected of them by the president appointing them e.g. Warren was more liberal than expected Justices are often reluctant to make overtly political decisions and can defer to the elected branches instead 	Disagreement <ul style="list-style-type: none"> This means that there are few checks on the power of the SC thus allowing justices to make decisions as they see fit rather than as their appointees wish them to This prevents the other branches from threatening to remove SC justices from power who do not support their views This reinforces the separation of powers as presidents cannot influence decisions made once justices are appointed The use of judicial restraint allows justices to avoid 'meddling' in political issues 	Disagreement <ul style="list-style-type: none"> This prevents presidents or Congress from having undue influence over judicial decisions Therefore SC justices can make decisions based on law rather than based on political influence This limits the political effect of the appointments system because justices are independent of the executive and legislative branches Therefore preserving the separation of powers and preventing potential conflict between the branches if the SC rules executive or legislative action is unconstitutional

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> • Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). • Limited comparative analysis of political information with partial, logical chains of reasoning, referring to similarities and/or differences within political information, which make simplistic connections between ideas and concepts (AO2). • Makes superficial evaluation of political information, constructing simple arguments and judgements, many of which are descriptive and lead to limited unsubstantiated conclusions (AO3).
Level 2	7–12	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Some emerging comparative analysis of political information with some focused, logical chains of reasoning, referring to similarities and/or differences within political information, which make some relevant connections between ideas and concepts (AO2). • Constructs some relevant evaluation of political information, constructing occasionally effective arguments and judgements, some are partially substantiated and lead to generic conclusions without much justification (AO3).
Level 3	13–18	<ul style="list-style-type: none"> • Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Mostly focused comparative analysis of political information with focused, logical chains of reasoning, drawing on similarities and/or differences within political information, which make mostly relevant connections between ideas and concepts (AO2). • Constructs generally relevant evaluation of political information, constructing generally effective arguments and judgements, many of which are substantiated and lead to some focused conclusions that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). • Consistent comparative analysis of political information, with coherent, logical chains of reasoning, drawing on similarities and differences within political information, which make relevant connections between ideas and concepts (AO2). • Constructs mostly relevant evaluation of political information, constructing mostly effective arguments and judgements, which are mostly substantiated and lead to mostly focused and justified conclusions (AO3).
Level 5	25–30	<ul style="list-style-type: none"> • Demonstrates thorough and in-depth knowledge and understanding of political institutions, processes, concepts, theories and issues, which are effectively selected in order to underpin analysis and evaluation (AO1). • Perceptive comparative analysis of political information, with sustained, logical chains of reasoning, drawing on similarities and differences within political information, which make cohesive and convincing connections between ideas and concepts (AO2). • Constructs fully relevant evaluation of political information, constructing fully effective arguments and judgements, which are consistently substantiated and lead to fully focused and justified conclusions (AO3).