

Government and Politics

Advanced GCE

Unit **F853**: Contemporary US Government and Politics

Mark Scheme for January 2012

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This mark scheme is published as an aid to teachers and students, to indicate the requirements of the examination. It shows the basis on which marks were awarded by examiners. It does not indicate the details of the discussions which took place at an examiners' meeting before marking commenced.

All examiners are instructed that alternative correct answers and unexpected approaches in candidates' scripts must be given marks that fairly reflect the relevant knowledge and skills demonstrated.

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

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Annotations

Annotation	Meaning
	Acknowledged, credit-worthy. Page seen
	Good contemporary example/analysis
	Incorrect
	Example
	Vague
	Repetition
	Very good
	Not relevant
	Analysis
	Focus
	Spelling
	Unclear (in combination with other annotations)
	Positive (in combination with other annotations)
	Negative (in combination with other annotations)

NB Examiners should use the above annotations to assist them in deciding their marks. They do not, however, have to use them to annotate every instance seen.

Subject-specific Marking Instructions

When marking, examiners must use both this mark scheme and the Assessment Matrix (see Appendix 1).

The Assessment Matrix

Broadly speaking and depending on the question, examiners should look for:

- a balanced and well-focused answer;
- which correctly identifies a number and range of relevant and important factors;
- in detail;
- and communicates these clearly and in a logical, fluent and coherent style;
- containing few, if any, errors of grammar, punctuation and spelling.

And credit answers which display knowledge and understanding of:

- current examples;
- political concepts, theories and language;
- other political systems including the EU;
- parallels, connections, similarities and difference.

The Mark Scheme

The mark scheme is indicative of the kinds of points likely to be raised by candidates in answering the questions. However, because of the nature of the subject, it cannot be regarded as definitive and the professional judgement and training of individual examiners will apply.

All substantive issues surrounding the paper will be settled at the standardisation meeting and through the arrangements made by OCR to ensure a consistent approach by all examiners. Examiners should contact the Principal Examiner if they have any concerns about the way an individual script should be marked.

Question		Answer	Marks	Guidance	
				Content	Levels of response
1	(a)	<p>AO1: Candidates should display knowledge and understanding of the congressional committees.</p> <p>This may include reference to some of the following:</p> <ul style="list-style-type: none"> • standing committees • select committees • conference committees • the legislative process – amendment, pigeon-holing, earmarking, scrutiny and oversight • the work and examples of specific committees such as the House Rules Committee, Senate Judiciary Committee • the separation of powers/checks and balances • differences between House and Senate committees. 	10	<p>AO1: At Level 4, candidates will be able to make 4 or 5 points about congressional committees. Candidates may make specific reference to recent developments.</p> <p>Level 3 for candidates who display a good knowledge and understanding of relevant concepts, ideas and political developments relating to congressional committees.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political developments relating to congressional committees.</p> <p>Level 1 for a basic and generalised knowledge with only a few points of relevance relating to congressional committees.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 2 as a default mark. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The answer will lack focus and be disorganised. 	<p>AO1 [8]:</p> <p>Level 4 7 – 8 marks Level 3 5 – 6 marks Level 2 3 – 4 marks Level 1 0 – 2 marks</p> <p>AO3 [2]:</p> <p>Level 4 2 marks Level 3 2 marks Level 2 1 mark Level 1 0 – 1 mark</p>

Question		Answer	Marks	Guidance	
				Content	Levels of response
	(b)	<p>AO2: Expect candidates to examine a range of factors which explain why Congress rejects more legislation than it passes.</p> <p>This may include reference to:</p> <ul style="list-style-type: none"> • the number of bills presented • the legislative process and the hurdles to be cleared • the work of committees in amending and pigeon-holing bills • the lack of party cohesion and, conversely, increased partisanship • parochial focus of the members of the Congress • problems of overriding a presidential veto • the use and threat of the filibuster • case studies such as health care reform • the intentions of the Founding Fathers. 	15	<p>AO2: To reach Level 4, candidates will discuss a range of factors and attempt to evaluate the relative importance of factors.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the reasons why Congress rejects more legislation than it passes.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the legislative function of Congress.</p> <p>Level 1 Basic attempt to explain simpler points central to the question and to recognise and describe few viewpoints relating to the passage of legislation in Congress.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 2 as a default mark. • Marks will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate factors which explain why Congress passes so little legislation 	<p>AO2 [12]:</p> <p>Level 4 10 – 12 marks Level 3 7 – 9 marks Level 2 4 – 6 marks Level 1 0 – 3 marks</p> <p>AO3 [3]:</p> <p>Level 4 3 marks Level 3 2 marks Level 2 2 marks Level 1 0 – 1 mark</p>

Question			Answer	Marks	Guidance	
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					<p>and have used the introduction and conclusion to good effect.</p> <ul style="list-style-type: none"> • At Level 3/2, factors will not be so clearly separated and although identified, they may be fused together in a single paragraph. • At Level 1, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	

Question			Answer	Marks	Guidance	
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2			<p>AO1: Candidates should display knowledge and understanding of the process for nominating presidential candidates and specifically of the ‘invisible primary’.</p> <p>This may include:</p> <ul style="list-style-type: none"> • a definition of the ‘invisible primary’ • the Iowa straw poll • presidential primaries and caucuses, especially those in New Hampshire and Iowa • examples drawn from events in 2011–12 as well as previous election cycles such as the emergence of Obama and the early lead enjoyed by Clinton • the role of money, the media and organisation, frontloading. <p>AO2: Expect candidates to evaluate the importance of the ‘invisible primary’ in a balanced fashion.</p> <p>On the one hand the ‘invisible primary’ might be thought of as very important in determining the outcome of the nomination process. The importance of money and organisation may be considered in the context of the ‘make or break’ potential of Iowa and New Hampshire and the rise of candidate centred campaigns.</p> <p>On the other hand, success in the ‘invisible primary’ is no guarantee of success, as evidenced by Clinton in 2007–8 and Dean in 2004. Similarly victory in Iowa may be seen as having less significance by reference to Huckabee in 2008.</p>	25	<p>AO1: To reach Level 4, candidates may display a good knowledge of events in 2011–12 and the nomination system.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, candidates will provide a range of arguments both for and against the ‘invisible primaries’ having an important role to play in the nomination process and they may apply developments during the 2012 ‘invisible primary’ to these arguments.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

Question			Answer	Marks	Guidance	
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					<p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

Question		Answer	Marks	Guidance	
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3		<p>AO1: Candidates should display knowledge and understanding of the functions of pressure groups.</p> <p>This may include reference to:</p> <ul style="list-style-type: none"> • examples of pressure groups and their activities in the US; political action committees, 527 groups, 'Big Pharma' and others • their role in the electoral and legislative process • concepts relating to the role of pressure groups in a democracy such as pluralism and elitism • attempts by the executive and legislature to limit their impact (Obama's attempted ethics reforms, The Honest Leadership and Open Government Act 2007, FECA 1974) • rulings from the Supreme Court such as Citizens United v FEC and FEC v Wisconsin • concepts such as the 'revolving door', iron triangles, issue networks, lobbying etc may be used and the relationship between K Street and the role of congressional committees will be rewarded. <p>AO2: Expect candidates to analyse both sides of the argument in a reasoned and balanced fashion.</p> <p>In the case of wielding too much power, expect analysis of such issues as: the inequalities of power between competing groups in such issues</p>	25	<p>AO1: To reach Level 4, candidates will display knowledge of a range of US interest groups and their relationship with the branches of government. Reference will be made to democratic theory and the nature of US government.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, candidates will attempt to reach an answer to this question rather than merely reciting the standard arguments for and against pressure groups in a democracy. There will be some overlap here but the focus will contrast the varying fortunes of pressure groups and the</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

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			<p>as gun control, tobacco and health care; the over-importance of money; the 'revolving door' syndrome; iron triangles; 'special' v narrow interests and impact upon the electoral process.</p> <p>In terms of too little power, expect analysis of such issues as: the protection of minority rights and the need for gun control.</p> <p>The debate over health care reform may provide scope for discussion.</p> <p>Other desirable traits of pressure groups in a democracy include increasing opportunities for political participation; information-giving and educating could be used to good effect here.</p> <p>Look for analysis of the pluralist v elitist debate.</p>		<p>consequences for government, politics and democracy in the US. Ideally they will attempt to make some sort of judgement about the role of pressure groups in the US.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

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4		<p>AO1: Candidates should display knowledge and understanding of the US Constitution and its operation.</p> <p>This may include reference to:</p> <ul style="list-style-type: none"> • the content of the Constitution • the principles of checks and balances and the separation of powers • the amendment process and amendments passed and failed • judicial review and cases from the Court • concepts such as 'gridlock', 'paralysis in government' • case studies such as health care reform and foreign policy powers of a president • the legislative process; possible reforms. <p>AO2: Expect candidates to evaluate the impact of the US Constitution on government and politics in the US in a balanced fashion.</p> <p>Discussion could centre on an in-depth consideration of presidential-congressional factors or consider a range of views which extend to federalism and the protection of rights.</p>	25	<p>AO1: In order to reach Level 4, candidates will display a detailed knowledge of the Constitution and/or the Bill of Rights and proposed, successful and failed amendments. Comparisons with unwritten/uncodified constitutions may also be evident.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, candidates will provide a balanced essay which provides a consideration of both the case for and against reform. They will use contemporary examples to support their arguments. Candidates who only address the issue of why there have been so few amendments will fail to address the question effectively and consequently not reach this level.</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

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		<p>Arguments in favour of reform may include: its inability to evolve to meet contemporary needs; the survival of 'anachronistic' amendments (2nd and 3rd); the creation of 'gridlocked' government; the survival of the Electoral College; the 'imperial presidency' suggesting a failure of checks upon the executive and/or the 'imperilled presidency' highlighting the problems of ineffective government.</p> <p>Contrasts may be made with parliamentary systems and the 'elective dictatorships' that tend to follow.</p> <p>The intentions of the Founding Fathers in preventing tyranny and protecting rights could form part of a relevant argument.</p> <p>The debate surrounding written and unwritten constitutions will be of relevance here.</p>		<p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

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5		<p>AO1: Candidates should display knowledge and understanding of the Executive Office of the President (EXOP) and of the administration.</p> <p>Regarding the former, this may include:</p> <ul style="list-style-type: none"> • history and the development of the 'modern presidency' • a key discriminator in this assessment objective will be the ability to provide detailed comment on the make up of the EXOP including the White House Office including the Chief-of-Staff, the Office of Management and Budget, the National Security Council and the Council of Economic Advisors • reference may be made to the cabinet, its composition and role • details and developments relating to the Clinton, Bush and Obama administrations. <p>AO2: Expect candidates to analyse the usefulness of the EXOP in helping recent presidents. Look for a balanced approach which focuses on how the EXOP can both help and hinder the president.</p> <p>Candidates may contrast the role played by various structures and bodies within the White House depending on circumstance and the individual style of the incumbent.</p> <p>Reference may be made to theories surrounding the role of bureaucracies in modern democratic</p>	25	<p>AO1: To reach Level 4, candidates should be able to provide a detailed discussion of the various parts of the EXOP and the role they play. This may be linked to the roles of the president as Chief Diplomat/manager of prosperity/Chief Executive/Chief Legislator etc.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, candidates will be able to provide a detailed and balanced assessment of the role of the EXOP. Discussion may include reference to the Obama administration and the nature of decision-making in areas such as foreign and economic policy at the present time with references to the EXOP.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation,</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

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			governments and case studies such as Katrina relating to the running of the federal bureaucracy. A contrast with cabinet will assist analysis and evaluation as this may include discussion of: the declining importance of the cabinet meetings and the rise in the importance of EXOP; the divided loyalties of cabinet officers (agency capture/departmentalism/'going native'); the proximity and access to the president enjoyed by senior members of the EXOP; the policy-specialist cabinet members having nothing to contribute to other policy areas in a cabinet meetings; and other such arguments.		<p>analysis and evaluation of the relevant political issues.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

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6		<p>AO1: Candidates should display knowledge and understanding of political parties.</p> <p>This may include:</p> <ul style="list-style-type: none"> • discussion of the functions of political parties in terms of participation and representation, aggregation of interests, recruitment of candidates and governing and electoral roles • their roles in Congress in terms of leadership and organisation and impact upon the legislative process • case studies such as health care reform and the levels of partisanship evident • the role played by parties in providing electoral (ideological) choice and in the nomination process • third parties and interest groups such as the Tea Party movement. <p>AO2: Expect candidates to analyse both sides of the argument in a reasoned and balanced fashion.</p> <p>Discussion may centre on theories relating to party decline (membership, mobilisation, recruitment) and renewal (fund-raising, training, party discipline).</p>	25	<p>AO1: To reach Level 4, candidates will display knowledge of a range of party functions.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, candidates will attempt to evaluate effectively the importance of political parties and consider both arguments for and against with reference to contemporary developments in the US.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

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			<p>The importance of parties may be contrasted with the role played by interest groups. This may be linked to arguments relating to party dealignment.</p> <p>Ideological convergence and lack of choice could be mentioned. This could be contrasted with polarisation and evidence of increased partisanship within the Congress.</p> <p>The role of third parties will also provide scope for discussion.</p>		<p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

Question		Answer	Marks	Guidance	
				Content	Levels of response
7		<p>AO1: Candidates should display knowledge and understanding of:</p> <ul style="list-style-type: none"> the role of the Supreme Court and the power of judicial review recent and landmark cases from the Court the Constitution and Bill of Rights the 'decreasing' docket of the Court and the process of 'certiorari' the appointment process and recent appointments the constraints upon the Court terms and concepts such 'politicisation' and 'judicial', active and passive, strict and loose constructionism, the separation of powers, independence of the judiciary and the rule of law. <p>AO2: Expect candidates to evaluate the arguments for and against the Court as a political institution.</p> <p>Debate will centre on the use of judicial review and the appointment process. The balance of the Court, voting blocs, swing voters and the impact of recent appointments could form part of the discussion. Evaluation of recent 5-4 rulings could be used to good effect. Reference to the 'political' leanings of previous courts and changes over time could also be effectively used here. Arguments</p>	25	<p>AO1: To reach Level 4, expect a discussion of a range of issues relating to the question. At this level reference to the Roberts Court and its rulings and recent appointments (Sotomayor, Kagan) and failed nominees such as Miers can be expected. The role of the Senate and the impact of partisan politics therein will be considered.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>AO2: To reach Level 4, expect the candidates to have a balanced essay and make use to concepts such as strict and loose constructionism, judicial activism and restraint. They should be able to refer to the most recent rulings from the Roberts Court and the Obama appointments. They may make an assessment as to the extent to which the Court's rulings have a conservative or liberal bias at the present time. Generally one might expect an appreciation of the finer nuances of both its rulings and the appointment process. An attempt should be</p>	<p>AO1 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO2 [10]: Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p>

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			<p>such as the Court 'reflecting the electoral returns' or acting as a 'barometer of public opinion' may also feature. The reluctance of other institutions to enter the 'thicket' of issues such as abortion and the use of the Court by pressure groups can also be used to develop the arguments that the Court has become politicised. Comparisons may be made with the UK judiciary with regard to the use of judicial review.</p> <p>Counter arguments may centre on the constraints upon the Court which render it more of a judicial institution. Its role as an appellate court and lack of enforcement powers are examples of such arguments. The impact of 'stare decisis', the relatively limited number of 5–4 rulings, small docket and impact of the wording of the Constitution may also help outline a less political role for the Court.</p>		<p>made to rank the importance of these factors in order to reach the highest mark in the assessment objective.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

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8			<p>AO1: Candidates should display knowledge and understanding of the protection of rights and liberties in the USA.</p> <p>This may include reference to:</p> <ul style="list-style-type: none"> • the Bill of Rights • types of rights; political, social, natural, positive, negative • congressional legislation such as the Patriot Act • the role of the President in this area especially since 9/11 • reference to interest groups such as the ACLU. Reference may be made to the ECHR and the UK • the role of the Supreme Court both in the past and present • recent developments such as free speech (Morse v Frederick as opposed to FEC v Wisconsin and Citizens United v FEC), same sex marriages, flag burning and homosexuality (Lawrence v Texas), abortion (Gonzales v Carhart), gun control (DC v Heller, McDonald v Chicago), cases relating to the War on Terror (Boumediene v Bush, Hamdan v Rumsfeld) • the Roberts Court and the impact of the Bush and Obama appointments. 	25	<p>AO1: To reach Level 4, candidates may separate rights and liberties into categories such as political rights or the rights of the accused. There will be a wide range of examples to illustrate arguments.</p> <p>Level 3 for candidates who display good knowledge and understanding of relevant concepts, ideas and political systems.</p> <p>Level 2 for candidates who display limited knowledge and understanding of relevant concepts, ideas and political systems.</p>	<p>AO1 [10]:</p> <p>Level 4 9 – 10 marks</p> <p>Level 3 6 – 8 marks</p> <p>Level 2 3 – 5 marks</p> <p>Level 1 0 – 2 marks</p>

Question			Answer	Marks	Guidance	
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			<p>AO2: Expect candidates to evaluate the protection of rights and liberties in the USA.</p> <p>This may include discussion of: the role played by the Supreme Court and the power of judicial review; voting blocs and the political leanings of the Court in a 'liberal' or 'conservative' direction and the consequences for rights; the Court's role as an appellate court and the lack of enforcement powers; the impact of 9/11 and the war on terror; the roles played by the Congress and the President; the roles played by pressure groups and the media.</p>		<p>AO2: To reach Level 4, candidates will attempt to answer the question in a balanced and focused manner. This may invite consideration of other factors such as the role played by political culture and history and recognise the importance of a rights culture and the danger of 'paper rights'. The nature of rights may be considered.</p> <p>Level 3 for candidates who display a good level of skill in the interpretation, analysis and evaluation of the relevant political issues.</p> <p>Level 2 for candidates who display a limited level of skill in the interpretation, analysis and evaluation of the relevant political issues. Limited attempt to explain a few of the more obvious points central to the question and to recognise and describe some differing viewpoints.</p> <p>AO3:</p> <ul style="list-style-type: none"> • Expect most candidates to reach Level 3 and use 4 as a default mark. • A further mark will be awarded if a candidate is able to write with flair and maintains a sharp focus on the question throughout the essay. • At Level 4, candidates will have made good use of paragraphs to separate their arguments and have used the introduction and conclusion to good effect. • At Level 2 and below, candidates will make frequent and intrusive spelling and grammatical mistakes. The essay will lack focus and be disorganised. 	<p>AO2 [10]:</p> <p>Level 4 9 – 10 marks Level 3 6 – 8 marks Level 2 3 – 5 marks Level 1 0 – 2 marks</p> <p>AO3 [5]:</p> <p>Level 4 5 marks Level 3 4 marks Level 2 2 – 3 marks Level 1 0 – 1 mark</p>

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