



**ADVANCED SUBSIDIARY (AS)  
General Certificate of Education  
January 2013**

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**Government and Politics**

Assessment Unit AS 2

The British Political Process

**[AQ121]**

**WEDNESDAY 23 JANUARY, AFTERNOON**

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**MARK  
SCHEME**

## **General Marking Instructions**

This mark scheme is intended to ensure that the AS examination is marked consistently and fairly. The mark scheme provides examiners with an indication of the nature and range of candidate responses likely to be worthy of credit. It also sets out the criteria which they should apply in allocating marks to candidates' responses. The mark scheme should be read in conjunction with these general marking instructions which apply to all papers.

### **Quality of candidates' responses**

In marking the examination papers, examiners will be looking for a quality of response reflecting the level of maturity which may reasonably be expected of 17-year-olds, which is the age at which the majority of candidates sit their AS examinations.

### **Flexibility in marking**

The mark schemes which accompany the specimen examination papers are not intended to be totally prescriptive. For many questions, there may be a number of equally legitimate responses and different methods by which the candidates may achieve good marks. No mark scheme can cover all the answers which candidates may produce. In the event of unanticipated answers, examiners are expected to use their professional judgement to assess the validity of answers. If an answer is particularly problematic, then examiners should seek the guidance of the Supervising Examiner for the paper concerned.

### **Positive marking**

Examiners are encouraged to be positive in their marking, giving appropriate credit for valid responses rather than penalising candidates for errors or omissions. Examiners should make use of the whole of the available mark range for any particular question and be prepared to award full marks for a response which is as good as might reasonably be expected for 17-year-old GCE candidates. Conversely, marks should only be awarded for valid responses and not given for an attempt which is completely incorrect or inappropriate.

### **Types of mark schemes**

Mark Schemes for questions which require candidates to respond in extended written form are marked on the basis of levels of response which take account of the quality of written communication. These questions are indicated on the cover of the examination paper.

Other questions which require only short answers are marked on a point for point basis with marks awarded for each valid piece of information provided.

## Levels of Response

Questions requiring extended written answers are marked in terms of levels of response. In deciding which level of response to award, examiners should look for the “best fit” bearing in mind that weakness in one area may be compensated for by strength in another. In deciding which mark within a particular level to award any response, examiners are expected to use their professional judgement. The following guidance is provided to assist examiners:

**Threshold performance:** Response which just merits inclusion in the level and should be awarded a mark at or near the bottom of the range.

**Intermediate performance:** Response which clearly merits inclusion in the level and should be awarded a mark at or near the middle of the range.

**High performance:** Response which fully satisfies the level description and should be awarded a mark at or near the top of the range.

## Quality of Written Communication

Quality of written communication is taken into account in assessing candidates’ responses to all questions that require them to respond in extended written form. These questions are marked on the basis of levels of response. The description for each level of response includes reference to the quality of written communication which is incorporated within the marks awarded for AO3. Where the quality of candidates’ subject knowledge and understanding is not matched by the quality of written communication, marks awarded will not exceed the maximum for Level 4.

		AVAILABLE MARKS
1	[2] for each power identified. Candidates may refer to powers over cabinet, over Parliament, over party or powers in relation to the nation. <b>(AO1: 4 marks)</b>	[4] 4
2	<b>Background</b> Collective responsibility is one of the conventions that make up the UK's unwritten constitution. The convention applies to members of the cabinet but has, in recent years, been extended to all members of the governing party who hold executive positions. Government ministers can freely debate policy issues and privately disagree. Once a collective decision has been reached then all are bound by it. This means that ministers are expected to publically support the policy. If a minister is unable to offer this support then the convention dictates that they should resign. If no example is provided a maximum of [5] can be awarded. <b>(AO1: 6 marks)</b>	[6] 6
3	<b>Background</b> [1] for each difference identified and up to [4] for explanation of each difference. <b>(AO1: 10 marks)</b> When the Conservatives and Liberal Democrats entered into a coalition arrangement in 2010 there was considerable surprise given the significant policy differences between them. Since then some of these differences have surfaced particularly over university tuition fees, reform of the NHS, reform of the financial system, over Europe and over many other issues. Weaker answers will tend to focus on one difference and lack evidence. Stronger answers will clearly identify two differences and present relevant evidence.	[10] 10
4	<b>Background</b> Choosing those who will make up the cabinet is considered to be one of the most important powers of the Prime Minister. However, the PM does not have a totally free hand in this matter. Labour PMs face formal limitations but all PMs must be careful to include all ideological wings of the party in making up their cabinet. It is also expedient to include the party's "big beasts" as leaving a major figure on the backbenches could lead to a leadership challenge. PMs also have to consider the demographics of the cabinet in terms of gender, ethnicity and regionality. The limitations on a PM in choosing a coalition cabinet are obviously of a much higher order. Weaker answers will be limited in range and evidence. Stronger answers will have a broader range. An answer that refers to only one example can be awarded a maximum of Level 4. An answer that contains no reference to evidence/examples can be awarded a maximum of Level 3.	

**Level 1 ([1]–[4])****AO1: 2 marks; AO2: 1 mark; AO3: 1 mark**

The candidate demonstrates little knowledge and understanding of the limitations on the PM in choosing their cabinet and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material and/or makes general statements and/or has no evidence (AO1). There is little analysis and evaluation of information, arguments and explanations (AO2). The quality of spelling punctuation and grammar is poor. An argument, if present, is ill-informed and poorly constructed and the level of communication and the use of political vocabulary are both rudimentary (AO3).

**Level 2 ([5]–[7])****AO1: 3 marks; AO2: 2 marks; AO3: 2 marks**

The candidate demonstrates basic knowledge and understanding of the limitations on the PM in choosing their cabinet but there are major gaps in this knowledge and understanding. The response makes a reasonable attempt at answering the question and contains relevant material along with more general material (AO1). There is some limited analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is satisfactory. An argument is constructed although the level of communication, the structure and presentation of ideas and the use of appropriate political vocabulary are limited (AO3).

**Level 3 ([8]–[10])****AO1: 4 marks; AO2: 3 marks; AO3: 3 marks**

The candidate demonstrates mostly accurate knowledge and understanding of how the judiciary can hold the executive to account the limitations on the PM in choosing their cabinet but there are some gaps in this knowledge and understanding. The response makes a reasonable attempt at answering the question and contains relevant material along with more general material (AO1). There is some limited analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is satisfactory. An argument is constructed although the level of communication, the structure and presentation of ideas and the use of appropriate political vocabulary are limited (AO3).

**Level 4 ([11]–[13])****AO1: 5 marks; AO2: 4 marks; AO3: 4 marks**

The candidate demonstrates full and accurate knowledge and understanding of the limitations on the PM in choosing their cabinet and deploys this to answer the question. The answer contains relevant evidence and examples (AO1). There is sound analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is generally good. An argument is constructed which displays clear communication and presentation of ideas. There is appropriate use of political vocabulary and a conclusion is reached (AO3).

**Level 5 ([14]–[16])****AO1: 6 marks; AO2: 5 marks; AO3: 5 marks**

The candidate demonstrates comprehensive, detailed and accurate knowledge and understanding of the limitations on the PM in choosing their cabinet and deploys this consistently to answer the question. A range of relevant evidence is presented (AO1). There is thorough analysis of political information, arguments and explanations (AO2). Spelling, punctuation and grammar are of a consistently high standard. An argument is constructed which displays effective communication and presentation of ideas. There is consistent use of appropriate political vocabulary and a clear and logical conclusion is reached (AO3).

[16]

16

**5 (a) Background**

The political function of the judiciary is to act as a check upon the executive by upholding the rule of law. The judiciary is there to prevent the arbitrary abuse of power by the government. In order to do this the judiciary must be independent of the executive or else it becomes an instrument of executive power, as in dictatorships. The history of the relationship between the executive and the judiciary in Britain is a complicated one. There have been some elements of that relationship that clearly sought to preserve judicial independence while others seemed to undermine the principle: the position of the Lord Chancellor is an obvious example.

Reforms introduced by the Labour government after 1997 had the express intention of increasing the independence of the judiciary: abolition of the position of Lord Chancellor; creation of a Ministry of Justice; establishment of an independent judicial appointments body; creation of a Supreme Court. Critics argue that these have failed to increase the autonomy of the judiciary and that, as much as ever, judges are inclined to support the executive when carrying out judicial reviews and judicial inquiries.

The alternative view is that the reforms of the judiciary have significantly enhanced its power to act as a check on the executive. Weaker answers will be limited in terms of argument and especially evidence. Stronger answers will display understanding of the issues and be able to support this with evidence.

An answer that contains no reference to evidence/examples can be awarded a maximum of Level 3.

An answer that is one-sided and contains no balance can be awarded a maximum of Level 4.

**Level 1 ([1]–[5])****AO1: 2 marks; AO2: 2 marks; AO3: 1 mark**

The candidate demonstrates little knowledge and understanding of the debate about the role of the judiciary in checking the executive and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material and/or makes general statements and/or has no evidence (AO1). There is little analysis and evaluation of information, arguments and explanations (AO2). The quality

of spelling punctuation and grammar is poor. An argument, if present, is ill-informed and poorly constructed and the level of communication and the use of political vocabulary are both rudimentary (AO3).

### **Level 2 ([6]–[10])**

**AO1: 3 marks; AO2: 5 marks; AO3: 2 marks**

The candidate demonstrates basic knowledge and understanding of the debate about role of the judiciary in checking the executive but there are major gaps in this knowledge and understanding and only a limited attempt is made to answer the question. The response contains some relevant material but also significant irrelevant or general material (AO1). There is some basic analysis and evaluation of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is limited. An argument is constructed although the level of communication and the structure and presentation of ideas are both basic. There is restricted use of appropriate political vocabulary (AO3).

### **Level 3 ([11]–[15])**

**AO1: 4 marks; AO2: 8 marks; AO3: 3 marks**

The candidate demonstrates mostly accurate knowledge and understanding of the debate about role of the judiciary in checking the executive but there are some gaps in this knowledge and understanding. The response makes a reasonable attempt at answering the question and contains relevant material along with more general material (AO1). There is some limited analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is satisfactory. An argument is constructed although the level of communication, the structure and presentation of ideas and the use of appropriate political vocabulary are limited (AO3).

### **Level 4 ([16]–[20])**

**AO1: 5 marks; AO2: 11 marks; AO3: 4 marks**

The candidate demonstrates full and accurate knowledge and understanding of the debate about role of the judiciary in checking the executive and deploys this to answer the question. The answer contains relevant evidence and examples (AO1). There is sound analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is generally good. An argument is constructed which displays clear communication and presentation of ideas. There is appropriate use of political vocabulary and a conclusion is reached (AO3).

### **Level 5 ([21]–[24])**

**AO1: 6 marks; AO2: 13 marks; AO3: 5 marks**

The candidate demonstrates comprehensive, detailed and accurate knowledge and understanding of the debate about role of the judiciary in checking the executive and deploys this consistently to answer the question. A range of relevant evidence is presented (AO1). There is thorough analysis of political information, arguments and explanations (AO2). Spelling, punctuation and grammar are of a consistently high

standard. An argument is constructed which displays effective communication and presentation of ideas. There is consistent use of appropriate political vocabulary and a clear and logical conclusion is reached (AO3). [24]

**(b) Background**

MPs are frequently criticised for accepting a role as loyal and unthinking supporters of their party, obeying the commands of the whips and party leaders. Others argue MPs are not simply party “drones” who uncritically follow the party line. MPs have to be careful to represent their constituency and be prepared to vote against their party if necessary. MPs are also willing to put political belief before party over major issues and the last decade has seen rebellions within all three governing parties. Some would argue that MPs first loyalty is to themselves as demonstrated by the expenses scandal and by the way in which MPs use their position to forge beneficial links with outside interests. This is challenged by those who argue that British politics is party dominated. MPs owe their election and re-election to their party. Most MPs are career politicians and their chances of promotion are dependent on their party. For these reasons MPs are inclined to be party loyalists and to put the interests of party before their own principles and the interests of their constituents. When loyalty wavers the party is willing to use the whips to ensure that backbenchers do what they are supposed to do. Stronger answers will be both balanced and well supported.

An answer that contains no reference to evidence/examples can be awarded a maximum of Level 3.

An answer that is one-sided and contains no balance can be awarded a maximum of Level 4.

**Level 1 ([1]–[5])**

**AO1: 2 marks; AO2: 2 marks; AO3: 1 mark**

The candidate demonstrates little knowledge and understanding of the debate about whether MPs are lobby fodder and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material and/or makes general statements and/or has no evidence (AO1). There is little analysis and evaluation of information, arguments and explanations (AO2). The quality of spelling punctuation and grammar is poor. An argument, if present, is ill-informed and poorly constructed and the level of communication and the use of political vocabulary are both rudimentary (AO3).

**Level 2 ([6]–[10])**

**AO1: 3 marks; AO2: 5 marks; AO3: 2 marks**

The candidate demonstrates basic knowledge and understanding of the debate about whether MPs are lobby fodder but there are major gaps in this knowledge and understanding and only a limited attempt is made to answer the question. The response contains some relevant material but also significant irrelevant or general material (AO1). There is some basic analysis and evaluation of political information, arguments and explanations (AO2). The quality of spelling,

punctuation and grammar is limited. An argument is constructed although the level of communication and the structure and presentation of ideas are both basic. There is restricted use of appropriate political vocabulary (AO3).

**Level 3 ([11]–[15])**

**AO1: 4 marks; AO2: 8 marks; AO3: 3 marks**

The candidate demonstrates mostly accurate knowledge and understanding of the debate about whether MPs are lobby fodder but there are some gaps in this knowledge and understanding. The response makes a reasonable attempt at answering the question and contains relevant material along with more general material (AO1). There is some limited analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is satisfactory. An argument is constructed although the level of communication, the structure and presentation of ideas and the use of appropriate political vocabulary are limited (AO3).

**Level 4 ([16]–[20])**

**AO1: 5 marks; AO2: 11 marks; AO3: 4 marks**

The candidate demonstrates full and accurate knowledge and understanding of the debate about whether MPs are lobby fodder and deploys this to answer the question. The answer contains relevant evidence and examples (AO1). There is sound analysis of political information, arguments and explanations (AO2). The quality of spelling, punctuation and grammar is generally good. An argument is constructed which displays clear communication and presentation of ideas. There is appropriate use of political vocabulary and a conclusion is reached (AO3).

**Level 5 ([21]–[24])**

**AO1: 6 marks; AO2: 13 marks; AO3: 5 marks**

The candidate demonstrates comprehensive, detailed and accurate knowledge and understanding of the debate about whether MPs are lobby fodder and deploys this consistently to answer the question. A range of relevant evidence is presented (AO1). There is thorough analysis of political information, arguments and explanations (AO2). Spelling, punctuation and grammar are of a consistently high standard. An argument is constructed which displays effective communication and presentation of ideas. There is consistent use of appropriate political vocabulary and a clear and logical conclusion is reached (AO3).

[24]

**Total**

AVAILABLE  
MARKS

24

**60**