



Mark Scheme (Results)

Summer 2022

Pearson Edexcel
In GCE Politics (9PL0/3A)

Comparative Politics - USA

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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 Question 1(a)**AO1 (6 marks)**

AO1 will be used by candidates to underpin their analysis (AO2).

AO2 (6 marks)

AO2 requires candidates to develop their answers showing analytical skills to address the question – such responses will be underpinned by their use of knowledge and understanding.

1(a) Examine the differences in the checks and balances on the US Congress and the UK Parliament.

AO1	AO2
<ul style="list-style-type: none">• US Constitutional checks and balances on both branches of the US Congress enshrined, but not those on the UK Parliament• More frequent elections in House of Representatives yet none for House of Lords• The use of the 'carrot and the stick' in the House of Commons makes MPs more controlled by the executive, but members of Congress cannot be offered Cabinet positions by the executive, and the whip system is much weaker in the US• Actions by both the US Congress and the UK Parliament can be declared <i>ultra vires</i> by Supreme Court, but this has less effect on the UK Parliament• Party majority/minority more of a limit on UK Parliament	<ul style="list-style-type: none">• This helps ensure that neither house can override the other, unlike in the UK where the House of Commons can use the Parliament Act 1911 to override the House of Lords• This means that the House of Representatives is more accountable to the electorate, whereas the House of Lords has no direct mandate and so can act more independently• This means that MPs in the UK may be more influenced by the prospect of promotion/disciplinary action than the interests of their constituents, whereas the House of Representatives can more effectively fulfil their representative function with less direct influence by the executive branch• This is more of a check on the US Congress as the US Supreme Court can declare legislation to be unconstitutional, so effectively striking down legislation, whereas the UK Parliament can only overturn secondary legislation and not primary legislation• The UK government is more reliant on their majority to help ensure they can pass their legislative agenda, whereas individual members of Congress are less likely to work as a party unit and so a UK government with a substantial majority may find it easier to pass legislation

Guidelines for Question 1(b)**AO1 (6 marks)**

AO1 will be used by candidates to underpin their analysis (AO2).

AO2 (6 marks)

AO2 requires candidates to develop their answers showing analytical skills to address the question – such responses will be underpinned by their use of knowledge and understanding.

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1-3	<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 aspects of politics with partial, logical chains of reasoning, referring to similarities and/or differences within aspects of politics, which make simplistic connections between ideas and concepts (AO2).
Level 2	4-6	<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 aspects of politics with some focused logical chains of reasoning, referring to similarities and/or differences within aspects of politics, which make some relevant connections between ideas and concepts (AO2).
Level 3	7-9	<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 aspects of politics with focused, logical chains of reasoning, drawing on similarities and/or differences within aspects of politics, which make mostly relevant connections between ideas and concepts (AO2).
Level 4	10-12	<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 aspects of politics, with coherent, logical chains of reasoning, drawing on similarities and differences within aspects of politics, which make relevant connections between ideas and concepts (AO2).

Section B

Guidelines for Question 2

AO1 (6 marks)

This question requires candidates to draw on their knowledge and understanding of the USA, including comparative theories and UK politics (AO1) and this will be used by candidates to underpin their analysis (AO2).

AO2 (6 marks)

AO2 requires candidates to develop their answers showing analytical skills to address the question – such responses will be underpinned by their use of knowledge and understanding.

Candidates who refer to only one country cannot achieve beyond Level 1.

Candidates who do not make any comparative theory points cannot achieve Level 4.

2) Analyse how the US President could be considered to less effective than the UK Prime Minister in achieving their legislative goals.

	AO1 (6 Marks)	AO2 (6 Marks)
	<ul style="list-style-type: none"> • The UK Prime Minister is the party leader and so can dominate policy, unlike the US President who is more of a figurehead • The UK Prime Minister can make use of the 'carrot and stick' to motivate and discipline MPs, but this is not available to the US President • The UK Prime Minister has more power of persuasion directly within Parliament compared to the US President • The UK Prime Minister is able to make appointments to the House Of Lords, which is part of the legislature, whereas the US President cannot make any appointments to the elected chambers • Members of the UK Cabinet chosen by the UK Prime Minister are also elected MPs, whereas the US Cabinet are not permitted to be elected representatives 	<ul style="list-style-type: none"> • This allows the UK Prime Minister more control over the legislative agenda, as they are expected to take a leadership role on party policy throughout their tenure, whereas the US President may be less able to unite party members behind their legislative goals • UK Prime Ministers can offer MPs within their party ministerial positions in return for loyalty and can also use the whip system to ensure support on legislation, whereas the US President has no direct power over the elected representatives • The UK Prime Minister themselves or their appointed ministers can work directly within Parliament to influence individual MPs to support legislation because of the fusion of powers, whereas the US President is unable to enter Congress and must rely on more formal channels to discuss potential support with members of Congress • The UK Prime Minister may have more influence over the ideological makeup and gain support within the House of Lords with the ability to make appointments, whereas the directly nature of the US Congress means that the US President is less able to influence legislative decisions unless there is a tie within the Senate, when the Vice President then has the ability to cast the deciding vote • The UK Prime Minister chooses their Cabinet from within Parliament because of the fusion of powers, and so can use their loyalty to ensure they support the PM's legislative goals, as well as individual Cabinet ministers working

	<p>within Parliament to gain support from party members or opposition, whereas the US Cabinet is separate from the elected chambers and so may have no network of communication to use for negotiating support for the president's legislative agenda</p>
<p>Candidates may refer to the following when analysing structural theory:</p> <ul style="list-style-type: none"> • Fusion of powers in the UK and separation of powers in the US <p>Candidates may refer to the following when analysing rational theory:</p> <ul style="list-style-type: none"> • UK Prime Ministers are the leaders of the biggest party in Parliament, whereas the US President is an elected figurehead who may not have the same broad party support from elected officials <p>Candidates may refer to the following when analysing cultural theory:</p> <ul style="list-style-type: none"> • The UK Prime Minister is perceived as effectively the head of government and so in control of setting legislative goals for their party and therefore the country, whereas the US President is perceived as setting individual political goals and not necessarily setting the party agenda 	<p>Candidates may refer to the following when analysing structural theory:</p> <ul style="list-style-type: none"> • This makes the UK Prime Minister more effective at directly influencing individual members of Parliament than the US President over Congress <p>Candidates may refer to the following when analysing rational theory:</p> <ul style="list-style-type: none"> • This means UK Prime Ministers are more able to rely on party support to achieve their legislative goals due to party loyalty than US Presidents <p>Candidates may refer to the following when analysing cultural theory:</p> <ul style="list-style-type: none"> • This means that there tends to be broader support within the UK Parliament for the Prime Minister's policy proposals amongst their own MPs in particular, whereas the US President must negotiate more with individual members of Congress and party leaders within each chamber

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1-3	<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 aspects of politics with partial, logical chains of reasoning, referring to similarities and/or differences within aspects of politics, which make simplistic connections between ideas and concepts (AO2).
Level 2	4-6	<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 aspects of politics with some focused logical chains of reasoning, referring to similarities and/or differences within aspects of politics, which make some relevant connections between ideas and concepts (AO2).
Level 3	7-9	<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 aspects of politics with focused, logical chains of reasoning, drawing on similarities and/or differences within aspects of politics, which make mostly relevant connections between ideas and concepts (AO2).
Level 4	10-12	<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 aspects of politics, with coherent, logical chains of reasoning, drawing on similarities and differences within aspects of politics, which make relevant connections between ideas and concepts (AO2).

Section C

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

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).

3(a) Evaluate the view that the President is the most powerful branch of government rather than the Supreme Court or Congress.

AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
<p>Agreement</p> <ul style="list-style-type: none"> • The president has the power to pass executive orders • The president has influence over the Supreme Court as they are responsible for nominating new justices • The president has more power and influence over foreign policy than the other branches • The president has the power to veto legislation proposed by Congress 	<p>Agreement</p> <ul style="list-style-type: none"> • This effectively gives the president legislative powers independent of Congress, as they have no power to reject or amend such orders • Presidential appointments can influence decisions long beyond a president's term in office because Supreme Court justices are appointed for life • The constitutional role of Commander-in-Chief gives the president informal and formal roles in foreign policy that the other branches may be reluctant to challenge, particularly if there is popular support for a presidential policy related to foreign affairs • This means the president can effectively prevent legislation being passed, as it is difficult to find a strong enough consensus in Congress to overturn a presidential veto 	<p>Agreement</p> <ul style="list-style-type: none"> • Furthermore, executive orders can only be challenged by the Supreme Court on constitutional grounds, so can only be overturned if they are ruled unconstitutional • This means that president may be considered the most powerful branch as the justices are generally chosen based on previous decisions that align with a president's ideas and policies and so appointments can influence decisions long beyond a president's term in office • This, combined with the presidential power to make treaties and executive agreements, gives the president significant power in the area of foreign policy • This, combined with the power to pass executive orders, gives the president significant power over the formation of legislation, as congressional leaders will have to consider the likelihood of a presidential veto when drafting and debating proposals

Disagreement

- Congress may be more powerful than the president as they still retain control over the legislative process
- Congress also retains control over the budget
- The Supreme Court is not always dominated by the presidential influence of nominating appointments
- The Supreme Court may be considered to have more significant constitutional powers than the president as it is perceived as the natural guardian of the Constitution

Disagreement

- All legislation must be proposed within Congress, and although the president will propose a legislative agenda through the State of the Union address, they rely on the support of Congress to introduce proposals
- This means that the president is reliant on Congress to allocate funding to any projects or executive orders that they have proposed or passed
- This is because the Supreme Court is independent of political influence once appointed, and cannot be overruled by presidents
- This role has evolved over time with the development of judicial review as the Supreme Court is considered more neutral than the politically-motivated president, who must rely on the support of Congress and the states to make constitutional changes

Disagreement

- Congress also has the ultimate final say over legislation as if a president vetoes legislation, a vote can be taken to overturn the veto if a 2/3 majority can be achieved
- Without Congressional support, presidential programmes may be impossible to achieve, especially if the president's party is not in control of Congress
- This means that the Supreme Court is largely able to make decisions free of presidential influence
- This means that the decisions of the Supreme Court may be perceived as more valid, particularly as amending the Constitution has proved difficult

3(b) Evaluate the view that Congress has protected civil and constitutional rights more effectively than the Supreme Court.

AO1 10 Marks	AO2 10 Marks	AO3 10 Marks
<p>Agreement</p> <ul style="list-style-type: none"> • Congress has taken steps to protect civil rights in particular in line with party policy • Congress can amend Constitution e.g. Bill of Rights and attempts to pass Equal Rights Amendment • Congress can pass legislation that extends rights without constitutional amendments e.g. Voting Rights Act etc • Congress can legislate on issues not provided by Constitution e.g. modernising society/reacting to events and does not have to wait for cases to be brought to it, unlike SC 	<p>Agreement</p> <ul style="list-style-type: none"> • This has been a key feature of Democratic policy since the 1950s and 1960s and has led to the passage of several key civil rights Acts • This means that Congress can take pro-active steps to protect civil rights and to enshrine those rights within the constitution • This allows additional rights to be legally protected, and also allows for clarification of issues arising from the wording of the Constitution • This allows the protection of rights to be updated in line with a modern society, and arguably is best protected by elected individuals who are responsive to the changing needs of the electorate 	<p>Agreement</p> <ul style="list-style-type: none"> • Many of these Acts have been passed to consolidate or strengthen decisions made by the Supreme Court, demonstrating the need for legislative protection • This means that rights are more effectively protected as they become entrenched and more difficult to overturn • This is also an easier and quicker process than judicial protection, as judicial review can take years to reach the Supreme Court • The Supreme Court has, at times, proved reluctant to rule on issues that are not clear in the Constitution or legislation, so may decline to hear controversial cases to avoid making legislation through their decisions

Disagreement

- The Supreme Court can be more neutral and impartial rather than ideologically driven
- The Supreme Court’s main role is to act as the arbiter of the Constitution
- The Supreme Court can deal with issues raised by individuals and interest that Congress does not/will not deal with
- SC can uphold presidential actions that extend rights that Congress do not agree with

Disagreement

- This allows their decisions to be independent of political influence
- This means that issues related to rights may be considered from a constitutional and legal standpoint rather than a political or a populist base
- This gives another route for minorities to raise issues that the political majority do not want to tackle because of ideology/controversial nature of the issue
- This allows presidents to make use of their additional legislative powers e.g. executive orders to extend civil rights even in times of divided government

Disagreement

- This can mean that civil and constitutional rights can be upheld or even extended based on the rights contained within the Constitution despite a lack of political will to enact specific legislation
- This can allow rights within the Constitution or legislation to be upheld even if this disagrees with the current ideology of the president or Congress
- This can subsequently lead to change in the law as Supreme Court decisions can demonstrate that the Constitution is in line with popular support/demand for a change in civil rights policy e.g. gay marriage
- The existence of a more independent institution to arbitrate on civil and constitutional rights so allows such issues to be dealt with despite ideological differences e.g. DACA

3(c) Evaluate the view that interest groups are more effective than political parties at influencing the outcome of presidential elections.

A01 10 Marks	A02 10 Marks	A03 10 Marks
<p>Agreement</p> <ul style="list-style-type: none"> • Interest groups often have more access to finances for donations to individual campaigns • Interest groups can produce targeted adverts for/against individuals, within legislative campaign finance limits • Interest groups may have closer ties with individual candidates than political parties, and can demonstrate support for throughout the invisible primary • Interest groups with strong public support and a national presence may be more influential in persuading their members to vote for candidates who align with their goals 	<p>Agreement</p> <ul style="list-style-type: none"> • Presidential candidates receive little in the way of funding from their political party and are so reliant on such fundraising • This is particularly true of PACs and Super-PACs who are able to raise and spend large sums of money for the purpose of influencing key elections • During this stage of the electoral process there is less likely to be party unity behind a candidate, which allows interest groups to form ties through shared interests and/or donations • This allows such interest groups to use their organisation to organise campaign events or voter drives before and on election day 	<p>Agreement</p> <ul style="list-style-type: none"> • The support and finances provided by interest groups can allow candidates to focus on campaigning more than fundraising • The fact that their right to do so has been confirmed by Supreme Court rulings allows them to play a bigger role than political parties who have much stricter limits on expenditure • The nature of the US system and electoral college system means that interest groups can endorse candidates who share their beliefs early in the process, thus influencing the selection process as well as electoral outcomes • This contrasts with political party efforts, where there tends to be a reliance on individual candidates to organise their own campaign events and voter drives on a local or state level rather than a national level

Disagreement

- Arguably, the contributions and lobbying of interest groups focus more on gaining the support of prospective presidents during legislative sessions rather than on helping them win elections
- The majority of presidential candidates rely on the party label and ideology to campaign in elections, rather than relying on interest group campaigns
- Parties are still a source of funding and support for presidential candidates
- Parties also play a major role in mobilising the electorate on behalf of candidates

Disagreement

- This means that interest group efforts may be focused more on incumbents who they believe will be re-elected regardless
- While interest group funding is necessary and welcomed by individual candidates, this is a feature of the decentralised nature of US party politics rather than a lack of influence by parties
- This is particularly for mobilising the party faithful e.g. at the National Party Convention where presidential candidates are confirmed
- Local or state-based party units do this by organising voter drives to mobilise the party faithful and to recruit new voters, which can be especially vital in swing seats/states

Disagreement

- This suggests that interest group activity is more about influencing the legislative process subsequent to elections rather than the balance of power
- This suggests that electoral candidates rely more heavily on party recognition alongside interest group donations and are less likely to succeed without the well-known party name
- Therefore parties can and are still a major influence on the outcome of elections, especially in more ideological times when individual candidates rally the party faithful around their individual platform
- This shows that candidates cannot discount the party label completely, as it can be essential for voter recognition and encouraging support for their individual campaign

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