



**ADVANCED**  
**General Certificate of Education**

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**Government and Politics**

Assessment Unit A2 1

Comparative Government

**[AGP11]**

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**Assessment**

**MARK  
SCHEME**

## **General Marking Instructions**

### ***Introduction***

The main purpose of the mark scheme is to ensure that examinations are marked accurately, consistently and fairly. The mark scheme provides teachers with an indication of the nature and range of students' responses likely to be worthy of credit. It also sets out the criteria which they should apply in allocating marks to students' responses.

### ***Assessment objectives***

Below are the assessment objectives for GCE Government and Politics.

Students should be able to:

- AO1** Demonstrate knowledge and understanding of political institutions, processes, concepts, theories and debates.
- AO2** Analyse and evaluate political information, arguments and theories; identify parallels, connections, similarities and differences between the political systems studied.
- AO3** Construct and communicate coherent arguments making use of a range of appropriate political vocabulary.

Factual recall questions only AO1 may be assessed. In longer, extended writing responses all three AOs may be assessed.

### ***Quality of students' responses***

In marking the examination papers, teachers should be looking for a quality of response reflecting the level of maturity which may reasonably be expected of a 17 or 18-year-old which is the age at which the majority of students sit their GCE examinations.

### ***Flexibility in marking***

Mark schemes are not intended to be totally prescriptive. No mark scheme can cover all the responses which students may produce. In the event of unanticipated answers, teachers are expected to use their professional judgement to assess the validity of answers.

### ***Positive marking***

Teachers are encouraged to be positive in their marking, giving appropriate credit for what students know, understand and can do rather than penalising students for errors or omissions. Teachers 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 of a 17 or 18-year-old GCE student.

### ***Awarding zero marks***

Marks should only be awarded for valid responses and no marks should be awarded for an answer which is completely incorrect or inappropriate.

### ***Examples and evidence***

In a subject such as Government and Politics, the use of relevant examples and evidence is crucial. However, the amount of evidence/examples required depends upon the nature of the question.

- shorter, factual recall questions may require no evidence/examples at all.
- other short questions may require an example is given but not developed.
- some source-based questions may identify an example and the task for students is to identify and then explain this example (and usually to provide another).

- extended essay responses require a range of examples/evidence. However, this should not be simply listed but the relevance of the material to the topic under discussion should be explained. There is no required number of examples for a response to achieve the top mark band: a response with four developed and applied pieces of evidence is superior to one with ten listed examples.
- Further specific guidance is provided in the detailed Mark Scheme that follows.

### **Sources of evidence and examples**

Evidence and examples may be drawn from political systems referred to in the specification. However, students are free to draw upon evidence from systems **not** included in the specification: for example, North Korea, Brazil, Myanmar.

Accurate and relevant knowledge and understanding from all political systems is acceptable.

Direct quotation, while acceptable, is not required in responses.

### **Types of mark schemes**

Mark schemes for tasks or questions which require students to respond in extended written form are marked on the basis of levels of response which take account of the quality of written communication. 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**

In deciding which level of response to award, teachers 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 to any response, teachers are expected to use their professional judgement.

The following guidance is provided to assist teachers.

- **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 students’ 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.

For conciseness, quality of written communication is distinguished within levels of response as follows:

Level 1: Quality of written communication is inadequate.

Level 2: Quality of written communication is limited.

Level 3: Quality of written communication is satisfactory.

Level 4: Quality of written communication is good.

Level 5: Quality of written communication is of a high standard.

In interpreting these level descriptions, teachers should refer to the more detailed guidance provided below:

**Level 1 (Inadequate):** The student makes only a very limited selection and use of an appropriate form and style of writing. The organisation of material may lack any clarity and coherence. There is very little use of specialist vocabulary. Presentation, spelling, punctuation and grammar may be such that intended meaning is consistently unclear.

**Level 2 (Limited):** The student makes only a limited selection and use of an appropriate form and style of writing. The organisation of material may lack clarity and coherence. There is little use of specialist vocabulary. Presentation, spelling, punctuation and grammar may be such that intended meaning is not clear in places.

**Level 3 (Satisfactory):** The student makes a reasonable selection and use of an appropriate form and style of writing. Relevant material is organised with some clarity and coherence. There is some use of appropriate specialist vocabulary. Presentation, spelling, punctuation and grammar are sufficiently competent to make meaning clear.

**Level 4 (Good):** The student makes a good selection and use of an appropriate form and style of writing. Relevant material is organised with a good standard of clarity and coherence. There is good use of appropriate specialist vocabulary. Presentation, spelling, punctuation and grammar are of a sufficiently good standard to make meaning clear.

**Level 5 (High Standard):** The student successfully selects and uses the most appropriate form and style of writing. Relevant material is organised with a high degree of clarity and coherence. There is widespread and accurate use of appropriate specialist vocabulary. Presentation, spelling, punctuation and grammar are of a sufficiently high standard to make meaning clear.

Government and Politics is one of many subjects in which it is possible to confuse a well-presented response with one that actually contains relevant knowledge and understanding.

It is imperative when assessing responses, that relevant knowledge and understanding are appropriately rewarded, even if the presentation is not of as high a standard as may be the case with other student's work.

It is also important to note that the level descriptors for QWC state that spelling, punctuation and grammar are relevant in so far as they affect the meaning of a student's response. Some failings in spelling, punctuation and grammar should not prevent a response that contains clearly relevant material from being properly rewarded.

**Option A: A Comparative Study of the Government and Politics of the United States of America (USA) and the United Kingdom (UK)**

**AVAILABLE  
MARKS**

**Section A: The Government and Politics of the USA**

- 1** The term “split-ticket voting” refers to a practice common among US voters when casting their votes. It involves voters voting for the student of one party in one contest but voting for the candidate of a rival party in a different contest. A voter may choose the Republican candidate in a Senate contest but choose a Democrat as their representative in the House. The prevalence of “split-ticket voting” is one reason why different parties can, at the same time, control the White House, Senate and House.

**Level 1 ([1])**

The student offers a basic explanation of what is meant by the term “split-ticket voting”.

**Level 2 ([2]–[3])**

The student offers a more developed explanation of what is meant by the term “split-ticket voting”. An example may be included to support the response. If no supporting example is given, a maximum of three marks can be awarded.

**Level 3 ([4]–[5])**

The student provides a full explanation of what is meant by the term “split-ticket voting”. A relevant example will be used to support the response.

**(AO1: 5 marks)**

Any other valid information will be rewarded appropriately.

5

**2 Background**

The Source identifies one way in which lobby groups can seek to influence Members of Congress and students should seek to explain what is meant by groups being able to “buy” Members. Students may explain that the use of “buy” implies a negative view of the situation in which groups are able to fund Members of Congress in a variety of ways. Any other relevant way in which lobby groups act can be included as a second way such as, providing research findings, endorsing students, using social media and other methods of getting voters out.

**Level 1 ([1])**

The student identifies a valid way with little or no development.

**Level 2 ([2]–[3])**

The student identifies a valid way and offers a more developed explanation. An example may be included to support the response.

**Level 3 ([4]–[5])**

The student identifies a valid way and provides a full explanation of a valid way. A relevant example is included.

Apply criteria for each valid way. One of the ways identified must come from the Source, the other from own knowledge.

**(AO1: 5 marks × 2)**

Any other valid information will be rewarded appropriately.

10

### 3 Background

One of the most high profile powers of the Senate is its role in approving presidential nominations for positions in the executive and the judiciary. It is widely accepted that, in addition, to the public investigations and hearings that the Senate and its committees can hold, the Senate can make it clear to a president that a particular candidate for office does not command sufficient support and is unlikely to be endorsed. On this basis many presidential nominations have been halted. Students should also explain the formal processes of Senate approval of presidential nominations.

Any other relevant reason.

#### Level 1 ([1]–[3])

The student demonstrates limited knowledge and understanding of how the Senate can influence presidential appointments and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

#### Level 2 ([4]–[6])

The student demonstrates outline knowledge and understanding of how the Senate can influence presidential appointments 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. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

#### Level 3 ([7]–[9])

The student demonstrates satisfactory knowledge and understanding of how the Senate can influence presidential appointments 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 some more general material. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

#### Level 4 ([10]–[12])

The student demonstrates sound knowledge and understanding of how the Senate can influence presidential appointments and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed

which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

AVAILABLE  
MARKS

**Level 5 ([13]–[15])**

The student demonstrates accurate, detailed and comprehensive knowledge and understanding of how the Senate can influence presidential appointments and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached. [15]

15

**4 Background**

The record of Congress in acting as a “bastion of negativity” and frustrating the intentions of presidents has been a major issue of contention within the US political system. This issue goes back to the refusal of Congress to endorse the Treaty of Versailles and beyond. It is argued that Congress has often acted to prevent presidential action that is in the interests of the US and those nations it affects. The Source identifies Obama’s inability to extend gun control as a major example of this but stronger answers will include further evidence. Those who are critical of the role of Congress tend to differ with who is in the White House. When the left control the presidency it is they who attack Congressional negativity and vice versa when a more right-wing president is in office.

For balance, students may identify the ways in which presidents can make use of the wide range of powers at their disposal to overcome Congressional opposition. Better answers will refer to a range of presidential powers and tactics and support this with relevant examples.

Weaker answers will tend to rely upon the Source and provide little further evidence. Better answers will be balanced and will offer a range of argument and evidence.

**Level 1 ([1]–[6])**

The student demonstrates limited knowledge and understanding of the extent to which Congress is able to obstruct a president 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 contains no evidence or examples. There is little analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

**Level 2 ([7]–[12])**

The student demonstrates outline knowledge and understanding of the extent to which Congress is able to obstruct a president 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. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information,

arguments and explanations. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

**Level 3 ([13]–[18])**

The student demonstrates satisfactory knowledge and understanding of the extent to which Congress is able to obstruct a president 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 some more general material. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

**Level 4 ([19]–[24])**

The student demonstrates sound knowledge and understanding of the extent to which Congress is able to obstruct a president and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

**Level 5 ([25]–[30])**

The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the extent to which Congress is able to obstruct a president and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached. [30]

AVAILABLE  
MARKS

30

**Section B: A Comparative Study of the Government and Politics  
of the USA and UK**

**AVAILABLE  
MARKS**

**5 Background**

It is anticipated that many students will identify one key difference as the inability of the House of Representatives to directly question members of the executive in the form of Question Time. Another difference may be the superior powers and resources of House committees in comparison to their Commons' counterparts. The power of the House to subpoena witnesses may well appear as a key difference. Any other valid difference.

**Level 1 ([1])**

The student identifies a valid difference with little or no development.

**Level 2 ([2]–[3])**

The student identifies a valid difference and offers a more developed explanation which may include supporting evidence.

**Level 3 ([4]–[5])**

The student identifies a valid difference and provides a full explanation of the difference with supporting evidence.

Apply criteria for each valid way.

**(AO1: 2 × 5 marks)**

Any other valid information will be rewarded appropriately.

10

**6 (a) Background**

There are a number of widely quoted statements that express the opposite view to that put forward in the question. These include the remarks reputedly made by Clinton to Blair in which the former expressed his envy at the greater freedom enjoyed by the PM. The key reason for this greater freedom was the ability of a PM to control the legislature through a party majority in the Commons.

Answers may seek to address the question by comparing the powers of the president and PM and the constraints on those powers. Stronger answers may make the distinction between domestic and foreign powers and constraints.

The statement in the question would appear to be much more true of recent PMs who have lost the control that Clinton envied. Students may take account of the changing circumstances that have affected recent PMs but also reflect upon how presidents have also been affected by events. The 9/11 attacks enabled GW Bush to overcome congressional constraints and involve the US in foreign wars. The 2008 economic crisis, it is argued, put severe limits on what Obama was able to achieve in the face of a hostile Congress.

**Level 1 ([1]–[6])**

The student demonstrates limited knowledge and understanding of the factors affecting the constraints on the powers of the President and PM and makes little attempt to answer the question. The answer is ill-informed and/

or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. There is little recognition of basic similarities and differences between political systems. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

**Level 2 ([7]–[12])**

The student demonstrates outline knowledge and understanding of the factors affecting the constraints on the powers of the President and PM 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. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. There is some recognition of basic similarities and differences between political systems. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

**Level 3 ([13]–[18])**

The student demonstrates satisfactory knowledge and understanding of the factors affecting the constraints on the powers of the President and PM 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 some more general material. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. There is a reasonable attempt at comparing political systems. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

**Level 4 ([19]–[24])**

The student demonstrates sound knowledge and understanding of the factors affecting the constraints on the powers of the President and PM and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. There is effective comparison of political systems. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

**Level 5 ([25]–[30])**

The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the factors affecting the constraints on the powers of the President and PM and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of

political information, arguments and explanations. There is highly effective comparison of political systems. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached.

**(b) Background**

It is sometimes said that, when it comes to legislation, US presidents have a “wish list” while UK Prime Ministers have a “to do list”. This comparison is based upon the greater ability that PMs have to control Parliament through their majority in the House of Commons, while presidents often have to struggle against a hostile majority in one or both Houses of Congress. The reasons for the different circumstances will probably make up a significant part of many answers supported with examples of the greater legislative freedom of PMs including Thatcher and Blair who famously were very rarely defeated in Parliament.

However, presidents are not completely powerless when it comes to legislation. They can employ a variety of tactics to build the majority they need to secure the passage of legislation through Congress, even in the face of organised opposition. Students may identify some of the powers of ‘persuasion’ enjoyed by presidents and include examples such as Obama’s Affordable Care Act.

It is anticipated that weaker answers will only focus on the legislative difficulties of recent PMs and the reasons for those difficulties. Stronger answers will take a longer perspective.

**Level 1 ([1]–[6])**

The student demonstrates limited knowledge and understanding of the factors affecting the legislative powers of presidents and PMs and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. There is little recognition of basic similarities and differences between political systems. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

**Level 2 ([7]–[12])**

The student demonstrates outline knowledge and understanding of the factors affecting the legislative powers of presidents and PMs 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. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. There is some recognition of basic similarities and differences between political systems. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

**Level 3 ([13]–[18])**

The student demonstrates satisfactory knowledge and understanding of the factors affecting the legislative powers of presidents and PMs 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 some more general material. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. There is a reasonable attempt at comparing political systems. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

**Level 4 ([19]–[24])**

The student demonstrates sound knowledge and understanding of the factors affecting the legislative powers of presidents and PMs and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. There is effective comparison of political systems. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

**Level 5 ([25]–[30])**

The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the factors affecting the legislative powers of presidents and PMs and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. There is highly effective comparison of political systems. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached. [30]

**Total**

**AVAILABLE  
MARKS**

30

**100**

**Option B: A Comparative Study of the Government and Politics of the Republic of Ireland and the United Kingdom (UK)**

**AVAILABLE  
MARKS**

**Section A: The Government and Politics of the Republic of Ireland**

**1 Background**

An “Independent TD” is an individual member of the Dáil who does not belong to any organised party grouping. They do not accept the whip of any of the parties within the Dáil and they are not officially tied to any other member. Independents do not stand for election as a member of a party. Independents may enter into an alliance with other members of the Dáil once elected.

**Level 1 ([1])**

The student offers a basic explanation of what is meant by the term “Independent TD”.

**Level 2 ([2]–[3])**

The student offers a more developed explanation of what is meant by the term “Independent TD”. An example may be included to support the response. If no supporting example is given, a maximum of three marks can be awarded.

**Level 3 ([4]–[5])**

The student provides a full explanation of what is meant by the term “Independent TD”. A relevant example will be used to support the response.

**(AO1: 5 marks)**

Any other valid information will be rewarded appropriately.

5

**2 Background**

The Source sets out how, once appointed by the Taoiseach, members of the Cabinet are bound by the principle of collective responsibility meaning they are free to question policy in private but must publicly support policies agreed by cabinet. It is widely accepted that this is a way in which a Taoiseach can attempt to keep a potential rival ‘inside the tent’ rather than acting as a focus of opposition on the backbenches. The attractions of being a minister, including the raised profile that this gives to a TD in their local constituency, is another way in which appointment can prove useful to the Taoiseach. The Taoiseach can also use dismissal or the threat of dismissal to control ministers.

Any other relevant way.

**Level 1 ([1])**

The student identifies a valid way with little or no development.

**Level 2 ([2]–[3])**

The student identifies a valid way and offers a more developed explanation. An example may be included to support the response.

**Level 3 ([4]–[5])**

The student identifies a valid way and provides a full explanation of the limitation. A relevant example is included.

Apply criteria for each valid way. One of the ways identified must come from the Source, the other from own knowledge.

**(AO1: 5 marks × 2)**

Any other valid information will be rewarded appropriately.

[10]

10

### 3 Background

The judiciary can act as a check on the power of the executive through the means of Judicial Review. This enables the judiciary to challenge the legality of executive policy and historically has been the basis of many informal amendments to the Irish constitution. In addition, the President may refer a piece of executive legislation to the judiciary to seek their advice on the constitutionality of a measure. This enables the judiciary to effectively challenge a piece of legislation before it becomes law. Judges may also Chair inquiries into areas of major public concern and the findings of such inquiries may have consequences for legislation. The judiciary also has the legal power of “disapproval” of a piece of legislation.

Any other relevant ways in which the judiciary can have an impact on policy.

- If only one mechanism is identified, a maximum of Level 3 can be awarded.
- An answer that contains no evidence can be awarded a maximum of Level 3.

#### Level 1 ([1]–[3])

The student demonstrates limited knowledge and understanding of the mechanisms allowing the judiciary to influence policy and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

#### Level 2 ([4]–[6])

The student demonstrates outline knowledge and understanding of the mechanisms allowing the judiciary to influence policy 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. General material is content that relates to the topic under discussion but is not directly relevant. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

#### Level 3 ([7]–[9])

The student demonstrates satisfactory knowledge and understanding of the mechanisms allowing the judiciary to influence policy 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 some more general material. General material is content that relates to the topic under discussion but is not directly relevant. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. There is good use of appropriate political vocabulary.

**Level 4 ([10]–[12])**

The student demonstrates sound knowledge and understanding of the mechanisms allowing the judiciary to influence policy and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary.

**Level 5 ([13]–[15])**

The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the mechanisms allowing the judiciary to influence policy and deploys this to produce an exemplary answer to the question.

The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary.

[15]

15

**4 Background**

It would seem to be the case to many that the Taoiseach is controlled by their cabinet and that the whole idea of government by a dominant Taoiseach is a nonsense. Recent Taoisigh have not only struggled with the problems of coalition but have also had the additional problem of being a minority government dependent on Independents and on the tacit support of the Opposition. This has made it very difficult for the Taoiseach to assert any great degree of authority as their own survival seems to be continuously in doubt. As the Source indicates, the threat comes as much from members of the Taoiseach’s own party as it does from the Opposition.

However, as the Source points out, the Taoiseach does have a range of powers that enable them to exert a degree of control over cabinet. In addition the Taoiseach is able to depend upon the careerist ambitions of those around them. Potential rivals within and without their party may be hesitant to mount a major challenge in the knowledge that they may inherit an even more precarious situation.

- An answer that contains no reference to the Source can be awarded a maximum of Level 3.
- An answer that contains no evidence can be awarded a maximum of Level 3.
- An answer that is unbalanced can be awarded a maximum of Level 4.

Weaker answers will tend to rely upon the Source and provide little further evidence and will lack balance. Better answers will be balanced and will offer a range of arguments and evidence.

**Level 1 ([1]–[6])**

Responses at this level will be characterised by brevity and contain little or no relevant material. The student demonstrates limited knowledge and

understanding of the Taoiseach's ability to control 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 contains no evidence or examples. There is little analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

**Level 2 ([7]–[12])**

Responses at this level will be characterised by a mix of broad, sweeping statements, only some of which are relevant to the question and all are under explained or imprecise. The student demonstrates outline knowledge and understanding of the Taoiseach's ability to control their cabinet 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. General material is content that relates to the topic under discussion but is not directly relevant to it. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

**Level 3 ([13]–[18])**

Responses at this level will be characterised by a number of accurate and relevant points that are either underexplained, have no supporting evidence, are limited in range or are entirely one-sided. The student demonstrates satisfactory knowledge and understanding of the Taoiseach's ability to control 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 some more general material. General material is content that relates to the topic under discussion but is not directly relevant to it. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

**Level 4 ([19]–[24])**

Responses at this level are characterised by a degree of balance in argument, a range of relevant points that are reasonably well explained and good use of appropriate evidence. The student demonstrates sound knowledge and understanding of the Taoiseach's ability to control their cabinet and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

**Level 5 ([25]–[30])**

Responses at this level are characterised by a focus on analysis based on a detailed explanation of a wide range of points that account for all the main issues on both sides of the argument. There is consistent engagement with the question throughout and the evidence used clearly illuminates the points being made. The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the Taoiseach’s ability to control their cabinet and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached. [30]

**AVAILABLE  
MARKS**

30

**Section B: A Comparative Study of the Government and Politics of the Republic of Ireland and the UK**

**AVAILABLE  
MARKS**

**5 Background**

It is anticipated that many students will choose the STV electoral system as a major reason why TDs spend so much time involved in constituency work, giving the high degree of intra-party competition that STV encourages as a reason. A second possible reason is the greater significance of localism in Irish political life, obliging TDs to be active in defending the interests of their area. The greater extent of brokerage and clientelism in Irish political culture is another possible reason why TDs are so active in constituency work. Students should seek to contrast these factors with the situation facing MPs. Students may also note that MPs have little chance of being elected as an independent whereas a TD seen as an effective constituency representative has a very strong chance.

Any other valid reason.

**Level 1 ([1])**

The student identifies a valid reason with little or no development.

**Level 2 ([2]–[3])**

The student identifies a valid reason and offers a more developed explanation which may include supporting evidence.

**Level 3 ([4]–[5])**

The student identifies a valid reason and provides a full explanation of the reason with supporting evidence.

Apply criteria for each valid reason.

**(AO1: 5 marks × 2)**

Any other valid information will be rewarded appropriately.

10

**6 (a) Background**

Observers noted that in the last year of the Varadkar led coalition, very little legislation was produced by the government. This is largely a result of the government being a minority coalition that depended on the support of a disparate group of Independent TDs. Some argue that this is the new norm in Irish politics because the executive has so little control over legislation. The current coalition finds itself in a similar position.

There is some reason for believing the same is true of UK politics and that executive dominance of legislation is a thing of the past. The contrast in the question statement is therefore a false one. Since 2010 governments have been weak and unable to carry out their legislative plans.

It is also the case that the production of legislation in the UK has been affected, first, by Brexit and second, by the Covid pandemic.

Others dispute this judgement and argue that the situations that faced the Varadkar and May governments were unique and temporary. Most recent Irish executives have been able to pursue a legislative agenda. One of the main reasons for this has been that TDs are usually willing to let the executive get on with legislating because they are so preoccupied with their

constituency responsibilities. Most recent British governments have also been able to control the legislative agenda and, once the disruptive influence of Brexit is passed, this will resume.

- An answer that contains no evidence can be awarded a maximum of Level 3.
- An answer that lacks any form of balance can be awarded a maximum of Level 4.

A wide variety of arguments and evidence should be accepted as valid material in response to this question.

### **Level 1 ([1]–[6])**

Responses at this level will be characterised by brevity and contain little or no relevant material. The student demonstrates limited knowledge and understanding of the degree to which the executive can control legislation in the UK and Ireland and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. There is little recognition of basic similarities and differences between political systems. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

### **Level 2 ([7]–[12])**

Responses at this level are characterised by a mix of broad, sweeping statements, only some of which are relevant to the question and all are underexplained or imprecise. The student demonstrates outline knowledge and understanding of the degree of control to which the executive can control legislation in the UK and Ireland 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. General material is content that relates to the topic under discussion but is not directly relevant to it. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. There is some recognition of basic similarities and differences between political systems. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

### **Level 3 ([13]–[18])**

Responses at this level are characterised by a number of accurate and relevant points that are either underexplained, have no supporting evidence, are limited in range or are entirely one-sided. The student demonstrates satisfactory knowledge and understanding of the degree to which the executive can control legislation in the UK and Ireland 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 some more general material. General material is content that relates to the topic under discussion but is not directly relevant to it.

Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. There is a reasonable attempt at comparing political systems. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

#### **Level 4 ([19]–[24])**

Responses at this level are characterised by a degree of balance in argument, a range of relevant points that are reasonably well explained and good use of appropriate evidence. The student demonstrates sound knowledge and understanding of the degree to which the executive can control legislation in the UK and Ireland and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. There is effective comparison of political systems. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

#### **Level 5 ([25]–[30])**

Responses at this level are characterised by a focus on analysis based on a detailed explanation of a wide range of points that account for all the main issues on both sides of the argument. There is consistent engagement with the question throughout and the evidence used clearly illuminates the points being made. The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the degree to which the executive can control legislation in the UK and Ireland and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. There is highly effective comparison of political systems. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached. [30]

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#### **(b) Background**

Holding the executive to account is one of the key functions of a legislature in any democratic political system. This question asks for a comparison of the effectiveness of Parliament and the Oireachtas in this respect and makes the assertion that the latter has become the better scrutinising body. This would be a view held by those who argue that scrutiny in the Dáil has been much improved by the election of so many Independents, by the emergence of Sinn Féin and by the creation of an Oireachtas Business Committee. By contrast, scrutiny in the UK is impossible: like ‘heckling a steam-roller’ as one MP famously said. Party loyalty and discipline give the executive considerable freedom, especially when the Opposition is so disorganised as was the case after 2015.

On the other hand, it is argued that the emphasis that TDs have to place upon the performance of their representative role means that they do not place as much importance on holding government to account. Although the mechanisms of scrutiny in the two systems – debates, questions, committees – are similar, MPs make much greater use of them. TDs, by contrast, are too busy running after constituents. The Lords has a record of giving governments of both types a “bloody-nose”, something the Seanad has conspicuously failed to do.

- An answer that contains no evidence can be awarded a maximum of Level 3.
- An answer that lacks any form of balance can be awarded a maximum of Level 4.

Weaker answers will be descriptive, have limited concrete evidence and lack balance. Stronger answers will be analytical, have more evidence and be better balanced.

### **Level 1 ([1]–[6])**

Responses at this level will be characterised by brevity and contain little or no relevant material. The student demonstrates limited knowledge and understanding of the scrutiny records of Parliament and Oireachtas and makes little attempt to answer the question. The answer is ill-informed and/or has a high degree of irrelevant material. The response contains general statements and/or includes no evidence or examples. There is little analysis and evaluation of information, arguments and explanations. There is little recognition of basic similarities and differences between political systems. Spelling, punctuation and grammar contain significant errors. An argument or explanation, if present, is ill-informed and poorly constructed. The level of communication and use of political vocabulary are both limited.

### **Level 2 ([7]–[12])**

Responses at this level are characterised by a mix of broad, sweeping statements, only some of which are relevant to the question and all are underexplained or imprecise. The student demonstrates outline knowledge and understanding of the scrutiny records of Parliament and the Oireachtas 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. General material is content that relates to the topic under discussion but is not directly relevant to it. Some relevant evidence or examples are provided. There is limited analysis and simple evaluation of political information, arguments and explanations. There is some recognition of basic similarities and differences between political systems. The quality of spelling, punctuation and grammar is satisfactory. An argument or explanation is constructed although communication and structure tend to be narrative or descriptive. There is some use of appropriate political vocabulary.

### **Level 3 ([13]–[18])**

Responses at this level are characterised by a number of accurate and relevant points that are either underexplained, have no supporting evidence, are limited in range or are entirely one-sided. The student demonstrates satisfactory knowledge and understanding of the scrutiny records of

Parliament and the Oireachtas 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 some more general material. General material is content that relates to the topic under discussion but is not directly relevant to it. Relevant evidence or examples are provided. There is sound analysis and evaluation of political information, arguments and explanations. There is a reasonable attempt at comparing political systems. The quality of spelling, punctuation and grammar is generally good. A structured argument is constructed, displaying effective communication and presentation of ideas. A suitable conclusion is reached and there is good use of appropriate political vocabulary.

**Level 4 ([19]–[24])**

Responses at this level are characterised by a degree of balance in argument, a range of relevant points that are reasonably well explained and good use of appropriate evidence. The student demonstrates sound knowledge and understanding of the scrutiny records of Parliament and the Oireachtas and uses this to fully address the requirements of the question. Accurate evidence and examples are deployed to illustrate points made. There is clear and full analysis and evaluation of political information, arguments and explanations. There is effective comparison of political systems. Spelling, punctuation and grammar are of a consistently high standard. A cogent and coherent argument is constructed which displays clear communication and presentation of ideas. There is extensive use of appropriate political vocabulary and a reasoned conclusion is reached.

**Level 5 ([25]–[30])**

Responses at this level are characterised by a focus on analysis based on a detailed explanation of a wide range of points that account for all the main issues on both sides of the argument. There is consistent engagement with the question throughout and the evidence used clearly illuminates the points being made. The student demonstrates accurate, detailed and comprehensive knowledge and understanding of the scrutiny records of Parliament and the Oireachtas and deploys this to produce an exemplary answer to the question. The most relevant and accurate evidence and examples are deployed to illustrate points made extremely effectively. There is exceptionally thorough and clear analysis and evaluation of political information, arguments and explanations. There is highly effective comparison of political systems. Spelling, punctuation and grammar are excellent throughout. A thoroughly convincing and logical argument is constructed which displays highly effective communication and presentation of ideas. There is precise and wide-ranging use of appropriate political vocabulary and a clear and logical conclusion is reached.

[30]

**Total**

**AVAILABLE  
MARKS**

30

**100**