



2009 Politics

Higher – Paper 2

Finalised Marking Instructions

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Higher

Paper 2

“Pass” and better answers must feature both knowledge and understanding of the issues and analysis of and balanced comment on, the issues being addressed.

If the answer merits a “pass” or better, you should now grade it. “Pass” and better answers are graded taking into account such criteria as the relevancy, accuracy and extent of detailed, exemplified description and analysis.

The marks available for each grade are:

C 10-11 B 12-13 A 14-20

Use the full range of marks, up to and including 20.

Section A – Political Theory

Question A1

Credit highly candidates who refer to the “state debate” and its key questions in their answer: comparing and contrasting the Marxist and pluralist approaches, ie what is meant by the state?; what is the nature of state power?; what should be done by the state and what should be left to private individuals and associations? What is the state and how can it be distinguished from government?

Marxism

- Although Karl Marx is an obvious source here candidates may also use Lenin.
- Marx did not provide a coherent, detailed analysis of the state but his writings have been interpreted widely by many and extended by Lenin (amongst others).
- State power is about the economic base and an individual’s relationship to the means of production – proletariat/bourgeoisie; worker/capitalist.
- The state regulates conflict and tries to maintain order and stability.
- State acts as an instrument of class rule – to protect and maintain the interests of the dominant economic/political class.
- The state is a set of political institutions which reflects the nature of class divisions in society.
- State is a product of historical class struggle – state is not neutral but plays a key role in representing and operating in the interests of the dominant class.
- Candidates could choose UK and illustrate the argument put forward by some that a single, cohesive ruling class exists – power is due to its ownership and control of capital – credit appropriate examples and explanations, particularly to materialism and the economic system as the basis of society. Superstructure and substructure and their relationship to policy and power.
- Candidates may use USSR or China or Cuba and show how Lenin extended Marx’s ideas.
- Notion of the dictatorship of the proletariat and the fact that there will be no need for a state when the lower phase of socialism moves on to the higher phase of communism.

Pluralism

- Assumption that society is made up of many groups.
- A comparative process where a plurality of organised interests try to control or influence government policy.
- State is politically neutral – power is widely and evenly distributed.
- Comes from a liberal tradition – state acts as umpire in society.
- No single group or elite dominates but in reality political access and power are unevenly distributed.
- Pluralists concentrate on government therefore not the state – with the state being discussed and the courts, the civil service and military being seen as political actors in their own right rather than elements of a broader state machine.
- Candidates should refer back to John Locke to illustrate the theory.
- Some theorists believe the role of the state is to respond to external pressures – reactive role – others believe the state should create the framework for society to operate effectively but be able to respond to societal pressures – proactive role.
- State action must be in response to the needs and demands of ordinary citizens – good examples in UK in terms of the economy, living standards and the development of the welfare state.
- Government bodies act within constraints of election and re-election. This means popular control, choice and participation for individuals.

Question A2

Candidates must refer to the quote and structure a robust and relevant answer around Lukes and Weber in order to gain high marks.

Credit references to aspects of the following:

Legitimacy

- The crux of the question is that the term legitimacy broadly means rightfulness and therefore it confers an authoritative or binding character which transforms power into authority.
- The claim to legitimacy is sometimes more important than the fact of obedience – a willingness to comply, a way of giving consent which obligates individuals to acknowledge the authority of government.
- Why do people obey the state? This tends to reflect a shift from the philosophy of why should they obey the state to the political sociology of Max Weber in which he identifies in each case the basis on which legitimacy was established.
- Candidates can refer in depth to Weber's three ideal types of authority; traditional, charismatic and legal-rational.
- Importance of concept in terms of it being the main distinction between power and authority – Weber's typologies allow candidates to refer to both consent and obligation and explore how these operate within particular states or historically.

Power

- Credit reference to different definitions of power, eg the ability to get what we want – power to – and the capacity to achieve objectives rather than to exercise control over other people.
- The consensus view of power is rejected by those who favour the view of power based on conflict – power is getting people to do what they would not have done otherwise, ie power over others. This allows candidates to distinguish between different dimensions of power or as Steven Lukes (1974) described them.
- Power as decision-making – the open-face of power that can be seen to be exercised when a decision is taken. This type of decision-making can nevertheless be influenced in a variety of ways, eg Boulding said it may not be that open but influenced by intimidation (the stick) or productive exchanges involving gain (the deal) or the creation of obligations, loyalty and commitment (the kiss). Credit references to other theorists if relevant but not if they are substitutes for the theorists asked for in the question.
- Power as agenda setting – the secret face of power – exercised behind closed doors. Those who have power to set the political agenda have the power to determine not only what can be discussed but also, more importantly, what cannot be discussed. Power is also therefore about preventing decisions being taken, ie 'non-decision making'.
- Power by manipulating desires – people with such power can persuade others that what is being offered is desired – ability to shape what someone thinks.

Authority

- Closely connected with power – additional factor that those over whom power is exercised must believe the power holder has the moral right to exercise power and to employ sanctions if they wish – ‘legitimate power’.
- Using Max Weber’s work the student should be credited for describing different types of authority and giving relevant examples to illustrate these, eg traditional authority – rooted in history; charismatic authority which stems from personality and legal-rational authority which is grounded in a set of impersonal rules.
- Credit appropriate linking examples, eg traditional – monarchy; charismatic – Ghandi, Hitler Mandela; legal-rational – bureaucracies.

Question A3

It is important that candidates do not just describe or explain each theorist’s work in turn they must compare and contrast their ideas appropriately in order to gain high marks.

Credit references to aspects of the following:

Liberalism

John Locke supported the Parliamentarians during the War of The Three Kingdoms and supported the Glorious Revolution of 1688. And he contributed to the development of Liberal principles as follows.

- Consent – willing agreement – “consent of the governed aware” of dangers of tyranny – developed into a need for democracy and representation including a bill of rights and written constitution.
- Toleration – to think, act and speak (within some limits) Locke advocated religious toleration for all except Roman Catholics. Toleration leads to social enrichment – pluralism is healthy: natural balance and harmony – no such thing as irreconcilable difference.
- Individualism – core principals of liberalism – a belief in the supreme importance of the human individual as opposed to any social group.
 - Freedom – individual freedom or liberty is a core value of Liberalism: arises naturally from belief in individual.
 - Reason – world has rational structure and humans have ability to reason. Believe in progress and the capacity of individuals to resolve their differences through debate not war.
 - Equality – “born equal” – liberals have a commitment to equal rights especially before the law and in politics, eg one person, one vote, favour equality of opportunity, meritocracy – rather than equality of outcome.
 - And any other relevant points.

Socialism

Marxists divide socialists into “utopian” and “scientific” – Marxism claims to be scientific socialism on the grounds that socialism is tied in an empirically demonstrable way to the material interest of workers. Credit from the following.

- Community – the core of socialism is the importance of community – human beings are social creatures and have a common humanity.
- Fraternity or comradeship – socialists prefer co-operation to competition and collectivism over individualism. Co-operation enables people to harness their collective energies – competition leads to individuals against individuals, may breed resentment, conflict.
- Social equality – a central value of socialism – equality of outcome (not opportunity) – this is the basis for the exercise of legal and political rights.
- Material benefits should be distributed on the basis of need rather than merit or work. Karl Marx’s “from each according to his ability, to each according to his need”. This requires people to be motivated by moral incentives rather than material ones.
- Socialism analyses society in terms of the distribution of income or wealth and social class is significant in this. Socialism is usually associated with the interests of an oppressed and exploited class and that class is the agent of change, even social revolution.
- Common ownership – a controversial feature with some socialists seeing it as an end of socialism itself, others as a means of generating broader equality. A means of harnessing material resources for the common good. Private property promotes social division and selfishness.
- Any other relevant points.

Section B – Political Structures

Question B4

It is important to compare and contrast the UK Parliament with the chosen Legislature rather than simply to describe the scrutinising role in each country.

Credit references to aspects of the following:

The UK

- In the UK the House of Commons and House of Lords can examine and criticise policy proposals, executive actions and to a greater or lesser extent the expenditure of government.
- HM Opposition and the Government's own party are involved in scrutinising policy through Question Time – PM and Ministers.
- The Committee System – Select, Standing and Scrutiny committees have become very important – calling ministers, MPs and even civil servants before them. Examples of “cash for questions” or resignations of ministers due to such scrutiny and media coverage could be given and credited.
- Other relevant points.

Scotland

- Through First Minister's Question Time and questions to other Ministers.
- Through scrutinising Executive bills during the legislative process.
- The committee system – distinguish between subject committees and mandatory committees and the work of the Private Bills Committee and how government policy can be scrutinised through these means.
- Committees play a central part in the work of the Parliament – taking evidence from witnesses, scrutinising legislation and conducting inquiries. Most committees meet weekly or fortnightly, usually on Tuesday or on Wednesday mornings, in one of the Scottish Parliament's committee rooms – or in locations around Scotland. Most meetings are in public.
- Other relevant points.

The USA

- Congressional committees have wide powers to call witnesses and see papers – Freedom Of Information Act ensures the right to see official documents.
- Important hearings are well publicised.
- There is no doctrine of collective responsibility so members of government can be more frank than in the UK or Scotland.
- Public officials are freer to express their views – unlike the Scottish Executive or civil servants in the UK.
- Appointment of government members and Supreme Court judges is subject to Senate approval.
- Other relevant points.

Question B5

It is important that candidates actually compare and contrast rather than simply describe how each Executive carries out policy. In order to score higher marks the candidate must compare the UK with the chosen country as they answer the question.

Credit references to aspects of the following:

- Candidates may make a distinction between formal and informal powers of the PM and/or, eg the President of the USA in order to locate policy making; formal powers of the PM include those associated with being head of state – head of armed forces, granting honours, negotiating foreign treaties, head of civil service, appointing senior judges etc; head of government – appointing and dismissing government ministers, appointing head of public bodies, dissolving parliament, chairing the cabinet; similar list for President (more so than First Minister in Scotland).
- Being chief policy maker is an informal power and arises from the PM's position as leader of the governing party – this relies to some extent on historical reality that there is a single governing party (important if candidate chooses Scotland given the coalition with Liberal Democrats); the actual extent to which the PM controls government policy depends upon which party he or she leads and their command of that party. A Conservative leader can be shown to have a great deal more discretionary power than a Labour leader – any PM though has considerable constraints on their ability to make policy from the wider party, from other MPs and from the Cabinet and to some extent the House of Lords and public opinion (examples of each of these may be given).
- It is also important to take into account the position of the individual concerned – dominant individuals like Margaret Thatcher, Tony Blair and Gordon Brown chose to play a central role in policy formulation. The less secure or those who have preferred a more collective approach, eg John Major have played a lesser role.
- The role of strong Ministers; the PM's Policy Unit and individual advisors – examples like Sir Alan Walters for Margaret Thatcher, Alistair Campbell for Tony Blair give individual advice separate from Ministers; policy agencies – think tanks, eg Centre for Policy Studies; inner or kitchen cabinets with a very small number of close PM associates; the civil service.
- The President's Role in policy formation is very different; Kennedy initiated Civil Rights legislation (completed by Johnson); Jimmy Carter introduced new energy initiatives while Bill Clinton was known for new health and crime initiatives. In his first term Bush was referred to as the imperial President. Congress in the main makes legislation and the President has the power of veto for whole bills or parts of bills which he can use a bargaining counter with congress to pass some of his own bills. Bush used his first veto in July 2006, in contrast Clinton vetoed 36 bills.
- Foreign policy initiatives are more obvious for the President and the PM in recent years – examples going back to Vietnam, China, Afghanistan, Middle East, Iran, Iraq can be used to compare and contrast policy making of the PM and President.
- Economic policy is another area to compare and contrast – the formulation of the budget in the USA and UK are critical powers, changing taxes and government spending. The PM has more success here than the President who is more constrained by Congress than the PM is by Parliament.
- Any other relevant points.

Question B6

Candidates must refer to the quote and structure a robust and relevant answer around it in order to gain high marks.

Expect reference to:

- The role of the judiciary – interpreting and enforcing the law (in states with codified constitutions the judiciary interprets the ‘supreme law’), resolving disputes between citizens and between citizens and the state and acting as guardians of the law and individual rights and freedoms.
- Principle of an independent judiciary – judges should be free from political interference and influence. This is usually achieved by appointing judges for life so they do not owe their position once appointed to any body or group.
- In the USA federal judges are appointed by the President and must be confirmed by the Senate. There is a growing concern that judges are being selected on the basis of their political views as Presidents try to appoint judges with similar philosophies to their own. However, once appointed there is no guarantee that the judges will follow these philosophies – ie Republican Presidents appointed Earl Warren, David Souter and John Paul Stevens all of who turned out to be liberal justices on the supreme court.
- In the UK senior judges are appointed by the Prime Minister on the advice of the Lord Chancellor though this may change in the future as plans exist for an independent judicial commission.
- Concern growing about interesting politicisation of judges – impact of judicial review and use in dealing with controversial political issues – Hutton and Neil reports in the UK, nomination battles for federal judges in USA.
- Arguments also that judges may not be politically neutral – backgrounds led to claims that judges are not representative of the population and may be too conservative.

USA

- Constitutional role in system of checks and balances enables judiciary to carry out judicial review – courts can block Acts of Congress and Presidential actions by declaring them unconstitutional – ie Bush administration has had policies on terror suspects and congressional legislation on line item veto have been declared unconstitutional.
- The ability of the Supreme Court to interpret the constitution has led to legal rights beyond those laid out in the Bill of Rights – ie Roe v Wade decision guaranteeing right to abortion.
- Concern that courts have started to legislate in places of Congress.
- Judiciary constrained by wording of constitution and tendency to follow precedent (stare decisis).
- Failure of judiciary to adequately protect rights of minorities in past –ie segregation and slavery decisions of Supreme Court. Protection of rights has often required presidential or Congressional action as courts have been unwilling to interfere – ie Voting Rights Act.

UK

- Limit to Judicial power in the UK – Supremacy of Parliament – and inability of courts to engage in Judicial Review.
- Greater role of courts since passage of Human Rights Act 1998 but government can suspend the act and Conservative plans to repeal it (lack of entrenchment).
- Judges have however overturned decisions on sentencing policy, detention without trial and house arrests and so enhanced individual rights.
- Role of courts in UK enhanced by ability to interpret EU law – Factortame case – giving courts opportunity for Judicial Review.
- Individuals able to use courts to challenge actions of government on basis of Ultra Vires.

Scotland

- The major law appointments in Scotland are still made through the Queen on the advice of the PM/Lord Chancellor and are still run to a great extent from London. There has never been the right to appeal criminal matters in Scotland to the House of Lords but civil matters can and do go to the Lords.
- The Minister for Justice in Scotland who is an MSP in the Scottish Parliament is responsible for criminal justice, youth justice, social work, police, prisons and sentencing policy, courts and law reform as well as a number of other related matters.
- The Lord Advocate and the Solicitor-General for Scotland are the ultimate source of legal advice to the Government on all Scottish matters, and, along with the English Law Officers (Attorney-General and Solicitor-General), advice on matters of constitutional and international law (such as the constitutional aspects of European Community obligations) and other legal matters affecting the United Kingdom as a whole. They are Ministers in their own right, independent of the Secretary of State.
- The Lord Advocate's Department in London, whose permanent head is the Legal Secretary to the Lord Advocate and First Parliamentary Counsel for Scotland. The members of the Department are the parliamentary counsel for Scotland – legal specialists who draft both Scottish Bills and the Scottish provisions in Bills applying also to other parts of the United Kingdom. They also give advice on matters of Scots Law to other Government departments.

Section C – Political Representation

Question C7

It is important that candidates actually compare and contrast rather than simply describe both models in isolation. In order to score higher marks the candidate must compare and contrast the trustee and delegate model as they answer the question.

Credit references to aspects of the following:

- Trustee – person vested with formal responsibility for another person’s affairs (Edmund Burke).
- Expected to exercise “mature judgment” and “enlightened conscience” – to act in the interests of others; an elitist approach believing that the masses do not know their best interests.
- Possibilities of pursuing self-interest if representatives are allowed to exercise their own judgment.
- Delegate – a person who is chosen to act for another on the basis of clear guidance or instructions.
- Expected to convey the views of others with little capacity to exercise personal judgement or preferences, eg TU official.
- Requires regular elections and constituency meetings to ensure dialogue between delegate and electors/party members.
- Possibility of recall to give more control.
- Closer to popular sovereignty and helps check self-interest (to some extent) but it is argued that it limits the scope for leadership and it may lead to narrow thinking (local issues) and conflict between local and national issues.
- Other relevant points.

Question C8

Candidates must refer to the quote and structure a robust and relevant answer around the quotation in order to gain high marks.

Credit references to aspects of the following:

- Psephology – the scientific study of voting behaviour – is still very important despite major problems with prediction of election results.
- Short-term influences are specific to a particular election and do not allow conclusions to be drawn about voting patterns in general – candidates may refer to the state of the economy as a major influence here; this reflects the important link between unemployment, inflation and income and a government’s popularity – many UK PMs have won elections on the strength of the economy eg Tony Blair, Margaret Thatcher. Both were accused of creating pre-election booms – using the budget to improve taxes and disposable income – in order to improve their chances of re-election. This also shows the importance of the PM being able to choose the date of the election.
- The personality and public standing of the party leaders is critical – media exposure and the “branding” of politicians and their policies have increased over the years. This may lead to parties ditching one leader for another who is considered more electable, eg Margaret Thatcher was ousted and replaced by John Major in 1990 who then led the party to an unlikely victory in 1992. Criticism of Blair over Iraq war was an important factor in his decision to resign.
- Style and effectiveness of the parties electoral campaigning.
- The mass media can have a significant effect as claimed by some, eg in 1992 when the SUN newspaper was credited with ensuring people voted the Conservatives back in rather than Neil Kinnock’s Labour Party – they had campaigned vigorously against him.
- Long-term influences – there are various models/theories here to use; the party-identification model – electors seen as people who identify with a particular party as long-term supporters, voting is therefore partisan rather than influenced by other factors mentioned above; the sociological model links voting behaviour to group membership, eg social class membership – there is certainly evidence of such links being considerably weakened over the years; the rational-choice model is about voting according to self-interest – a means to an end; the dominant-ideology model is similar to the sociological model but concentrates on how information is presented to voters through education, the media and the government.
- Any other relevant point.

Question C9

Candidates must refer to the quote and structure a robust and relevant answer around the quotation in order to gain high marks.

Credit references to aspects of the following:

PR

- Fair because it produced a closer correlation between shares of votes and shares of seats and avoids results such as Labour winning 74% of European Parliament seats with 44% of the vote.
- PR gives minor parties more parliamentary representation and encourages voters to vote for them without feeling their vote is wasted. In the 2003 elections for the Scottish Parliament the AMS system enabled the Scottish Socialists, the Green Party, the Scottish Senior Citizens Unity party and independents to be represented.
- Coalition government increases the percentage of electorate supporting the government parties.
- Coalition government encourages consensus and compromise and this leads to stable government. The Liberal Democrats and Labour formed a coalition government in the period 1999-2007 and this provided stable and effective government.
- However, PR can create a government in which a minority party can implement its policies. The Liberal Democrats finished fourth in the 2003 Scottish election, yet it formed a government with Labour. The Liberal Democrats were not the voter's choice.
- It can lead to unstable and weak government. It is not clear that the SNP minority administration will get its policies implemented in the Scottish Parliament.
- It does not always create a more representative Parliament. In the 2007 Scottish elections the number of MSPs outwith the four major parties decreased from 17 to 3.
- The regional list system makes parties more powerful than voters. An MSP or candidate who steps out of line can be lowly placed in the party's list of candidates.

First Past the Post

- It produces clear and usually decisive results – there is rarely uncertainty over who will form a government; very different from Italy or Israel with indecisive results – recent Labour victories are useful examples.
- Since a single party usually wins the “doctrine of the mandate” and the manifesto is relevant – victory gives authority to implement their manifesto; very different from coalition governments and what policies will be kept or dropped.
- Strong traditional link between constituencies and their MP – local views looked after irrespective of party (but not always).
- However, it does not always produce decisive or fair results. In the February 1974 elections Conservatives gained more votes than Labour yet had fewer seats. In the 2005 elections Labour formed a government with only 35.2% of the votes cast. The Independent newspaper describes it as “the most unfair election result of all time” as this was the lowest ever winning party share of the vote.

- Strong government does not always create good or fair governments. The leader of the Ulster Unionists, when first past the post was used in the election in Northern Ireland, made the infamous statement; “a protestant government for a protestant people.” This abuse of power denied Northern Ireland Catholics their civil and political rights.
- Today in Northern Ireland, using a PR system (STV) has resulted in a power sharing government between the Democratic Unionist and Sinn Fein.
- It can lead to a situation where the winning MP in a constituency can receive less than 30% of the vote. In 1992 General Election, the Liberal Democrat candidate won with 26% of the vote.
- It is argued that FPTP leads to voter apathy. All of Glasgow’s constituencies are held by Labour and the Conservatives do very badly. Why should a Conservative voter bother to vote when his/her vote will be of no consequence?

[END OF MARKING INSTRUCTIONS]