5.12 Comparative US/UK Legislatures: Congress and Parliament: 30-minute Pack

EDEXCEL 9PL0 · about 30 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. Write full sentences for extended answers and for any question marked 'Analyse' or 'Evaluate'. The final 30-mark essay should be well structured, use comparative evidence, and reach a judgement.

1 Evaluate the extent to which Congress is more effective at scrutinising the executive than the UK Parliament.

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(Total for Question 1 is 30 marks)

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Mark scheme · 5.12 Comparative US/UK Legislatures: Congress and Parliament: 30-minute Pack

Question 1

Level 0 No relevant content.	**0**
Level 1 Basic knowledge of one system only or generalised assertions about scrutiny with little accurate supporting detail, and little or no evaluation.	**1-7**
Level 2 Clear, accurate knowledge of both US and UK institutional arrangements with some analysis of how these affect scrutiny; evaluation is present but may be one-sided or underdeveloped.	**8-15**
Level 3 Detailed knowledge of institutional powers and political practice in both systems used to construct a sustained comparative analysis of scrutiny, weighing evidence for and against the claim and reaching a reasoned judgement.	**16-23**
Level 4 Sophisticated and wide-ranging comparative evaluation, integrating constitutional design, committee powers, party discipline, and political context; addresses counterarguments and produces a clear, balanced and well-supported conclusion on the extent to which Congress is more effective at scrutinising the executive than the UK Parliament.	**24-30**

Indicative content:

- Arguments that Congress is more effective: constitutional separation of powers gives Congress formal independence, with the Senate's confirmation powers and House and Senate committees having strong subpoena and investigatory powers; divided government can force the executive to face sustained oversight.
- Examples supporting Congress: high-profile congressional investigations (Watergate, Iran-Contra, 2019 hearings), Senate holds that refuse to confirm or delay appointments, and the ability of Congress to control appropriations which can constrain executive agencies.
- Arguments that Congress is not necessarily more effective: congressional oversight effectiveness depends on political control and partisanship; when the President's party controls both chambers, oversight weakens and gridlock may halt constructive scrutiny. Investigations can become partisan and fail to generate accountability.
- Arguments that the UK Parliament can effectively scrutinise the executive: select committees have grown influence since the late 20th century, with expert reports, effective questioning of ministers, and the Commons' ability to call ministers to account; Prime Ministers remain politically vulnerable to their parties and backbench rebellions in certain circumstances.
- Examples supporting UK scrutiny: influential select committee reports that have shaped policy, successful backbench rebellions on specific bills, and media-amplified inquiries which force government responses; also urgent questions and PMQs provide sustained public scrutiny.
- Limitations of UK scrutiny include the fusion of powers and strong party whips which often allow majority governments to pass legislation with limited amendment, leading to the 'elective dictatorship' concern when single-party majorities are large.
- Comparative synthesis: effectiveness depends on political context as much as formal powers. Congress has stronger formal tools in law, but political incentives and partisanship limit practical outcomes. The UK Parliament can be constrained by majority government but can also produce focused scrutiny when cross-party consensus or media pressure exists.
- A balanced conclusion might argue that while Congress has institutionally stronger legal tools for constraint, in practice neither legislature is uniformly more effective across all contexts; the comparative advantage of Congress is conditional, and the UK Parliament can be highly effective in particular political circumstances, so Congress is more effective in some respects but not definitively so in all.

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