5.5 US Congress: Structure and Formal Powers of the House and Senate: 30-minute Pack

EDEXCEL 9PL0 · about 30 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. For levels-marked questions, write extended, well-structured responses with accurate factual detail and clear evaluation. At least three questions require full-sentence answers: the 12-mark source question and the final 30-mark essay, and the 9-mark explanatory question where requested.

1 Evaluate the extent to which the Senate is more powerful than the House of Representatives in the US constitutional system. In your answer, consider their formal constitutional powers, the thresholds required for key actions and the ways each chamber can check or enable presidential action. Reach a reasoned judgement.

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(Total for Question 1 is 30 marks)

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Mark scheme · 5.5 US Congress: Structure and Formal Powers of the House and Senate: 30-minute Pack

Question 1

Level 0 No relevant content.	**0**
Level 1 Basic knowledge of one or two constitutional powers of the Senate or House with little developed analysis or evaluation. Argument is superficial or descriptive.	**1-7**
Level 2 Clear knowledge of the distinct formal powers of both chambers with some analysis of their implications and limited evaluation. May show a one-sided view or lack wider contextualisation.	**8-15**
Level 3 Detailed, accurate knowledge of multiple relevant constitutional powers and thresholds, with sustained analysis comparing the chambers and well-developed evaluation that recognises qualifications and counterarguments, leading to a supported judgement.	**16-23**
Level 4 Sophisticated, wide-ranging knowledge used to construct a balanced, well-evidenced evaluation. Analysis compares the constitutional and practical significance of the Senates and Houses powers, considers thresholds and procedural limits, addresses countervailing evidence and reaches a clearly justified, nuanced judgement on the extent of Senate power relative to the House.	**24-30**

Indicative content:

- Powers favouring the Senate: two senators per state gives equal state representation irrespective of population, the Senate provides advice and consent on treaties and certain presidential appointments (Article II) requiring typically a simple majority for appointments and two-thirds for treaties, and the Senate tries impeachment cases requiring a two-thirds vote to convict.
- Powers favouring the House: the Origination Clause requires revenue bills to originate in the House; it does not require all appropriation decisions to begin there. Both chambers share control over taxation and spending legislation. The House has the sole power to impeach, a powerful political weapon against presidents or officials.
- Thresholds and constitutional weight: the Senates two-thirds requirement for treaties is a high barrier giving the chamber significant leverage on foreign policy. Advice and consent for appointments, including federal judges and Cabinet members, gives the Senate enduring influence over the executive and judiciary.
- Scale and democratic legitimacy: the Houses larger size, shorter terms and district basis create closer electoral accountability and a stronger claim to represent the popular will on taxation and spending, which is a democratic source of power the Senate does not match.
- Procedural and practical limits: the Senate has procedural tools such as unanimous consent requirements and the potential for extended debate, but the filibuster is a matter of Senate rules and practice rather than the Constitution and so lies outside the pack scope; still, advice and consent majorities can be influenced by party control, diminishing or enhancing Senate influence.
- Interdependence and checks: both chambers possess checks the other lacks but often need each other to enact legislation; revenue and appropriation authority in the House means that even if the Senate blocks a treaty or appointment, the House can constrain presidential policy through budgetary control, and successful governance generally requires cooperation between chambers.
- Party control and context: where one chamber is controlled by the Presidents party, that chamber is less able to check the President, so assessments of 'more powerful' must consider conditional political context not only formal powers.
- Conclusion strategies: a balanced conclusion might argue the Senate is more powerful in foreign policy and appointments due to advice and consent and the treaty threshold, while the House is more powerful over finances and initiating impeachment; overall the Senate is not uniformly more powerful, but is stronger in specific constitutional domains, so the extent of Senate power is significant in some areas yet limited when considering the full constitutional system and the Houses fiscal primacy.

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