5.6 Congress in Practice: Committees, Incumbency and Relations with the Presidency: 30-minute Pack

EDEXCEL 9PL0 · about 30 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. Short-answer questions may be brief phrases but extended answers must be in full sentences.

1 Evaluate the extent to which the filibuster prevents Congress from functioning effectively in the modern United States.

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(Total for Question 1 is 30 marks)

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Mark scheme · 5.6 Congress in Practice: Committees, Incumbency and Relations with the Presidency: 30-minute Pack

Question 1

Level 0 No relevant content.	**0**
Level 1 Basic, limited knowledge of filibuster practice with little or no developed analysis or evaluation. Examples, if present, are unspecific.	**1-7**
Level 2 Clear knowledge of the filibuster and cloture, with some developed analysis of its effects on legislation and examples. Evaluation is present but may be uneven or one-sided.	**8-15**
Level 3 Detailed, accurate knowledge of Senate procedure, cloture thresholds and relevant examples used to construct a sustained analysis addressing how the filibuster impacts legislative output. Evaluation weighs evidence for and against the claim and reaches a reasoned judgement.	**16-23**
Level 4 Sophisticated, wide-ranging and accurate knowledge applied to a tightly argued evaluation. Analysis integrates institutional detail, empirical examples of gridlock and reform attempts, consideration of democratic principles such as minority rights and majority rule, and reaches a clear, balanced, well-substantiated judgement on the filibuster's overall effect.	**24-30**

Indicative content:

- Explain how the filibuster operates in practice, including that most legislation requires 60 votes for cloture to overcome extended debate, and that this gives an effective minority veto over many bills.
- Evidence that the filibuster causes gridlock: long periods of low legislative output, inability to pass controversial reforms without bipartisan supermajorities, and use of holds and procedural delays to block bills during divided government.
- Evidence that the filibuster encourages consensus and protects minority rights: it incentivises negotiation and can prevent rapid swings in policy when majorities change, which some argue stabilises governance.
- Consider changes to practice and exceptions: the 2013 and 2017 Senate changes that reduced the number of matters subject to the 60-vote cloture threshold for nominations show majorities can modify norms to act when they choose.
- Discuss the role of committee gatekeeping interacting with the filibuster: bills may fail in committee before filibuster becomes relevant, concentrating power among committee chairs and leadership.
- Empirical examples: legislative stalemates during periods of strong partisan polarization, contrasted with episodes where bipartisan deals overcame filibuster barriers on major legislation.
- Evaluation of democratic principles: tension between protecting minority input and enabling majority government; whether the filibuster subverts majority rule or safeguards deliberation.
- Conclude with a balanced judgement on the extent to which the filibuster prevents Congress from functioning effectively, noting factors that modify the effect such as party polarisation, willingness to change rules, the role of committees and the policy area at stake.

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