5.2 Comparative Theories: Structural, Rational and Cultural Approaches: 10-minute Pack

EDEXCEL 9PL0 · about 10 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. For levels-marked questions, write a well-structured, developed response using accurate political knowledge, named examples and precise terminology. This pack forms part of Edexcel Paper 3A (9PL0/3A): Comparative Politics - USA.

1 This question is about the constitutional structures of the UK and the USA.

(a) Using a structural approach, explain one similarity between the UK and US constitutions. **(4)**

(b) Using a structural approach, explain one difference between the UK and US constitutions. **(4)**

(Total for Question 1 is 8 marks)

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Mark scheme · 5.2 Comparative Theories: Structural, Rational and Cultural Approaches: 10-minute Pack

Question 1

(a) identifies a valid similarity, e.g. both constitutions establish and limit the powers of government / both provide for a bicameral legislature / both incorporate some protection for individual rights **B1**

(a) names or describes the relevant provision accurately, e.g. the UK's Human Rights Act 1998 (giving further effect to the European Convention on Human Rights) or the US Bill of Rights (1791) **B1**

(a) explains the structural consequence of the similarity, e.g. both systems allow individuals to seek a legal remedy where a public authority has acted incompatibly with protected rights **B1**

(a) links explicitly back to the structural approach, e.g. because the comparison rests on formal legal/institutional provisions rather than on values or actor behaviour **B1**

(a) Answer: Example: both constitutions provide some legal protection for individual rights - the US Bill of Rights (1791) and, in the UK, the Human Rights Act 1998 (which gives further effect to the European Convention on Human Rights) - allowing individuals in both systems to challenge public bodies that breach protected rights, even though the UK's protection can, unlike the US Bill of Rights, be amended or repealed by a simple Act of Parliament.

(b) identifies a valid structural difference, e.g. codified vs uncodified, or entrenched vs unentrenched **B1**

(b) describes the US constitution accurately, e.g. a single codified document (1787) that is the supreme law and can only be amended by the special process in Article V **B1**

(b) describes the UK constitution accurately, e.g. uncodified, drawn from statute, common law, convention and authoritative works, and can be changed by a simple Act of Parliament **B1**

(b) explains the structural consequence, e.g. this makes the US constitution far harder to amend and gives it a status superior to ordinary law, whereas the UK constitution is flexible and no Act of Parliament has higher legal status than any other **B1**

(b) Answer: The US constitution is a single codified document (1787), entrenched by the special amendment process in Article V, and is superior to ordinary law; the UK constitution is uncodified, drawn from multiple sources (statute, common law, convention), and can be changed by a simple Act of Parliament, reflecting the principle of parliamentary sovereignty.

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