



Mark Scheme (Results)

Summer 2019

Pearson Edexcel AS Level
In Politics (8PL0) Paper 02

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General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Assessment Objectives

Students must:	
A01	Demonstrate knowledge and understanding of political institutions, processes, concepts, theories and issues
A02	Analyse aspects of politics and political information, including in relation to parallels, connections, similarities and differences.
A03	Evaluate aspects of politics and political information, including to construct arguments, make substantiated judgements and draw conclusions.

Guidelines for marking Questions 1a and 1b

Marks are awarded for A01 only.

Marks are awarded for showing depth of knowledge and understanding.

Question number	AO1 10 Marks Indicative content	AO2 Marks	AO3 Marks
1a	<p>AO1</p> <p>The Commons is the supreme law-making chamber in Parliament.</p> <p>The Commons has the power to over-rule the Lords.</p> <p>The Commons can veto any government proposal, including finance.</p> <p>The Commons scrutinizes the Executive and can force a government to resign through a vote of 'no confidence', which may lead to a general election.</p> <p>The Commons can effectively devolve and return powers, as the supreme law-maker chamber.</p> <p>As representatives of their constituents, MPs can exercise influence over government decisions.</p> <p>Accept any other valid responses.</p>	No AO2 marks awarded for this Q	No AO3 marks awarded for this Q

Level	Mark	AO1 Descriptor
	0	No rewardable material.
Level 1	1-3	<ul style="list-style-type: none"> • Demonstrates limited knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes superficial links of knowledge and understanding to a particular context. • Uses a narrow range of knowledge and understanding to support arguments/ideas.
Level 2	4-7	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes some effective links of knowledge and understanding to a particular context. • Uses a broad range of knowledge and understanding to support arguments/ideas.
Level 3	8-10	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes fully-effective links of knowledge and understanding to a particular context. • Uses a comprehensive range of knowledge and understanding to support arguments/ideas.

Question number	A01 10 Marks Indicative content	A02 Marks	A03 Marks
1b	<p>The rule of law is one of the 'twin pillars' of the UK's constitution. It is the opposite to arbitrary government.</p> <p>All citizens are equal before the law, including government ministers and officials.</p> <p>All citizens are subject to the same laws, which are to be transparent and not applied retrospectively.</p> <p>No-one should be punished except when they have breached the law.</p> <p>The rights of citizens should be protected by an independent judiciary.</p> <p>Accept any other valid responses.</p>	No A02 marks awarded for this Q	No A03 marks awarded for this Q

Level	Mark	AO1 Descriptor
	0	No rewardable material.
Level 1	1-3	<ul style="list-style-type: none"> • Demonstrates limited knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes superficial links of knowledge and understanding to a particular context. • Uses a narrow range of knowledge and understanding to support arguments/ideas.
Level 2	4-7	<ul style="list-style-type: none"> • Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes some effective links of knowledge and understanding to a particular context. • Uses a broad range of knowledge and understanding to support arguments/ideas.
Level 3	8-10	<ul style="list-style-type: none"> • Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues. • Makes fully-effective links of knowledge and understanding to a particular context. • Uses a comprehensive range of knowledge and understanding to support arguments/ideas.

Guidelines for marking Questions 2

Marks are awarded for AO1 and AO2 only.

Marks are awarded for showing depth of knowledge and understanding (AO1) but this has to be based on the material presented in the source.

Marks are awarded for illustrating clarity of analysis AO2 but this has to arise from the context presented by the source.

No marks are available for making a judgement or reaching any form of conclusion (AO3).

Question number	AO1 5 Marks Indicative content	AO2 5 Marks Indicative content
2	<ul style="list-style-type: none"> • The office of Prime Minister has huge power and this needs to be clarified in order to ensure more democratic control. • Clarifying the role and powers would also allow for the development of a sufficiently resourced team of staff to support the PM. • The statute would clearly set out the powers of the PM and the powers of parliament. • The office of PM has changed in recent decades and this should be reflected in these changes. <p>Accept any other valid responses.</p>	<ul style="list-style-type: none"> • As the office of PM carries such huge power it is important that this is clarified and that there are democratic controls in place. • PMs are in need of greater resources in order to maintain an overview and direction to government and a sufficiently resourced and well-structured team of staff would enable this to be addressed. • Clearly setting out these powers in this way will make them subject to parliamentary control and make the PM more accountable to parliament. • Defining the role and powers in statute would also ensure that the changes that have taken place in recent decades, such as the growing complexity of government and the increased importance of the media, are addressed.

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1-3	<ul style="list-style-type: none"> • Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis (AO1). • Limited analysis of political information with partial logical chains of reasoning, which make simplistic connections between ideas and concepts (AO2).
Level 2	4-7	<ul style="list-style-type: none"> • Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). • Mostly focused analysis of political information with clear, logical chains of reasoning, which make mostly relevant connections between ideas and concepts (AO2).
Level 3	8-10	<ul style="list-style-type: none"> • Demonstrates comprehensive and precise knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). • Consistent and sustained analysis of political information, with coherent logical chains of reasoning, which make convincing connections between ideas and concepts (AO2).

Guidelines for marking Questions 3

Marks are awarded for AO2 and AO3 only.

Marks are awarded for illustrating clarity of analysis AO2 but this has to arise from the context presented by the source.

No AO1 marks are available for repeating knowledge or understanding from the source or for introducing own knowledge and understanding if it is not linked to providing clarity to the AO2 & AO3 points arising from the source.

AO2 and AO3 require candidates to analyse and evaluate the sources and develop their answers, showing comparative analytical and evaluative skills to address the question.

Candidates should focus their comparison on analysing the similarities and differences of the viewpoints given in the sources.

Candidates who *do not* undertake any comparative analysis of the source cannot achieve beyond Level 1. Candidates who *do not* provide both similarities and differences from the source cannot achieve beyond Level 2.

There are no AO1 marks available. *Do not* give credit to responses where candidates demonstrate knowledge alone. Any knowledge used must support their analysis and evaluation.

Accept any other valid responses.

Question number	AO1 Marks Indicative content	AO2 5 Marks Indicative content	AO3 5 Marks Indicative content
3	No AO1 marks awarded for this question.	<p>The sources agree that uncodified constitutions are easier for governments to change.</p> <p>The sources agree that codified constitutions have a more rigid separation of powers.</p> <p>The sources agree that the UK constitution is one of the oldest in the world.</p> <p>The sources disagree on whether a codified or uncodified constitution is best able to protect our rights.</p> <p>The sources disagree on whether the longevity of the UK constitution is a strength or weakness of our system.</p> <p>Accept any other valid responses.</p>	<p>We can conclude that uncodified constitutions are better as they are easier for governments to change; or that codified systems are better as they are harder for governments to change to their advantage.</p> <p>We can conclude that codified constitutions are better as they have a more rigid separation of powers; or we can conclude that uncodified constitutions are better as they have a less rigid separation of powers.</p> <p>We can conclude that the UK constitution has stood the test of time; or we can conclude that the UK constitution is out dated.</p> <p>We can conclude that our uncodified system is a better protector of our rights as it is able to evolve in a changing political context; or we can conclude that the flexibility of an uncodified system and its lack of a clear separation of powers means it is unable to protect our rights as well as a codified system would.</p> <p>We can conclude that the UK constitution has shown its worth through its adaption to a changing political context; or we can conclude that its longevity means that unsuitable and undemocratic elements remain in our system, such as an unelected second chamber.</p>

Level	Mark	Descriptor
	0	No rewardable material.
Level 1	1-3	<ul style="list-style-type: none"> Limited comparative analysis of political information with partial logical chains of reasoning, referring to similarities and/or differences within political information, which make simplistic connections between ideas and concepts (AO2). Makes superficial evaluation of political information, constructing simple arguments and judgements, many which are descriptive and lead to limited unsubstantiated and unjustified conclusions (AO3).
Level 2	4-7	<ul style="list-style-type: none"> Mostly focused comparative analysis of political information with clear, logical chains of reasoning, drawing on similarities and/or differences within political information, which make mostly relevant connections between ideas and concepts (AO2). Constructs mostly relevant evaluation of political information, constructing mostly focused arguments and judgements, many which are substantiated and lead to some specific conclusions, that are sometimes justified (AO3).
Level 3	8-10	<ul style="list-style-type: none"> Consistent and sustained comparative analysis of political information, with coherent logical chains of reasoning, drawing on similarities and differences within political information, which make convincing connections between ideas and concepts (AO2). Constructs coherent and sustained evaluation of political information, constructing effectively substantiated arguments and judgements, which are consistently substantiated and lead to precise conclusions that are fully justified (AO3).

Guidelines for marking the essay questions

AO1 (10 marks)

Marks here relate to knowledge and understanding. It should be used to underpin analysis (AO2) and evaluation (AO3).

AO2 (10 marks)

Candidates should form analytical views which support and reject the view presented by the question.

AO3 (10 marks)

Candidates are expected to evaluate the information and arguments presented. They may rank the importance of the prior analysis. They should be able to make and form judgments and they should reach reasoned conclusion.

The judgement a candidate reaches about these views should be reflected in their conclusions.

Candidates who have not considered both views in a balanced way cannot achieve marks beyond Level 2.

Candidates who do not refer to both the European union and devolution (4a) cannot achieve marks beyond level 3.

Candidates who do not refer to both the judicial independence and the use of judicial review (4b) cannot achieve marks beyond level 3.

Candidates who do not mention any synoptic points cannot achieve marks beyond level 4. Where there is no synopticity this will limit the A01.

Other valid responses are acceptable.

Question number	AO1 (10 Marks)	AO2 (10 Marks)	AO3 (10 Marks)
4a	<p>Points for the view</p> <p>Parliament is legally sovereign and can pass or repeal any law.</p> <p>No parliament is able to bind its successor.</p> <p>Parliament can take back powers granted to devolved assemblies through a simple act of parliament.</p> <p>Any limits to parliament's sovereignty granted to e.g. the European Union, can be taken back again.</p>	<p>Analysis for the view</p> <p>John Stewart Mill argued that parliament 'can do anything except turn a man into a woman'.</p> <p>As we do not have a codified constitution with entrenchment, a simple parliamentary majority can undo any law that a previous parliament passed.</p> <p>The Commons has the power to take back power powers that it has granted to devolved bodies. For example, devolved powers to Northern Ireland have been suspended in the past.</p> <p>Parliament has chosen to accept constraints on its sovereignty, but sovereignty can be taken back again if parliament chooses to.</p>	<p>Conclusions and judgement for the view</p> <p>We can conclude that the doctrine of parliamentary sovereignty means that legal sovereignty does lie in parliament, and parliament alone.</p> <p>We can conclude that the lack of entrenchment means that sovereignty does lie in parliament alone as parliament can unmake any previous law and one parliament cannot bind another.</p> <p>We can conclude that the despite devolution, parliament retains sovereignty as it has the power to repeal devolution.</p> <p>We can conclude that parliament can choose to withdraw from the EU, and therefore that sovereignty lies in parliament alone.</p>

	Points against the view	Analysis against the view	Conclusions and judgement against the view
	<p>Parliament's legal sovereignty has been undermined by membership of the European Union.</p> <p>The executive dominates parliament to the extent that sovereignty effectively lies with the government of the day.</p> <p>Devolved powers to Scotland and Wales have been granted following referenda.</p>	<p>The Factortame case showed that parliament was in effect obliged to conform to European law, under the jurisdiction of the European Court of Justice (ECJ).</p> <p>Our electoral system means that government's with reasonably large majorities can effectively dominate parliament, in an 'elective dictatorship'.</p> <p>The use of referenda to provide agreement and authority for devolution means that in practice it would be very difficult for parliament to withdraw devolved powers with a simple act of parliament.</p> <p>In reality, parliament does face constraints on its sovereignty, due to international treaty obligations and</p>	<p>We can conclude that membership of the EU and the jurisdiction of the ECJ did constrain the sovereignty of parliament in some areas of law and policy making was effectively 'pooled' with other EU nations.</p> <p>We can conclude that our electoral system, FPTP, which tends to produce significant majorities in the Commons, and the absence of a clear separation of powers, means that in practical terms it is the executive, rather than parliament alone, which exercises sovereignty.</p> <p>We can conclude that in areas where popular referenda have been used, such as devolution, parliament has effectively lost its sovereignty as in practical terms it would be extremely difficult (although legally possible) to take back powers from a Scottish parliament through an act of parliament alone.</p> <p>We can conclude that the UK's membership of international bodies</p>

	<p>The UK is a member of international organisations and has to abide by treaty obligations.</p> <p>Accept any other valid responses.</p>	<p>membership of international organisations such as NATO and the UN.</p>	<p>and international treaty obligations, do constrain the sovereignty of parliament.</p>
	<p>Candidates may refer to the following synoptic links: The role of political parties and pressure groups; How the FPTP system tends to lead to the dominance of the executive over parliament; How the use of referenda has impacted on the sovereignty of parliament.</p>		

Level	Mark	Descriptor
	0	<ul style="list-style-type: none"> No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). Limited analysis of aspects of politics with partial logical chains of reasoning, which make simplistic connections between ideas and concepts (AO2). Makes superficial evaluation of aspects of politics, constructing simple arguments and judgements, many of which are descriptive (AO3).
Level 2	7–12	<ul style="list-style-type: none"> Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). Some emerging analysis of aspects of politics with some focused, logical chains of reasoning, which make some relevant connections between ideas and concepts (AO2). Constructs some appropriate evaluation of aspects of politics, constructing occasionally effective arguments and judgements, some are partially unsubstantiated and lead to generic conclusions, without much justification (AO3).
Level 3	13–18	<ul style="list-style-type: none"> Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). Mostly focused analysis of aspects of politics with logical chains of reasoning, which make mostly relevant connections between ideas and concepts (AO2). Constructs mostly relevant evaluation of aspects of politics, constructing mostly focused arguments and judgements, many are substantiated and lead to some focused conclusions, that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are selected appropriately in order to underpin analysis and evaluation (AO1). Focused analysis of aspects of politics with logical chains of reasoning, which make relevant connections between ideas and concepts (AO2). Constructs relevant evaluation of aspects of politics, constructing focused arguments and judgements, which are substantiated and lead to focused conclusions that are mostly justified (AO3).
Level 5	25–30	<ul style="list-style-type: none"> Demonstrates comprehensive and precise knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). Consistent and sustained analysis of aspects of politics, with coherent, logical chains of reasoning, which make convincing connections between ideas and concepts (AO2). Constructs coherent and sustained evaluation of aspects of politics, constructing effectively substantiated arguments and judgements, which are consistently substantiated and lead to precise conclusions that are fully justified (AO3).

Question number	AO1 (10 Marks)	AO2 (10 Marks)	AO3 (10 Marks)
<p>4b</p>	<p>Points for the view</p> <p>The Supreme Court can over-turn secondary legislation and issue a declaration of incompatibility for primary legislation.</p> <p>Supreme Court judges uphold the principle of judicial independence.</p> <p>The Supreme Court is increasingly likely to allow judicial review in areas previously considered as vital to national security.</p>	<p>Analysis for the view</p> <p>The Supreme Court was established by the Constitutional Reform Act in 2005, assuming the judicial functions of the House of Lords. It has the power to over-turn secondary legislation and issue a declaration of incompatibility, under the Human Rights Act (HRA), for primary legislation.</p> <p>It is a very important principle that Supreme Court judges are independent and seen to be independent. This means that they should not experience undue influence from the executive, the legislature, pressure groups or the media.</p> <p>This increase is partly down to a culture of judicial activism. The Supreme Court ruled against the government in the case of Al Rawi in 2011, rejecting the argument of the</p>	<p>Conclusions and judgement for the view</p> <p>The powers to over-turn secondary legislation or to issue a declaration of incompatibility shows that the Supreme Court is too powerful.</p> <p>Upholding the principle of judicial independence means that unaccountable Supreme Court judges feel able to challenge decisions of the executive or parliament and this shows that the Supreme Court is too powerful.</p> <p>The increase in the number and scope of judicial reviews show that the Supreme Court is willing to over-step the judiciary's</p>

	<p>Supreme Court judges have been accused of frustrating the 'will of the people' over 'Brexit'.</p> <p>Points against the view</p> <p>The Supreme Court's powers are fairly limited.</p> <p>Upholding the principle of judicial independence does not mean that the Supreme Court is too powerful.</p>	<p>security services that they should be allowed to give evidence to a judge in secret.</p> <p>The Brexit case put the Supreme Court firmly into the spotlight and the Supreme Court judges were openly attacked on the front pages of some tabloid newspapers, such as the Daily Mail who accused them as being 'enemies of the people'.</p> <p>Analysis against the view</p> <p>The Supreme Court does not have the power to over-turn primary legislation, under the doctrine of parliamentary sovereignty. It can only issue a declaration of incompatibility under the HRA which the government can ignore. The supreme court cannot challenge ECJ judgements</p> <p>While it is important to uphold this principle, it does not mean, in and of itself, that the Supreme Court has too much power.</p> <p>These are reasonable grounds for reviewing the decisions of government ministers in a</p>	<p>traditional remit and is therefore too powerful.</p> <p>It is not appropriate for unelected and unaccountable judges to side against the government on issues such as 'Brexit' where the decision to leave the EU was agreed in a popular referendum. This shows that the Supreme Court is too powerful.</p> <p>Conclusions and judgement against the view</p> <p>The limited powers of the Supreme Court with regard to primary legislation shows that it is not too powerful.</p> <p>Upholding the principle of judicial independence does not therefore mean that the Supreme Court is too powerful.</p>
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	<p>Judicial reviews are only granted under strict grounds (such as 'illegality', 'irrationality' and 'procedural impropriety').</p> <p>The Supreme Court was upholding the rights of parliament in the 'Brexit' case.</p> <p>Accept any other valid responses.</p>	<p>liberal democracy. In any case, most judicial reviews take place in lower courts.</p> <p>The Supreme Court stood up for the right of parliament to vote on the decision to leave the EU, upholding the sovereignty of parliament.</p>	<p>The strict grounds under which judicial reviews can be granted ensures that the process is used to guarantee fair play and due process. Therefore this does not mean that the Supreme Court is too powerful.</p> <p>As the Supreme Court re-asserted parliament's right to take the final decision, it was acting within its remit and applying the rule of law. Therefore this does not mean that the Supreme Court is too powerful.</p>
	<p>Candidates may refer to the following synoptic links:</p> <ul style="list-style-type: none"> • The role of pressure groups in applications for judicial review; • The role and impact of the media with regard to the decisions of judges; • Rights in context in the UK. 		

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	0	<ul style="list-style-type: none"> No rewardable material.
Level 1	1–6	<ul style="list-style-type: none"> Demonstrates superficial knowledge and understanding of political institutions, processes, concepts, theories and issues, with limited underpinning of analysis and evaluation (AO1). Limited analysis of aspects of politics with partial logical chains of reasoning, which make simplistic connections between ideas and concepts (AO2). Makes superficial evaluation of aspects of politics, constructing simple arguments and judgements, many of which are descriptive (AO3).
Level 2	7–12	<ul style="list-style-type: none"> Demonstrates some accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, some of which are selected appropriately in order to underpin analysis and evaluation (AO1). Some emerging analysis of aspects of politics with some focused, logical chains of reasoning, which make some relevant connections between ideas and concepts (AO2). Constructs some appropriate evaluation of aspects of politics, constructing occasionally effective arguments and judgements, some are partially unsubstantiated and lead to generic conclusions, without much justification (AO3).
Level 3	13–18	<ul style="list-style-type: none"> Demonstrates mostly accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, many of which are selected appropriately in order to underpin analysis and evaluation (AO1). Mostly focused analysis of aspects of politics with logical chains of reasoning, which make mostly relevant connections between ideas and concepts (AO2). Constructs mostly relevant evaluation of aspects of politics, constructing mostly focused arguments and judgements, many are substantiated and lead to some focused conclusions, that are sometimes justified (AO3).
Level 4	19–24	<ul style="list-style-type: none"> Demonstrates accurate knowledge and understanding of political institutions, processes, concepts, theories and issues, which are selected appropriately in order to underpin analysis and evaluation (AO1). Focused analysis of aspects of politics with logical chains of reasoning, which make relevant connections between ideas and concepts (AO2). Constructs relevant evaluation of aspects of politics, constructing focused arguments and judgements, which are substantiated and lead to focused conclusions that are mostly justified (AO3).
Level 5	25–30	<ul style="list-style-type: none"> Demonstrates comprehensive and precise knowledge and understanding of political institutions, processes, concepts, theories and issues, which are carefully selected in order to underpin analysis and evaluation (AO1). Consistent and sustained analysis of aspects of politics, with coherent, logical chains of reasoning, which make convincing connections between ideas and concepts (AO2). Constructs coherent and sustained evaluation of aspects of politics, constructing effectively substantiated arguments and judgements, which are consistently substantiated and lead to precise conclusions that are fully justified (AO3).

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