# AP® COMPARATIVE GOVERNMENT AND POLITICS 2011 SCORING GUIDELINES

### Question 2

### 3 points

**One point** is earned for a description of a major function of the Supreme Court of the United Kingdom. Major functions of the Supreme Court of the United Kingdom include the following:

- Final court of appeals
- Judicial review
- Protects human/civil rights and liberties
- Ruling on devolution disputes
- Ruling on incompatibility of UK law with European Union (EU) law
- Check on legislative-executive power

Note: The Supreme Court of the United Kingdom exercises judicial review in limited circumstances. It does not have the power to declare a law unconstitutional.

**One point** is earned for an explanation of a reason for the establishment of the Supreme Court of the United Kingdom. Reasons for the establishment of the Supreme Court of the United Kingdom include the following:

- Enhance legitimacy
- Improve transparency by clarifying the role of the court
- Separate judicial authority from the House of Lords
- Achieve consistency with international norms
- Resolve devolution disputes
- Achieve Blair-led Labour Party goal

**One point** is earned for a correct explanation of how membership in the EU affects the judicial system in Great Britain. Acceptable explanations include the following:

- European Court of Justice (ECJ) is highest legal authority.
- EU law supersedes UK law in judicial decision making.
- Loss of sovereignty.
- More laws to adjudicate.

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one major function of the Supreme Court of the United
kingdom (UK) is to make sure the actions of the gov't
are do not go against the law, and take rare of criminal
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he move democratic by having a seperate judicial broinch
instead of just halling a law lord in the House of
Lords. Membership in the European Union (EU) affects
the judicial system in UK too because EU has a EU
court, it is over the courts in the member states
on must issues, especially human rights
issue; so being a memner in EU. Hot UK
loses some sovereignty and the power of the
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Kingdom has appellate jurisdiction from
lower UK courts It was established
to give a head to the UK justice
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dismerer, due to parliamentary sovereignty,
they an not overturn engiciation. Orgis lation.
Because of their membership in the EU,
Great Britain's supreme court had to break
its ties with the manarry since the
EU requires an independent judicions.

# AP® COMPARATIVE GOVERNMENT AND POLITICS 2011 SCORING COMMENTARY

### Question 2

#### Overview

The intent of this question was for students to demonstrate their understanding of the role of the Supreme Court of the United Kingdom in the British political system. Students had specific tasks: to describe a major function of the Supreme Court of the United Kingdom; to explain one reason for the establishment of the Supreme Court of the United Kingdom; and to explain how membership in the European Union affects the judicial system in Great Britain.

Sample: 2A Score: 3

The response earned 1 point for describing a major function of the Supreme Court of the United Kingdom as a check on the executive by stating that the Court will "make sure the actions of the gov't do not go against the law." The response earned 1 point for explaining that the reason for the establishment of the Supreme Court of the United Kingdom is that the "UK wants to be more democratic by having a seperate [sic] judicial branch instead of just having a Law Lord in the House of Lords." The response earned 1 point for explaining that membership in the European Union affects the judicial system in Great Britain because the EU court "is over the courts in the member states" and therefore the "UK loses some sovereignty and the power of the court."

Sample: 2B Score: 2

The response earned 1 point for stating that a major function of the Supreme Court of the United Kingdom "is to protect the citizen's civil liberties." The response did not earn a point for explaining the reason for the establishment of the Supreme Court of the United Kingdom. The Supreme Court was not created to "review cases appealed by citizens and make a final decision"; the Law Lords already had that power. The response earned 1 point for explaining that membership in the European Union affects the judicial system in Great Britain because it "can result in a loss of sovereignty."

Sample: 2C Score: 1

The response earned 1 point for describing that a major function of the Supreme Court of the United States is that the court "has appellate jurisdiction from lower UK courts." The response did not earn a point for explaining the reason for the establishment of the Supreme Court of the United Kingdom. The Supreme Court was not created "to give a head to the UK justice system and as a final place for cases to be appealed to"; the Law Lords already had that position. The response did not earn a point for explaining how membership in the European Union affects the judicial system in Great Britain. There is no EU requirement for the Supreme Court "to break its ties with the monarchy."