

**AP[®] UNITED STATES GOVERNMENT AND POLITICS
2014 SCORING GUIDELINES**

Question 1

6 points

Part (a): 1 point

One point is earned for making an accurate comparison of *both* Federalist and Anti-federalist positions.

- The Federalists wanted a stronger national government and weaker state governments, while the Anti-federalists wanted a weaker national government and stronger state government.
- The Federalists wanted a balanced relationship between federal and state governments, while the Anti-federalists wanted a weaker national government and stronger state government.

Part (b): 2 points

One point is earned for each accurate description of a feature of the original Constitution that led to the growth of the national government's power. Acceptable descriptions include:

- Necessary and Proper clause/Elastic clause
- Supremacy clause
- Commerce clause
- General Welfare clause
- Taxing power
- Unitary Executive

Part (c): 2 points

One point is earned for an accurate explanation of how each of the following addressed Anti-federalist concerns:

- First Amendment – Student must demonstrate knowledge of at least one right in the First Amendment and indicate that the First Amendment protects an individual's liberty and provides protection from government power.
- Tenth Amendment – Student must demonstrate an understanding that powers not mentioned in the Constitution are reserved to the states and people.

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Question 1 (continued)

Part (d): 1 point

One point is earned for an accurate explanation of how one of the following clauses has altered the balance of power between the state and national governments.

- Due Process Clause – Student must demonstrate an understanding that individual protections in the Bill of Rights are applied to the states. Student must indicate that states are compelled to follow national requirements.
- Equal Protection Clause – Student must demonstrate an understanding that the clause protects members of groups from discrimination by states. Student must indicate that states are compelled to follow national requirements.

A score of zero (0) is assigned to an answer that is off task or is attempted but earns no points.

A score of dash (—) is assigned to an answer that is blank.

UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

1A 1d4

Directions: You have 100 minutes to answer all four of the following questions. Unless the directions indicate otherwise, respond to all parts of all four questions. It is suggested that you take a few minutes to plan and outline each answer. Spend approximately one-fourth of your time (25 minutes) on each question. In your response, use substantive examples where appropriate.

1. The United States Constitution's ratification resulted from a political process that required compromise between the Federalists and Anti-Federalists. Many of the debates in government today continue to reflect the concerns of each perspective.
 - (a) Compare the positions of Federalists and Anti-Federalists regarding the power of the national government.
 - (b) Describe two features of the original Constitution that have led to a growth in the power of the national government.
 - (c) Explain how each of the following additions to the Constitution addressed Anti-Federalist concerns.
 - First Amendment
 - Tenth Amendment
 - (d) Explain how one of the following clauses of the Fourteenth Amendment has altered the balance of power between the state and national governments.
 - Due process clause
 - Equal protection clause

1(a) The Federalists believed in a strong federal government that could tax and carry out other functions of a larger centralized government. On the other hand, Anti-Federalists believed in a weak federal government that through the Tenth Amendment left powers up to the states. To compare to contemporary politics, Federalists were most closely related to modern Democrats whereas Anti-Federalists were tied to the tea party movement and conservatism.

1(b) The original constitution, or Articles of Confederation lasted from 1776 to 1787 and

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1A 2 of 4

was abolished because it did not provide the national government with enough centralized power. necessary powers added to the new constitution ratified in 1787 were the power to hold a standing army and collect taxes. Prior to the ratification, States maintained their own individual militias. in an attack, the United States would not be able to repel a coordinated attack. The power to tax is also very important and lead to growth in the federal government because it allowed the government to exert its power and use the money to initiate public policy. Prior to the ratification, The Government never suggested how much each State should pay.

1(C) - The First Amendment addressed Anti-federalists concerns because it allows citizens the freedom of speech, freedom of religion, freedom of expression, freedom of the press, and the right to assemble. None of these rights were granted in a large centralized government, like England. These rights protect the citizen's individual liberties.

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1A 3d4

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 - Equal protection clause

The Tenth Amendment grants states rights not reserved by the Constitution. Anti-federalists favored this Amendment because it allowed states to regulate ~~themselves~~ themselves. Today, states have the right to ~~regulate~~ regulate driving age, marriage, ~~education~~ education, as well as various other things that involve every day life in that state.

• Equal Protection: The equal protection clause grants all citizens no matter their sex, religion, race, or creed equal protection under the law. In 1954, the Warren Court found that separate but equal was anything but. Most segregationists like George Wallace and Ross

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Barnett favored state sanctioned segregation, but with the over turning of the separate but equal doctrine, the balance of power had ~~shifted~~ been shifted toward the federal government, because it made it clear that national government trumps state government.

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UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

1B 1 of 2

Directions: You have 100 minutes to answer all four of the following questions. Unless the directions indicate otherwise, respond to all parts of all four questions. It is suggested that you take a few minutes to plan and outline each answer. Spend approximately one-fourth of your time (25 minutes) on each question. In your response, use substantive examples where appropriate.

1. The United States Constitution's ratification resulted from a political process that required compromise between the Federalists and Anti-Federalists. Many of the debates in government today continue to reflect the concerns of each perspective.
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 - Due process clause
 - Equal protection clause

A.) Federalist wanted to ensure a strong central government that divided task between themselves and States. Anti-federalist wanted stronger States power, divided up to avoid tyranny as they had with the British monarch.

B.) The necessary and proper clause has led to a stronger and stronger central government. With its power the central gov. can do whatever is necessary to carry out the duties enumerated in ~~the~~ Article I of the Constitution. Through necessary and proper clause the national government has stepped in on cases that not only effect interstate commerce but also intra state commerce. An example would include a case such as US v Lopez. Another feature which strengthens the national government is the ~~commerce~~ ^{commerce} clause which states that ~~the~~ Congress has the right to control commerce.

1B 2 of 2

~~The Cases~~ The Commerce Clause lets the ~~the~~ legislative branch handle anything in the nation that involves a transaction. McCullagh v Maryland for example was a case over the Commerce Clause saying states couldn't tax national currency.

C.) • First amendment put anti-federalist at ease because this made it legal to speak out against the government. And so if the government became tyrannical they know people had the right to speak out without being killed for it as in times of the king.

• Tenth amendment gave more power to individual states, basically to take the power to do things the federal government couldn't. Anti-federalist felt that this would take away from the power of the national government and lessen the chance of an overbearing, government, one that was too strong.

D.) • Due process clause ensures that every person must be processed through the court process before being prosecuted. This is a national amendment now so states with different laws can't take right from people.

• Equal Protection ~~ensures~~ ensures that the people receive the same treatment from the law regardless of where they are from. So cases such as Gideon, where the defendant didn't have his right to a lawyer couldn't happen again. ~~Basically~~ The State of Florida did not provide a man who was charged a lawyer and that would go against equal protection.

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UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

1 C 1 of 3

Directions: You have 100 minutes to answer all four of the following questions. Unless the directions indicate otherwise, respond to all parts of all four questions. It is suggested that you take a few minutes to plan and outline each answer. Spend approximately one-fourth of your time (25 minutes) on each question. In your response, use substantive examples where appropriate.

1. The United States Constitution's ratification resulted from a political process that required compromise between the Federalists and Anti-Federalists. Many of the debates in government today continue to reflect the concerns of each perspective.
 - (a) Compare the positions of Federalists and Anti-Federalists regarding the power of the national government.
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 - (d) Explain how one of the following clauses of the Fourteenth Amendment has altered the balance of power between the state and national governments.
 - Due process clause
 - Equal protection clause

(a) The beginning of America was time for a new government with new ideas to be created for a free new world. The Federalists and the Anti-Federalists were the first real factions of the American political system. The Federalists proposed the notion of having a strong central government over all the people; however, the Anti-Federalists believed in a weaker central where the people had more of a voice. Federalists believed the power of the national government overpowered that of the state level. The Anti-Federalists saw that power needed to be more divided if not stayed more to the states having more political/governments/ over its people. Both sides agreed that there had to be a central authority on which the people could go to for advice and support.

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about certain laws and policies; however, both sides could not come to terms on the division and strength of each section of government.

(b) The features pertaining to Presidential control and Congress have become expanded entities through additional amendments appropriating more powers to each sector while also ensuring a system of checks and balances attains a ceiling on how much power one branch of the government can attain. Congress now has deeper power over the people because they have the full opportunity of creating and implementing legislation that has to deal with societies' everyday lives. The President has the broadened powers of controlling all aspects of all divisions of policies that have to do with international and domestic

(c) The First Amendment addressed concerns because it freely enables anyone to have the right to speak on issues they believe are either good or bad for the nation. It gives society a voice in a government that gave the power less to the people and more to ruling the show at the capital. The Tenth Amendment gave the people their right to vote for their elected officials into each of their appropriate offices. Rather than having officials vote senators and other members into their prospective positions, it gave the people to vote their elect into the appropriate

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process by believed right for the officials

(d) ~~The Due Process clause enables all citizens to have the right to a trial that is fair for the victim and the plaintiff at hand. It now~~

(d) the Due Process clause alters the balance of powers towards the ~~state~~^{rational} level because it enables the Supreme Court to ~~the~~ review any laws or trials

passed in the lower state courts/congresses to ensure a proper was conducted and the constitutionality of the ruling or proposed law.

AP[®] UNITED STATES GOVERNMENT AND POLITICS

2014 SCORING COMMENTARY

Question 1

Overview

This question examined students' knowledge of the balance of power between the national and state governments. Part (a) asked students to compare the Federalist and Anti-Federalist positions regarding the allocation of power between levels of government. Part (b) asked students to describe two features of the original Constitution that have increased the power of the national government. Part (c) asked students to explain how both the First Amendment and Tenth Amendment addressed concerns Anti-Federalists had about the original Constitution. Part (d) asked students to choose either the Due Process Clause or the Equal Protection Clause and explain how that clause has altered the balance of power between the national and state governments.

Sample: 1A

Score: 6

In part (a) the response earned 1 point. One point was earned for comparing the positions of Federalists and Anti-Federalists regarding the power of the national government. The response states, "The Federalists believed in a strong federal government . . . On the other hand, Anti-Federalists believed in a weak federal government."

In part (b) the response earned 2 points. One point was earned for correctly describing that the original Constitution led to the growth of power of the national government because it established the "power to hold a standing army . . . [whereas] [p]rior to the ratification, states maintained their own individual militias." A second point was earned by describing "[t]he power to tax, [which] . . . allowed the government to exert its power and use the money to initiate public policy" as a second feature of the original Constitution that led to a growth in the power of the national government.

In part (c) the response earned 2 points. One point was earned for explaining how the First Amendment's protections of "the freedom of speech, freedom of religion, freedom of expression, freedom of the press, and the right to assemble" addresses Anti-Federalist concerns because it "protects the citizen's individual liberties." A second point was earned for explaining that "The Tenth Amendment grants states rights not reserved by the Constitution," which addresses Anti-Federalist concerns.

In part (d) the response earned 1 point. One point was earned for explaining how the Equal Protection Clause of the Fourteenth Amendment "grants all citizens, no matter their sex, religion, race, or creed equal protection . . . overturning . . . the separate but equal doctrine . . . [I]t made very clear that national government trumps state government."

Sample: 1B

Score: 3

In part (a) the response earned 1 point. One point was earned for comparing the positions of Federalists and Anti-Federalists regarding the power of the national government. The response states, "Federalists wanted to ensure a strong central government . . . Anti-Federalists wanted stronger states power."

In part (b) the response earned 1 point. One point was earned for describing "[t]he necessary and proper clause . . . [as] the central gov. can do whatever is necessary to carry out the duties enumerated in Article I of the Constitution," which is a feature of the original Constitution that led to a growth in the power of the national government. The response did not earn a second point, because it identifies the Commerce Clause as a feature of the original Constitution but does not provide an accurate description of how that feature led to a growth in the power of the national government.

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2014 SCORING COMMENTARY

Question 1 (continued)

In part (c) the response earned 1 point. One point was earned for explaining how the “First amendment put anti-federalists at ease because this made it legal to speak out against the government,” an Anti-Federalist concern. The response did not earn a second point because it does not specify that powers delegated to the national government are reserved to the states, or to the people, which was an Anti-Federalist concern.

In part (d) the response did not earn a point because no clear explanation is given of how either the Due Process Clause or the Equal Protection Clause has altered the balance of power between the state and national governments. The response does not discuss the incorporation of elements of the Bill of Rights, which is a necessary part of a correct explanation of the Due Process Clause. The response does not discuss how the Equal Protection Clause protects groups from discriminatory treatment, which is a necessary part of a correct explanation of the Equal Protection Clause.

Sample: 1C

Score: 1

In part (a) the response earned 1 point. One point was earned for comparing the positions of Federalists and Anti-Federalists regarding the power of the national government. The response states, “The Federalists proposed the notion of having a strong central government . . . [T]he Anti-Federalists saw that power needed to be more divided if not swayed more to the states.”

In part (b) the response did not earn any points. The response did not to earn points for choosing “features pertaining to presidential control and congress.” These are not specific features of the original Constitution and therefore cannot be used to correctly describe the features that have led to a growth in the power of the national government.

In part (c) the response did not earn any points. No point was earned for saying that the First Amendment “gives society a voice in government.” This does not explain how Anti-Federalists had concerns about preservation of individual liberties or protection from government power. The response did not earn a second point because “The Tenth Amendment gave the people the right to vote” does not correctly explain that powers delegated to the national government are reserved to the states, or to the people, which was an Anti-Federalist concern.

In part (d) the response did not earn a point because no clear explanation is given of how the Due Process Clause has altered the balance of power between the state and national governments. The response does not discuss the incorporation of elements of the Bill of Rights, which is a necessary part of a correct explanation of the Due Process Clause.