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# AP<sup>®</sup> Comparative Government and Politics

## Sample Student Responses and Scoring Commentary Set 1

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#### **Free-Response Question 3**

- ☒ **Scoring Guidelines**
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**Question 3: Comparative Analysis****5 points**

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**A** Describe a function of a judicial system.**1 point****Examples of acceptable responses may include the following:**

- Judicial systems:
  - interpret the laws of a country
  - assess constitutionality of laws
  - resolve disputes in a country
  - apply the law
  - maintain checks and balances between branches of government
  - can protect the rights and liberties of citizens in a country
  - help countries establish rule of law or maintain rule by law

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**B** Describe a limit on the power of the judicial system in two different AP Comparative Government and Politics course countries.**2 points****Examples of acceptable responses may include the following:****China**

- In China, the judiciary is under the control of the Chinese Communist Party (CCP)/General Secretary/president.
- In China, the judiciary enforces rule by law, or the laws made by the national government, and does not have any additional decision-making power.
- In China, the government has a process for removing judges for misconduct.
- In China, the judges serve fixed terms.

**Iran**

- In Iran, the Chief Justice is appointed by the Supreme Leader and the Supreme Court lacks judicial independence because of this constraint.
- In Iran, judges must be clerics who adhere to Islamic Sharia law.
- In Iran, the judiciary lacks the power of judicial review.
- In Iran the government has a process for removing judges for misconduct.
- In Iran, the judges serve fixed terms.

**Mexico**

- In Mexico, judges on the Supreme Court rely on appointment by the executive branch and confirmation by the legislative branch.
- In Mexico, Supreme Court justices will be elected by popular vote.
- In Mexico, Supreme Court justices can only serve for a fixed term.
- In Mexico, legislative changes to the constitution cannot be overturned by the judicial branch.
- In Mexico, the government has a process for removing judges for misconduct.

**Scoring Notes:** Reform of the Mexican judiciary goes into effect on June 1, 2025.

Responses that reference 15-year terms for Mexican Supreme Court justices should be given credit. Responses that reference an upcoming change (12-year terms) for Mexican Supreme Court justices should be given credit.

**Nigeria**

- In Nigeria, judges on the Supreme Court rely on appointment by the executive branch and confirmation by the legislative branch.
- In Nigeria, Islamic Sharia courts have been established in the northern part of the country.
- In Nigeria, the government has a process for removing judges for misconduct.
- In Nigeria, judges have age and/or term limits.

**Russia**

- In Russia, judges are nominated by the President and approved by the Federation Council.
- In Russia, the dominant party constrains the judiciary from using the power of judicial review against other governing branches.
- In Russia, the judiciary enforces rule by law.
- In Russia, the government has a process for removing judges for misconduct.
- In Russia, judges serve fixed terms.

**United Kingdom**

- In the United Kingdom, the Supreme Court lacks the power of judicial review, which limits its power.
- In the United Kingdom, the judiciary must abide by common law to enforce the rule of law.
- In the United Kingdom, the government has a process for removing judges for misconduct.
- In the United Kingdom, judges have age limits.

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|----------|---|-----------------|
| <b>C</b> | Explain why each of the two AP Comparative Government and Politics course countries described in (B) would limit the power of their judicial systems. | <b>2 points</b> |
|----------|---|-----------------|

**Examples of acceptable responses may include the following:**

**China**

- In China, the government constrains its judicial system to ensure that the CCP retains power.
- In China, the government limits the power of the judiciary in order to concentrate power in the executive branch.
- In China, the power of the judiciary is controlled so that the executive can use it to control dissent and/or target the opposition

**Iran**

- In Iran, the power of the judicial system has been limited in order to ensure that the legal system is based on religious law.
- In Iran, the executive constrains the judicial system to consolidate power in the executive.
- In Iran, the government constrains the judiciary to control dissent.

**Mexico**

- In Mexico, the power of the judiciary is limited so that one branch of government does not become more powerful than any other.
  - In Mexico, the power of the judiciary is limited to ensure that there are proper checks and balances in the national government.
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**Nigeria**

- In Nigeria, the power of the judiciary is limited by the constitution in order to ensure that there are proper checks and balances in the national government.
- In Nigeria, the power of the judiciary is limited to ensure that one branch of government does not become more powerful than any other.

**Russia**

- In Russia, the executive constrains the judicial branch to consolidate its power.
- In Russia, the power of the judiciary is controlled so that the executive can use it to control dissent and/or target the opposition.
- In Russia, the judicial branch has not been able to practice judicial review in order to ensure that the other branches of government remain powerful.

**United Kingdom**

- In the United Kingdom, the government limits the power of its judicial system in order to ensure that it does not become more powerful than any other part of the government.
  - In the United Kingdom, the government limits the power of its judicial branch in order to reflect the principle of parliamentary sovereignty.
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# Sample 3A, 1 of 1

## Sample:

A) A function of the judicial system is to resolve civil and criminal disputes between individuals in society.

B) In the United Kingdom, **judicial systems do not have the power of judicial review**, which limits their ability to determine the "constitutionality" (yes, technically the UK doesn't have a real, written constitution in the typical sense) of laws passed by Parliament. This is a limit on the power of the United Kingdom's judicial system, as they can **only handle civil and criminal disputes, not constitutional ones**. In Russia, the judicial system has **no judicial independence in practice** (the President often threatens judges who rule in a manner which conflicts with his policy, influencing judges strongly to submit to his will) and **judges are nominated by the President**. Both of these aspects of the Russian judicial system are significant limits on power, as they mean the **executive has a high level of influence on who inhabits the courts and which way they rule on cases**.

C) In the UK, limiting the power of their judicial system would allow for more power to be concentrated in the legislative and executive branches and mean that policy cannot be repealed by other branches of government. Thus, there is **more policy continuity over time** and lawmakers do not have to consider outside branches (ex: the courts) when drafting legislation, making these **policies easier to enforce** and allowing for the **government to have a higher level of political efficacy** when passing and enforcing legislation. In Russia, limiting the judicial system **allows the executive to consolidate more power in government**. As Russia is an authoritarian regime where a dictator hopes to solely control the people, limiting the independence and power of the courts is **favorable to its leader and executive (President Putin)**, who can **more easily exercise control over the people when he does not have to fight the court system**.

## Sample 3B, 1 of 1

### **Sample:**

**A)** A function of a judicial system is to hold judicial review on laws and decide whether those laws are constitutional or not.

### **B)**

United Kingdom(UK): The Judicial System can advise Parliament about certain laws through committee hearings but can not overturn them. Parliament has the final say on whether a law is acceptable or not acceptable.

Russia: The Judicial System doesn't have judicial review allowing the executive and legislative branches to go unchecked with laws and legislation that they pass/enforce.

### **C)**

United Kingdom(UK): To avoid the issue of disrupted efficiency with regards to passing legislation in parliament while reserving the power of the UK's unwritten constitution.

Russia: To allow United Russia(the political party) to maintain one party dominance over the legislative/executive branches while allowing President Putin to consolidate power and control over the nation/presidency.

**Sample:**

A. A function of a judicial system is to determine whether or not laws or orders passed by the other government branches are in line and are supported by the state's foundation of laws, such as the Mexican Constitution.

B. A limit on the power of the judicial system in Nigeria is that justices can be removed via presidential intervention. Just as the president has the power to appoint justices, they also have the ability to remove them from their positions and appoint a new nominee to go through the vetting process in the legislative branch of the Nigerian government. Secondly, a limit that is placed on the power of the judicial system in Mexico is that the president is allowed to ignore the rulings of the judiciary if they deem it as an incorrect interpretation of the law.

C. In Nigeria, a reason the limitation of the president having the authority to remove justices exists is because if a justice is conducting their work in a disorderly and unprofessional fashion that does not align with the law, there is a way to remove them and replace them with a more qualified individual for that role. In Mexico, a reason the limitation of the president having the authority to ignore judicial rulings and not enforce them exists is because the judiciary at the time may be filled with justices who have outdated knowledge on what is best for a state in relation to the rules set by their constitution, leading to a ruling that may not be best for the citizens at that moment in time.

### Question 3

**Note:** Student samples are quoted verbatim and may contain spelling and grammatical errors.

#### Overview

**NEW for 2025:** The question overviews can be found in the *Chief Reader Report on Student Responses* on [AP Central](#).

**Sample: 3A**

**Score: 5**

#### Part A Score: 1

The response earned 1 point for describing a function of a judicial system as, “A function of the judicial system is to resolve civil and criminal disputes between individuals in society.”

#### Part B Score: 2

The response earned 2 points for describing a limit on the power of the judicial system in two different AP Comparative Government and Politics course countries. The response earned 1 point for the United Kingdom by stating, “In the United Kingdom, **judicial systems do not have the power of judicial review**, which limits their ability to determine the “constitutionality ... of laws passed by Parliament.” The response earned 1 point for Russia because the response correctly describes a limitation on the power of the judicial system by stating, “the judicial system has **no judicial independence in practice** ... and **judges are nominated by the President**.”

#### Part C Score: 2

The response earned 2 points for explaining why each of the two AP Comparative Government and Politics course countries would limit the power of their judicial systems. The response earned 1 point for the United Kingdom by stating, “In the UK, limiting the power of their judicial system would allow for more power to be concentrated in the legislative and executive branches and mean that policy cannot be repealed by other branches of government.” The response earned 1 point for Russia by stating, “In Russia, limiting the judicial system **allows the executive to consolidate more power in government**.”



**Question 3 (continued)****Sample: 3B****Score: 3****Part A Score: 1**

The response earned 1 point for describing a function of a judicial system as “to hold judicial review on laws and decide whether those laws are constitutional or not.”

**Part B Score: 1**

The response earned 1 point for describing a limit on the power of the judicial system in two different AP Comparative Government and Politics course countries. The response earned 1 point for the United Kingdom by stating, “The Judicial System can advise Parliament about certain laws through committee hearings but can not overturn them.” The response did not earn a point for Russia because the response incorrectly states that “The Judicial System doesn’t have judicial review.”

**Part C Score: 1**

The response earned 1 point for explaining why each of the two AP Comparative Government and Politics course countries would limit the power of their judicial systems. The response did not earn a point for the United Kingdom because “To avoid the issue of disrupted efficiency with regards to passing legislation in parliament while reserving the power of the UK’s unwritten constitution” does not clarify the role of parliamentary sovereignty. The response earned 1 point for Russia by stating, “To allow United Russia(the political party) to maintain one party dominance over the legislative/executive branches while allowing President Putin to consolidate power and control over the nation/presidency.”

**Question 3 (continued)****Sample: 3C****Score: 1****Part A Score: 1**

The response earned 1 point for describing a function of a judicial system as, “A function of a judicial system is to determine whether or not laws or orders passed by the other government branches are in line and are supported by the state’s foundation of laws.”

**Part B Score: 0**

The response did not earn a point for describing a limit on the power of the judicial system in two different Comparative Politics and Government course countries. The response did not earn a point for Nigeria because it describes powers that the executive does not possess in Nigeria by stating, “A limit on the power of the judicial system in Nigeria is that justices can be removed via presidential intervention.” The response did not earn a point for Mexico because it describes powers that the executive does not possess in Mexico by stating, “a limit that is placed on the power of the judicial system in Mexico is that the president is allowed to ignore the rulings of the judiciary if they deem it as an incorrect interpretation of the law.”

**Part C Score: 0**

The response did not earn a point for explaining why each of the two AP Comparative Government and Politics countries would limit the power of their judicial systems. The response did not earn a point for Nigeria because the response does not correctly explain why Nigeria would limit the power of their judicial system. The response describes presidential powers that do not exist. The response did not earn a point for Mexico because it describes presidential powers that do not exist.