

2005 AP[®] UNITED STATES GOVERNMENT AND POLITICS
FREE-RESPONSE QUESTIONS

3. Initially, the United States Constitution did little to protect citizens from actions of the states. In the twentieth century, the Supreme Court interpreted the Constitution to protect the rights of citizens from state governments in a process referred to as incorporation.
- (a) Define selective incorporation.
- (b) For two of the following, explain how each has been incorporated. Each of your explanations must be based on a specific and relevant Supreme Court decision.
- Rights of criminal defendants
 - First Amendment
 - Privacy rights
-

4. The United States Congress has debated a variety of campaign finance reforms over the last decade. The proposals debated have included the following:

Eliminating soft money
Limiting independent expenditures
Raising limits on individual contributions

- (a) Select one of the listed proposals and do all of the following:
- Define the proposal.
 - Describe an argument that proponents make in favor of the proposal.
 - Describe an argument that opponents make against the proposal.
- (b) Select a different listed proposal and do all of the following:
- Define the proposal.
 - Describe an argument that proponents make in favor of the proposal.
 - Describe an argument that opponents make against the proposal.

END OF EXAM

**AP[®] U.S. GOVERNMENT AND POLITICS
2005 SCORING GUIDELINES**

Question 3

6 points

Part (a): 2 points

One point is earned for defining selective, and 1 point is earned for defining incorporation.

- The response must define what is meant by selective—the fact that the process has been piecemeal and not a sudden change.
- The response must define incorporation—the fact that some liberties listed in the Bill of Rights have been applied to the states using the Fourteenth Amendment/due process clause.
- The response can earn one point for defining selectiveness without having earned the definition point for defining incorporation in terms of the Fourteenth Amendment/due process clause.

Part (b): 4 points

One point is earned for describing each of two appropriate cases, and 1 point is earned for explaining how each of the specific provisions of the Bill of Rights was incorporated.

- The response must describe the facts and the right that is incorporated in two relevant cases.
- The response must also explain how the Supreme Court used the Fourteenth Amendment to incorporate the specific provision of the Bill of Rights in each of the two cases described.
- A response may earn points without being able to name an appropriate case, as long as the description and explanation demonstrate that the student knows the relevant aspects of the case even though the name is not included.
- Abbreviated case names and informal names are also acceptable (e.g., “Scottsboro Boys” case instead of *Powell v. Alabama*; *Mapp* instead of *Mapp v. Ohio*).
- The student does not need to discuss the case that originally incorporated the right, only a case that demonstrates that the right has been incorporated.
- The Fourteenth Amendment does not need to be explicitly mentioned in the explanation of the case(s) if the definition of incorporation demonstrates a complete understanding of the role of the Fourteenth Amendment in selective incorporation.

A score of zero (0) is earned for an attempted answer that earns no points.

A score of dash (—) is earned for a blank or off-task answer.