

GCE

Religious Studies

H573/05: Developments in Jewish thought

A Level

Mark Scheme for June 2023

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This mark scheme is published as an aid to teachers and students, to indicate the requirements of the examination. It shows the basis on which marks were awarded by examiners. It does not indicate the details of the discussions which took place at an examiners' meeting before marking commenced.

All examiners are instructed that alternative correct answers and unexpected approaches in candidates' scripts must be given marks that fairly reflect the relevant knowledge and skills demonstrated.

Mark schemes should be read in conjunction with the published question papers and the report on the examination.

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1. 'Adler is right in challenging Judaism to rethink its views about the nature of marriage'. Discuss. [40] AO1 Candidates may demonstrate knowledge and understanding through the use of some of the following ideas: • the rationale behind the development of Jewish	
understanding through the use of some of the following ideas: • the rationale behind the development of Jewish	
· ·	
 feminism/Jewish feminist theology and key figures who have worked towards an 'inclusive Judaism' an overview of the wider views of Rachel Adler in relation to thinking women: the nature of traditional Jewish marriage; agunah, the notion of acquisition Adler's Brit Ahuvim (Lover's Covenant) as a partnership which rethinks and reinterprets the traditional view of marriage the dissolving of the Brit Ahuvim and how this reinterprets male and female roles in marriage and the traditional notion of divorce documents and processes (get) Adler's view of the reconstruction and reconfiguration of the marriage tradition Orthodox and Progressive responses to 'rethinking' women in marriage and how Adler's approach may echo some secular approaches to relationships. 	
AO2 Candidates may demonstrate evaluation and analysis through the use of some of the following arguments.	
 agunah represents a very complex and unreasonable plight for women which is not in step with modern civil divorce proceedings agunah can be humiliating for a woman Adler's approach to 'rethinking' marriage is in tune with modern concerns such as same-sex relationships and civil partnerships, Judaism must accept such relationships as secular law does Brit Ahuvim enables the female to have equality as a Jewish feminist; Adler's writings support the notion that classical notions of Jewish law cannot remain unchallenged Adler argues that the notion of covenant is a more fitting metaphor for the relationship of mutuality and love that exists between two people so holds to a 'religious reading' of the Torah Adler's concept represents a rereading of Law which is God-given Jewish 'feminism' is counter to the ideals of some Orthodox thinking and traditions 	

- male and female have special and God-given roles within the family and marriage which should not be questioned
- same-sex marriages etc are counter to biblical texts and tradition and the *Brit Ahuvim* cannot be seen as *halakhic*
- the marriage process and Law surrounding marriage have a biblical tradition and links Judaism of the present with Judaism of the past
- women being declared 'chained' or agunot, efforts have been made to resolve this problem in accordance with halakhic principles, including issuing a provisional get for if the husband does not return by a specified date
- Adler refused to reject halakhah, as some other Jewish feminists have done; she argues that traditional Jewish Law had excluded the voices of women and needs to be 'rethought' to promote justice for all
- for Judaism to be strengthened in a time of growing secularisation, the marriage processes should reflect modern civil law views on both women in marriage and same-sex partnerships.

Response: indicative content	Guidance
Evaluate the extent to which the Mosaic Covenant remains central in modern Judaism. [40]	
AO1 Candidates may demonstrate knowledge and understanding through the use of some of the following ideas:	
 the Mosaic covenant as confirmation of the relationship between God and the Hebrew people represented by Moses on Mount Sinai the Mosaic covenant as a development and formalisation of Jewish identity as a covenant people, belief and practice covenant as a concept: a promise between God and the people; obligatory and promissory covenant types/ Ancient Near Eastern parity and suzerainty treaties an analysis of sections of the set text such as the signs of the covenant, covenantal promises and their significance e.g. sprinkling of blood, Law the notion of covenant as a particularly Jewish concept: the 'uniqueness' and role of covenants in Jewish thought and in understanding God the covenant and Laws given to Moses formalise, re-affirm and cement this relationship and covenant of Abraham importance of Law. 	
 AO2 Candidates may demonstrate evaluation and analysis through the use of some of the following ideas: the Mosaic covenant was central to establishing a covenant people following the Exodus through the giving of the covenant, Moses was established as leader of the chosen people and identified as a prophet of God through the Mosaic covenant the revelation of God to Israel, a people, was shown Orthodox Jews argue that the covenant is infallible and as such still relevant for modern Judaism from the Mosaic covenant the Law and 613 mitzvoth are established which remains central to many Jews today the Ten Commandments were received and written by Moses – in keeping these commandments Jews believe that they will always have God's presence the nature of the Mosaic covenant is such that it is conditional upon worship and obedience and indicates clearly that the Hebrew people have a specific duty and role to play in the covenant relationship even today 	

- the Mosaic covenant represents a different time; ancient law has limited relevance, and in some cases, no relevance in today's secular society
- if some of the laws within the Mosaic covenant are to be followed, a more cautious approach to literal translation is needed
- the covenant may be a source of permanent spiritual ideals however, revelation is a continuous process and as such, some aspects of the Mosaic covenant are no longer central for living a Jewish life
- much of the Mosaic covenant appears to reflect a settled rather than a nomadic community and this may indicate that the covenant text reflects development under human authorship
- other covenants, such as that with Abraham, may be seen as more central; the covenant with Abraham has a physical sign - the rite of circumcision.
- the midrash aims to make connections between the unchanging covenant and the realities of the modern world so enabling the Mosaic covenant text to still remain relevant in modern Judaism
- reference could be made to Pesach and how events surrounding Moses are still part of Jewish festivals toay
- biblical scholarship argues for a distinction between apodictic and casuistic law, and so sees a division between 'man-made' case law (which may or may not be seen as relevant to modern times), and apodictic or God given law (which can be seen as infallible or divinely inspired).

Response: indicative content	Guidance
3. Evaluate the view that the gemara is more important than the mishnah for understanding the Talmud. [40]	
AO1 Candidates may demonstrate knowledge and understanding through the use of some of the following ideas:	
 the meaning of the term Talmud i.e the authoritative compilation of rabbinic traditions and discussions about Jewish life and law, consisting of the mishnah and gemara the Babylonian Talmud: origins and transmission of the Babylonian Talmud the development of halakhah, including Shulkhan Arukh the work of the heads of the leading rabbinic academies (the geonim) and their attempts to safeguard halakhah by deciding points of legal controversy. Talmudic and halakhic scholars continue to write responsa today for questions to which modern technology and life give rise the importance of the oral and written Torah for Jewish belief and life today within Orthodox and Progressive traditions. 	
 AO2 Candidates may demonstrate evaluation and analysis through the use of some of the following ideas: gemara rather than the mishnah could be argued to have brought about a more coherent understanding of the Talmud: it explains through the opinions of rabbi's unclear words or phrasing and adds examples as new questions arose gemara deals with practicalities of Jewish life and therefore is a bridge between the biblical text and the practices and legal opinions of when it was written the gemara can be seen as aiding understanding of the mishnah study of the gemara is important for studies at yeshiva in bringing about a basic understanding of the reasoning of the Talmud in order to come to a proper understanding of Jewish law 	
 the gemara could be seen as having had some impact on the way in which decisions regarding contemporary issues within Judaism have been made the gemara cannot be viewed with the same authority as the mishnah 	

- mishnah remains the first and major written collection of Jewish oral traditions
- study of the gemara is highly academic, and not something that non-scholarly Jews would undertake
- the structure of the mishnah became the template for all subsequent Talmudic literature
- mishnah is part of the canon of Jewish literature and the earliest foundation of the Talmud
- mishnah enables modern Judaism to gain a deeper understanding of traditions and links with Jewish history
- the gemara acts as a commentary on the mishnah, and relies upon the mishnah for its existence; neither can be viewed in isolation
- the gemara holds a key role in bringing about a clearer understanding of how to live now according to the mitzvoth, and as such, is key for a modern understanding the mishnah and Talmud.

Response: indicative content	Guidance
4. 'Rubenstein offers a more convincing post- Holocaust theology than that of Fackenheim.' Discuss.	
AO1 Candidates may demonstrate knowledge and understanding through the use of some of the following ideas:	
 the concept of 'theodicy' as a way in which monotheistic faiths have attempted to reconcile the God of classic theism with the events of the Holocaust overview of Rubenstein and his thinking in 'After Auschwitz': the ideas of God and the death camps, doubt of God and God as the Ultimate Nothing/Nothingness and God Rubenstein's rejection of the notion that the Holocaust was God's will; he concluded we live in a time of the 'death of God' in which existence is ultimately meaninglessness overview of Fackenheim and his thinking in 'The Jewish return into history': religious duty and that Jews are forbidden to hand Hitler a posthumous victory Fackenheim's argument of the 614th Commandment; the moral imperative that Jews not use the Holocaust to 'give up' on God. 	
AO2 Candidates may demonstrate evaluation and analysis through the use of some of the following ideas:	
 Rubenstein argues for the abandonment of the concept of a 'chosen people': the cause of anti-Semitism and persecution Rubenstein presents a demythologising of the Jewish traditions by rejecting the traditional image of God of the Hebrew Bible Rubenstein's argument is not one of atheism but one which rejects the God of scripture holding fast to a belief in an omnipotent, benevolent and omnipresent divine being, one who made covenant promises to his people, is logically at odds with the events of the Holocaust 	
if traditional Jewish theology, which holds tragedies as God's punishment for sin, are held this by	

- implication sees Hitler as an instrument of God's will, a notion that cannot stand
- the traditional explanations of evil and suffering do not apply to the Holocaust as it is too enormous a tragedy
- God addresses the Jews from Auschwitz as from Sinai: Auschwitz is another religious revelation.
- to survive as a Jew is the new 614th Commandment
- Fackenheim rejects the concept that Auschwitz marks the 'death of God'; Humans simply cannot understand why God allowed it
- the Law of Return to the State of Israel is as a necessity to prevent a second Holocaust; a view in line with current rise in anti-Semitism
- post-Holocaust theology has been interpreted differently within the different divisions of modern Judaism and society as a whole; neither view can be seen as preferable
- the philosophical and ethical consequences of the Holocaust for understanding the role of God and man in the world are perhaps too complex for our understanding
- for some a refutation of God can be the only answer following such tragedy, for others faith and belief in an omnipotent God who will remain steadfast.

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Level (Mark)	Levels of Response for A Level Religious Studies: Assessment Objective 1 (AO1) Demonstrate knowledge and understanding of religion and belief, including:	Note: The descriptors below must be considered in the context of all listed strands of Assessment Objectives 1 (AO1) and the indicative	
,	Religious, philosophical and/or ethical thought and teaching content in the mark scheme.		
	Approaches to the study of religion and belief		
6	An excellent demonstration of knowledge and understanding in response to the question:		
(14–16)	fully comprehends the demands of, and focusses on, the question throughout		
, ,	excellent selection of relevant material which is skillfully used		
	 accurate and highly detailed knowledge which demonstrates deep understanding through a complex and nuanced approach to the material used 		
	 thorough, accurate and precise use of technical terms and vocabulary in context 		
	 extensive range of scholarly views, academic approaches, and/or sources of wisdom and authority are used 	to demonstrate knowledge and understanding	
5	A very good demonstration of knowledge and understanding in response to the question :	· ·	
(11–13)	focuses on the precise question throughout		
	very good selection of relevant material which is used appropriately		
	accurate, and detailed knowledge which demonstrates very good understanding through either the breadth or	r depth of material used	
	 accurate and appropriate use of technical terms and subject vocabulary. 		
	• a very good range of scholarly views, academic approaches, and/or sources of wisdom and authority are use	d to demonstrate knowledge and understanding	
4	A good demonstration of knowledge and understanding in response to the question:		
(8–10)	addresses the question well		
	good selection of relevant material, used appropriately on the whole		
	mostly accurate knowledge which demonstrates good understanding of the material used, which should have reasonable amounts of depth or breadth		
	mostly accurate and appropriate use of technical terms and subject vocabulary.		
	a good range of scholarly views, academic approaches, and/or sources of wisdom and authority are used to demonstrate knowledge and understanding		
3	A satisfactory demonstration of knowledge and understanding in response to the question:		
(5–7)	generally addresses the question		
	mostly sound selection of mostly relevant material		
	some accurate knowledge which demonstrates sound understanding through the material used, which might however be lacking in depth or breadth		
	generally appropriate use of technical terms and subject vocabulary.		
	A satisfactory range of scholarly views, academic approaches, and/or sources of wisdom and authority are used to demonstrate knowledge and understanding with only partial success		
2	A basic demonstration of knowledge and understanding in response to the question:		
(3–4)	might address the general topic rather than the question directly		
	limited selection of partially relevant material		
	some accurate, but limited, knowledge which demonstrates partial understanding		
	some accurate, but limited, use of technical terms and appropriate subject vocabulary.		
	a limited range of scholarly views, academic approaches, and/or sources of wisdom and authority are used to demonstrate knowledge and understanding with little success		
1	A weak demonstration of knowledge and understanding in response to the question: almost completely ignores the question very little relevant material selected knowledge very limited, demonstrating little understanding		
(1–2)			
	very little use of technical terms or subject vocabulary.		
	 very little or no use of scholarly views, academic approaches and/or sources of wisdom and authority to demo 	onstrate knowledge and understanding	
0 (0)	No creditworthy response		

Level	Levels of Response for A Level Religious Studies: Assessment Objective 2 (AO2)	Note: The descriptors below must be considered in the context of	
(Mark)	Analyse and evaluate aspects of, and approaches to, religion and belief, including their significance, influence and study	all elements of Assessment Objective 2 (AO2) and the indicative content in the mark scheme.	
6	An excellent demonstration of analysis and evaluation in response to the question:		
(21–24)			
,	confident and insightful critical analysis and detailed evaluation of the issue		
	views skillfully and clearly stated, coherently developed and justified		
	 answers the question set precisely throughout thorough, accurate and precise use of technical terms and vocabulary in context 		
	 extensive range of scholarly views, academic approaches and sources of wisdom and authority used to support analysis and evaluation 		
	Assessment of Extended Response: There is an excellent line of reasoning, well-developed and sustained, which is coherent, relevant and logically structured.		
5	A very good demonstration of analysis and evaluation in response to the question:	,	
(17–20)			
	successful and clear analysis and evaluation		
	views very well stated, coherently developed and justified		
	answers the question set competently		
	accurate and appropriate use of technical terms and subject vocabulary.		
	a very good range of scholarly views, academic approaches and sources of wisdom and authority used to support	rt analysis and evaluation	
	Assessment of Extended Response: There is a well–developed and sustained line of reasoning which is coherent, relevant and logically structured.		
4	A good demonstration of analysis and evaluation in response to the question:		
(13–16)			
	views well stated, with some development and justification		
	answers the question set well		
	mostly accurate and appropriate use of technical terms and subject vocabulary.		
	a good range of scholarly views, academic approaches and sources of wisdom and authority are used to support analysis and evaluation		
	Assessment of Extended Response: There is a well-developed line of reasoning which is clear, relevant and logically structured		
3	A satisfactory demonstration of analysis and/evaluation in response to the question:		
(9–12)	some successful argument		
	partially successful analysis and evaluation		
	views asserted but often not fully justified		
	mostly answers the set question		
	generally appropriate use of technical terms and subject vocabulary.		
	a satisfactory range of scholarly views, academic approaches and sources of wisdom and authority are used to support analysis and evaluation with only partial success		
	Assessment of Extended Response: There is a line of reasoning presented which is mostly relevant and which has some structure.		
2	A basic demonstration of analysis and evaluation in response to the question:		
(5–8)	some argument attempted, not always successful		
	little successful analysis and evaluation		
	views asserted but with little justification		
	only partially answers the question		
	some accurate, but limited, use of technical terms and appropriate subject vocabulary.		
	a limited range of scholarly views, academic approaches and sources of wisdom and authority to support analysis	s and evaluation with little success	

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	Assessment of Extended Response: There is a line of reasoning which has some relevance and which is presented with limited structure.	
1	A weak demonstration of analysis and evaluation in response to the question:	
(1–4)	very little argument attempted	
	very little successful analysis and evaluation	
	views asserted with very little justification	
	unsuccessful in answering the question	
	very little use of technical terms or subject vocabulary.	
	very little or no use of scholarly views, academic approaches and sources of wisdom and authority to support analysis and evaluation	
	Assessment of Extended Response: The information is communicated in a basic/unstructured way.	
0 (0)	No creditworthy response	



MARKING INSTRUCTIONS – FOR MARKING ON-SCREEN June 2023

H173, H573 AS and A Level Religious Studies

- **1.** Mark strictly to the mark scheme.
- **2.** Marks awarded must relate directly to the marking criteria.
- 3. The schedule of dates is very important. It is essential that you meet the RM Assessor 50% and 100% deadlines. If you experience problems, you must contact your Team Leader (Supervisor) without delay.
- 4. If you are in any doubt about applying the mark scheme, consult your Team Leader by telephone or the messaging system, or by email.
- **5.** Crossed Out, Rubric Error (Optional Questions) and Multiple Responses.

Crossed Out Responses

Where a candidate has crossed out a response and provided a clear alternative then the crossed out response is not marked. Where no alternative response has been provided, examiners may give candidates the benefit of the doubt and mark the crossed out response where legible.

Rubric Error Responses - Optional Questions

Where candidates have a choice of question across a whole paper or a whole section and have provided more answers than required, then all responses are marked and the highest mark allowable within the rubric is given. Enter a mark for each question answered into RM assessor, which will select the highest mark from those awarded (*The underlying assumption is that the candidate has penalised themselves by attempting more questions than necessary in the time allowed.*)

Longer Answer Questions (requiring a developed response)

Where candidates have provided two (or more) responses to a medium or high tariff question which only required a single (developed) response and not crossed out the first response, then only the first response should be marked. Examiners will need to apply professional judgement as to whether the second (or a subsequent) response is a 'new start' or simply a poorly expressed continuation of the first response.

6. Always check the additional pages (and additional objects if present) at the end of the response in

case any answers have been continued there. If the candidate has continued an answer there then add a tick to confirm that the work has been seen. The 'link page' check box should be used on RM Assessor to link candidate responses in additional objects to the corresponding question number.

- **a.** Where additional objects are present, all pages must contain an annotation, or RM Assessor will not allow you to submit the script.
- **b.** Where no response is given by a candidate on a whole page the 'BP' annotation **must** be applied.
- **c.** Where generic answer booklets are used, all pages must contain an annotation, or RM Assessor will not allow you to submit the script.
- **d.** Where structured answer booklets are used, the 'BP' annotation **must** be applied to all pages where no response is given by a candidate.
- **7.** Award No Response (NR) if:
 - there is nothing written in the answer space.

Award Zero '0' if:

 anything is written in the answer space and is not worthy of credit (this includes text and symbols).

Team Leaders must confirm the correct use of the NR button with their markers before live marking commences and should check this when reviewing scripts.

8. The **comments box** is used by your team leader to explain the marking of the practice responses. Please refer to these comments when checking your practice responses. **Do not use the comments box for any other reason.**

If you have any questions or comments for your team leader, use the phone, the messaging system, or e-mail.

- 9. Assistant Examiners will send a brief report on the performance of candidates to their Team Leader (Supervisor) via email by the end of the marking period. The report should contain notes on particular strengths displayed as well as common errors or weaknesses. Constructive criticism of the question paper/mark scheme is also appreciated.
- **10.** For answers marked by levels of response:
 - **a. To determine the level** start at the highest level and work down until you reach the level that matches the answer
 - **b.** To determine the mark within the level, consider the following:

Descriptor	Award mark
On the borderline of this level and the one below	At bottom of level
Just enough achievement on balance for this level	Above bottom and either below middle or at middle of level (depending on number of marks available)
Meets the criteria but with some slight inconsistency	Above middle and either below top of level or at middle of level (depending on number of marks available)

Consistently meets the criteria for this level	At top of level
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11. Annotations

Annotation	Meaning
Li	Level one – to be used at the end of each part of the response in the margin.
L2	Level two – to be used at the end of each part of the response in the margin.
L3	Level three – to be used at the end of each part of the response in the margin.
L4	Level four – to be used at the end of each part of the response in the margin.
L5	Level five – to be used at the end of each part of the response in the margin.
L6	(H573 only) Level six - to be used at the end of each part of the response in the margin.
3	Highlighting a section of the response that is irrelevant to the awarding of the mark.
SEEN	Point has been seen and noted, e.g. where part of an answer is at the end of the script.

SUBJECT-SPECIFIC MARKING INSTRUCTIONS

H173, H573 AS and A Level Religious Studies

Introduction

Your first task as an Examiner is to become thoroughly familiar with the material on which the examination depends. You should ensure that you have copies of these materials:

- the specification, especially the assessment objectives
- the question paper and its rubrics
- the mark scheme.

Please ask for help or guidance whenever you need it. Your first point of contact is your Team Leader.

Information and instructions for examiners

The practice scripts provide you with *examples* of the standard of each band. The marks awarded for these scripts will have been agreed by the Lead Marker and Team Leaders.

The specific task-related indicative content for each question will help you to understand how the band descriptors may be applied. However, this indicative content **does not** constitute the mark scheme: it is material that candidates **might** use, grouped according to each assessment objective tested by the question. It is hoped that candidates will respond to questions in a variety of ways. Rigid demands for 'what must be a good answer' would lead to a distorted assessment. Candidates' answers must be relevant to the question. Beware of prepared answers that do not show the candidate's thought and which have not been adapted to the thrust of the question. Beware also of answers where candidates attempt to reproduce interpretations and concepts that they have been taught but have only partially understood.

Using the Mark Scheme

Please study the Mark Scheme carefully. The Mark Scheme is an integral part of the process that begins with the setting of the question paper and ends with the awarding of grades. Question papers and Mark Schemes are developed in association with each other so that issues of differentiation and positive achievement can be addressed from the very start.

This Mark Scheme is a working document; it is not exhaustive; it does not provide 'correct' answers. The Mark Scheme can only provide 'best guesses' about how the question will work out, and it is subject to revision after we have looked at a wide range of scripts.

Please read carefully all the scripts in your allocation and make every effort to look positively for achievement throughout the ability range. Always be prepared to use the full range of marks.

The Mark Scheme contains a description of possible/content only; all legitimate answers and approaches must be credited appropriately. Learners are expected to make use of scholarly views, academic approaches and sources of wisdom and authority to support their argument.

The Levels of Response must be used in conjunction with the outlined indicative content.

Assessment Objectives

Two Assessment Objectives are being assessed in all questions:

AO1 (Demonstrate knowledge and understanding of religion and belief) and

AO2 (Analyse and evaluate aspects of, and approaches to, religion and belief, including their significance, influence and study).

Responses are credited for **AO1** for selection, detail and accuracy of the knowledge and understanding of religion and belief deployed.

Responses are credited for **AO2** for how well the response addresses the question, for candidates using their knowledge and understanding to draw, express and support conclusions in relation to the question posed. Candidates will be assessed on the quality of the conclusions and points they argue and the clarity and success of their argument.

Levels of Response

Questions in this paper are marked using a levels of response grid. When using this grid examiners must use a **best fit** approach. Where there are both strengths and weaknesses in a particular response or particularly imbalanced responses in terms of the assessment objectives, examiners must carefully consider which level is the best fit for the performance.

Note that candidates can achieve different levels in each assessment objective, for example a Level 3 for AO1, and a Level 2 for AO2.

Please note that the Assessment Objectives being assessed are listed at the top of the mark scheme. Where a candidate does not address all of the Assessment Objective strands listed, the candidate cannot achieve the top level of response.

Assessment of Extended Response

The GCE General Conditions of Recognition state that:

GCE 5.1 In designing and setting the assessments for a GCE qualification which it makes available, or proposes to make available, and awarding organization must ensure that, taken together, those assessments include questions or tasks which allow Learners to provide extended responses

As such, the quality of extended responses is assessed in all questions. While marks are not specifically given for this, descriptors for extended responses can be found in the AO2 Levels of Response *in italics*.

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