Politics and Law General Course Year 12

Selected Unit 3 syllabus content for the

Externally set task 2020

This document is an extract from the *Politics and Law General Course Year 12 syllabus*, featuring all of the content for Unit 3. The content that has been highlighted in the document is the content on which the Externally set task (EST) for 2020 will be based.

All students enrolled in the course are required to complete an EST. The EST is an assessment task which is set by the Authority and distributed to schools for administering to students. The EST will be administered in schools during Term 2, 2020 under standard test conditions. The EST will take 50 minutes.

The EST will be marked by teachers in each school using a marking key provided by the Authority. The EST is included in the assessment table in the syllabus as a separate assessment type with a weighting of 15% for the pair of units.

Unit 3 – Democracy and the rule of law

Unit description

This unit examines the principles of a liberal democracy; the legislative, executive and judicial structures and processes of Australia's political and legal system; the functioning of a non-democratic political and legal system; and a non-common law legal system.

Unit content

This unit includes the knowledge, understandings and skills described below.

Political and legal systems

At the completion of this unit, students should have an understanding of the principles of a liberal democracy, the rule of law, separation of powers doctrine, sovereignty of parliament, division of powers, representative government, responsible government, constitutionalism, federalism and judicial independence.

- operating principles of a liberal democracy:
  - equality of political rights
  - majority rule
  - political participation
  - political freedom
- development of the operating principles of a liberal democracy in Australia with comparison to one other modern liberal democracy
- roles of the legislative, executive and judicial branches of government
- the institutions in Australia that perform the legislative, executive and judicial functions of government
- structure and processes of the political and legal system in Australia, including federalism
- the extent to which the doctrine of separation of powers exists in Australia
- the operation of the rule of law in Western Australia or Australia
- key influences on the structure of the political and legal system in Australia:
  - the Westminster system of government
  - English common law
  - the American federal system
  - the Canadian federal system
  - the Swiss referendum process
- structures and processes of at least one non-democratic political and legal system, such as a military regime, a one party state or a theocracy
- the court hierarchy in Western Australia with reference to both criminal and civil law
- the process of civil and criminal trials in Western Australia
- the trial process in a non-common law legal system

Political and legal issues

The political and legal issues are best addressed in combination with the relevant political and legal systems content. This requires an examination of:

- State's rights within the Australian federal system

 and

- the rule of law in a non-democratic political and legal system.

Political and legal research skills

Research provides the opportunity to examine aspects of political and legal systems. The following skills will be developed in this unit.

Research and analysis

- identify, define, distinguish and analyse principles and terms

- describe, discuss and analyse the operation and key features of a political and legal system

- analyse statute law, common law, political decisions and legal decisions

- distinguish between fact and opinion, theory and practice and formal and informal processes

- form and justify conclusions

- predict intended or unintended consequences

Communication

- use political and legal formats, terminology and techniques to suit an audience

- utilise techniques to explore ideas and construct reasoned arguments

- use an appropriate method of referencing