



Government of **Western Australia**
School Curriculum and Standards Authority



POLITICS AND LAW

GENERAL COURSE

Marking key for the Externally set task

Sample 2016

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Politics and Law

Externally set task – marking key

1. Explain what is meant by the rule of law.

Description	Marks
Correctly identifies and explains three (3) elements associated with the rule of law OR explains two (2) elements in detail	3
Identifies two (2) elements associated with the rule of law OR explains one element	2
Identifies one (1) element associated with the rule of law OR makes a general statement about the rule of law	1
Total	3
Specific content:	
Elements associated with the rule of law could include: <ul style="list-style-type: none"> • Government is subject to the law • No individual or entity is above the law • Recognised legal procedures • A certain degree of governmental discretion is acceptable • Minimises arbitrary coercion • Maximises universal submission to equal laws. This list is not exhaustive. Reward any other appropriate response.	

2. Outline what is meant by majority rule and explain its place within a liberal democracy.

Description	Marks
Correctly outlines the meaning of majority rule Explains the place of majority rule within a liberal democracy using appropriate political and legal terminology	3
Outlines the meaning of majority rule OR identifies the place of majority rule within a liberal democracy	2
Makes a general statement about majority rule and/or the place of majority rule in a liberal democracy	1
Total	3
Specific content:	
Majority rule is the normal working principle of decision making in democracies. Its place within a liberal democracy could include: <ul style="list-style-type: none"> • the majority makes decisions that apply to all • the rights of the minority are not ignored. This list is not exhaustive. Reward any other appropriate response.	

3. Identify **two (2)** structures or processes that classify Australia as a liberal democracy and discuss each of these.

Description	Marks
Correctly identifies two (2) structures or processes Discusses each of the two (2) structures or processes identified and makes a link to Australia as a liberal democracy	5–6
Correctly identifies two (2) structures or processes Discusses each structure or process in a general way OR makes a general statement about one (1) element and makes some link to Australia as a liberal democracy	3–4
Identifies one (1) or two (2) structures and processes OR makes a general statement but correct statement about Australia as a liberal democracy	1–2
Total	6
Specific content:	
<p>Structures could include:</p> <ul style="list-style-type: none"> • constitutionalism • the executive • the legislature • the judiciary <p>This list is not exhaustive. Reward any other appropriate response.</p> <p>Processes could include:</p> <ul style="list-style-type: none"> • the parliamentary lawmaking process • the judicial process including appeals • a free and fair electoral process. <p>This list is not exhaustive. Reward any other appropriate response.</p>	

4. Identify a non-democratic political and legal system/country and discuss how the rule of law is weakened or undermined in that system/country.

Description	Marks
Identifies a non-democratic political and legal system/country, such as a military dictatorship, theocracy or a one party state Identifies at least two (2) ways that the rule of law is undermined Discusses how the rule of law is weakened or undermined in the system or country identified	7–8
Identifies a non-democratic political and legal system/country Identifies at least two (2) ways that the rule of law is undermined Provides a limited discussion on each way the rule of law is weakened or undermined in the system/country identified OR fully discusses at least one (1) way the rule of law is weakened or undermined and makes a general statement about the other element(s) identified	5–6
Identifies a non-democratic political and legal system/country Identifies one (1) or two (2) ways that the rule of law is undermined Makes general statements how the rule of law is weakened or undermined in the system/country	3–4
Makes a general statement about a non-democratic political and legal system/country and the rule of law	1–2
Total	8
Specific content:	
Ways the rule of law can be undermined in a non-democratic country could include: <ul style="list-style-type: none"> • a lack of independence of the judiciary • elections are compromised • executive control of the legislature • the actions of the police or the military. This list is not exhaustive. Reward any other appropriate response.	