**2016 Mock Exam**

**Question/Answer Booklet**

**Name:**

Year 12

POLITICS

Please place your student identification label in this box

### AND LAW ATAR

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| Student Number: In figures |  |  |  |  |  |  |  |  |  |  |

In words

#### Time allowed for this paper

Reading time before commencing work: ten minutes

Working time for paper: three hours

**Materials required/recommended for this paper**

To be provided by the supervisor

This Question/Answer Booklet

***To be provided by the candidate***

Standard items: pens, pencils, eraser, correction fluid, ruler, highlighters

Special items: nil

**Important note to candidates**

No other items may be taken into the examination room. It is your responsibility to ensure that you do not have any unauthorised notes or other items of a non-personal nature in the examination room. If you have any unauthorised material with you, hand it to the supervisor before reading any further.

**Structure of this paper**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Section | Number of questions available | Number of questions to be answered | Suggested working time  (minutes) | Marks available | Percentage of exam |
| Section One:  Short response | 4 | 3 | 45 | 30 | 30 |
| Section Two:  Source analysis | 2 | 1 | 35 | 20 | 20 |
| Section Three:  Essay | 4 | 2 | 100 | 50 | 50 |
|  | | | | | 100 |

**Instructions to candidates**

1. Answer the questions in the space provided.

2. You must be careful to confine your responses to the specific questions asked and to follow any instructions that are specific to a particular question.

3. Spare pages are included at the end of this booklet. They can be used for planning your responses and/or as additional space if required to continue an answer.

* + Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
  + Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number. Fill in the number of the question(s) that you are continuing to answer at the top of the page.

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**Section One: Short response 30% (30 Marks)**

This section has **four (4)** questions. You must answer **three (3)** questions.

Spare pages are included at the end of this booklet. They can be used for planning your responses and/or as additional space if required to continue an answer.

* + Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
  + Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number. Fill in the number of the question(s) that you are continuing to answer at the top of the page.

Suggested working time for this section is 45 minutes.

**Question 1 (10 marks)**

(a) Identify **one (1)** institution given judicial power under the Commonwealth Constitution (Australia) and briefly explain **one (1)** power it has been given. (2 marks)

(b) Outline **three (3)** powers of the legislative arm of government in one non-Westminster political and legal system. (3 marks)

(c) Discuss **two (2)** impacts of a contemporary issue relating to political power at the federal level in Australia. (5 marks)

**Question 2 (10 marks)**

1. Explain the meaning of the term ‘constitutional referendum’ in terms of Australian

politics. (2 marks)

1. Outline **three** **(3)** reasons for the failure of constitutional referendums in Australia.

(3 marks)

1. Discuss **two (2)** arguments for a proposed (future) change to the Commonwealth Constitution (Australia). (5 marks)

**Question 3 (10 marks)**

(a)Brieflyexplain the role of the ‘Commonwealth Auditor General’ and identify who they report to. (2 marks)

(b) Distinguish between **two (2)** breaches of individual ministerial responsibility seen in Australia in the last 20 years which resulted in Ministers leaving Cabinet. (3 marks)

(c) Discuss **two** **(2)** ways that courts are held accountable in Australia. (5 marks)

**Question 4 (10 marks)**

1. Briefly explain the term ‘political representation’. (2 marks)

(b) Compare a ‘statutory right’ and ‘a charter of rights’ as means of protecting human rights in Australia. (3 marks)

(c) Discuss **two (2)** international covenants**,** protocols or treaties which relate to Australia’s international human rights protection. (5 marks)

**End of section 1**

**Section Two: Source analysis 20% (20 Marks)**

This section has **two (2)** questions. You must answer **one (1)** question. Write your answers in the space provided.

Spare pages are included at the end of this booklet. They can be used for planning your responses and/or as additional space if required to continue an answer.

* + Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
  + Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number. Fill in the number of the question(s) that you are continuing to answer at the top of the page.

Suggested working time for this section is 35 minutes.

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Read **Source 1** and answer all parts of the question that follows.

# Source 1

# Unit 3: Mandates

The Parliamentary Library produced a research paper on mandates in 1999, following the debate sparked by the introduction of, and debate surrounding, the Goods and Services Tax. It says: "Mandate doctrine derives from the politics of responsible government on a democratic basis. It does not derive from constitutional, legal or parliamentary prescription. Moreover, a mandate is not a substitute for prescribed constitutional, legal or parliamentary procedures, though it may influence the workings of such procedures."

Mandates, therefore, are not enforceable legal concepts. They are political whacking sticks, used to advantage one political position over another.

"It is a doctrine which seeks to reinforce the legal basis on which election winners take the reins of government with a claim to legitimacy in so doing; the winners take office as agents of popular will as well as in their own right," the research paper says.

The fact that there are many ‘competing’ mandates claimed by many different sides of politics in the parliament complicates the matter and often leads to claims that ‘our mandate, or my mandate is bigger than or better than yours’. These claims reflect the postulatory nature of mandates.

**Question 5 (20 marks)**

1. Explain what is meant by the phrase ‘responsible government’. (2 marks)

(b) With reference to the source, identify and explain **two** **(2)** reasons why mandates are theoretical in nature and not a formal part of the political system in Australia. (4 marks)

(c) Discuss the validity of **two (2)** competing mandates found in the Australian political system. (6 marks)

1. Evaluate the strength of mandates held by **two** **(2)** Australian Prime Ministers or Governments. (8 marks)

Read **Source 2** and answer all parts of the question that follows.

**Source 2**

**Unit 4:** The Office of the Governor-General

One of the lessons of the Hollingworth Affair is that the Office of the Governor-General cannot be realistically held by anyone who does not hold the confidence of the Australian people.

Gone are the days when Governors-General were purely considered as just a representative of the Monarch. Many Australian’s see the Governor-General as our Head of State in practice. The position receives a great deal of media scrutiny and national attention and as such can be argued to be somewhat accountable to the people of the nation.

A Governor-General cannot survive in office in the face of negative public opinion for long. Despite arguments by some to the contrary they are accountable to public opinion. In his farewell address Hollingworth stated that the controversy and public unease surrounding his occupancy of the position made it difficult for him to serve the community. The Governor-General’s role as a ceremonial figure who unites the community and acts as a patron for many charities and community organizations does not require them to be popular, but it does require them to be uncontroversial.

Furthermore a Governor-General, appointed by the Queen on the advice of the Australian Prime Minister, cannot survive in office for long in the face of public displeasure as this will ultimately rub off on the Prime Minister. A Prime Minister, faced with public displeasure in one of their choices for such an important role will ultimately be forced to urge the Governor-General to resign.

Whereas a Prime Minister may be able to ride out the storm of public displeasure and media scrutiny in a single valuable minister, deemed to have been irresponsible by hiding them in the Ministry, no such luxury is afforded to a Governor-General. As holders of such high, and solitary office, they stand alone in the face of public opinion.

**Question 6 20 marks**

(a) Explain what is meant by the term ‘the Office of the Governor-General’. (2 marks)

1. With reference to the source, identify and explain **two (2)** reasons why a Governor-General can be said to be “accountable to public opinion”. (4 marks)

1. Discuss **two (2)** powers ofthe Governor-General set out in the Commonwealth Constitution (Australia). (6 marks)

1. Evaluate the extent to which the Governor-General was accountable in ‘the 1975 crisis’.

(8 marks)

**End of Section 2**

**Section Three: Essay 50% (50 Marks)**

This section has **four (4)** questions. Answer one (1) question from Part A: Unit 3 and answer

one (1) question from Part B: Unit 4. Write your answers in the spaces provided following

Question 10.

Suggested working time for this section is 100 minutes.

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Part A: Unit 3

Answer **one (1)** question from a choice of **two (2).**

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**Question 7 (25 marks)**

“The financial powers of the Commonwealth, not the High Court, is the main reason behind the changing balance of power in our federation.”

**Evaluate the validity of this claim.**

**or**

**Question 8 (25 marks)**

“Individuals, political parties and pressure groups can only influence the lawmaking process in parliament and the courts to a limited extent.”

**Evaluate the validity of this claim.**

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Part A: Unit 4

Answer **one (1)** question from a choice of **two (2).**

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**Question 9 (25 marks)**

Assess the extent to which elections, committees and other processes hold the Commonwealth Parliament accountable.

**or**

**Question 10 (25 marks)**

Assess the extent to which a particular group’s political and legal rights have changed over time in Australia.

**End of questions**

**Additional working space**

**Additional working space**

**Additional working space**

**Additional working space**

**ACKNOWLEDGEMENTS**

Source1:

Was created for the purposes of this exam.

Source 2:

Was created for the purposes of this exam.