



B O A R D O F S T U D I E S
NEW SOUTH WALES

HIGHER SCHOOL CERTIFICATE EXAMINATION

2000

LEGAL STUDIES

3 UNIT (ADDITIONAL)

*Time allowed—One hour and a half
(Plus 5 minutes reading time)*

DIRECTIONS TO CANDIDATES

- Attempt TWO questions, each from a different section.
- Each question is worth 25 marks.
- Answer each question in a SEPARATE Writing Booklet.
- You may ask for extra Writing Booklets if you need them.

SECTION I
CHALLENGE: GLOBAL ENVIRONMENTAL PROTECTION

EITHER

QUESTION 1 (25 marks)

The nature and scope of environmental issues are extensive, and the measures to address them are many and varied. Of all the suggestions to address environmental problems, sustainable development has emerged as a central idea.

From an article by Nicholas Brunton. Printed in *Alternative Law Journal*, vol 24 no 3, 1999, p 137. Reproduced with permission

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

What are the problems associated with finding one internationally acceptable definition of the term *sustainable development*?

Evaluate the effectiveness of national and international frameworks for, and specific methods of, promoting environmental protection.

OR

QUESTION 2 (25 marks)

Treaties that require Australia to achieve standards of environmental protection that are the same as the standards of other nations will impose an unfair burden on this country.

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

What barriers to effective global environmental protection are posed by political and geographical boundaries?

Evaluate the effectiveness of national and international approaches to global environmental protection in balancing the interests of sovereign nations and the world community.

SECTION II
CHALLENGE: TECHNOLOGICAL CHANGE

EITHER

QUESTION 3 (25 marks)

Technology is a good servant but a bad master. The speed and diversity of technological change must be matched by ongoing community concern, and legal oversight of technological changes, to monitor the risks to humans and institutions. Technological change should not become an end in itself.

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

Discuss the extent to which private rights and public interests in technology are linked.

Evaluate the effectiveness of national and international law in responding to the speed and diversity of technological change.

OR

QUESTION 4 (25 marks)

Technological change may pose a fundamental threat to the traditional sovereignty of nations. To date, the responses of nations to technological change have been slow, partial, and lack coherence.

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

Discuss the meaning of the terms *technology* and *technological change*, and explain how they are relevant to the concept of the global village.

Evaluate the effectiveness of national and international frameworks, and specific global initiatives, in responding to the impact of technological change.

SECTION III
CHALLENGE: WORLD ORDER

EITHER

QUESTION 5 (25 marks)

At this time, a stable world order is under considerable threat in many places around the world. The reformulation of political boundaries and the struggle to establish democracies have left many people vulnerable, and have heightened the need for those of us concerned about the future to pay close attention to these developments.

Editorial, Human Rights Defender, Sept 1999, p 1

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

Discuss the meaning of the term *world order*, and the changing perceptions of this concept.

Evaluate the effectiveness of national and international policies and laws in responding to the global challenges to world order.

OR

QUESTION 6 (25 marks)

Recent events in East Timor demonstrate the need for a strong global police force, which could prevent military conflicts, disruption to trade, increased crime, and, hence the displacement of populations affected by such events.

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

What are the legal and non-legal frameworks and processes available to promote and achieve world order?

Evaluate the effectiveness of national and international responses to crises in world order.

SECTION IV
CHALLENGE: INDIGENOUS PEOPLES

EITHER

QUESTION 7 (25 marks)

Self-identity requires much more than the legal recognition of minority language rights or permission to enjoy folk-dancing and traditional songs. It is an important aspect of the rights of indigenous peoples.

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

Discuss the meaning of the term *self-identity*, and the ways in which indigenous peoples identify themselves, and are identified by others.

Evaluate the effectiveness of national and international law in responding to the needs and interests of indigenous peoples.

OR

QUESTION 8 (25 marks)

Dominant cultures do not address the needs of indigenous peoples. An Aboriginal woman said about the education system: ‘You have to fit into the system. When Aboriginal people do not do well we blame them. But nobody looks at the system and says, “well, maybe we have to change the system.”’

HREOC, Bush Talks, March 1999, p 12

Clearly identify, at the beginning of your answer, the TWO depth studies you will discuss.

Refer to the above statement, provide relevant information from the CORE, and use examples drawn from the TWO depth studies you have identified, to answer the following questions.

How useful are the frameworks and specific mechanisms for indigenous peoples in achieving change?

Evaluate the effectiveness of national and international law in responding to the issues that concern indigenous peoples.

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