

DAPTO HIGH SCHOOL

YEAR 11 LEGAL STUDIES TOPIC TEST

NAME: _____

TOTAL: _____

57

SECTION 1 – BASIC LEGAL NOTIONS

Part A: Choose the **best** alternative and circle your choice clearly. (1 mark each)

1. Why do people have different perceptions of the law?
 - (A) They do not understand the legal system
 - (B) They have different backgrounds and experiences of the legal system
 - (C) Different laws apply to different people
 - (D) People are reluctant to form opinions about the law and law making

2. What is anarchy?
 - (A) Having no laws
 - (B) Chaos
 - (C) Rebellion against the government
 - (D) Violence and destruction of property

3. How are customs enforced?
 - (A) Using social pressure
 - (B) Using penalties
 - (C) Using sanctions such as imprisonment
 - (D) By requiring victims to be compensated

4. A police officer books one speeding motorist but does not book the next speeding motorist because the driver is an attractive female. Why is this unjust?
 - (A) The police officer has not treated all speeding motorists equally
 - (B) The police officer is not doing what he is paid to do
 - (C) Speeding should not be criminal offence
 - (D) Studies show that women are safer drivers than men

5. What are ethics?
 - (A) The importance that we place upon things
 - (B) A combination of equality and fairness
 - (C) Principles that help us to decide what is the right and wrong way to behave
 - (D) The different perceptions of the law held by different people.

6. Customs:
 - (A) Regulate imports and exports
 - (B) Are the way things are always done
 - (C) Are usual ways of doing things
 - (D) Rely on fixed rules to work

- 7. Rules:**
- (A) Leave people free to regulate their own lives
 - (B) Prohibit certain actions as unacceptable
 - (C) Are not enforceable
 - (D) Regulate behaviour and are usually written
- 8. Rules can be classified as:**
- (A) Customary and anarchic
 - (B) Legal and customary
 - (C) Non-legal and anarchic
 - (D) Legal and non-legal
- 9. Laws are:**
- (A) Customs endorsed over time by a community
 - (B) Customary rules accepted by a community
 - (C) Rules made by a sovereign State
 - (D) Customs created by delegated legislation
- 10. Laws are made by:**
- (A) People in communities
 - (B) Parliaments, courts and delegated legislation
 - (C) Governments implementing their party platforms
 - (D) Lawyers deciding on common rules to apply
- 11. Laws regulate society by:**
- (A) Creating rights and duties
 - (B) Providing guidelines for behaviour
 - (C) Creating an illusion of freedom
 - (D) Establishing police forces
- 12. The advantages of laws for the individual include:**
- (A) They create equality
 - (B) They offer protection
 - (C) Trained layers apply them
 - (D) They prevent anarchy
- 13. The disadvantages of laws for the individual include:**
- (A) Loss of freedom and choice
 - (B) Overregulation and cost
 - (C) Not everyone is protected
 - (D) They create inequalities
- 14. Fairness means:**
- (A) Unbiased, honest and according to the rules
 - (B) Treating everyone exactly the same
 - (C) Letting people make their own decisions
 - (D) Binding court decisions on disputes

- 15. Equality:**
- (A) Is an unachievable characteristic of justice
 - (B) Is a set of rules guaranteeing fair treatment
 - (C) Is the application of strict rules to all cases
 - (D) Means equal treatment and equal access
- 16. Inequality before the law:**
- (A) Is a consequence of overregulation
 - (B) Derives from social disadvantage
 - (C) Is irreversible in society
 - (D) Is the goal of social justice
- 17. Justice includes:**
- (A) Fairness, equality, rules and liberty
 - (B) Customs, rules, laws and anarchy
 - (C) Legislation, judgements and delegated legislation
 - (D) Customs, rules and freedom
- 18. There is no law about who should mow the lawn as your home because such a decision:**
- (A) Cannot be enforced
 - (B) Does not involve rights and duties
 - (C) Does not reflect values
 - (D) Is not sufficient public interest
- 19. A difference between a law and a rule is:**
- (A) Rules are not binding on the whole community
 - (B) Rules cannot be enforced
 - (C) Rules do not involve rights and duties
 - (D) Rules have nothing to do with ethics
- 20. Laws about paying people extra money to work on Sundays reflect:**
- (A) Bioethical considerations
 - (B) The dominant Christian culture in Australia
 - (C) Moral values
 - (D) Economic values
- 21. The laws of a society can only be just if:**
- (A) They reflect the values of the society
 - (B) The society has just values and the legal system reflects these
 - (C) They establish patterns of conduct most people would not follow anyway
 - (D) They can be enforced

Part B: Write the answers in the spaces provided.

1. Why is law necessary in our society? (2 marks)

2. Briefly explain four (4) different characteristics of the law. (4 marks)

3. Give four (4) different reasons why people obey the law. (4 marks)

4. Explain what is meant by the notion of a 'social contract'. (2 marks)

5. Explain the quote 'good laws are acceptable, enforceable and discoverable'. (3 marks)

Part C: Use the words to complete the passage of information

Word Bank: anarchy; equal; regulated; laws; just; fairly; rights; enforceable; rules

Society is _____ by laws. Laws create _____, impose duties, provide _____ for people to follow, and define criminal behaviour. _____ are made up by courts or parliaments. Legal rules are different from other rules because they are _____. Without laws, society might collapse into _____. In regulating society, laws have to be _____. Justice is achieved by treating people _____. To achieve fairness, the law applies the principle that all people are _____ before the law.

SECTION 2 – SOURCES OF LAW-ABORIGINAL AND TORRES STRAIT ISLANDER LAW

Choose the **best** alternative and circle your choice clearly. (1 mark each)

1. Dreaming describes:
 - (A) The period before the English arrived
 - (B) The night-time stories and dances
 - (C) The belief in life after death
 - (D) The Law established by the Spirit Ancestors

2. Aboriginal and Torres Strait Islander customary laws:
 - (A) Were exactly the same in Tasmania
 - (B) Came from the one law-maker 40 000 years ago
 - (C) Varied according to language group and location
 - (D) Had no common features

3. Traditional methods of settling disputed included:
 - (A) Conciliation and mediation
 - (B) Adversary proceedings
 - (C) Trials by ordeal
 - (D) Magic ceremonies

4. The oral tradition of customary laws means they were:
 - (A) Written
 - (B) Unwritten
 - (C) Partly written
 - (D) Painted

5. Kinship defined:
 - (A) The relationships of family members
 - (B) The relationships of clan members
 - (C) The basic roles of the family
 - (D) Leadership roles and property ownership

6. *Terra Nullius* means:
 - (A) Aboriginal sacred land
 - (B) Land belonging to no one
 - (C) Native title land
 - (D) Conquered land

7. Enforcement of customary laws was done mainly by the:
 - (A) Elders
 - (B) Language group
 - (C) Family
 - (D) Parents

8. Customary punishments included:
 - (A) Jailing and torture
 - (B) Whipping and chain gangs
 - (C) Payment of fines and damages
 - (D) Hitting, persuasion and banishment

9. The spiritual relationship of Aboriginal peoples and Torres Strait Islanders to their land and sea was that:
 - (A) The people were custodians of the land/sea for the Spirits
 - (B) The clan held the land/sea in trust for the people
 - (C) There was private ownership with spiritual approval
 - (D) The land/sea was the only source of food

- 10.** Sacred sites are places which:
- (A) Have historical significance
 - (B) Only Aboriginal peoples and Torres Strait Islanders know
 - (C) Have deep spiritual connections
 - (D) Were only for women's business
- 11.** Private ownership of land was permitted:
- (A) Always
 - (B) never
 - (C) sometimes
 - (D) usually
- 12.** Aboriginal and Torres Strait Islander customary laws prior to 1788:
- (A) Organised social relationships and religious practices
 - (B) Were unenforceable because there were no police forces
 - (C) Provided social order in NSW, but not in other states
 - (D) Were divided along very similar lines to English law