



2014 HIGHER SCHOOL CERTIFICATE EXAMINATION

Examination

legal studies

Instructions

- Write the question number you are answering in this box. → 316
- Write the number of this booklet and the total number of booklets that you have used for this question (eg: 1 of 3). ⇒ 1 of 2
this booklet number of booklets for this question
- Write your Centre Number and Student Number at the top of this page.
- Write in black or blue pen (black is recommended).
- You may ask for an extra writing booklet if you need more space.
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The concept of world order is needed to maintain a peaceful, global community whilst still protecting individual human rights and a nation state's right of sovereignty. To achieve world order, certain legal and non-legal measures need to exist in accordance with societal values and expectations. The need for change usually occurs after some form of conflict that results from a lack of alternative means to resolve international disputes. The effect of legal instruments in dealing with such conflict can vary depending on the country's compliance with international treaties and agreements.

International conflicts are usually over geographical border lines and the culture or religion within them. 70% of the world's land borders were created by European expansionism and many tribes or nationalities were then divided. The borders weren't negotiated between

nation states, causing different ethnic groups to be split up and merged into others. This is still causing dispute today in various countries including Palestine, Cambodia, Thailand and Tibet. This shows the need for world order to protect the lives of civilians and soldiers by limiting conflict. Suppression of terrorism e.g. Iraq, Afghanistan.

The forms of conflict that disrupt world order include conventional warfare, guerilla warfare and nuclear warfare. Conventional warfare is the large, modern form of war that involves expensive equipment, weapons and army units dressed in uniform. This type of warfare was employed throughout history such as in WW1 and WW2 and still exists today through America's involvement in Iraq. Guerilla warfare tactics were used by the Vietnamese against the French and also the Americans by

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Small groups making stealthy attacks, often using everyday implements as weapons. Nuclear warfare involves overly destructive nuclear weapons that are able to travel long distances. This form of ~~war~~ conflict was used in Hiroshima and Nagasaki by the Americans. War tactics needed to have some sort of enforceable restriction and there are international treaties and organizations that now attempt to do this, although North Korea and Iran are both suspected of developing nuclear weapons at this time.

However, the essential need for world order wasn't effectively realized until after the 2nd world war. Although there had been historical attempts at attaining peace through the Hague peace conference in 1899 and 1907 and the pact of Paris in 1928; the world wars



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made it boldly apparent that further attempts were necessary.

In 1945 the most effective solution to date was established through the United Nations. The UN is made up of the general assembly consisting 191 member states and the security council that has 5 permanent members and 10 rotating members. The 5 permanent members are USA, Russia, China, Britain and France that all have the power to veto discussions. The UN charter states that "all members shall settle their international disputes by peaceful means." It also sets out to limit members from using force or threat of force when heading conflict. Australia was a founding member of the UN and shows their active involvement through their peace-keeping efforts and financial contributions.

The UN has seen successful peacekeeping through their efforts in Eritrea and

East Timor. Australia contributed to the success in East Timor by providing peace keeping troops as well as 25 other countries including Cyprus and the Solomon Island. The UN gathers to propose treaties and international agreements that promote and endeavour to protect human rights and limit conflict. To be enforceable, domestic law must be applied that reflects those treaties e.g. the child care and protection act reflects the UN's declaration on the rights of the child. After many civil wars and the blood shed in WW2 many people wanted to believe in a more peaceful international society nuclear war especially was of deep concern to the need for world order. After the cold war many member nations of the UN ratified the nuclear non-proliferation treaty. This was to stop excessive damage being done by nuclear weapons in the future.

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In conclusion, through the use of legal and non-legal measures in encouraging cooperation between nation states to achieve world order - the United Nation was formed and has been the most successful entity to date in achieving world order and has proven it's effectiveness through many forms of action.

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