Legal Studies Assessment Support Material

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| **Unit standard** | 27851 | | | | |
| **Title** | Explain systems for the formation of central government in a New Zealand context | | | | |
| **Level** | 2 | **Credits** | 4 | **Version** | 3 |

Assessor Guidelines

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| **Notes** The following guidelines are supplied to enable assessors to carry out valid and consistent assessment using this internal assessment resource.  Assessors must manage authenticity for any assessment from a public source, because ākonga/learners may have access to the assessment schedule or ākonga/learner exemplar material. Use of this assessment resource without modification may mean that ākonga/learners' work is not authentic. The assessor will need to change figures, measurements or data sources or set a different context or topic.  While this ASM lends itself to written assessments, there are other activities and approaches that could be taken. Consider the benefits of using different assessment approaches.  See [Gathering evidence of learner achievement](https://www2.nzqa.govt.nz/tertiary/assessment-and-moderation-of-standards/assessment/resources/gathering-evidence-of-learner-achievement/) and [Online Assessor Support](https://www2.nzqa.govt.nz/ncea/ncea-for-teachers-and-schools/assessor-support/catalogue/online-workshops-courses-and-modules/)  Assessors should use innovative, valid and fair ways of recognising achievement, without overburdening themselves or the ākonga/learner with too much assessment. |

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# **Context/Setting**

In this activity, ākonga/learners will explain systems for the formation of central government in New Zealand. The explanation must contain the following key elements: the electoral process; subsequent formation of a government; parliamentary system; constitutional framework.

Supporting detail includes but is not limited to – background, relevant names, dates, identifying differing viewpoints.

The systems of government for this task are NZ’s current MMP system and the previous FFP system that NZ used for general elections. Ākonga/learners are required to describe, with reference to past elections, MMP and FPP voting systems and describe the impact of these different systems on democracy in New Zealand.

# **Award of Grades**

* For award with ***Achieved***, systems for the formation of central government are explained, with supporting detail, in terms of their key element(s). Key elements include – key elements include – electoral process; subsequent formation of a government; parliamentary system; constitutional framework. Supporting details include – background, relevant names, dates, identifying differing viewpoints.
* For award with ***Merit***, the explanation of two systems for the formation of central government is demonstrated by selecting actual example(s) and applying relevant supporting detail that may include but is not limited to any one of:
* case studies;
* statistics;
* news media reports;
* clearly explaining differing viewpoints.
* For award with ***Excellence***, the fully developed explanation of two systems for the formation of central government is demonstrated by:
* discussing differing viewpoints by referring to one actual example of each system;
* selecting and applying a range of relevant supporting detail;
* communicating clear conclusions.

# **Conditions of Assessment**

Assessors will set the conditions of assessment as appropriate.

# **Assessment activity**

This assessment activity has three tasks.

**Task One**

1. Explain, with reference to the 1993 election, the First Past the Post (FPP) voting system as used in New Zealand, and with reference to any subsequent election that uses the Mixed Member Proportional (MMP) voting system as used in New Zealand.
2. Explain the two different systems, with supporting material, in relation to their key elements.

**Task Two**

1. Explain, with reference to the 1993 election, the First Past the Post (FPP) election and subsequent formation of government, including relevant supporting detail: the impact of the different approaches to formation of government on democracy in New Zealand; and describing a strength and weakness for each approach to the formation of government; and describing different viewpoints.
2. Explain, with reference to any subsequent election, the Mixed Member Proportional (MMP) election and subsequent formation of government, including relevant supporting detail: the impact of the different approaches to formation of government on democracy in New Zealand; and describing a strength and weakness for each approach to the formation of government; and describing different viewpoints.

**Task Three**

Using the 1993 election and any subsequent election as an actual example, discuss how the FPP and MMP voting systems and subsequent systems of government and its operation were influenced by its formation.

# **Resource requirements**

[New Zealand Parliament](https://www.parliament.nz/en)

[Vote NZ](https://vote.nz/)

# **Additional information**

Teaching and learning guidelines that inform legal studies as it is taught in New Zealand can be found at <https://seniorsecondary.tki.org.nz/Social-sciences/Legal-studies>

# **Assessment Schedule**

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# **Assessment Criteria**

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| **Achievement** | **Achievement with Merit** | **Achievement with Excellence** |
| Two systems of central government and the process for their formation are explained, with supporting detail, in terms of one or more key element(s). Range MMP and one other system, key elements include:   * electoral process; * subsequent formation of a government; * parliamentary system; * constitutional framework; * supporting detail includes background, relevant names, dates, identifying differing viewpoints. | The explanation of two systems for the formation of central government is demonstrated by selecting actual example(s) and applying relevant supporting detail that may include but is not limited to any one of:   * case studies; * statistics; * news media reports; * clearly explaining differing viewpoints. | The fully developed explanation of two systems for the formation of central government is demonstrated by:   * discussing differing viewpoints by referring to one actual example of each system; * selecting and applying a range of relevant supporting detail; * communicating clear conclusions. |

| **Task** | **Achievement** | **Achievement with Merit** | **Achievement with Excellence** |
| --- | --- | --- | --- |
| **ONE**  **Outcome 1**  **PC 1.1** | A **part** answer could read:  *In the 1993 election, NZ used the First Past the Post (FPP) system where in each* *electorate the candidate with the most votes is elected and* *the party with the most electorate seats can form the government.*  *From 1996 onwards NZ has used the MMP system. Under MMP there are two votes: one for party lists and one for electorate candidates. A government is formed by a party, or parties (in a coalition), with most successful (seats won) candidates.*  **Note –** this sample answer only explains the electoral process**.** A full answer would need to cover the subsequent formation of a government, parliamentary system. | A **part** answer could read:  *In the last national election using FPP in 1993, the result was a victory for the National Party with 50 seats. Labour had 45 seats and NZ First and the Alliance 2 seats each National formed a majority government.*  *Answer relates to 1996 election. The assessor can choose any subsequent MMP election.*  *Negotiations in 1996, the first under MMP, took place over more than a month, with NZ First finally choosing to support National. But the coalition collapsed in 1998.*  *With the FPP system, smaller parties were winning a good proportion of the popular vote but little representation in Parliament (for example, Social Credit gained over 15% in 1978 but got only 1 electorate seat).*  *Women, Māori and other ethnic groups had low representation because of the electorate-based system of selecting candidates.*  *One impact from MMP is that more parties, more women and a wider spread of ethnic groups are represented in Parliament.*  *One weakness is that the party list is chosen by the party and not voted on by the electorate.*  **Note –** this sample answer only explains one impact and one weakness of MMP**.** A full answer would need to cover the impact, and strengths and weaknesses, of both MMP and FFP. | A **part** answer could read:  *FPP was seen as increasingly undemocratic in NZ. Governments were formed with less than a majority of the popular vote. Smaller parties were left out of Parliament even though they were popular.*  *MMP has a fairer reflection of the popular votes and the party lists have led to wider representation.*  *MMP did mean a change to minority governments becoming the norm. The major parties could not win a majority of seats on their own account.*  *Answer relates to 1996 election. The assessor can choose any subsequent MMP election.*  *In the 1996 election National and Labour held only 81 of the 120 seats between them and the minor parties with the rest, to be negotiated with.*  *Under FPP there were many wasted votes in losing electorates and for minor parties not getting seats proportional to their popular votes.*  *Minor parties can have a big influence at election time, and also during the parliamentary term, on an issue by issue basis, particularly outside confidence and supply, and support agreements with other parties.*  *In 1993 National formed a majority government with the most seats in parliament and were able to go ahead with their policies.*  *But in 1996, after lengthy negotiations following the first MMP election, National formed a coalition government with NZ First.*  *Specific example:*  *In the first MMP election in 1996, NZ First gained 17 seats, holding the balance of power in Parliament. In 1993, in the last FPP election, NZ First gained two seats only.*  *Following the 1996 election, Winston Peters, the NZ First leader, was able to negotiate some significant steps with National, including the positions of Deputy Prime Minister and Treasurer (a new position senior to the Minister of Finance) for Mr Peters himself.*  *NZ First held negotiations with both National and Labour over several weeks after the 1996 election. The coalition with National lasted until 1998 when Winston Peters was sacked by Jenny Shipley, who had replaced Jim Bolger as the National leader and Prime Minister. NZ First then withdrew from the coalition and went into opposition.*  *It was clear that MMP provided more opportunities for small parties to influence events in Parliament then was possible under the FPP system.*  Note – for authenticity a different example would need to be used. |

Final grades will be decided using professional judgement based on a holistic examination of the evidence provided against the criteria in the unit standard.