

Unit 1 Government and democracy

Democracy in Australia

Australia is a democracy. In a democracy, each citizen has an equal right to influence the political decisions that affect their society. This means that each person may express their opinions to help decide how the society is governed. In a nation of over 24 million people, making sure everyone is heard can be quite tricky. For this reason, Australia has a voting system that allows us to elect politicians or political parties to represent us at local, state and national levels. This system of government, as well as our freedoms and responsibilities as citizens, is what defines democracy in Australia.



Source 1 Australia has a representative democracy in which people vote for a political party or politician that best reflects their opinions on most political issues.

24A

How is Australia's system of democratic government shaped by the constitution?

- 1 What do you think is the role of the Australian Parliament?
- 2 Why do you think it is important for people to vote on really important decisions that affect the whole nation?

24B

What are the freedoms and responsibilities of citizens in Australia's democracy?

- 1 Why do you think it is important to be able to express your political opinion?
- 2 What are some of the ways in which people can express their opinion?

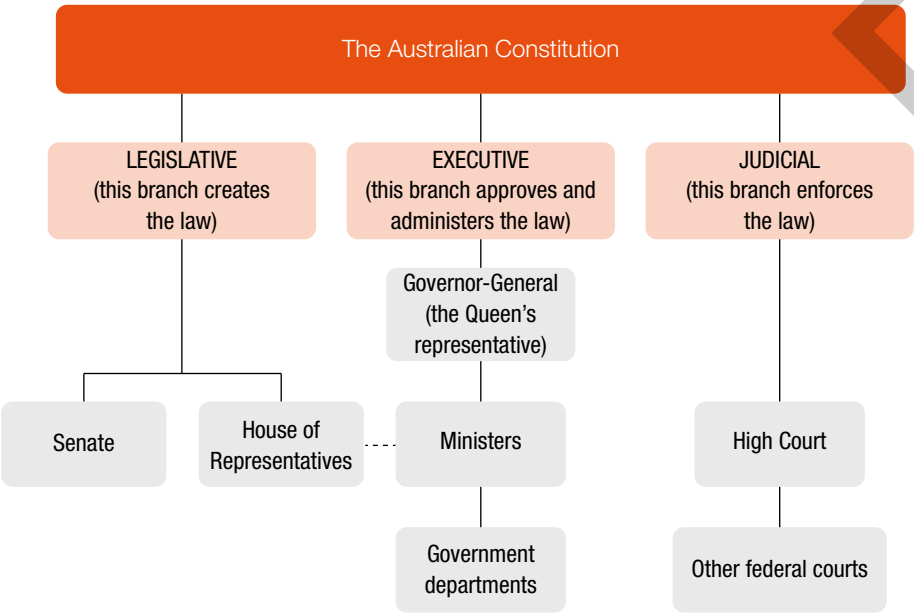
24.1 Australia's constitution

The Australian Constitution is a written document that sets out the rules that govern our nation. It came into effect on 1 January 1901, when six British **colonies** federated, or united, to form one country. The constitution established the democratic government of the **Commonwealth** of Australia, defined its structure, powers and procedures, and defined the rights and duties of the states in relation to the **federal** government.

The Australian Constitution is divided into eight chapters and 128 sections. It is considered by many as the 'birth certificate' of the nation.

The separation of powers

The first three chapters of the Australian Constitution define the separate roles of three main branches of government. They are the **legislature**, the **executive** and the **judiciary**. These three powers of government are independent of each other. This means that one cannot influence the other.



Source 1 The separation of power at a federal level is set out in the constitution.

Legislature

The legislature is responsible for creating the law. The legislature is made up of the two houses of parliament —the Senate (the upper house) and the House of Representatives (the lower house). Both the Senate and the House of Representatives are responsible for debating and passing new laws.

The lower house

The House of Representatives is made up of 150 members of parliament (MPs), each representing one of Australia's federal electorates. The role of the lower house is to represent the views of Australian citizens and to make and scrutinise laws based on these views. A majority of proposed laws, called **Bills**, are introduced into parliament by the House of Representatives.

The upper house

The Senate is made up of 76 senators who represent the states and territories. It shares the role of making laws with the House of Representatives and reviews laws before they are made. The Senate can reject laws proposed by the lower house but it can also approve a Bill, with or without changes.



Source 2 Parliament House is located in Canberra. It is home to both the House of Representatives, known as the lower house, and the Senate, known as the upper house.

Executive

The executive is responsible for approving laws and putting them into action. It is made up of the prime minister, ministers and the Governor-General who is the Queen's representative in Australia.

The prime minister chooses the ministers who are commissioned by the Governor-General to be part of the executive and implement that law. For example, the prime minister will select an MP to be the Minister for Education. This minister will be responsible for all matters relating to the education system and will be in charge of the Department of Education.

Judiciary

The role of the judiciary system is to make rulings or judgments about the law. It is made up of the High Court and other federal courts. These courts interpret and apply the laws passed by parliament to specific cases and disputes.

In Australia there are four main federal courts where laws can be enforced. They are the:

- High Court of Australia (the highest court in Australia)
- Federal Court of Australia (hears cases on a variety of things including bankruptcy, tax and trade)
- Federal Circuit Court of Australia (hears less complex cases than the Federal Court but on similar issues)
- Family Court of Australia (hears cases on family disputes).



Source 3 The High Court decides on special cases that can affect the entire nation and on how the constitution is applied.

Check your learning 24.1

Remember and understand

- 1 When did the Australian Constitution first come into effect?
- 2 What is meant by the separation of powers?
- 3 Who does the Governor-General represent?
- 4 How many senators are there in the Senate?
- 5 How many MPs are in the House of Representatives?

Apply and analyse

- 6 Why do you think it is important to have a constitution?
- 7 Why do you think a prime minister would appoint ministers?

Evaluate and create

- 8 Visit the Parliamentary Education Office website, go to 'Closer Look' and 'Australia's Parliament House' (peo.gov.au). Create a poster with an annotated map of Parliament House. Be sure to clearly identify the Senate as well as the House of Representatives. Your poster should include information about the roles of each house as well as any other relevant information.

24.2 Changing the constitution

Times have changed considerably since the constitution was first written in 1901. For this reason, it is an important feature of the constitution is that it can be changed. To change the Australian Constitution, a proposal must first be approved by parliament. It is then voted on by the Australian people in what is known as a **referendum**.

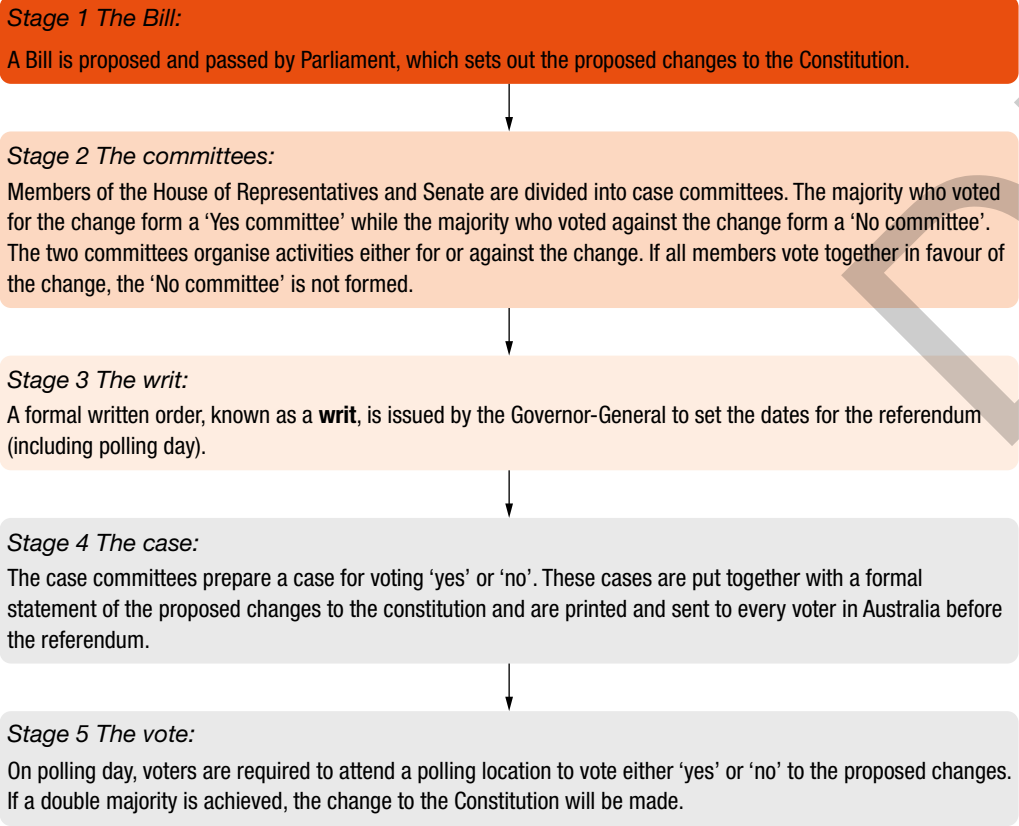
Referendums

While Australia's democratic system leaves much of the decision making to politicians elected by the people, changes to the Australian Constitution are so important that they must also be approved directly by the citizens.

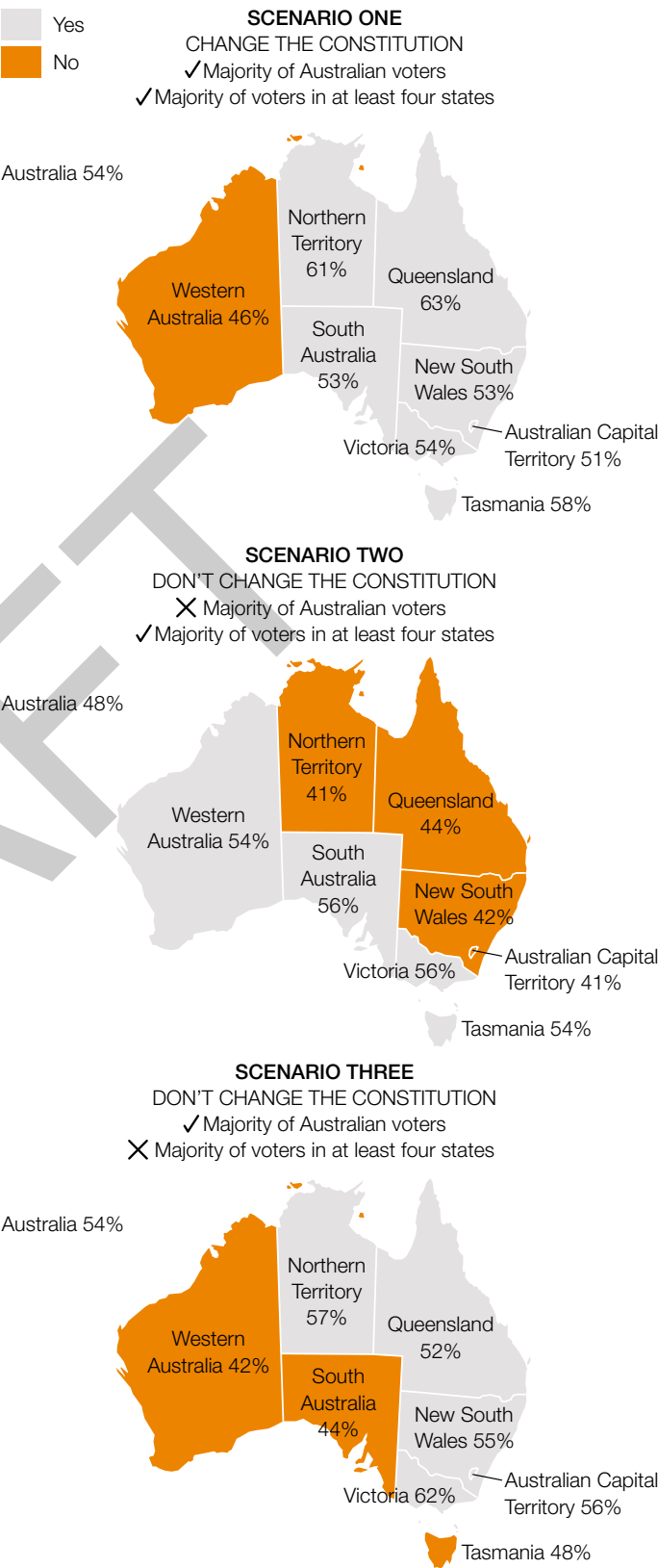
All Australian citizens on the electoral roll vote 'yes' or 'no' to the proposed change. For the change to be accepted, it has to be approved by a majority of voters in a majority of states, and by a majority of voters across the nation. This is known as a double majority. Voters living in the territories are only counted in the national majority. Since 1901, 19 referendums have proposed 44 changes to the constitution; only eight changes have been agreed to.

There are five main stages when holding a referendum in Australia (see Source 1).

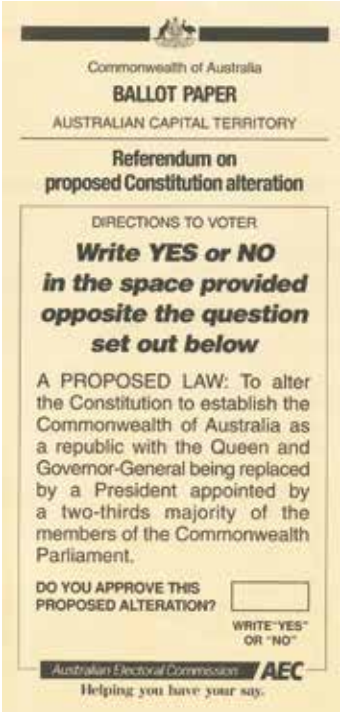
One significant example of a change to the constitution that has affected many Australians is the 1967 referendum. As a result of this referendum, Aboriginal and Torres Strait Islander peoples were included in the census, which gave the Australian Government the power to make laws for Aboriginal and Torres Strait Islander peoples.



Source 1 The five stages involved in holding a referendum



Source 2 The Australian Constitution can only be changed with the support of the majority of voters and a majority of votes in at least four states.



Source 2 The most recent referendum took place in 1999. The public voted against becoming a republic.

Check your learning 24.2

Remember and understand

- 1 What is a referendum?
- 2 Why do people vote on a referendum when they have already elected politicians to represent them?
- 3 What is a double majority?

Apply and analyse

- 4 Look at Source 2.
 - a What is the ballot asking people to vote on?
 - b Australia is a constitutional monarchy, which means that we elect a prime minister as a representative for a monarch (Queen Elizabeth II). Other countries, such as the United States, nominate a president to lead the country. Do you think Australia should become a republic? Why or why not?

Evaluate and create

- 5 Create a poster arguing whether Australia should remain a constitutional monarchy or have a referendum to become a republic. Use the Internet to research facts that will support your poster and include images that you believe represent Australia as a constitutional monarchy or republic.

24A rich task

A classroom constitution

Many countries and organisations around the world have developed a constitution, which acts as a set of rules for everyone to follow. A constitution is important as it clearly defines the rights and responsibilities of all members. This helps to promote a fair nation or organisation, as everyone is required to follow the constitutional rules that are developed by the members.

While many organisations have constitutions, they are most important for not-for-profit organisations. A not-for-profit organisation is run as a charity and does not generate a profit. By developing a constitution, a not-for-profit organisation can ensure that it acts within the specific principles and beliefs set by the organisation's constitution.



Source 1 Work together with your class members to develop a classroom constitution

skilldrill: Reasoning and interpretation

Creating a constitution

An organisation refers to any group of people who work together with a common goal. This can include businesses, religious groups, schools or even classes. An organisation's constitution is written by the members of the organisation and is developed to reflect the beliefs and principles of the majority. In this way, it helps the organisation to function to benefit its members.

- Step 1** Write a preamble. A preamble is usually a brief paragraph that states the overall purpose of the constitution.
- Step 2** Write the name of the organisation.
- Step 3** Write the purpose of the organisation.
- Step 4** State who will be considered a member of the organisation.
- Step 5** Provide the rules and responsibilities that relate to the people leading the organisation.
- Step 6** Provide the rules and responsibilities for all members of the organisation.
- Step 7** Outline what action can be taken if members do not follow the rules.
- Step 8** Explain how amendments can be made to the constitution.
- Step 9** Explain how and when a referendum can be called.

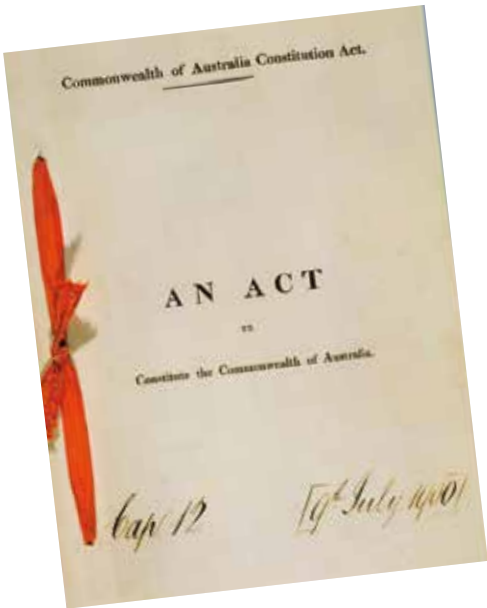
Apply the skill

- 1** Develop a classroom constitution: Developing a classroom constitution will require you to work with your class members and teacher. The constitution you come up with must reflect the rights and responsibilities of all students to create the best possible learning environment for all. Remember that, by law, the teacher has certain rights and responsibilities that are not negotiable. Use the steps of the skill drill to develop your ideas for your classroom constitution. Share your ideas with the rest of the class and then vote on what should be included in the constitution.

- 2** How do you feel about the classroom constitution? Were there any things you feel should or should not have been included?
- 3** What kind of situation do you think would benefit from a classroom referendum?

Extend your understanding

- 1** Visit the Parliament of Australia website and go to 'About Parliament', 'Senate', 'Role of the Senate' and then 'The Australian Constitution' (www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Constitution) to see the Australian Constitution in full.
- 2** What differences can you see between your classroom constitution and the Australian Constitution?
- 3** What similarities can you see between your classroom constitution and the Australian Constitution?



Source 2 The Australian Constitution sets out the rules of our political system.

24.3 The freedoms of Australian citizens

Australia has long been considered by many as the lucky country. This is largely because of our high living standards and financial opportunities, but it also has much to do with the freedom with which people can live their lives in Australia. Freedom allows people to act and express themselves in whatever way they feel, so long as it does not infringe upon the rights of others.

Freedom of speech

A fundamental need of any democracy to function is freedom of speech. Freedom of speech allows a person to voice their opinions publicly about any topic within the bounds of the law. It is because of this freedom that our citizens can explore new ways of thinking and make changes that benefit our society. Interestingly, the Australian Constitution does not protect freedom of speech, rather it is a privilege encouraged by the culture of our society. A person can make any honest comment that is not intended to harm others. There are laws, however, to prevent freedom of speech from causing harm to others. People are not allowed to spread lies that could damage a person's reputation. People are also not allowed to spread hatred against others because of their religious, racial or cultural background.



Source 1 The French philosopher Voltaire is known for his advocacy of freedom on speech and religion. He has been quoted as saying, 'I disapprove of what you say, but I will defend to the death your right to say it'. It is now thought that Voltaire didn't say these words, that they were, instead, said about him.

Freedom of association

People in Australia are free to join or form any group or organisation that they wish to, as long as the main activities of the group are legal. This means that a person can be a member of a political party, social club or workers' union without fear of persecution.

Source 2 In 2015, anti-racism protestors clashed violently with groups rallying against the construction of a mosque in Melton, Victoria.



Source 3 Students from different religions participate in a multi-faith day.

Freedom of assembly

The freedom of assembly allows people to meet in groups for social or political purposes. A group of people can come together to express their opinions in a protest as long as it does not turn violent or break laws such as trespassing.

Freedom of religion

Australia is a multicultural society without an official religion. Australians are free to practice their many different faiths or, to practice no religion at all. It is important to remember that the rules of any given religion cannot override Australian laws.

Freedom of movement

Today, there are twice as many people arriving in Australia as there are leaving the country. Australia is considered by many as a land of opportunity but does not restrict those who wish to seek opportunities elsewhere. A citizen can travel freely to all states and territories in Australia and also leave and re-enter Australia freely. These rights are not available to people who are not yet Australian citizens, who must fulfil certain requirements to be allowed to enter the country.

Check your learning 24.3

Remember and understand

- 1 Why do you think freedom is so important in a democratic society?

Apply and analyse

- 2 Refer to the caption of Source 1. Why do you think Voltaire was so passionate about defending the right of someone to express an opinion he disagrees with?
- 3 Refer to Source 2. Do you think that protestors have a right to freely speak out against Islam and mosques? Why or why not?
- 4 Refer to Source 3. Do you think that it is important for people to be able to practice whatever religion they choose in Australia? Why or why not?

Evaluate and create

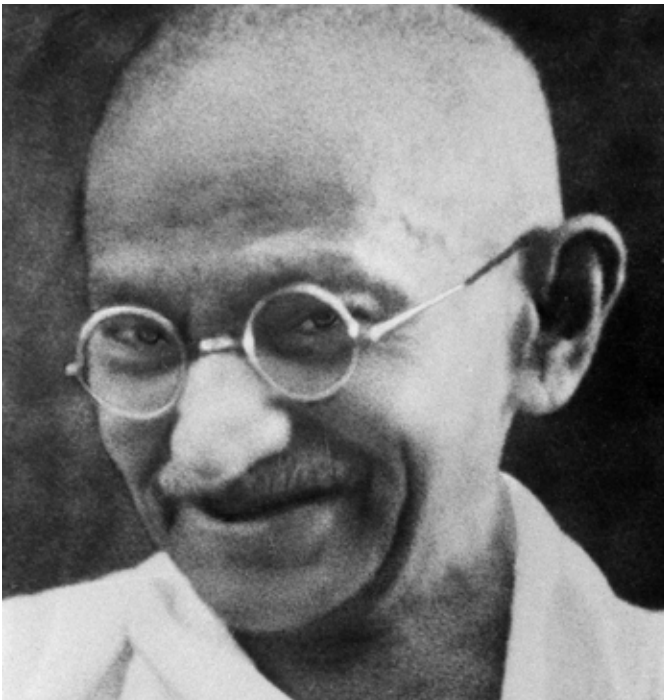
- 5 Create a poster describing the different freedoms that Australian citizens have. Your poster should include images that represent each of the freedoms that you describe.

24.4 Active participation

In order for our democracy to function properly, it is important that people make their voices heard. While many people prefer to stay away from politics, it is important for us to make the most of our democratic rights. By ignoring politics or issues of national importance, people increase the chances of political decisions being made with outcomes that might go against their interests, values or beliefs.

Become informed

Democracy can only work if the people know about the issues that they are voting on. This can often be difficult as there are many powerful people who wish to promote their own political agendas. People rely on mainstream media outlets for news, yet these outlets often show a biased representation of political issues. To become informed we must think critically and consider a variety of different sources before we form an opinion.



Source 1 As a result of leading India to independence, Mahatma Gandhi inspired non-violent movements for civil rights and freedom all over the world.

Voting

As informed citizens, our votes can elect the people who we feel will best represent us. Nearly all Victorians who are aged 18 and over are eligible to vote. In fact, Australia's compulsory voting system means that all those who are enrolled to vote must do so or pay a fine. While this might seem unfair, it reflects the idea that voting is not only a right but a responsibility of our citizens.

Direct action

Simply complaining about things that negatively affect our society does not achieve much. People can make a difference by raising awareness about political issues through more **direct action**, also known as non-violent resistance. This can include protests such as marches or demonstrations, boycotts of products or services and strikes. These methods of direct action have been used in the past to gain attention for many different causes, and to try to influence the decision making of people in power.



Source 2 Martin Luther King Jr was an activist leader in the African-American Civil Rights Movement.

One of the benefits of direct action is that it makes a person feel good knowing that they are helping to make a positive change to their society. Furthermore, you do not have to be of voting age to make your voice heard through direct action. Direct action has proven to be a very effective way of raising awareness about political issues throughout history.

Mahatma Gandhi used direct action to free India from the rule of the British Empire. Gandhi was different to other freedom fighters in that he advanced the cause of his people through non-violent resistance.

Lobby groups

Another way of raising awareness for issues is through lobby groups, sometimes referred to as interest groups. **Lobbying** involves working on behalf of a particular cause to influence political decisions. In Australia, there are many lobby groups who are working to influence public and government opinion on issues such as asylum seekers, domestic violence and animal cruelty.

Lobby groups might attempt to sway political decisions through media campaigns or by communicating directly with federal or state MPs and ministers.



Source 3 Rupert Murdoch is a media magnate with strong political opinions that are often opposed to Labor party policies. His newspapers, which account for over half of all newspaper sales in Australia, attempted to influence the political opinions of their readers during the 2013 federal election.

Check your learning 24.4

Remember and understand

- 1 Why do you think being informed is an important part of a functioning democracy?
- 2 Explain three types of direct action.
- 3 How can lobby groups try to influence political decisions?

Apply and analyse

- 4 Look at Source 3. What does the newspaper suggest the public should do at the next election?

- 5 Do you see any problems with a newspaper presenting a biased opinion on political issues?
- 6 Gandhi used non-violent resistance. What do you think are the advantages of using non-violent resistance to advance a political cause?

Evaluate and create

- 7 Use the internet to research Martin Luther King Jr or Mahatma Gandhi and prepare a 200-word report on how they used direct action to overcome social injustice.

24B rich task

Petitions

Even though you may not be old enough to vote, you can still make your voice heard about issues that matter to you. One method of direct action that can help raise political awareness is through the use of petitions. A petition is a collection of signatures, identifying people who share a stance on a particular issue.

Petitions have been used throughout history to show the large amount of support for a cause. Large numbers of signatures have often persuaded politicians or groups to take up the cause of the petitioners. A petition can be started by anyone and has been used for centuries by people who wish to make their voices heard. These days, handwritten and online petitions continue to help political causes gain momentum.



Source 1 People in Sydney signing a petition in support of a free vote on marriage equality on 31 May 2015

skilldrill: Reasoning and interpretation

Creating a petition

Before starting a petition you must become well informed on the issue at hand. You can expect that many people will only sign up to your petition if you can explain why it is an important cause. This will require you to research the issue indepth, as you explore all sides of the argument.

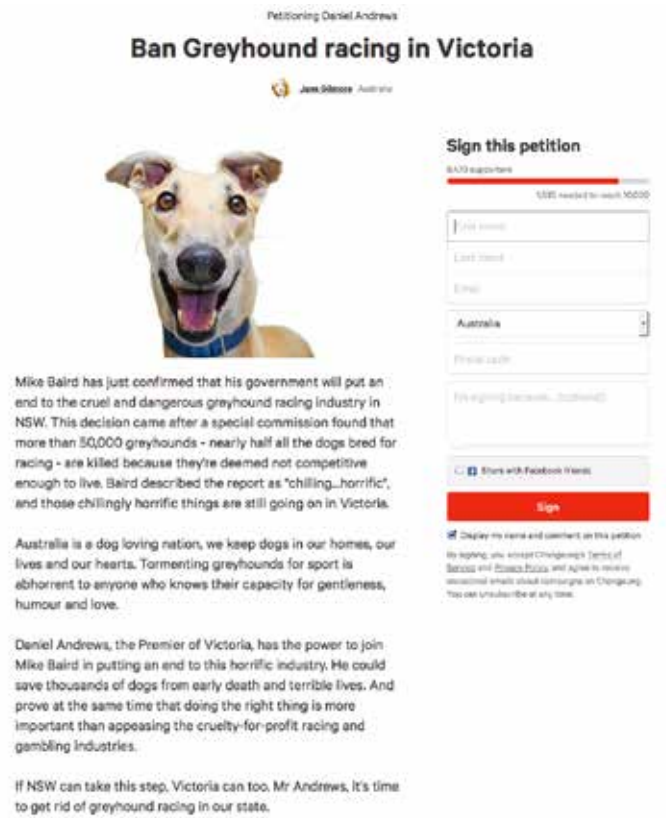
- Step 1** Select a title: The title should be a simple and strong statement explaining exactly what you want to achieve with the petition.
- Step 2** Identify who you are petitioning: Is your petition directed at a local politician, prime minister, CEO of an organisation or school principal? You need to clearly state the title and name of the person who you wish to receive the petition.
- Step 3** Reasons for signing the petition: Your petition should outline the main reasons for why people should sign the petition. This can be done in bullet points or a few short paragraphs.
- Step 4** Getting signatures: These days, a great way of getting signatures is by using social media to support your petition. Another traditional way is to approach people who you believe may be interested in signing the petition. A stand with a sign in a public place is an effective way of drawing people to you. Just make sure that you have the approval of your parents and teacher before you make any decisions about where to look for signatures.

Apply the skill

- 1 Use the internet to research an issue that you wish to raise support and awareness for.
- 2 Create a petition using the steps above and see how many signatures you can get from the students at your school.

Extend your understanding

- 1 Use the internet to research and write a 200-word report on one of the following historical petitions:
 - Yirrkala Bark Petitions 1963
 - Petition for Reprieve of Ned Kelly 1880
 - Bendigo Goldfields Petition 1853
 - Women's Suffrage Petition 1891 (Victoria, Australia)



Source 2 Online petitions are an easy way to reach lots of people.