

Democracy in action

The principles of freedom of opinion, religion, assembly, association and movement are all vital to a strong and robust democracy. Throughout history Australians have made effective use of the democratic tools available to them—such as staging peaceful protests and demonstrations to campaign for positive change.

Many of these intrinsic rights are currently under threat. This is due to weak constitutional protection and the introduction of new legislation that seeks to protect Australians from the threat of global terrorism. This has created a debate within Australian society about the need to introduce a bill of rights.

Source 1.0.1 4000 protesters at Sydney Town Hall gathered to demonstrate their opposition to the detention of asylum seeker children in the offshore processing centres of Manus Island and Nauru. The protesters also called for the abandonment of all offshore detention.

Australia: Freedoms

Since 1901 Australia has been a successful **representative liberal democracy**. Most people are able to live free from oppression, discrimination and government interference. They are protected by core principles of the rule of law and responsible government.

Democratic freedoms

The following values have been identified as some of the defining features of Australian democracy. Although there is no formal document guaranteeing the protection of these freedoms in law, they have been accepted and recognised as vital to the Australian democratic culture. They include:

- freedom of assembly and association
- freedom of religion and movement
- freedom of speech and expression
- freedom of information.

Magna Carta—the great charter

Australia’s democracy has been shaped by an important part of English law called the Magna Carta. This was a document written in 1215 by King John of England.

Source 1.1.1

The Magna Carta, written in 1215 by King John of England, on display at Old Parliament House, Canberra



The Magna Carta limited the king’s power and forced him to abide by the law. It established the foundation for the importance of the rule of law.

Source 1.1.2

An extract from the Magna Carta

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

Public interest versus democratic freedom

The world has changed immensely since our **Constitution** was written. There are now global fears of terrorism, increased refugee and humanitarian crises and security issues surrounding the use of the internet. Governments have a responsibility to deal with these issues but also to continue to protect and uphold democratic freedoms. This is a difficult task and there is much public debate about how best to do this.

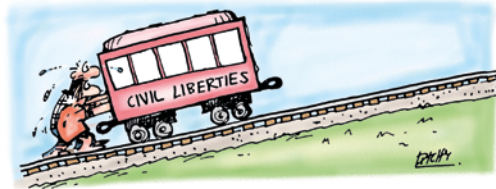
Limits to democratic freedoms

There are currently 350 laws that have been identified in Australia that limit democratic freedoms. Of those, 209 have been legislated since the terrorist attacks in 2001. While attacks of terror must be dealt with forcefully, there is increased concern from some groups in Australia that politicians are using this excuse too much. This point of view argues that democratic freedoms are being eroded without enough thought to the consequences.

Some people within the community are now asking to what extent is it reasonable for a government to interfere with a citizen’s basic rights on the basis of protecting national security. Australians must continue to hold the government accountable for its actions if they are to preserve their democratic freedoms. It is difficult to regain such **liberties** once the law has taken them away.



Getting rid of civil liberties.



Bringing them back again.

Source 1.1.3 This cartoon shows a particular point of view about what the consequences of the new terror laws might be.

Source 1.1.4 Some of the arguments for and against a bill of rights

Arguments for a bill of rights	Arguments against a bill of rights
<ul style="list-style-type: none"> • Democratic freedoms would be guaranteed in law and not just implied by the Constitution. • Currently minority groups are at the mercy of the majority. A bill of rights would allow them to have equal protection before the law. This includes Indigenous Australians and refugees. • Judges are used to making decisions about difficult issues that parliament tends to avoid or defer. • State, federal and territory laws are inconsistent. • Currently judges must obey laws established by parliament, even if human rights are breached. A bill of rights would force judges to take human rights into greater consideration and bring Australia into line with international standards. 	<ul style="list-style-type: none"> • It is a challenge to parliamentary sovereignty, the basis of Australian democracy. It places limits on laws that are willed by the people. • Moral issues become political ones. • Major decisions are left with judges who are not elected by the people. • It enables judges to interpret and change the meaning of laws. • There is concern that participation in democracy would decrease. This is because judges would have more law-making capacity. • The judicial system will become biased as judges could be appointed based on their moral judgments. • There is potential for it to become outdated very quickly. It's better for parliament to deal with emerging issues as they arise. • It can entrench attitudes that are out of date. For example, when the American Bill of Rights was written, the concept of bearing arms was very different to what it means now.

ACTIVITIES

Remembering and understanding

- 1 List four democratic freedoms enjoyed in Australia.
- 2 State the main ideas contained within the Magna Carta.
- 3 Cite examples of issues that have emerged since the Australian Constitution took effect.

- 4 Demonstrate how democratic freedoms might be impacted by anti-terror laws.

Applying and analysing

- 5 Discover the rights given to citizens of the United States in the Bill of Rights.

Evaluating and creating

- 6 In groups of four, debate whether or not Australia should introduce a bill of rights.

Freedom of speech

Defining freedom of speech

Freedom of speech is the right of the individual or groups (such as the media or religious organisations) to express opinions publicly without government restraint or **censorship**. It is seen as essential to democracy as it allows for political debate and criticism of the government. Freedom of speech does not just refer to spoken communication but also includes written communication. Political cartoons, artworks and emails are all included when considering issues of **free speech**.

Exceptions to freedom of speech

There are some examples where it is right to limit freedom of speech. Laws have been enacted making vilification (hate speech) and defamation illegal. It is right to protect citizens from opinions that cause or incite violence and an intention to harm.

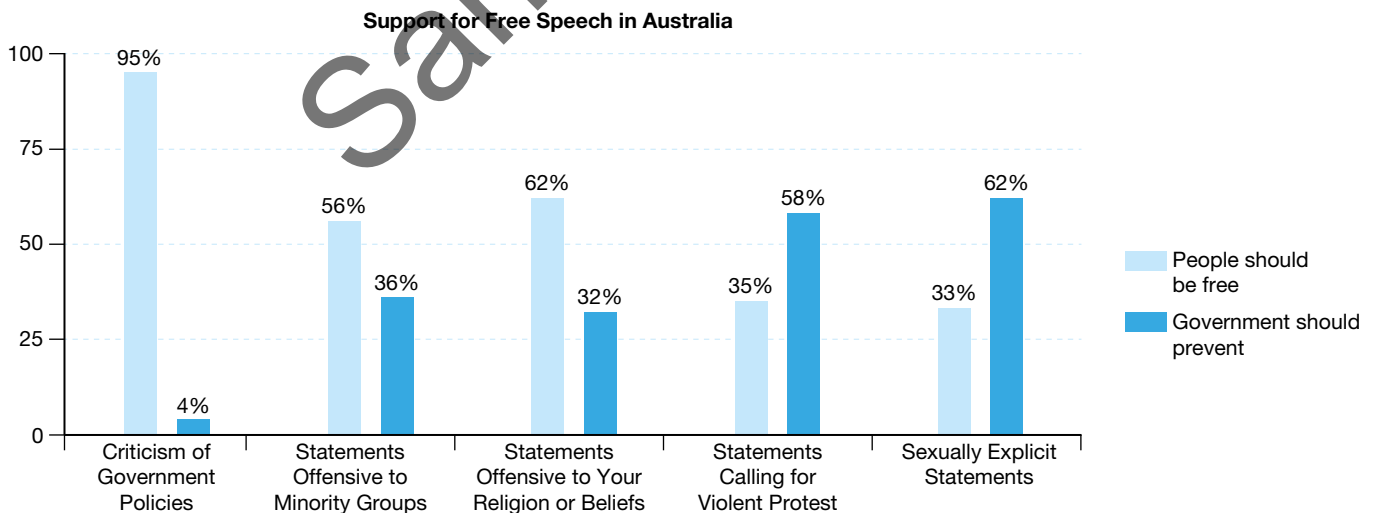
An example of this are the laws that make it illegal to publish child pornography. Although this is a limit to free speech, it aims to protect children from terrible harm and exploitation.

Source 1.2.1 indicates how important free speech is to Australians. It also shows issues where the public feels some limits to freedom of speech are needed.

The Constitution and free speech

Freedom of speech is not a guaranteed right in Australia, unlike in some other democracies around the world. The Australian Constitution does not explicitly protect freedom of speech and expression; it is merely implied.

Sections 7 and 24 of the Constitution state that both houses of parliament must be directly elected by the Australian public. If the parliament is to truly reflect the people's will, then the public needs to have access to information about the people they are voting for. They must be able to hear differing opinions before making a decision, so a provision of free speech is required. This is why the High Court (whose role is to interpret the Constitution) supports the idea that free speech is implied in the Constitution.



Source 1.2.1 A global survey published by the American Pew Research Center looked at whether people supported all types of free speech or whether they agreed that the government should prevent some types of speech.

Challenges to freedom of speech

Lange v Australian Broadcasting Corporation (1997)

The Lange case in 1997 was one of the first times that free speech was challenged in the High Court. In this case the former New Zealand Prime Minister David Lange accused the ABC of defamation. In its ruling, the High Court made two important decisions:

- freedom of speech is necessary only to promote representative and responsible government—it is not about individual rights
- the public needs access to a wide range of opinions to help in the voting process.

The judges ruled that the public uses the media to get information about political candidates, and therefore they supported the implied guarantee of free speech. The case was important because it helped to form other High Court rulings on matters of free speech.

The Street Church Case (2010)

The High Court ruling in *Lange v Australian Broadcasting Corporation* was applied to the Street Church case in Adelaide in 2010.

Samuel and Caleb Corneloup belonged to a street church in Adelaide. Using megaphones, signs and placards to express their particular religious views, they called out to passers-by that they would be going to hell for their activities. This included anything from holding hands to wearing Muslim dress.

In order to remove the street church, the Adelaide City Council used a by-law (a law made by a local council that only applies to that area) that restricted preaching, canvassing, haranguing and handing out printed matter in the Rundle Street Mall.

The Corneloup brothers challenged the by-law. Their case was heard in the High Court, which did not rule in their favour. The judges believed that it was a legitimate reason to limit free speech in order to ensure public order.



Source 1.2.2 The Corneloup brothers challenged a local council by-law that limited their freedom of speech.

The outcome highlighted some concerns for freedom of speech:

- freedom of political communication is limited
- protection of free expression needs to be strengthened through the law or the Constitution
- in this particular case, a by-law was able to prevent people from expressing their view in a public space.

ACTIVITIES

Remembering and understanding

- 1 Define the term 'freedom of speech'.
- 2 Show why freedom of speech is an essential part of democracy.
- 3 Give examples of the forms of communication to which freedom of speech applies.
- 4 Describe some of the limits to freedom of speech.

Applying and analysing

- 5 Examine why free speech is an implied right in the Australian Constitution.

Evaluating and creating

- 6 Compare and contrast the findings of the High Court in *Lange (1997)* and the *Street Church Case (2010)*. Do you agree with the decisions?

Freedom of association and assembly

Freedom of association

Freedom of association gives Australians the freedom to join any group or organisation (provided it is legal). This includes joining a political party, a church group, sports club or trade union.

Protecting freedom of association

Freedom of association in Australia is valued as a basic democratic right. Legally, however, this is not the case. The Australian Constitution only implies protection of freedom under sections 7 and 24 (in the same way that freedom of speech is implied).



Source 1.3.1 Freedom of association allows Australians to join any group and to meet together to express their views. This photograph shows Victorian nurses, supported by other trade unionists, rallying for better pay and conditions.

Laws that restrict freedom of association

The threat posed by terrorist organisations is one that the Australian government takes very seriously. Recently it has introduced legislation that seeks to prevent the operation of terrorist groups.

These changes make it illegal to associate with certain organisations. This is meant to prevent people assisting terrorist groups either financially or through distributing materials (leaflets or pamphlets) to help in their cause.

The government argues that the laws are necessary to protect the public from terrorism. However, civil liberties groups have concerns that this legislation extends too far for the following reasons.

- The definition of a 'terrorist organisation' is very vague.
- The government can brand an organisation as 'terrorist' without giving it the ability to defend itself. This shifts the burden of proof; people have to prove innocence rather than guilt.
- An individual may not know that they are associating with an illegal group.
- People can be punished because of whom they associate with, rather than because of their actual activities.
- It can prevent people visiting family members who live in areas associated with terrorism for fear of arrest.

Freedom of assembly

Freedom of assembly means that people are able to meet together in a public or a private place to exchange ideas and information and to express views. It also includes the right to peaceful protest.

Protests: An important part of the democratic process

Peaceful protests or **demonstrations** are an effective way for the public to show they are dissatisfied with the government. They allow people the chance to have a direct say in their community. Despite being a vital form of expression, they often create tension. This is because they can disrupt business and communities through the closing of streets or workers walking off the job.

Australians have protested over a wide range of issues including the war in Iraq, **federal budgets**,



Source 1.3.2 Indigenous Australians protesting in Halls Creek over the decision to close remote communities in Western Australia

bikie laws, environmental concerns over mining and logging, religious issues or those involving asylum seekers and refugees. One of the most famous and longstanding protests was the Aboriginal Tent Embassy at Old Parliament House.

Exercising the right to protest

In November 2014 the Western Australian government announced the closure of 100–150 remote Indigenous communities across the state. It included areas such as Broome, Halls Creek, Fitzroy Crossing and Dampier Peninsula.

In March 2015 street protests occurred across Western Australia with the decision being branded as a ‘**cultural genocide**’ by Aboriginal elders. The issue sparked national and worldwide attention, with protests occurring across international and state capitals in support of the first Australians.

The positive role of protests in a democracy

In this instance the holding of peaceful protests resulted in a positive outcome. It allowed a small number of people who were negatively impacted by a law to have their concerns acknowledged. They were able to exert pressure on the government by gaining the support of their community. It resulted in the state government of Western Australia seeking further consultation with the Indigenous community before taking further action. The

demonstrations served as an important example of how people can actively be involved in their community to bring about change. Participation in a democracy is not just about voting at an election.

It also shows that governments can be forced to amend or abandon laws in the wake of public outcry. If they proceed with unpopular or unfair laws they will be voted out at election time.

ACTIVITIES

Remembering and understanding

- 1 Identify three ways that Australians can exercise freedom of association.
- 2 Show one example of a limit to the freedom of association.
- 3 Compare and contrast freedom of association and freedom of assembly.
- 4 Explain the meaning of the term ‘peaceful protest’.

Applying and analysing

- 5 Choose one recent issue that has been the focus of peaceful protest in Australia and identify the point(s) of view being expressed by protesters.

Evaluating and creating

- 6 Appraise the importance of peaceful protest in Australia’s democracy.

Freedom of religion and movement

Freedom of religion

A definition

Freedom of religion ensures that people are able to follow a religion of their choice. This includes the right of an individual to make the choice to not follow a religion (examples of these include atheism and agnosticism). The government is not permitted to influence or interfere with an individual's decision in relation to their religious faith.

Freedom of religion and the Constitution

Provisions for protecting religious freedom in Australia are not guaranteed. Section 116 of the Australian Constitution is unique as it makes a point of preventing the government from making laws about religion. The states are not bound by this section. They are free to legislate on religion as they see fit.

There are limited opportunities for individuals to seek amends if it is felt that their religious rights have been violated. Often appeals have to be made through international bodies.

THE EXTERNAL AFFAIRS POWER

There is one way that the Commonwealth can get around section 116. This is through the External Affairs Power. The Commonwealth Government is the official government of Australia and therefore

it takes responsibility for all international matters. Signing an international treaty is an example of this. Once signed, there is an expectation that Australian domestic laws will change to reflect what has been agreed to in the treaty. The Commonwealth can use this power as a way of introducing legislation in regard to religious freedom.

Protecting religious freedom

A person's right to exercise freedom of religion is taken away when laws prevent them from participating in the religion of their choice. No court in Australia has ever found that religious freedom can never be limited or restricted.

Freedom of religion is complex to protect. This is because freedom of religion can come into conflict with another freedom (such as freedom of speech) or a law. It can also come into direct conflict with other religions. The Anti-Discrimination Act, while a positive law that prevents unequal treatment of individuals, directly impacts upon religious freedom.

The Anti-Discrimination Act and religious freedom

The Anti-Discrimination Act makes it illegal to discriminate against someone based on their personal attributes such as race, gender and ethnicity.



Source 1.4.1 A rally in support of religious freedom

In all Australian states, except for NSW and South Australia, this extends to religion.

Examples of religious discrimination claims:

- A Muslim prisoner claimed he was discriminated against because the prison did not offer halal meat; he was successful.
- A man who was employed by a petrol refinery was sacked after refusing to contribute to a union fund. His religious beliefs prevented it. He was successful.
- An employee was asked to remove a notice to hold a prayer service during work hours. It was a non-religious workplace (secular). The employee was unsuccessful.

Exclusions to the Act

Currently, religious organisations are exempt from parts of the Anti-Discrimination Act. For example, religious schools argue that to protect the spiritual values of the school they need to hire people who practise the faith. This means that people who do not share the religion do not have to be considered for jobs at that particular school. While religious schools are legally able to do this under current anti-discrimination laws, nonreligious schools cannot. On the one hand, this can be viewed as a violation of Australian anti-discrimination laws but, on the other, it can be seen as one that protects the ability of people to freely practise their religion. These exemptions do not apply to individuals, only to organisations.

Freedom of movement

Defining freedom of movement

Freedom of movement allows people who are lawfully within Australia the right to:

- enter and leave the country
- move freely within the states and territories
- choose where they live.

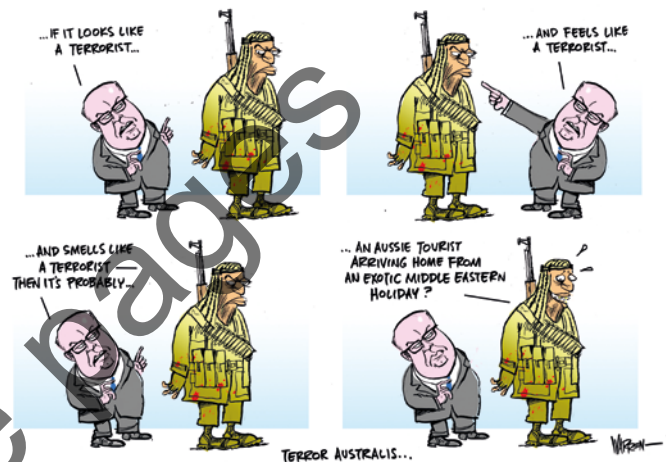
Limitations to freedom of movement

The Foreign Fighters Bill 2014 was introduced to deal with the security threat posed by people who leave Australia to fight in foreign conflicts. It is feared that foreign fighters who have fought alongside terrorist organisations may return to Australia to commit a terrorist act. Foreign fighters are targeted in two ways:

- trying to stop would-be terrorists from travelling to war zones

- when they return to Australia, foreign fighters can be restricted in their travel within Australia, unable to leave Australia or made to wear a tracking device.

Some people claim that the Bill is dangerous in a number of ways. It is not very specific, making it easier to accuse people of wrongdoing. A person may be imprisoned for up to 10 years if they've travelled to places where terrorists are operating. This includes people who have family living in these areas or journalists who are on assignment. The onus is on the traveller to prove that their visit was for legitimate reasons.



Source 1.4.2 This cartoon is a comment on what some groups fear will be a result of the Foreign Fighters Bill 2014.

ACTIVITIES

Remembering and understanding

- 1 Summarise what freedom of religion means for individuals and the government.
- 2 Name the section of the Australian Constitution that relates to freedom of religion.
- 3 Outline what this section of the constitution says about religious freedom in Australia.
- 4 Illustrate how freedom of religion can conflict with other democratic freedoms.

Applying and analysing

- 5 Question the role of the Anti-Discrimination Act in Australia with respect to freedom of religion. In your opinion, does the Act strengthen our democracy?

Evaluating and creating

- 6 Suggest two ways that the Foreign Fighters Bill (2014) could be improved.

Australians and democracy

In order for a democracy to thrive it must have active participation and involvement from its citizens. Australians can be involved in their community in many ways at a local, state and federal level. The most common way to participate is through the compulsory voting system that allows people to elect their representatives.

Participating in democracy is about more than just voting. The strength of Australian democracy relies on its citizens being informed about proposed laws, budgets, the impact of global issues such as war and attitudes towards refugees and migrants. If public interest in the community declines and people stop participating in public debate, it is difficult to keep politicians accountable for their actions.

Ways to be involved in the political process

Some of the most obvious ways to participate in democracy are to stand for office, fund a political party or join a party and attend its meetings. This requires a high level of commitment. Other ways to be involved include lobbying, direct action, signing petitions, boycotting goods and products, participating in marches and demonstrations and contacting local members of parliament.

Lobby groups

Lobby groups are formed to represent particular issues that they want the government to support. Their aim is to either:

- convince the government to pass laws that favour their cause **or**
- oppose laws that disadvantage them.

Lobbying is also used to obtain government funding for projects.

Lobby groups vary in size and the causes that they represent. Wealthy corporations are able to hire full-time lobbyists to protect their interests. They tend to seek out former political staff workers or retired politicians. This is so that they have up-to-date knowledge of government policies and access to political contacts. Lobbyists, however, are not

Political Action	% done in last 2-3 years (N)
Signed petition/e-petition	53 (727)
Boycotted products for political, ethical or environmental reasons	28 (387)
Urged someone else to get in touch with an elected representative	25 (341)
Presented views to local councillor	23 (317)
Presented views to member of a state legislature	11 (154)
Presented views to member of the House of Representatives	9 (121)
Been to a political meeting	7 (97)
Taken part in a demonstration, picket or march	6 (80)
Presented views to member of the Senate	6 (76)
Taken active part in a political campaign	4 (54)
Donated money or paid a fee to political party	3 (46)
Stood for public office	1 (13)
None of these activities	54.7 (752)

Source 1.5.1 Ways that Australians participate in democracy in between elections

just employed by big corporations. Individuals may form community groups or volunteer organisations.

METHODS USED BY LOBBYISTS

Lobbyists use many methods to achieve their goals. It could include appearing before legislative committees, writing letters, emails or making calls to officials, and running campaigns to generate public awareness. Wealthier lobbyists are able to buy advertising on commercial television or radio stations. The critical element to successful lobbying is managing to keep the public interested and never to let it forget the cause.

LOBBYING CODE OF CONDUCT

The Commonwealth has recently placed a lobbying code of conduct into effect. The purpose of the code is to monitor the activities of lobbyists. Big company

interests have been known to be met at the expense of the public interest. In a democratic country it is believed that the public should know which lobby groups are meeting with politicians and the issues that they represent. The public wants their governments to be transparent, ethical and free from political corruption.

The mining tax: a case study

In May 2010, former Prime Minister Kevin Rudd announced his intention to introduce a 40% tax on what was termed the ‘super profits’ of the mining industry. The financial strength of the mining companies allowed them to engage lobbyists to conduct a national campaign worth more than \$22 million aimed at preventing the tax. The campaign included advertisements on commercial television and radio stations and the lobbying of politicians. The key messages of the campaign were that the mining tax was above what they considered fair and would be the highest in the world, that the tax could threaten the industry as a whole and that greater consultation was required on the tax in general.

The Commonwealth Government and the unions also conducted their own advertising campaigns in support of the tax.

This context is seen as contributing to a drop in Prime Minister Kevin Rudd’s personal approval ratings. Following a challenge to his leadership, he was replaced as prime minister by Julia Gillard. In the end, a 30% tax was passed, limited to iron ore and coal. The event highlighted the effect a strong lobbying campaign can have on politics.

Direct action

Direct action uses activities such as strikes, protests and marches to achieve their means. As the name implies, direct action means that groups will take more aggressive measures to get their point across. They do not normally negotiate. Examples of organisations that use direct action tactics are Sea Shepherd, which aims to stop whaling in the Antarctic, and the Australian Conservation Foundation, which runs public awareness campaigns and lobbies governments.

Keep Mining Strong
Who will be hurt by the new super tax on mining? Everyone.

1 Get the facts on the tax

- What is the tax?
- Why the miners oppose it.
- Principles of tax reform.
- Myths and facts.
- What the experts think.
- What the world says.

2 See how it affects you

- I'm an Australian
- I'm a shareholder
- work in mining
- What does it mean for your state?

3 Take Action

- Email your MP
- Write a letter to the editor
- Call talkback

Twitter feed

AFIC chairman: "I've been in the market for 50 years but I've never seen people turn off Australia so quickly" <https://mp4t8K0d> about 14 hours ago

From our blog

- It's vital to retain our investment reputation
- Housing Hit
- International projects will crowd out investment

Campaign spotlight

58%

Source 1.5.2 An example of a pamphlet used by lobbyists to build opposition for the mining tax



Source 1.5.3 The Sea Shepherd in conflict with Japanese whaling boats. Methods of direct action can result in confrontation, which can be dangerous.

Protests

Protests are an important aspect of democratic participation. Historically they have proven to be very successful in achieving political change. Examples of this include the Indigenous Freedom Rides, recognition of Indigenous citizenship and voting rights, the moratoriums on the Vietnam War and the Women's Liberation Movement.

In Western Australia issues such as logging and coal seam gas mining are a regular source of debate. Protest groups use methods of thumb locks and arm locks to strap themselves to equipment; some erect platforms in trees and stage a sit-in. In a bid to stop this type of protesting, the Western Australian Government has proposed new laws that make this type of activity illegal.

Prevention of Lawful Activity Bill 2015

In 2015 the Western Australian government introduced the Criminal Code Amendment (Prevention of Lawful Activity) Bill. It creates two new offences: physically preventing a lawful activity, and possessing a 'thing' with the intention of physically preventing a lawful activity. The law extends to both private and public property.

The aim of the law is to prevent environmental protesters from locking on to equipment, trees and mining sites. For example, if a farmer locks their gate to protect their land from fracking that is going ahead against their will, they could be jailed for two years and have to pay a \$24 000 fine and any other costs incurred.

RESPONSES TO THE CODE

The Bill was heavily criticised because of the wider implications that it holds for genuine protest. There are fears that the law undermines too many of Australia's democratic privileges. There were a number of arguments against the Bill:

- The Bill undermines people's right to freedom of assembly.
- People will be reluctant to protest.
- Individuals have to prove their innocence if arrested.
- Authorities are granted too much power at the expense of citizens.

The introduction of the Bill prompted the community to action with blogs, petitions, widespread media coverage, protests and letters to local members. The WA Farmers Federation and the Uniting Church WA were among more than 25 organisations that signed a petition calling on MPs to oppose the new laws.

Changing nature of Australian political participation

In recent years much research has been carried out in relation to Australian democracy. There are widespread concerns of disinterest, distrust and dissatisfaction with politicians. Younger voters (aged 18–24) have been identified as the biggest challenge to democratic engagement. It is believed that they have no interest in political matters. This, however, is untrue.

Different forms of political interaction

Younger voters are using technology as their form of political engagement. This has two implications:

- Technology allows for a wider variety of issues to be given a voice. Young adults are concerned about climate change and the growing refugee crisis. They are concerned about local issues. Instead of using traditional means such as a formal protest to express their views, they can express their ideas online in relation to a greater number of issues.
- Politicians need to learn how to engage with technology to better connect with their voters. They are participating in a world where information is now instant and people respond immediately to unrolling events. Polls are regularly conducted to measure and compare politicians' performance. With increased use of online blogging, forums, emails, tweets, captioned photographs and Facebook likes, public figures are held up for criticism or praise much more quickly. They need to learn how to cope with this change of pace and delivery.

Politicians face a challenge in that they need to engage with new forms of technology but also motivate younger voters to use the political structures that are already in place.

Ways of addressing change

The Australian Electoral Commission has started the process of trying to incorporate technology by allowing online enrolment. It received 830 000 online enrolment applications in the five weeks before the 2013 election.

Youth parliaments, including one for Indigenous Australians, have been set up by the YMCA. The Greens also suggested opening up federal parliament for a sitting day.

Key findings in a survey on political engagement

The Institute for Governance and Policy Analysis (IGPA) at the University of Canberra, conducted research into the current state of Australian participation in politics. Some of their key findings are listed in Source 1.5.4.

- Australian citizens are observers rather than participants in formal politics. Over half (54.7%) could not remember conducting any political activity in the last two or three years beyond the practice of voting.
- About 9 in 10 Australians think they have little or no influence at all over national decisions and just over 75% feel the same when it comes to local decision-making.
- Over 9 in 10 Australians think that politicians should stop talking and just take action on important problems.
- Some 32% of the 18–24 age group and 28% of the 24–34 age group use Facebook and Twitter and other social media to alert them to political news compared to only 4% of those over 65 years old.
- There is interest in a greater role for citizens in decision-making, with over 75% of Australians favouring greater use of referendums to decide matters.

Source 1.5.4 Findings from a survey conducted by the IGPA on political engagement in Australia

ACTIVITIES

Remembering and understanding

- 1 Identify the most common way that Australians participate in their democracy.
- 2 State the two aims of lobby groups.
- 3 List the various methods that are used by lobby groups.
- 4 Explain the meaning of the term 'direct action'.

Applying and analysing

- 5 Select one protest movement that is mentioned in this unit and identify its aims and its methods.
- 6 Analyse the Criminal Code Amendment Bill (2015). Develop a mind map which illustrates the offences it creates as well as its wider implications for democratic freedoms.

Evaluating and creating

- 7 Evaluate the way that technology is changing participation in the political process. Decide whether these changes are strengthening Australia's democracy.

Our elected representatives

Participating in democracy

At the heart of Australian democracy is a sovereign parliament that seeks to give all of its citizens a voice. Through democratic elections, Australians are given an opportunity to elect the person who they believe is the person to represent their interests best. Australians have three levels of government at which they are represented: local, state and federal.

The electoral system

Every state and territory within Australia is divided into electorates. Every electorate has a representative in parliament. The elected member has the responsibility to represent the interests of their electorate. If the members of the electorate feel they have not been well represented, they can choose another representative at the following election.

Members of government therefore have a level of accountability to their electorate.

For the House of Representatives, elections are held every three years. Senators are elected every six years.

Candidates have to be Australian citizens and eligible to vote. People who hold **allegiance** to or

are citizens of another country cannot stand. Nor can people who have been found guilty of certain crimes. A candidate needs to be nominated by a political party to stand for election.

People over the age of 18 are required to register to vote. Voting in Australia, unlike other democratic countries such as the United Kingdom and the United States, is compulsory.

People who are serving a prison sentence of three years or more are not allowed to vote, nor are people who are categorised as being of 'unsound mind'.

Elected representatives

ROLES AND RESPONSIBILITIES

Candidates who are elected to the House of Representatives become members of parliament. They serve as ministers or backbenchers and have varied jobs, including:

- remaining up to date with issues. This is not just for the local area that they represent, but also national and international issues
- knowing about all the key policy areas that are being debated and discussed



Source 1.6.1 People voting in the national election, September 2013

- speaking for or against the policy when bills are debated in parliament
- keeping their constituents up to date with current policies
- serving on committees
- bringing their key state issues to the party.

MPs AND THEIR ELECTORATES

Members of parliament (MPs) are the direct link between their electorate and the parliament. Every elected candidate represents an average of 98 085 voters. Although the number of people they represent is fairly even, the size of electorates can range between 30 square kilometres (Wentworth NSW) to over 1.5 million square kilometres in Durack Western Australia.

Most cases that members of parliament deal with are in relation to social welfare, immigration and tax. Other issues that arise include family law, health, education and employment.

There are times when parliament is debating a bill or proposing legislation that is of special interest to an electorate. These could include issues such as the proposed closure of an industry, the potential for major job losses or large-scale environmental impacts upon communities. It is the responsibility of the member of parliament to make a presentation to the parliament to ensure that their electorate is given a voice.

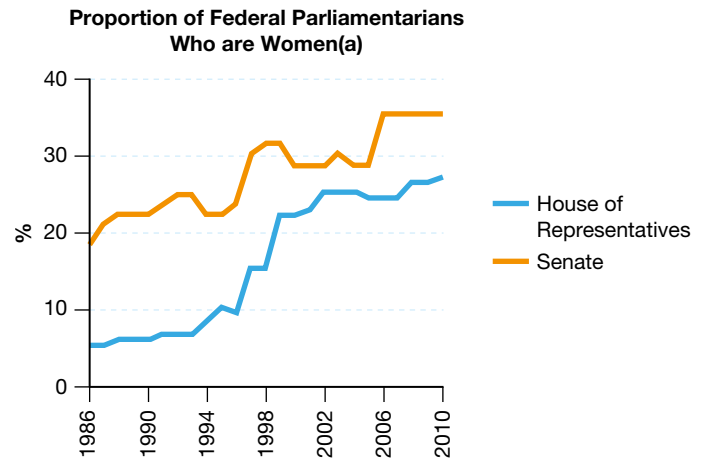
Representing all Australians

It can be argued that if the government is to represent Australian society, including its multicultural and Indigenous populations, the parliament needs to reflect that in the composition of its members.

Despite being a representative democracy, the Commonwealth is still dominated by men. Women make up half of the population, yet following the 2016 Federal election, women made up only 28.7% of MPs in the Lower House and 39.5% in the Senate.

There are some signs of this improving (Australia has had a female prime minister and governor general), but much work still needs to be done.

Aboriginal and Torres Strait Islanders have experienced immense injustice when it comes to political representation. Not only were they deprived of citizenship and voting rights for almost



Source 1.6.2 The proportion of women representing Australia in federal parliament

70 years, they have also struggled to be able to represent themselves at a state and federal level. Neville Bonner AO was elected to federal parliament in 1971, but since then achieving political representation has continued to be difficult.

Federal parliament does not reflect the multicultural composition of Australia. Around 25% of Australia's population was born overseas and yet only 12% of federal parliament representatives are overseas born.

ACTIVITIES

Remembering and understanding

- 1 Find out how often elections are held in Australia for the House of Representatives and the Senate.
- 2 What are the eligibility criteria for standing in a federal election?
- 3 Give three examples of the roles played by members of the House of Representatives.
- 4 Explain two differences between the electorates of Durack and Wentworth.

Applying and analysing

- 5 Inspect a list of current members of parliament and senators in Australia's federal parliament. Determine the percentage of women in the current federal parliament.

Evaluating and creating

- 6 Recommend some changes to the Australian political system which might increase the number of females that are elected to federal parliament.

Horseshoe Bridge and jarrah forests

Case study: The Horseshoe Bridge, Perth

A heritage bridge

Perth's Horseshoe Bridge was built in 1904 to solve congestion within the city. The bridge's innovative shape came about because existing arterial roads needed to be preserved. The shallow incline allowed horses and carts to use the bridge. It was also designed to prevent pedestrian access to ground level. Because of its historical importance, the bridge has a heritage listing.

As part of a major revamp to modernise Perth, it was planned to make the bridge open to two-way traffic and also to undergo some general repair work. The plan raised concerns that the heritage integrity of the bridge would be affected.

An example of community lobbying

Concerned citizen Andrew Nicholls wanted to raise awareness of the impact that the proposed changes could have on the bridge. He set up an online petition on Facebook outlining the history of the bridge, the proposed changes and works to the bridge and how they could potentially impact upon its unique architectural design.

He urged people to express their concerns by writing to the premier, the heritage minister and the

lord mayor, asking them to reconsider the proposed changes. His page attracted 423 likes.

The impact of lobbying

Lobbying is an effective way to make the community aware of an issue. The proposed changes went ahead with community feedback and the Horseshoe Bridge was reopened in July 2010.

Case study: Jarrah forests

Protecting Western Australian forests

The jarrah forests located in the south-west corner of Western Australia are millions of years old. They are biologically unique and had been under the management of Indigenous communities for thousands of years.

Since the 1890s the forests have been logged for railway construction, housing, furniture and more recently wood chips. The forests used to make up 2% of the land in Western Australia but significant logging has seen that decline to less than half of that.

Jarrah forests and direct action

Western Australia has a strong history of campaigning for better use of the forests. The 1990s saw a significant increase in the level of campaigning to protect what was left of the jarrah forests and other surrounding areas. The campaign lasted over a decade and had an impact on the 2001 state election.

WESTERN AUSTRALIAN FOREST ALLIANCE

The Western Australian Forest Alliance was formed in 1990. It served as a body for community organisations about forest conservation. In its vision it states that: 'The WA Forest Alliance works for the protection of WA's south-west forests and wildlife and an end to the logging, thinning and clearing of our public forests and woodlands.'

It also wanted the timber industry to complete its transformation into sustainably managed plantations and farm forestry. The Alliance used methods of direct action in order to achieve its goals, including:

- urging people to visit the forests to see the effect of logging



Source 1.7.1 Perth's iconic Horseshoe Bridge with its unique balustrades

- legal submissions
- rallies, lobbies, protests, public events, speeches
- banners erected on freeways
- hunger strikes
- tree-sitting on platforms high in the giant trees
- people padlocking themselves to heavy machinery
- people attaching themselves to road dragons (trains and old cars dug into the ground, placed into holes one metre deep and filled with concrete).

THE OUTCOME

The Forest Alliance was consistent and highly committed to preserve the jarrah forests. Its campaigns made a real difference—so much so that Western Australians made forest conservation an election issue in 2001. The Labor Party recognised this and declared an end to the logging of old-growth forests as part of their election campaign. It has been argued that this was a major factor in their election win.

Direct action as an effective voice in democracy

The consistent efforts of the Forest Alliance are an excellent example of how direct action can bring about change in democracy. There are a number of reasons that have been attributed to its success:

- strong leaders were passionate about their cause
- a united and inclusive approach was employed—everyone had the opportunity to be involved. Cities were targeted as much as the communities directly impacted upon
- the organisers ensured that public attention remained on the forestry issues
- continued pressure was on the government to change their policies
- people were convinced that the forests were worth saving
- a wide variety of society became involved—doctors for the preservation of old-growth forests, lawyers for forests, high-profile celebrities and sports personalities
- the campaign was relevant to everyone, rather than being fringe based
- there was effective use of media who sympathised with the cause
- technology was used well—for example, imagery from CSIRO was used to show the public the extent of forest destruction.



Source 1.7.2 A protester locked onto a road dragon in order to stop logging trucks

ACTIVITIES

Remembering and understanding

- 1 Identify the features that make the Horseshoe Bridge unique.
- 2 Outline the way the government proposed to change the Horseshoe Bridge.
- 3 Describe how social media was used to help protect the Horseshoe Bridge.
- 4 Illustrate the different ways that the jarrah forest has been used by humans over time.

Applying and analysing

- 5 Classify the various actions taken by the Western Australian Forest Alliance using a scale from 'Less direct' to 'More direct'.

Evaluating and creating

- 6 Design a campaign of action for an environmental issue that exists in Western Australia. Develop a range of actions and remember that all protests must be peaceful.

Inquiry tasks

Diversity

In pairs, devise a survey or questionnaire that aims to explore the different religions practised in Australia today, the ways that people participate and exercise their right to freedom of religion and whether they feel comfortable and safe exercising their freedom of religion.

Surveys could be given to family, friends, teachers and members of the local community.

Deliver this survey to at least five different people and once you have received them back, write a short summary of your findings.

Source 1.8.1 Members of the Australian Youth Climate Coalition (AYCC) ‘dump’ solar panels at Parliament House in Canberra to highlight their concerns about the government’s Renewable Energy Targets review in 2014. The AYCC consists of 25 other youth organisations whose aim is to solve the climate crisis.

Full freedom?

Prepare a speech to be presented at a school assembly that examines whether or not you believe that the government should be able to place restrictions on our democratic freedoms. When preparing your speech, you will need to consider why the government interferes with the exercising of our freedoms at times, and whether this benefits us or not. Your speech should use the following structure:

Introduction—Introduce yourself and provide a brief explanation of the democratic freedoms that exist in Australia today along with the government’s role in overseeing these freedoms.

Body—Provide 2–3 reasons why you believe the government should or should not place restrictions on our rights to exercise our democratic freedoms. Use examples to support your reasons.

Conclusion—Summarise your ideas and restate your opinion.



Young Australians and democracy

Create a visual presentation for your fellow Year 8 students that demonstrates and explains some of the ways that young people (under the age of 18) can actively participate in a democracy, and have their say in the political process and decisions made by our governments and councils.

Your presentation could take the form of a concept map, ICT presentation or poster.

The voice of the media

We get a lot of our day-to-day information from the media; however, many people believe there is censorship in the media, meaning the media can be restricted in what they are allowed to print or present. Imagine a world where the media was free to print and present whatever information they chose to. Prepare a PMI chart that explores the following areas:

P (Plus)—What would be the positives of the media having complete freedom of speech? How could the general public be advantaged by this situation? Who else could this affect in a positive manner?

M (Minus)—What would be the negatives of the media having complete freedom of speech? How could the general public be disadvantaged by this situation? Who else could this affect in a negative manner?

I (Interesting)—What could be some of the interesting/unusual/unexpected outcomes of the media having complete freedom of speech?

GLOSSARY

allegiance loyalty to someone or something

censorship the restriction of free speech

charter a written statement of rights granted by a government

constitution a set of rules or laws

cultural genocide the deliberate destruction of the cultural heritage of a people or nation

demonstrations gatherings organised by a group to express their ideas or opinions

federal budgets the budgets put in place by the Australian Government

freedom of assembly the right of an individual or group to come together to express their ideas

freedom of association the right to join groups or leave them, and the right of the group to take action

freedom of religion the right to practise any religion you choose

free speech the right to express any opinion without censorship

human rights basic rights and freedoms that all humans are entitled to, such as the right to life and liberty

judicial system the system of courts that interprets and applies the law

liberties freedoms

parliament a group of people elected to make laws for a country

parliamentary sovereignty a principle that states that parliament is the supreme law-making body in a nation

representative liberal democracy a form of government in which the people elect representatives in fair and free elections to represent them in a parliament and make laws on their behalf