

Our political system



Essential ideas

Our political system is a democracy. The government is chosen by the people, who vote in elections. We vote for the political party that we think will give us the type of government that we want. For example, a political party might promise to change the law about our rights at work. If this is very important to us, we can choose to vote for that party. The party that wins the most seats in the election will become our government for the next three years.

The most important part of our democracy is our parliaments including the central (or federal) parliament and the state and territory parliaments. The main role of our parliaments is to make laws. Some laws are of minor importance, but others can have a major impact on the quality of our lives. If we are not happy with the way we are being



- Her Excellency Ms Quentin Bryce was sworn in as our twenty-fifth Governor-General and first female Governor-General on 5 September 2008.

governed, we can express our disapproval by the way we vote at the next election.

As our society is constantly changing, it is important that government responds to new needs by changing the law in a timely manner. Effective laws help protect us and provide a peaceful, organised life for all of us.

You are a vital part of our political system and you can easily be involved when you understand how our system of government works.

Essential links

When we have our say about issues that are important to us, we feel as if we belong and that there is a role for us. Adults can have a say about their future by voting for their preferred candidate in government elections.

Although you are not permitted to vote until you are 18 years old, you can still have a say about the political issues that concern you. Some ways you can do this are by writing a letter or emailing a newspaper or a politician.

▶ The Victorian Parliament in Melbourne

- 1 Schools are also governed; decisions are made by principals, school councils and teachers in every school. Have you ever thought that the system of government in your school is similar to the way that governments work?
- 2 You may have voted in a class election, a sports club election or a school council election. In what ways are they similar to the elections for our federal, state or local governments?
- 3 A political party is a group of people who share similar views about how we should be governed. Have you ever considered which political party best reflects your values and interests?

THE ESSENTIAL QUESTION

The Essential Question is: **How does our political system work and why should I be actively involved in it?**

4.1 Government in Australia

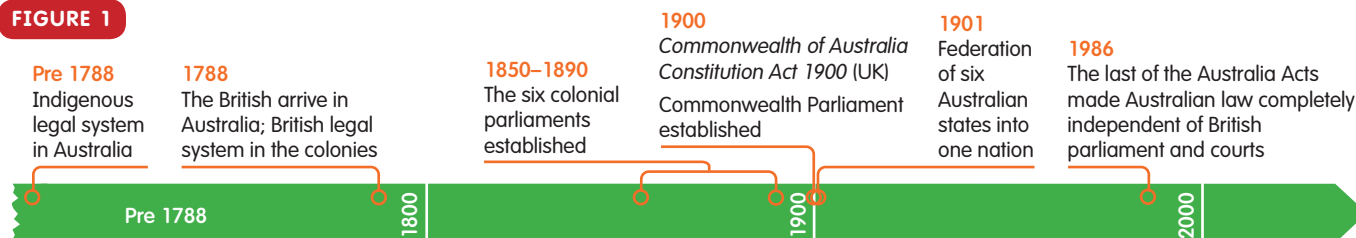
On 1 January 1901, the Commonwealth of Australia was formed. Before this, Australia consisted of six colonies, which had their own governments and laws under the control of the British monarch. The colonies — now called states — agreed to join together to become one nation in a process called **Federation**. They agreed to hand over some of their powers to the new Commonwealth Parliament. The British monarch (queen or king) was still the head of state, but Australia became an independent country governed by a **constitutional monarchy** with three levels of government — federal, state and local.

Our elected parliament makes the laws

Our political system is based on the Westminster system used in Britain. The basic principles of our political and legal systems are that:

- the head of state and the head of the government must be two different people (for example, the Queen and the Prime Minister)
- there are two houses of parliament (**bicameral**) — a lower house and an upper house
- there are three different sections of government — the parliament (legislature) to make the laws, the **executive** to administer the laws and carry out the business of government, and the **judiciary** (courts) to enforce the law.
- these three sections of government must be kept separate (a principle called the 'separation of powers')
- the **ministers** in the parliament are responsible to the people and to the parliament for the actions of their departments (for example Treasury, Health, Defence, Communications, Immigration).

FIGURE 1



▲ Timeline of the development of the Australian legal system

Activities

Student worksheet
4.1

REMEMBER

- What happened in Australia at Federation?
- Explain why Australia is a constitutional monarchy.

THINK

- Why is the Australian Constitution such an important document?
- Explain in your own words the difference between the legislature, the executive and the judiciary. Suggest why it might be important in a democracy to keep these functions separate.
- (a) Copy the table below right into your notebook and complete it using the information in figure 2.
(b) Find an area of responsibility shared across the three levels of government and explain how responsibilities are divided.

(c) Why do you think the federal government is responsible for defence and for immigration?

COMMUNICATE

- Find out the names and addresses of your federal and state members of parliament and your local councillor. (You may need to ask older people in your family.) Use the internet, newspapers and information from electoral offices to find out more about these people. Be prepared to share this information with the class.
- Look at the areas of responsibility of each level of government shown in the diagram opposite. Decide one thing you would like your

political representatives (at each of the three levels) to do to improve the way Australia is governed. Compose three letters, suitable to send to each representative, setting out your requests and explaining why you think it is important.

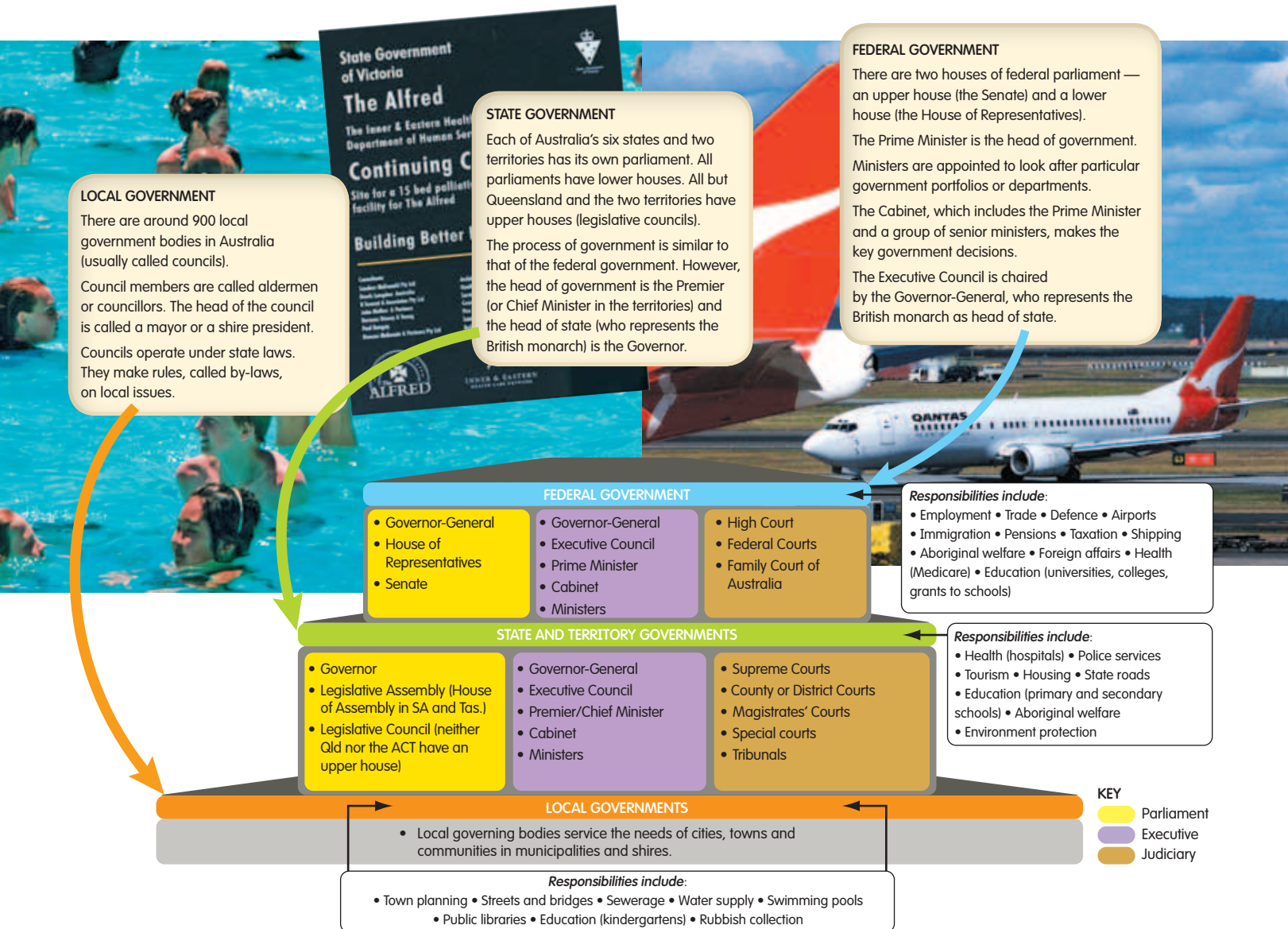
DESIGN AND CREATIVITY

- Work in small groups to create a colourful poster of the three levels of government in Australia. Use the illustration opposite as a guide for your 'tower of power'. Find as many pictures, newspaper headlines and brief articles as you can. Display your completed posters in the classroom.

Responsibilities of our federal government	Responsibilities of our state government	Responsibilities of our local government

FIGURE 2

▼ Australia's three levels of government and some of the responsibilities of each



Other features of the Australian systems of government are that:

- the Queen, who is our head of state, is represented by the Governor-General and the state governors
- the people vote to elect members of parliament for both houses (Queensland does not have an upper house)
- the law-making powers of the Commonwealth are listed in our Constitution and there is a division of powers between the Commonwealth and the states; some law-making powers are passed to local governments (see figure 2)
- to change our Constitution we must have a referendum — a special vote on a single issue that is supported by four of the six states and a majority of the population of Australia.

bicameral a parliament that has two houses: an upper house and a lower house

constitutional monarchy a type of government that is based on a constitution and has a queen or king as its head of state. The *Commonwealth of Australia Constitution Act 1900* is an Act of British parliament that sets out the framework for the government of Australia.

executive another name for the government

Federation the process of separate states joining together under one central government. This happened in Australia in 1901 when the six self-governing colonies (now states) joined together to create a new nation, Australia.

judiciary a name given to the courts and the judges

minister a member of parliament who is chosen by the Prime Minister to be responsible for a government department, for example, the Department of Health

4.2 Our federal parliament

The first sitting of the new parliament of Australia was in Melbourne in the Royal Exhibition Building on 9 May 1901. The parliament then sat in Victoria's State Parliament building until the new parliament building was completed in Canberra in 1927. Canberra was to be Australia's new capital, the home of the Commonwealth Parliament, making laws for the government of the whole country. The Commonwealth Parliament, often referred to as federal parliament, is made up of two houses: the upper house (the Senate) and the lower house (the House of Representatives).

The House of Representatives

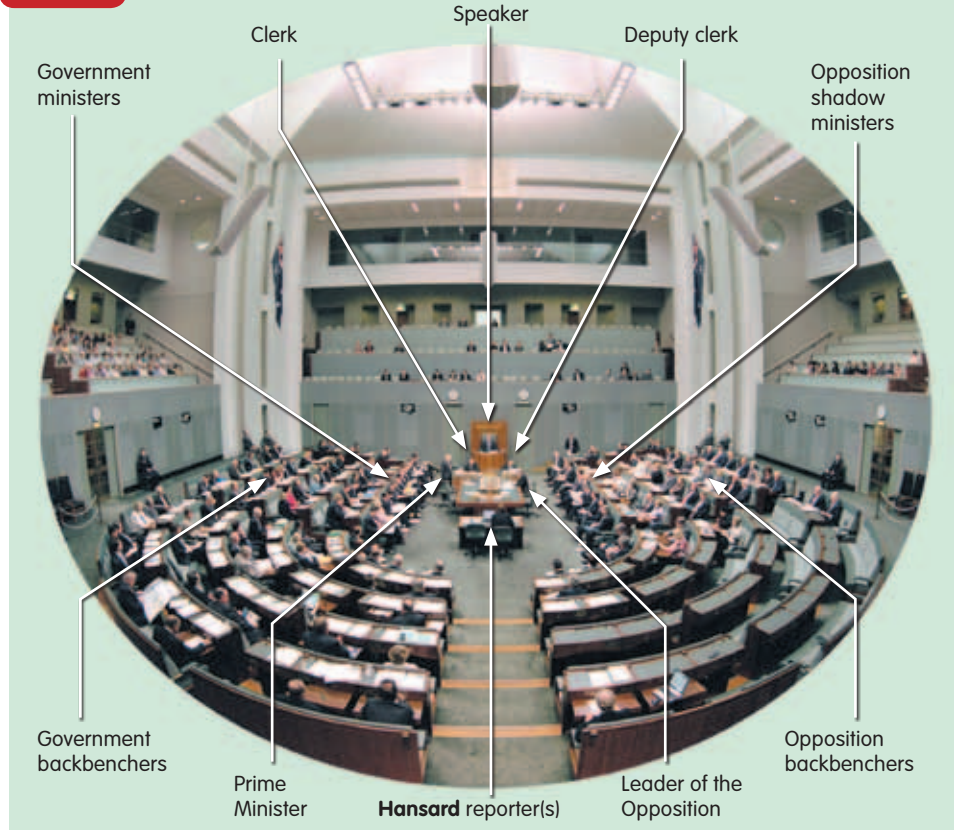
The House of Representatives has 150 members. Each member represents an electorate (an area with approximately 90 000 voters). The numbers in each electorate are kept roughly the same so that the election, every three years, will be fair.

The **political party** or **coalition** parties that wins the most seats in the lower house in the election becomes the government, and the leader of that party becomes the Prime Minister. The party or coalition parties that wins the next highest number of seats becomes the Opposition.

The Prime Minister selects a group of senior ministers to be part of a **Cabinet**, which meets to make the key decisions of government. Ministers are given a special job (a portfolio). They are responsible for a government department, for example, Treasury, Department of Defence. In parliament, these ministers sit at the front near the Prime Minister and are called 'frontbenchers'. The other elected members of their party sit behind them and are called 'backbenchers'.

This seating arrangement is the same for the Opposition. The leader of the Opposition and their group of shadow ministers sit at the front and the Opposition backbenchers sit behind them.

FIGURE 1



▲ The House of Representatives chamber

You can see this in figure 1 and figure 2. The job of the Opposition is to shadow their opposite member on the government side and to criticise their ideas and actions when necessary.

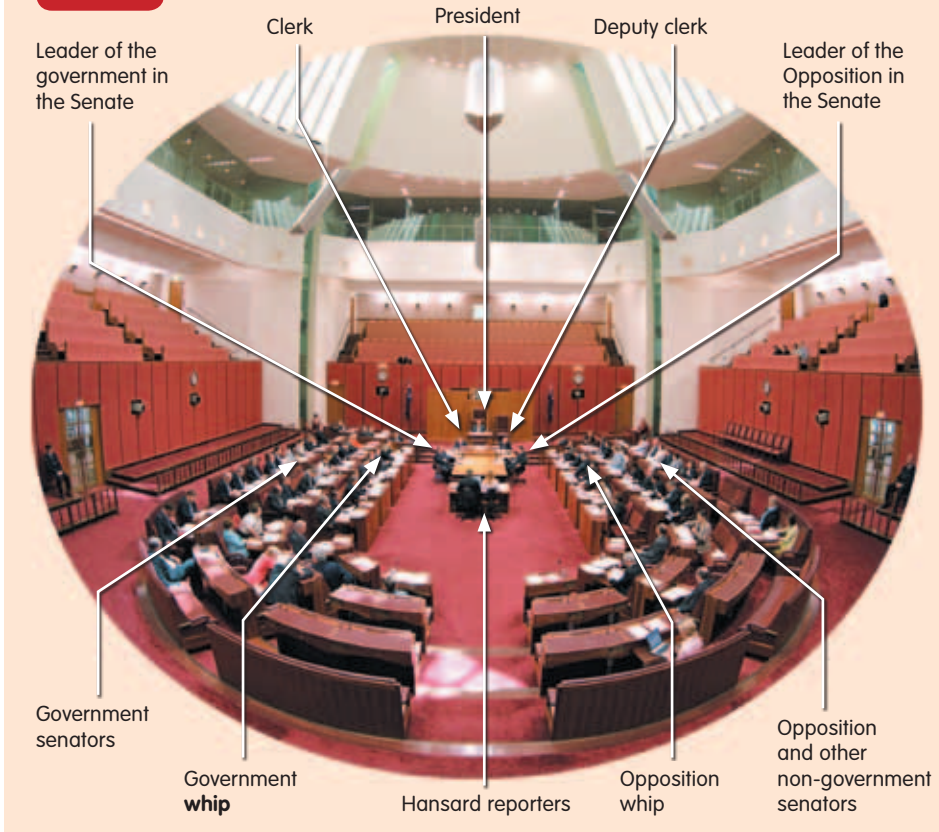
The Senate

There are 76 senators — 12 senators representing each state and 2 representing each territory. State senators serve for six years, and territory senators for three years.

At any one time, half the state senators are nearing the end of their six-year term in office. The other half have been in the job less than three years. Senate elections in the states are generally 'half-Senate elections'.

The Senate's main job is to act as a 'house of review'. It checks what the House of Representatives is trying to do. It tries to ensure that the interests of the states, and the rights of all Australians, are protected. This way, it keeps a check on government power.

FIGURE 2



▲ The Senate chamber

SkillBooster



Interpreting a table

This table shows the number of House of Representatives seats won in the 2007 federal election.

- Look for the high numbers.
- Look for the low numbers.
- Look for trends or patterns.
- Look for unusual data.

State/territory	No. of seats	Liberal Party	National Party	Labor Party	Democrats	Greens	Independents
NSW	49	15	5	28	—	—	1
Vic.	37	14	2	21	—	—	—
Qld	29	10	3	15	—	—	1
WA	15	11	—	4	—	—	—
SA	11	5	—	6	—	—	—
Tas.	5	—	—	5	—	—	—
ACT	2	—	—	2	—	—	—
NT	2	—	—	2	—	—	—
Total	150	55	10	83	—	—	2
2007 election total	150	75*	12	60	—	—	3

* Includes 1 from Country Liberal Party (NT)

Activities



Student worksheet
4.2

THINK

- 1 Describe the difference in roles between the Prime Minister and the leader of the Opposition.
- 2 Explain the main role of the Senate, and what a half-Senate election is.
- 3 Use figure 1 to draw a labelled diagram of the House of Representatives chamber.
- 4 List the similarities and differences between the layout of the chambers of the two houses of parliament.
- 5 Who are the backbenchers?
- 6 Work out approximately how many people in Australia are on the **electoral roll**. (Hint: There are 150 electoral divisions.)
- 7 Electoral boundaries might need to be changed every seven years. Why do you think this is so?



Interpreting a table

- 8 Answer these questions about the table:
 - (a) Which state has the fewest federal seats?
 - (b) Which party won the most seats throughout Australia?
 - (c) In which states did independents win seats?
 - (d) In which territory were all seats won by the one party?

Cabinet a group of select government ministers that meets regularly to decide major issues of government

coalition an alliance between two political parties to improve their chances of winning the election

electoral roll a list of Australian citizens who are over 18 and eligible to vote

Hansard the official record of all of the debates in parliament

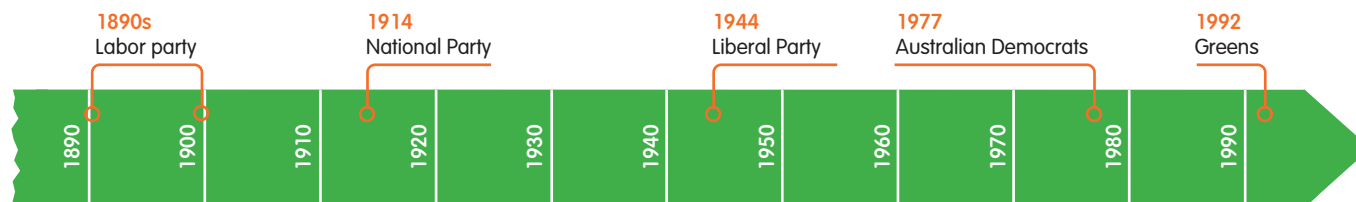
political party a group of people who share the same political views and work together to have people elected to parliament

whip a member of parliament who makes sure that other members are available for an important vote

4.3 What is a political party?

Political parties are groups of people who band together because they share the same views about issues they think are important. The last federal election in Australia was in December 2007. At that time there were 53 registered political parties, most of which contested the election.

FIGURE 1



▲ Timeline showing formation of Australian political parties

Political parties in Australia range from traditional organisations to special interest groups. They work hard to promote their ideas and encourage members of the public to join them. Their main aim is to have candidates elected to parliament. This way, they can try to influence the decisions of government.

All political parties must be registered with the **Australian Electoral Commission**. There are two requirements for this registration. First, the aims of the party must be submitted. Second, the party must have at least 500 **eligible voters**, unless the party already has a member in parliament.

Australian Labor Party



The Australian Labor Party (ALP), the oldest political party in Australia, was formed in the 1890s. Unemployment was then high and living conditions were harsh, so workers banded together. They wanted to try to change things

by having a say in government. This background has meant that **trade unions** have always had strong links with the Labor Party.

The ALP had been in opposition for eleven years when it was elected in November 2007 in a landslide victory. The voters saw the need for a change in government. In the 2010 election, Labor lost about twelve seats and was only able to form a minority government with the support of the Greens and some of the independents.

The party believes that government has a responsibility to look after the people. Its main aims are to:

- ensure wealth and power is more evenly and fairly shared in society

- make sure everyone who wants to work can find a job
- abolish poverty and improve the living standards of all Australians
- ensure that all Australians can obtain the education, housing and community services they need.

FIGURE 2



▲ Prime Minister Julia Gillard

The Liberal Party of Australia



The Liberal Party of Australia was founded by Robert Menzies in 1944 and won government in 1949. In a coalition with the National Party, the Liberal Party has been in government for 46 of the last 65 years. In the 2010

election, the Liberal–National coalition just failed to secure enough seats to win government. This was the closest election in Australia's post-war history.

The party believes in individual freedom and free enterprise. Its main aims are to work towards:

- a lean government that minimises interference in daily life and minimises taxes
- a government that encourages private businesses and does not compete with them
- a just and humane society in which the family and the role of law and justice are maintained.

FIGURE 3



▲ Opposition Leader Tony Abbott

National Party of Australia



The Nationals were founded in 1914, originally as the Country Party. Since Federation, the Nationals have spent more

than 54 years in government, more than any other party.

The Nationals are dedicated to representing people who live, work or operate a business in regional Australia. The Nationals fight for an equality of services, lifestyle and opportunity between the cities and the regions. Their main aims are to:

- provide strong representation of local communities
- ensure security for families through decent health, safety, social and economic welfare standards
- promote individual achievement, free choice and a fair go
- encourage investment, wealth generation and reward for private enterprise.

Australian Greens



The Australian Greens party was formed in 1992. Its main aims are to:

- look after the environment and preserve the Earth's resources for the future
- ensure that everyone in our society is treated fairly and with respect
- create a safe, harmonious world in which force is not used to solve differences
- ensure that society is governed by the people, and not run by the wealthy and powerful.

The independents

Members of parliament who do not belong to a political party are called **independents**. They sit alone in parliament and may choose to vote with one of the major parties or with minor parties, or abstain from voting. In the current parliament there are two independent senators: Nick Xenophon and Steve Fielding (Family First Party). Their position is very powerful because the government does not have a majority in the Senate. It relies on these independents to support the Bills going through the Senate. The government often has to make compromises and deals with these independent senators to guarantee that government legislation passes.

Activities



REMEMBER

- 1 What is a political party?
- 2 What does 'forming a coalition' mean?

THINK

- 3 Why do you think that the Australian Labor Party was the first political party to be formed in Australia?
- 4 Compare and contrast the main aims of the Liberal and Labor parties.
- 5 Why do you think the Liberal Party forms a coalition with the National Party and not, say, the Labor Party?
- 6 What are the aims of the Greens? Why is it unlikely that they will ever win enough seats to form a government?



Interpreting a table (p. 91)

- 7 The following table sets out the number of House of Representatives seats that might be won at three elections in the future. Assume the Liberal–National Coalition is disbanded in 2018 and that none of the other parties form coalitions.

Year	Labor Party	Liberal Party	National Party	Other parties
2013	66	46	23	13
2016	64	32	29	20
2019	66	43	25	14

- (a) Why did the Labor Party, which won the most seats, not win the 2013 election?
- (b) How many seats did the Liberal–National Coalition lose in the 2016 election?
- (c) Who won the 2019 election? Why?

COMMUNICATE

- 8 Form small groups. Discuss what your group's aims would be for Australia if you were a political party. Decide why these are important.
- 9 (a) Describe the logos of each of the main political parties. Take note of the symbols used, and the colours.
(b) Decide, as a class, three points against which to judge the effectiveness of a logo's design. Use these points to rank the logos shown in this spread.

DESIGN AND CREATIVITY

- 10 In your groups, draw on the outcomes of the class discussion for activity 9 to design a logo for the party you formed for activity 8. Present it to the class, justifying your design choices.

Australian Electoral Commission an independent body that was set up to ensure that the electoral roll is up to date and to organise and run elections and referenda

eligible voters Australian citizens who are over 18 years and are on the electoral roll (register of voters)

independent a candidate or elected member of parliament who is not a member of a political party

trade unions an organisation of employees formed for mutual support and to bargain collectively with employers regarding pay and working conditions



4.4 SkillBuilder

Debating a political issue

What is a debate?

A debate is a discussion about an issue. The issue is presented as a statement — for example, ‘The legal drinking age should be raised to 21’. Participants in the debate take it in turns to put forward arguments for and against the statement.

Unlike an argument you might have at home, a debate follows strict rules of conduct.

Why is debating useful?

A debate requires the participants to carefully investigate an issue and to examine both sides of the

FIGURE 1



▲ The Federal Parliament lower house in session

question. Participating in a debate can develop research skills. It can also help individuals gain confidence in public speaking.

How to prepare for a debate

A formal debate follows a set of rules. In a debating contest (for example, in school) there are two teams of three speakers, each of whom plays a defined role. One team argues in favour of the topic (the affirmative team) and the other team argues against the topic (the negative team). You can prepare for a debate by following the steps below.

STEP 1

Form a team of three people. Find out whether your team is to debate in favour of or against the topic. As a team, examine the topic carefully and discuss what you think it is about. You may need to use a dictionary to find a definition of key words contained in the topic statement.

STEP 2

Work out what arguments support your team's case. List them in order of importance.

STEP 3

Work out what arguments do not support your team's case. This will help you to anticipate what your opponents will say.

STEP 4

Carry out research to help fully develop your arguments. As part of your research, consider interviewing other students and the adults you know to learn their attitudes to the issue.

STEP 5

(a) Divide the arguments you have collected among the members of the team.

(b) Decide which team members will be the first, second and third speakers. Agree on what each member will say.

Conduct of the debate

The members of each team take it in turn to present their arguments in three to four minutes. The affirmative team's first speaker starts the debate.

Affirmative team

The first speaker should:

- (a) greet the audience
- (b) state which team they are representing and the issue
- (c) introduce the other team members, their role and the team's view
- (d) argue the team's case and state how the second speaker will build on this case.

The second speaker should:

- (a) explain how their speech will build on the affirmative team's view
- (b) argue against (rebut) the first speaker from the negative team
- (c) add new examples to support the affirmative team's view.

The third speaker should:

- (a) argue against (rebut) the negative team's case
- (b) summarise the main arguments of the debate
- (c) restate the affirmative view, explaining why it is the stronger case
- (d) avoid introducing new arguments.

FIGURE 2



Negative team

The first speaker should:

- introduce the team members, describe their role and the team's view
- state whether the negative team accepts the affirmative team's view of the topic
- argue against (rebut) the points made by the first speaker of the affirmative team
- state how the second negative speaker will build on the team's case.

The second speaker should:

- explain how their speech will build on the negative team's view
- argue against (rebut) the two previous speakers from the affirmative team
- add new examples to support the negative team's view.

The third speaker should:

- argue against (rebut) the affirmative team's case
- summarise the main arguments of the debate
- restate the negative view, explaining why it is the stronger case
- avoid introducing any new material.

FIGURE 3



Developing debating skills

You have two tasks to complete.

- 1 Practise your debating skills with a partner.
- 2 Participate in a class debate.

Work with a partner

- 1 Select one of the following topics.
 - (a) 'Political parties are not interested in listening to the views of young people.'
 - (b) 'The federal government is more important than the Victorian government.'
 - (c) 'Voting in elections for government should not be compulsory.'
- 2 Work on your own to compile a list of as many arguments as you can for each side of the topic.

Presenting your case

- 3 Convince your partner in two minutes that you support the topic.
- 4 Your partner has two minutes to question you about the topic.
- 5 Reverse the roles in (3) and (4) above.

Class activity

As a class, decide on the topic to be debated. Follow the steps on the previous page to prepare for and conduct the debate.

Evaluating the debate

Use the following list to evaluate the performance of each team.

- 1 The team's viewpoint was clearly outlined.
- 2 Speakers' statements were well researched.
- 3 Speakers gave clear reasons to support their view.
- 4 Examples were used to support arguments.
- 5 Responses to arguments made by the other team were effectively made.
- 6 The concluding statements were convincing.
- 7 Speakers spoke loud enough to be heard.
- 8 Speakers made good eye contact with the audience.
- 9 Speakers spoke at a good pace (not too fast or too slow).
- 10 The overall performance of the team was effective.

4.5 It's federal election time!

Do you want to have a say in how Australia is governed? Once you are 18, you can — by voting in an election. Voting for all three levels of government is your right as a citizen. It is also a requirement under the law. In fact, once you are eligible to vote, you will be fined if you do not vote. Your vote is an important part of keeping Australia's democratic system in place. Let's see what's involved in a federal election.

FIGURE 1

A The Prime Minister decides the date of a federal election and tells the Governor-General. If this is agreed, the Australian Electoral Commissioner is instructed to hold an election.



B Once the election is announced, eligible voters have three days to check they are registered on the electoral roll. Lapsed or new voters have only one day to register. To register, you fill in a form available from post offices and electoral offices. You must be at least 18.



C Although a result can sometimes be a 'cliffhanger', it is usually clear before the night ends who has won the election. Sometimes, though, because of the distribution of **preferences**, it may be many weeks before results in some seats are known.



F Counting starts the minute voting stops. Political parties recruit people called scrutineers to watch the counting. They check that everything is being done properly. Results are sent progressively to the national tally room in Canberra, where the media and political commentators gather to watch and comment on progress.





C Political candidates nominate to stand at an election by filling out a form and paying a deposit. They must be at least 18, Australian citizens, and qualified to vote. Most belong to a political party, but some are independents. Random draws decide the order of names on ballot papers.



D Political parties bombard people with advertising to seek their support. Political figures appear on talk shows. Sometimes political leaders hold debates, making it clear to voters what they will do if they win government. Local candidates tour shopping centres, businesses and community centres in their **electorate**. They are often supported by their leader, especially if they are in a **marginal electorate**.



E It's election day — always a Saturday. You can vote any time between 8 am and 6 pm at one of over 8000 polling booths. These are usually set up in schools and public halls. There are over 300 pre-poll and over 100 overseas locations to vote. Party supporters stand outside, handing out 'how to vote' cards. When you enter a booth, you first speak to a polling official who confirms your name and address, and that you have not yet voted. The official marks off your name on the electoral roll and gives you an initialled ballot paper, usually for each house of parliament. You vote in screened-off cardboard compartments and put your ballot papers in sealed boxes.



ballot paper a piece of paper on which a voter records their vote in an election

electorate one of 150 areas within Australia, each having approximately the same population, that elects a person to represent its people in the House of Representatives

marginal electorate an electorate where the member holds the seat by only a small number of votes

preferences the order in which a voter lists other candidates in an election

REMEMBER

- 1 How old do you have to be to vote, and how do you register to vote?
- 2 What happens if you are 18 and you don't vote? Why do you think this occurs?
- 3 Draw a simple flowchart to show the key steps involved in a federal election.

THINK

- 4 Why do you think the media is so involved in the period leading up to an election?
- 5 Imagine you are a scrutineer. What sort of things might you look out for to protect the interests of your party's candidate?

COMMUNICATE

- 6 Practise filling out a voting registration form that you pick up from a post office.
- 7 Imagine that you are 18 and voting for the first time. Use the information on these pages to describe, in around 400 words, how the federal election process occurs from your point of view. Think about what you do, see and feel.
- 8 Divide the class into two teams. Each person in the class should work out one question to ask the other team about elections in Australia. See which team knows most!

ICT

- 9 Use a search engine to help you prepare an opinion on the following topic: Voting is compulsory in Australia. Is it compulsory in other countries? Why do you think that it is compulsory in Australia? Do you think that this is a good thing? Give reasons for your answer.

4.6 Counting federal votes

In Australia, we have a system of voting for the two houses of parliament that gives voters the option of deciding whom they want to represent them and the order in which they prefer other political candidates.

House of Representatives

When you vote in a House of Representatives federal election, you are given a green ballot paper, like the one below. You must place a number in the box beside each candidate. You write the number 1 beside the name of the candidate you most prefer. This is your first-preference vote. You write the number 6 (if there are six candidates) beside the name of the person you least prefer. For your vote to be formal you must place a number, in your preference order, in every box.

FIGURE 1

- ▲ Ballot paper for a House of Representatives seat

To win, a candidate must get an **absolute majority** — half the number of **formal votes**, plus one. Some candidates are lucky; they get this with first-preference votes. When no candidate has an absolute majority of first-preference votes, voter preferences are counted.

Senate

When you vote for a federal senator, you will be given a cream-coloured ballot paper like the one below (figure 2).

You can vote in two ways:

- In the top part of the form, place the number 1 in the box beside the party of your choice. This means any distribution of preferences will follow that party's instructions.

FIGURE 2

- ▲ Part of a Senate ballot paper for Victoria

- Or, in the bottom section of the form, place a number beside *every* name on the form, with the number 1 being your first preference, 2 being your second preference, and so on.

To win a seat, senators have to win a set proportion, or quota, of the votes. This is why the Senate voting system in Australia is called a proportional representation system.

- A quota is calculated using a formula (refer to example on page 99).
- The proportional system used to count the Senate votes will help to achieve a result where, as close as possible, a political party which wins 50 per cent of the vote, wins 50 per cent of the seats.
- Minor parties and independents have a better chance of winning a seat in the Senate.

- ▲ How the quota is worked out for a Senate election

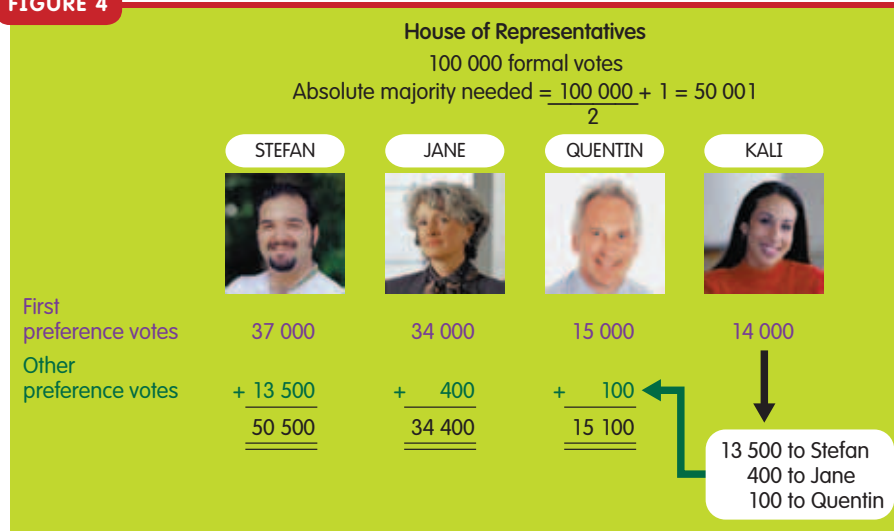
FIGURE 3



- ▲ Ballot papers being counted and watched by scrutineers

Preferential voting system for the House of Representatives

FIGURE 4

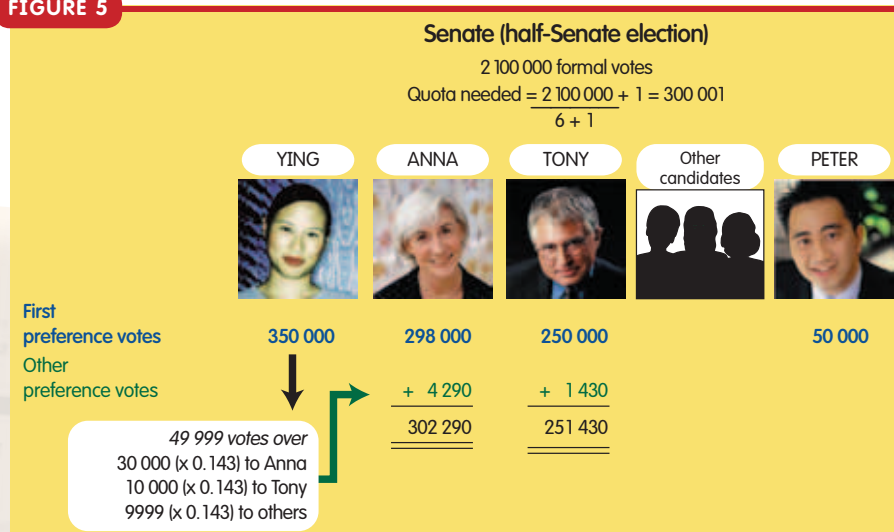


- ▲ Kali has the fewest first-preference votes. Her votes are given to other candidates in the order in which voters stated their second preferences. Stefan benefits most. This gives him an absolute majority.

If there was no clear winner after Kali's votes were distributed, Quentin's votes would be distributed in the same way — and so on until there was a winner.

Proportional voting system for the Senate

FIGURE 5



- ▲ Ying gets a quota on first-preference votes. She gives any extra votes she gets to other candidates in the order in which voters stated their second preferences. But these votes are given at less than their full value. This proportional value is worked out by multiplying them by a decimal called a transfer value. The transfer value for Ying is the number of her surplus votes (49 999) divided by the number of her first preference votes (350 000) — i.e. it is 0.143.

Anna now also has a quota and 2289 surplus votes. These are passed on in a similar way to Ying's votes, but at a transfer value of 0.008 (2289 divided by 298 000).

If six senators do not achieve a quota by passing surplus votes on, the candidate with the fewest first preference votes — Peter — is eliminated. His votes are given to those candidates who remain on the basis of preferences. His votes are given at their full value. This process may then be repeated with the next lowest candidate.

Activities



Student worksheet
4.3, 4.5

COMMUNICATION

Conduct a class vote on what could best be done to improve your school. Use the counting method for deciding seats in the House of Representatives. Count the votes, including preferences, to decide who wins. Share responsibilities for this activity among the class. Here's what to do.

- First select five people to present their policy. All should be quite different viewpoints. Make the presentations interesting and persuasive. Each presentation should be two minutes.
- Prepare enough ballot papers for the whole class, making them like the sample shown on page 98 for the House of Representatives. Include the names of all speakers. Decide the order of names on the ballot paper by putting speakers' names on pieces of paper and drawing them, in turn, out of a container.
- Listen as a class to each two-minute presentation. Decide how you will vote, ensuring your vote is formal. Make sure you vote in secret. Place ballot papers in a ballot box.
- Nominate class members to conduct the counting and be scrutineers. Decide, first, what is the absolute majority a candidate must achieve. Place papers in piles according to first-preference votes — that is, candidates marked with number 1.
- Did anyone get an absolute majority? If not, start distributing preferences. Use the information in this spread to help you to do this.

absolute majority half the number of votes received in an election plus one

formal vote a ballot paper which has been filled out correctly

4.7 Making our laws

Most laws in Australia are made by the federal and state parliaments, which are elected to govern by Australian citizens. In fact, making laws is their main job. There are very strict procedures, however, for how laws are made or changed.

Before any proposed laws can become **Acts of Parliament**, they have to be debated and passed by parliament, and then approved by the Governor-General. During the debate in parliament, the government explains why the law is needed and why it will be good for Australia. The Opposition may try to argue why this is not the case. Let's see, step by step, how all of this happens in federal parliament.

Act of Parliament a statement of Australian law. A Bill, or proposed law, becomes an Act of Parliament after it has been debated and approved by both houses of parliament and given royal assent by the Governor-General.

Bill a proposed law put forward for debate in both houses of parliament. If approved, a Bill becomes an Act of Parliament

royal assent when the Governor-General gives approval to a Bill that has been passed by both houses of parliament. The Bill then becomes an Act and, after it is proclaimed, becomes law.



STEP 1

A proposed new law, or changed law, is discussed in Cabinet. Often, people in Australia put pressure on the government to change something. A decision is then made on what to do.



STEP 2

If the government decides to proceed, government lawyers are asked to draft a Bill. A **Bill** is basically a 'first draft' of an Act of Parliament.



STEP 8

If the Governor-General approves and signs the Bill, it becomes an Act of Parliament. It is proclaimed and legally binding for all Australians.



STEP 7

The upper house (the Senate) goes through similar processes to those outlined in steps 3 to 6. If the Senate decides to change something, the Bill is referred back to the House of Representatives for another debate and vote. Sometimes the Senate may refuse to approve a Bill. If the Senate votes to approve the Bill, it is sent to the Governor-General for **royal assent**.



THINK

- 1 In your view, is the process of law making in Australia fair? Does law making by parliament give ordinary people enough opportunity to have their say when new laws are being made? Explain your answer.

INQUIRE

- 2 Draw a flowchart in your workbook with eight boxes joined by arrows. Label the boxes step 1 through to step 8. Write a description of each step in passing a new law, using ten words or fewer for each step. For example: step 1 — government (in Cabinet) discusses the idea of a new law.

ICT

- 3 With a partner, use the Commonwealth Parliament weblink in your eBookPLUS to find out about a new law that is going through parliament at the moment.
 - (a) Briefly describe the law you have found and explain which stage it has reached on your flowchart.
 - (b) In your opinion, will this proposed law be changed much on its way through parliament? Explain the reasons for your answer.
 - (c) Share your findings with another pair of students.

- 4 Use the internet to help you to find out which new or proposed laws your local member of parliament (MP) is involved with. Use this information to email your MP your ideas about this new or proposed law.

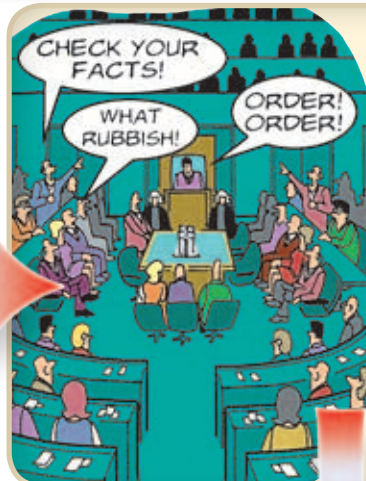
COMMUNICATION

- 5 (a) Brainstorm as a class five rules you think would be good for your school. Vote (by a show of hands) to decide on a rule to debate.
 - (b) Divide the class in two and debate (as part of the first reading of the 'Bill') issues associated with bringing in this proposed new law. Those to the right of the room (the Government) will generally argue for the Bill and those to the left (the Opposition) against it. An appointed 'Speaker' will ensure that the debate is orderly. Stand to speak, and obey any instructions given to you by the Speaker.
 - (c) At the end of the discussion, vote on whether or not you think this proposed new law should be introduced. You might want to 'cross the floor', moving from where you are to the right (yes) or the left (no) side of the classroom to register your vote. Did your proposed Bill pass its first reading?



STEP 3

Copies of the Bill are given to all members of the lower house (*House of Representatives*). The members read the material in their own time. This is known as the 'First Reading'.



STEP 4

The Bill goes through a 'Second Reading'. During this stage, the responsible minister (for example the Minister for Immigration if the Bill is to do with migrants) describes the main purpose and likely benefits of the Bill. Speakers from the government and opposition say what they think about it. Debates may take weeks. Then there is a vote. If the majority vote is in favour, the Bill moves to the next stage in the process.



STEP 6

The Bill, including any changes made during step 5, goes through a 'Third Reading' in the house. A vote is taken. If the majority vote for it, the Bill is passed through to the Senate.



STEP 5

The Bill is debated again, this time bit by bit. This stage is known as Consideration in Detail as each part of the bill is discussed in detail. Changes to the Bill may be made.

4.8 Changing our laws

Our laws protect us and organise our society. New laws are introduced and existing laws are changed because our society is constantly changing. Our values change. Parliament's role is to make law. We elect our members of parliament to represent us and they must make sure that our laws reflect our needs and our values. The government listens to public opinion because they want to be re-elected.

If laws are not changed to match public opinion, people might lose respect for law makers and even refuse to follow laws that they believe to be outdated.

An important example of this occurred in 1964 when the Australian government introduced conscription to send young men to fight in the Vietnam War. There was growing community opposition in the form of mass demonstrations, protests and petitions. Also, many young men broke the law by refusing to register for **conscription**. The government refused to change the law, and in 1972 this was one of the reasons it was voted out of office. The new Labor Government ended conscription almost immediately.

Laws differ from one society to the next. This is because the purpose of laws is to reflect the values of the people. Values are the things that we think are important. We have values about different areas of our lives.

All these values are reflected in our laws. When our values change, laws will need to be changed.

FIGURE 1



Protesters rallying against the Howard government's WorkChoices legislation in 2007

It is interesting to compare different values across societies. For example, Australian law allows you to be married to only one person at any one time. In many other countries, it is quite acceptable to have more than one wife. This practice is known as **polygamy**.

In Sudan, in 2001, women protested against moves to encourage men to take more than one wife to help increase the population. According to Islamic

Sharia law, men in this mainly Muslim country are allowed to have up to four wives at the same time.

What is an effective law?

Although laws differ from one country to another, there are qualities that make a law effective for the people it is designed to serve.

Laws must be easily understood by all people, and our law makers should take all necessary steps

FIGURE 2

An effective law must be:

- written in clear language that has only one meaning
- communicated to the public
- acceptable to the community
- capable of being enforced
- changed where necessary.

Types of values	How our values are reflected in the law
Social values	We value family life, our freedom, our safety, our communities, e.g. family law, smoke-free dining, anti-hoon laws
Moral values	We value justice, honesty, kindness, compassion, e.g. freedom of religion, our criminal laws
Political values	We vote for the party which best suits our beliefs; we value our democracy, e.g. the right to vote, the right to join a political party
Economic values	We want to provide for our family, own a house and car, save for the future, e.g. government benefits for the sick, disabled, aged and unemployed, first home owner grant
Environmental values	We want to look after the environment, to protect our natural resources, e.g. littering and pollution laws, protecting forests

to inform us of our rights and responsibilities under the law. A system of punishments must be in place for when such laws are broken. Where necessary, the law must also be changed quickly and effectively.

Why do laws need to be changed?

The law should always reflect the current values of society. If those values change, then laws must also change if they are to remain meaningful and effective for that society. For example, since 1975, people seeking a divorce no longer have to establish that their partner was at fault for the failure of the relationship. There are two other main reasons that laws need to be changed:

- technological advances, particularly in the area of medical science and communications
- changing world events. Since the terrorist attacks of 11 September 2001, governments around the world have changed laws relating to police powers and security checks at airports.

New laws to stop hoon drivers

Drivers caught drag-racing, performing 'burnouts' or engaging in other dangerous 'hoon' acts face having their cars impounded, immobilised or permanently confiscated under tough new laws to come into force this weekend.

Police & Emergency Services Minister Tim Holding said the laws would also apply to reckless speeders and repeat 'drive whilst disqualified' offenders.

'This tough new legislation will hit hooners where it hurts – by taking away their wheels,' Mr Holding said.

'These new laws are tough and uncompromising. They provide severe penalties to curb foolhardy road behaviour that leads to death and serious injury.

'The laws will act as a deterrent to those who insist on flouting the law, improving road safety for everyone.'

Mr Holding said amendments to the *Road Safety Act 1986* gave police the power to immediately impound or immobilise the car driven by a person they reasonably believe has committed a hoon-related offence.

'If police have reasonable grounds for believing a motorist has committed a hoon-related offence, they will be able

to seize that vehicle for 48 hours, either through impoundment or by way of on-site immobilisation,' Mr Holding said.

'Any driver committing a second hoon-related offence within three years may have their vehicle impounded for up to three months.'

'And if a person is found guilty of three hoon-related offences inside three years, their vehicle can be permanently forfeited by the Court.

'In other words, three strikes and the vehicle's out: sold by the State of Victoria, which will keep the proceeds.'

Mr Holding warned parents to ensure their children did not engage in hoon driving behaviour. He said the family car was not exempt from impoundment and, if such behaviour continued, permanent confiscation.

Source: T. Holding (Minister for Police and Emergency Services) 2006, *Time's almost up for hoon drivers: new laws on July 1, Melbourne, 27 June.*



Activities



conscription being called up for compulsory military service
polygamy the practice of having more than one spouse

Student worksheet
4.3

REMEMBER

- 1 List three qualities of an effective law.
- 2 What does the term *social values* mean?
- 3 Explain the reasons laws may need to be changed.

THINK

- 4 Name a technological advance that you think could lead to changes in the law in the future.
- 5 Explain why laws vary from one country to another.
- 6 What is polygamy? In 100 words, explain why you think polygamy is against the law in Australia.

COMMUNICATION

- 7 Working in groups of four, choose one of the laws listed below to discuss. In each group, one person will make notes while the discussion takes place. Where there is disagreement, all opinions must be noted.
 - The anti-hoon laws in Victoria breach our civil liberties.

- The offence of stalking (making a person feel threatened through unwanted advances) also relates to use of email and SMS text messaging.
 - Probationary licence holders must register a zero blood alcohol concentration (BAC) reading.
- (a) Discuss for your chosen law:
 - why you believe parliament might have made this law
 - whether you believe the law reflects the social values of your community
 - whether you believe the law is effective.
 - (b) Each group delivers their opinions to the class in a five-minute presentation, being as creative as possible. Some ideas include conducting a mini-debate, making formal speeches, writing and performing a roleplay, or conducting an interview with one or more people involved in the debate.

Check and challenge

CHECK



- 1 Australia is a constitutional monarchy. In your own words explain what this means.
- 2 Fill in the gaps using the terms in the box.
 - (a) The Australian _____ established our federal system of government where _____ making powers are divided between the _____ and the _____.
 - (b) A special vote called a _____ can be held to change the words in our Constitution.
 - (c) The federal and Victorian parliaments are _____. This means they have an upper _____ and a _____ house.
 - (d) The head of the federal government is the _____ and the head of the Victorian government is the _____.
 - (e) The Australian Constitution provides for three branches of government including the _____, the _____ and the _____.

Commonwealth	Premier	house
Prime Minister	lower	referendum
legislature	bicameral	law states
Executive	judiciary	Constitution

- 3 Which level of government (local, state or federal) is responsible for the following: police services, rubbish collection, old age pensions, kindergartens, Medicare, foreign policy? (p. 89)
- 4 Rule up two columns in your workbook and list the main differences between the House of Representatives and the Senate. (pp. 90–1)
- 5 What are the main policy differences between the Australian Labor Party and the Liberal Party of Australia? (pp. 92–3)
- 6 Ryan wants to stand as an independent at the next federal election. What is an independent? In your answer, explain whether there are any advantages in being an independent.
- 7 Maya wants to have a say in how Australia is governed. She would like information from you on the following matters:
 - (a) how old she has to be to register to vote
 - (b) the meaning of the term 'marginal electorate'
 - (c) the purpose of an election ballot paper.

- 8 Explain what is meant if an election for a new government is a 'cliffhanger'. (p. 96)
- 9 Why is the voting system for the Senate in Australia called a proportional representation system?
- 10 Unscramble the following terms relating to federal elections, then, for each word, write a sentence to show you understand its meaning.
 - (a) tearotceel
 - (b) fernsceerep
 - (c) soleabut yaimrotj
 - (d) screet lablot
- 11 Draw a flowchart to briefly describe the key steps involved in making laws in Australia, in the correct order. (pp. 100–1)
- 12 Why might there be a need in Australia to change some of our laws? Can you think of any recent changes, and why they might have occurred? (pp. 102–3)
- 13 What elements of democracy are evident in the following photographs?

FIGURE 1



FIGURE 2



FIGURE 3





- 14 Identify and discuss one advantage and one disadvantage of having three levels of government (local, state and federal).
- 15 Use a search engine to find out:
 - (a) the date the last federal election was held
 - (b) whether any independents were elected
 - (c) the name of the political party that won government
 - (d) the number of seats held by the government in both the lower and upper houses.
- 16 Political issues:
 - (a) Ask three adults to identify the political issues that influence the way they vote in federal elections. Compare your list with those of others in your class.
 - (b) Identify and rank four political issues that are most important to you.
 - (c) If you were Prime Minister or Victorian Premier for one day, what would you do about the issue you ranked as being most important to you?
- 17 In pairs, investigate a current political issue of global or local significance that has recently been featured on television and in newspapers. Prepare a PowerPoint presentation that explains the issue and the government's response to it.
- 18 The Victorian Electoral Commission has estimated that only 73 per cent of 18-year-old Victorians are enrolled to vote even though enrolment is compulsory.
 - (a) As a class, discuss the importance of voting.
 - (b) Suggest reasons that 27 per cent of young people have not enrolled.
 - (c) Brainstorm ideas to ensure all eligible persons enrol.
 - (d) With a partner, create a colourful poster that is aimed at encouraging young people to enrol to vote.
- 19 Read the article above right and answer the questions that follow.
 - (a) What behaviour prompted the Victorian government to introduce hoon boating laws?
 - (b) Boat operators aged less than 21 must have a zero blood alcohol level. In your view, should all boat operators have a zero blood alcohol level regardless of their age? Justify your views.
 - (c) Why do you think young males aged 15–29 are more likely than other groups to be admitted to hospital following a marine incident?
 - (d) Discuss the factors you think will determine whether the new hoon boating laws will be effective in improving marine safety.

New laws to stop hoon boating



Hoon behaviour on Victorian waterways is a growing problem. Police have expressed concern that anti-social behaviour by some boat and personal watercraft (PWC) operators is placing other water users at risk. Members of the public have also expressed concern about hoon behaviour, particularly by riders of PWCs.

Hoon behaviour on the water includes riding PWCs dangerously near swimmers, speeding, operating a vessel while disqualified, cutting across other boats and shipping vessels, and repeatedly going too close to dolphins and other marine life.

In response to the growing concerns about hoon boating and fatal marine accidents, the Victorian government has introduced new laws. Similar to Victoria's anti-hoon road laws, the police have been given the power to seize vessels for up to 48 hours and ban vessel operators for 24 hours.

- 20 'Freedom brings with it certain responsibilities.' What do you think of this statement? Discuss in small groups how you think a statement like this might apply in a democratic society. Is it acceptable for citizens to exercise their rights to do and say whatever they please just because it is their lawful right? Justify your view.
- 21 In response to the growing number of knife attacks in Victoria, the Victorian government announced plans to give police the power to issue an on-the-spot fine of \$1000 for persons aged 16 or over for carrying a knife without a lawful excuse. Police have expressed concern that people as young as ten were carrying knives saying they were needed for self-protection.
 - (a) Use the internet to find out the difference between controlled weapons and prohibited weapons in Victoria.
 - (b) Express your views about the change to the knife laws by writing a letter or an email to the Victorian premier or your local member of parliament or to a newspaper.

Thinking about...

...what I have learnt

1 Government

We live in a democracy and that means that we elect our government. Every day our lives are affected by government decisions. It is important to understand how these decisions are made and to be involved in our democracy.

- 1 What is a democracy? How do we have our say?
- 2 How was the Westminster system used to provide the framework for the government of Australia?
- 3 Why might we want to change our Constitution?

▶ Parliament House, Canberra



2 Political parties

Political parties play an important role in Australia's democratic political system. The party (or parties) winning a majority of seats in the lower house form the government. We can have a say in government by participating in a political party and/or voting for the people we think will best represent our views in parliament.

- 1 Why do you think it is important to be informed about political issues?
- 2 Identify an advantage and a disadvantage of belonging to a political party.
- 3 'Politics is about telling the truth and gaining trust.' Why do you think it is sometimes hard for politicians to gain our trust?

3 Effective laws

It is essential that parliament responds to changes in society by amending our laws. Some reasons laws need to be updated include changes in social values, new developments in technology and changes to the economic environment.

- 1 What do you think might happen if our laws do not meet the needs and values of the majority?
- 2 How can we influence the government to change laws that are ineffective?
- 3 Identify two areas of law that have recently been changed by parliament.



BACK TO THE ESSENTIAL QUESTION

How does our political system work, and why should I be actively involved in it? Make a list of three things you have learnt about our political system. Write a paragraph about how your life may be affected by our political system.



... how I learn

Copy the table below into your workbook and decide how you best learn new things. Give yourself a ranking from 1 (highest) to 7 (lowest) for each item on the table.

In this chapter, I think I have learnt best by ...	Ranking
... looking at the photographs, illustrations and flow diagrams showing how our political system works	
... reading and thinking about political issues	
... answering review questions at the end of each double page spread	
... using the internet to locate information about current political issues	
... joining in class debates and discussions about political issues	
... thinking about 'the big picture' and forming opinions about how our political system operates	
... another way? Describe this in your own words.	

Copy this sentence into your workbook and finish it by selecting some of the thinking skills from the box below.

In the future, I will use some thinking skills more often. These thinking skills will be...

- 1 trying to recognise how our political system works when I watch the television news and read newspapers
- 2 expressing my opinions about our political system to others
- 3 being more analytical when I read about political issues
- 4 being more aware of political issues and how they affect my life.

Self-evaluation

Think back over how much you have learnt about how our political system works and the importance of you, as a citizen, becoming involved. Complete the following table by placing a tick in the correct column for each description.

Overall, how well did I ...	High	Medium	Low	Needs improvement
... model participation by joining in class activities, especially discussions and debates?				
... take more interest in current events?				
... develop a plan to become involved in a project that would improve my school or my local community?				

projectsplus

Making laws

SEARCHLIGHT ID: PRO-0003

Scenario and task

You are a member of parliament. The local council responsible for much of your electorate has recently opened a new sporting ground in the area. Although it should have been a positive addition to your electorate, the new sporting ground has brought with it a range of new issues. The biggest issue is that of the significant increase of alcohol-related offences by young people under the age of 25. These offences are being highlighted in the local media. Unfortunately, the number of offences has risen so much that, now, the details are being used by the country's media networks as the best example of the urgent need to increase the legal age of drinking from 18 to 21.

To satisfy your constituents and your political party, you must take action. You will need to develop a policy for your party on the issue of 'Increasing the legal drinking age from 18 to 21'. You might not agree that the drinking age should be increased to 21, but your party needs to be seen to be making positive change. So, if you don't support this suggestion, you must introduce

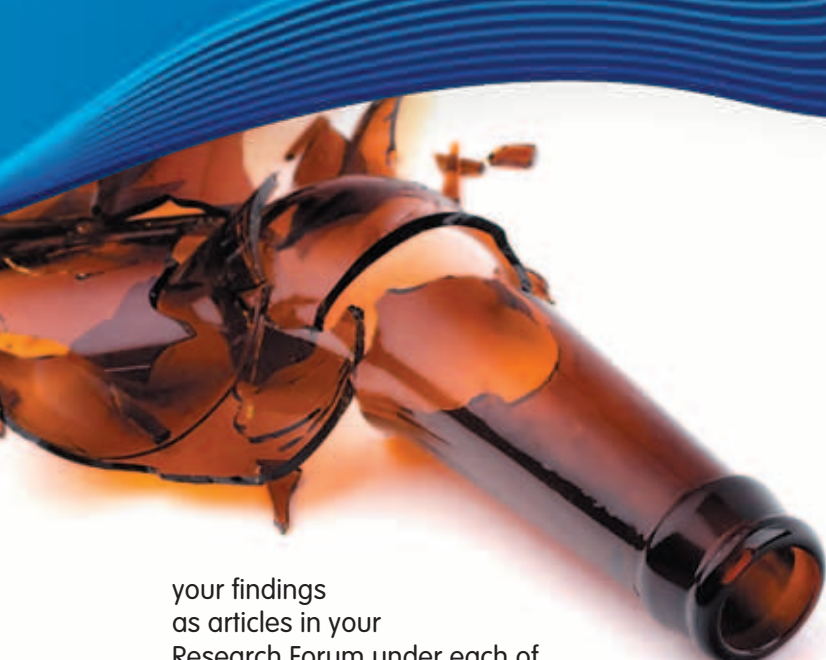
a different party policy that will target binge drinking in Australia's youth. As a member of parliament you must provide a report to your party detailing the arguments for and against your policy. You will also need to make sure that a new or amended law is passed — so you will be required to describe the process that will have to be followed to secure the passage of this law through parliament.

You are provided with a newspaper article published on the issue, an excerpt from a radio talkback show and letters from two of your constituents who are passionate about different sides of this argument.

Process

- Open your ProjectsPLUS application for this chapter, located in your eBookPLUS. Watch your introductory video lesson, click the 'Start Project' button and then set up your project group. You can complete this project individually or invite other members of your class to form a group. Save your settings and the project will be launched.
- Navigate to your Media Centre and read the newspaper article and letters from your constituents, and then listen to the talkback radio segment.
- You now need to complete research on the topic of 'Increasing the legal age of drinking from 18 to 21', and enter





your findings
as articles in your
Research Forum under each of
the following pre-loaded topics:

- Medical reasons for increasing the age of drinking
- Social consequences of alcohol abuse
- Financial repercussions of alcohol abuse
- Political reasoning
- The information that you gather will be presented as *for* and *against* arguments. If working in a group, you can rate and comment on each other's articles. You may also like to add additional topics to your Research Forum.
- When your research is completed, print your research report, and then open the 'Party Policy' template in your Media Centre and decide on a

policy for your party. Use your research report to summarise the key issues for and against your policy and outline these on the 'Party Policy' template.

SUGGESTED SOFTWARE

- ProjectsPLUS
- Microsoft Word

- Next, write a speech based on your research. Your audience will be the political party that you represent. In the speech, you will need to present your new policy and the reasoning behind it. This should be approximately 1 page long. Your speech needs to be no longer than three minutes. It could be delivered to the class at the end of your project.
- Finally, complete an annotated diagram demonstrating the procedures your Bill will go through in order to become a law. On the last page of your 'Party Policy' template, a properly referenced Bibliography needs to be completed. An example is provided.
- Hand in your completed 'Party Policy' document to your teacher, along with a printout of your research report.



Your ProjectsPLUS application is available in this chapter's Student Resources tab inside your eBookPLUS. Visit www.jacplus.com.au to locate your digital resources.



MEDIA CENTRE

Your Media Centre contains:

- a newspaper article
- a talkback radio segment
- letters from two constituents
- a 'Party Policy' template.

Interactivity

TIME OUT: 'RESPONSIBILITIES'

This exciting interactivity will test your knowledge of the different levels of government and their responsibilities, challenging you to identify who is responsible for a series of services. You must think hard and fast because the clock is ticking and any wrong answer will lose you more time, but get them right and you'll get a bonus chunk. Can you answer all 10 questions before Time Out?

SEARCHLIGHT ID: INT-1207

