

Introduction

To the teacher

Teachers play a critical part in shaping young people's understanding of their role as citizens and future electors. In fact, the work of the teaching profession helps to guide the democratic development of our nation.

Education systems and the Australian Electoral Commission (AEC) have identified civics and citizenship education as an important priority for all Australian students. The AEC believes it has a significant role to play in the advocacy and practical advancement of this cause with a particular focus on building electoral literacy and encouraging future participation in Australian electoral processes. For this reason, the AEC has worked with Curriculum Corporation to develop a new and exciting classroom-based electoral teaching and learning package called *Democracy Rules: An electoral education resource*.

The proposition that electoral and voting systems safeguard our democratic principles and values underpins this resource. Electoral and voting systems are a vital link between citizen participation and democratic representation, and provide the mechanism for free and fair elections and political change. Sound electoral systems empower representatives to make decisions on behalf of others and confer legitimacy on governments. Electoral systems also have the power to transform conflict and competition into cooperative activity, and prevent rivalries that place a destructive strain on communities.

In Australia, the Commonwealth Parliament contains two representative institutions at the federal level: the House of Representatives and the Senate. They rely on different electoral and voting systems, which in turn affect the nature of their representation.

The Australian Constitution provides for the composition of both houses of parliament. The Constitution also provides the legal framework within which the parliament can determine the electoral and voting systems used to elect both houses of parliament and the procedures and processes used to conduct referendums. The *Commonwealth Electoral Act 1918* (Cth) (the Electoral Act) and the *Referendum (Machinery Provisions) Act 1984* (Cth) (the Referendum Act) outline the rules for federal elections and referendums, providing for electoral and voting systems that reflect the principles of democratic representation – including universal adult franchise and free and fair elections – and mechanisms for constitutional change. The Constitution and the Electoral and Referendum Acts thus reflect and give meaning to liberal democratic practice.

Democracy Rules aims to explain these facts and themes in an engaging manner and to make a worthy contribution to what might be described as the 'democratic life experience' of your students.

The role of the Australian Electoral Commission

The AEC is an independent organisation established by an amendment to the Electoral Act in 1984.

Six processes uniquely identify the AEC:

- > managing the Commonwealth electoral roll
- > preparing for, conducting and reviewing elections
- > educating and informing the community about participating in the electoral process
- > providing advice and assistance on electoral matters in Australia and overseas
- > ensuring that political parties and others comply with financial disclosure requirements
- > supporting electoral redistributions.

Through its enforcement of the provisions of the Electoral Act, the AEC ensures that electoral systems for the Commonwealth Parliament are administered fairly and that elections are free from interference and intimidation. The AEC also enforces voter eligibility requirements, and provides electors with access to the ballot. These are some of the key elements of free and fair elections that sustain Australia's democratic system of government.

Should you have any feedback on the content of this electoral education resource please email your comments to education@aec.gov.au.

How to use this resource

The teacher guide contains eight investigations grouped under four topics. Teachers may connect many of the activities to the Discovering Democracy Units already used in Australian classrooms.

Purposes

This guide has two main purposes:

- > to equip teachers with background knowledge so they can confidently lead students in an exploration of Australian electoral and voting systems
- > to provide students with appealing, engaging and accessible material that furthers their understandings of the key concepts and functions of Australian electoral and voting systems.

Inquiry approach

The activities in this book use a three-stage inquiry approach to learning: 'Gathering information', 'Identifying and analysing' and 'Presenting findings'. Students are encouraged to develop understandings of key concepts through exploration and investigation. Where appropriate a linking stage, 'Making connections', is also included.

Ready references

This guide contains 'Background briefings', a 'Glossary' and a 'Franchise timeline' (**BLM 4** in *You and me, the decision makers*) for ready reference. The latter provides a simple introduction to the historical evolution of Australian electoral and voting systems.

AEC website links

Many investigations in this guide direct you to the AEC website.

Investigations and activities

Introductory activities at the beginning of each topic allow teachers to elicit students' prior learning and to develop their understandings of the relevant concepts before tackling more complex investigations. Each investigation is designed around a concept, issue or event, and invites exploration through a series of activities that represent different stages in the inquiry approach.

At a glance

Each investigation begins with a table – 'The investigation at a glance'. This contains important information for teachers, and will assist their navigation of the resource. The table includes:

- > links to relevant background briefings
- > suggested classroom teaching time for each activity
- > indicators of student achievement

Recommended levels

Colour-coded bars help teachers identify the applicability of each investigation to different levels of schooling. The darker the shade, the more relevant the investigation to the level of schooling – but these are only recommendations. Given the diversity of learning abilities and needs in classrooms, teachers are invited to use their professional judgement in using the investigations and activities in this resource.

RECOMMENDED LEVELS
UPPER SECONDARY
MIDDLE SECONDARY
LOWER SECONDARY
UPPER PRIMARY

Blackline masters

Blackline masters (BLMs) accompany every investigation and may be freely photocopied for student use. Many activities make use of BLMs and teachers are advised to prepare them in advance.

Connections to multimedia resources

The teacher guide uses a system of icons to link the text to recommended animations and interactives. Teachers may choose to pause at particular stages to allow students to explore a particular item or may use them as stand alone activities.

THE ANIMATIONS	TOPIC ONE	TOPIC TWO	TOPIC THREE	TOPIC FOUR
<p>History of Voting</p> <p>March through the history of the franchise and the voting systems for the Federal Parliament beginning with the evolution of the franchise in colonial Australia and concluding with compulsory enrolment and voting for Indigenous Australians in 1984.</p>	✓		✓	✓
<p>Counting Your Vote</p> <p>Experience a fun, concise demonstration and explanation of the different voting systems used to elect representatives.</p>	✓	✓	✓	
<p>Election Day</p> <p>Can't remember the order of things? Let the professor take you through a step-by-step description of the election process from the calling of an election and enrolment, to the count and return of writs.</p>	✓		✓	

THE INTERACTIVES	TOPIC ONE	TOPIC TWO	TOPIC THREE	TOPIC FOUR
<p>The History of Voting Game</p> <p>Help the new museum attendant reorder the pictures by researching their place in the history of voting in Australia.</p>	✓		✓	✓
<p>Quiz 1 – Referendums – Do you get it?</p> <p>Test your knowledge of the referendum process and the history of referendums in Australia in this interactive, multiple-choice game show.</p>		✓		✓
<p>Quiz 2 – The Constitution – Are you a whiz?</p> <p>Test your knowledge of the Australian system of government in this interactive, multiple-choice game show.</p>		✓	✓	
<p>History Challenge – Test your knowledge</p> <p>Take a speed test of your knowledge of the history of the franchise in Australia with this quick, interactive, multiple-choice quiz.</p>	✓		✓	
<p>Voting Challenge – What do you know?</p> <p>Use your knowledge of voting to compete against the clock in this quick, interactive, multiple-choice quiz.</p>	✓	✓	✓	
<p>Comic Creations</p> <p>Create your own cartoon strip, demonstrating your electoral knowledge.</p>	✓	✓		
<p>Democracy Rules – The Quests 1 & 2</p> <p>Compete against the clock, or a friend, and collect as many gems about Australia's democracy as you can by answering as many questions as you can.</p>	✓	✓	✓	✓
<p>Voting Tool</p> <p>Running an election in your school or classroom? Learn about preferential voting from the animation in this interactive and then use the preferential counting tool to count the votes in your election.</p>	✓	✓	✓	

Curriculum links

The Australian Curriculum Assessment and Reporting Authority (ACARA) has been tasked with developing the Foundation to Year 12 Australian Curriculum. This on-going process has been done through a rigorous and consultative, national process with a variety of Education Sector stakeholders.

The Australian Curriculum aims to set consistent national standards to improve learning outcomes for all young Australians. It sets out, through content descriptions and achievement standards, what students should be taught and achieve, as they progress through school. It is the base for future learning, growth and active participation in the Australian community.

Set out below are the links Democracy Rules has to the Australian Curriculum Humanities and Social Sciences - Civics and Citizenship content descriptions.

YEAR 3

Concepts for developing understanding

The content in the civics and citizenship sub-strand provides opportunities for students to develop understanding about democracy, laws and citizens and citizenship, diversity and identity. Drawing on familiar contexts and personal experiences of fair play, different points of view, rules and consequences, and decision-making, students begin to develop an understanding of democracy as rule by the people (democracy, laws and citizens). Students explore how individuals, including themselves, participate in and contribute to their community (citizenship, diversity and identity).

Inquiry question

- How are decisions made democratically?

CIVICS AND CITIZENSHIP KNOWLEDGE AND UNDERSTANDING	DEMOCRACY RULES
<p>Content Description</p> <p>The importance of making decisions (ACHASSK070)</p> <p>Elaborations</p> <ul style="list-style-type: none">• making a decision as a class by allowing everyone to have a say and a vote• building empathy by reflecting on how it feels to be included or excluded from making decisions and identify situations when it is fair for decisions to be made without taking a majority vote (for example by teachers or parents)• identifying places and situations in communities where decisions are made democratically	<p>Topics and Investigations</p> <p>You and me, the decision makers</p> <ul style="list-style-type: none">• What do we mean by democracy?• Can we all make the decisions?

YEAR 5

Concepts for developing understanding

The content in the civics and citizenship sub-strand provides opportunities for students to develop understanding about government and democracy, laws and citizens and citizenship, diversity and identity. Students are introduced to the key values of Australia's liberal democratic system of government, such as freedom, equality, fairness and justice (government and democracy). Students begin to understand representative democracy by examining the features of the voting processes in Australia (government and democracy).

Inquiry questions

- What is democracy in Australia and why is voting in a democracy important?

CIVICS AND CITIZENSHIP KNOWLEDGE AND UNDERSTANDING	DEMOCRACY RULES
<p>Content Description</p> <p>The key values that underpin Australia's democracy (ACHASSK115)</p> <p>Elaborations</p> <ul style="list-style-type: none">• discussing the meaning of democracy• discussing the meaning and importance of the key values of Australian democracy (for example, freedom of election and being elected; freedom of assembly and political participation; freedom of speech, expression and religious belief; rule of law; other basic human rights)• considering how students apply democratic values in familiar contexts <p>The key features of the electoral process in Australian (ACHASSK116)</p> <p>Elaborations</p> <ul style="list-style-type: none">• exploring the secret ballot and compulsory voting as key features of Australia's democracy• recognising the role of the Australian Electoral Commission in administering elections that are open, free and fair• clarifying who has the right to vote and stand for election in Australia	<p>Topics and Investigations</p> <p>You and me, the decision makers</p> <ul style="list-style-type: none">• What do we mean by democracy?• Can we all make the decisions? <p>What's your vote worth?</p> <ul style="list-style-type: none">• How and why do Australians vote?• How do electorates change over time?

YEAR 6

Concepts for developing understanding

The content in the civics and citizenship sub-strand provides opportunities for students to develop understanding about government and democracy, laws and citizens and citizenship, diversity and identity. Students study the key institutions of Australia's democratic government, including state/territory and federal parliaments, and the responsibilities of electors and representatives (government and democracy).

Inquiry question

- What are the roles and responsibilities of the different levels of government in Australia?

CIVICS AND CITIZENSHIP KNOWLEDGE AND UNDERSTANDING	DEMOCRACY RULES
<p>The responsibilities of electors and representatives in Australia's democracy (ACHASSK145)</p> <p>Elaborations</p> <ul style="list-style-type: none">• considering the responsibilities of electors (for example, enrolling to vote, being informed and voting responsibly)• identifying the characteristics that would make for a 'good' representative at the local, state/territory or national level	<p>Representing everyone!</p> <ul style="list-style-type: none">• How do you have your say?• How are we represented?

YEAR 7

Concepts for developing understanding

The content in the civics and citizenship sub-strand provides opportunities for students to develop understanding about government and democracy, laws and citizens and citizenship, diversity and identity. The year provides a study of Australia's constitution and how its features shape Australia's democracy (government and democracy) and how Australia's legal system aims to provide justice (laws and citizens). Students explore diversity within Australian society, how groups express their identities and the role of shared values in promoting social cohesion (citizenship, diversity and identity).

Inquiry question

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

CIVICS AND CITIZENSHIP KNOWLEDGE AND UNDERSTANDING	DEMOCRACY RULES
<p>The process for constitutional change through a referendum (ACHASSK194)</p> <p>Elaborations</p> <ul style="list-style-type: none">• describing the process by which referendums to change the Australian Constitution are initiated and decided• exploring examples of attempts to change the Australian Constitution by referendum (for example, the successful vote on the Constitution Alteration (Aboriginals) 1967; the unsuccessful vote on the Constitution Alteration (Establishment of Republic) 1999)• discussing the advantages and disadvantages of having a Constitution that can only be amended by referendum	<p>Representing everyone!</p> <ul style="list-style-type: none">• Are there other ways to have your say?• How does the Australian Constitution influence our lives? <p>The voice of a vote in a world of change</p> <ul style="list-style-type: none">• How did Indigenous Australians achieve civic rights?

YEAR 10

Concepts for developing understanding

The Year 10 curriculum develops student understanding of Australia's system of government through comparison with another system of government in the Asian region. Students examine Australia's roles and responsibilities within the international context, such as its involvement with the United Nations. Students also study the purpose and work of the High Court. They investigate the values and practices that enable a democratic society to be sustained.

Key Inquiry questions

- How is Australia's democracy defined and shaped by the global context?

CIVICS AND CITIZENSHIP KNOWLEDGE AND UNDERSTANDING	DEMOCRACY RULES
<p>Government and democracy</p> <p>The key features and values of Australia's system of government compared with ONE other system of government in the Asia region (ACHCK090)</p> <p>Elaborations</p> <ul style="list-style-type: none">• categorising the key features of Australia's system of government, for example democratic elections and the separation of powers, and comparing and contrasting these to the key features found in another country in the Asia region, such as Japan, India or Indonesia• Australia's roles and responsibilities at a global level, for example provision of foreign aid, peacekeeping, participation in international organisations and the United Nations (ACHCK091) <p>Elaborations</p> <ul style="list-style-type: none">• exploring the types of participation that Australia has in the Asia region and internationally, for example exchange programs, peacekeeping, election monitoring, health programs, disaster management	<p>The voice of a vote in a world of change</p> <ul style="list-style-type: none">• How did East Timor take the first steps to democracy?

Background briefings

These briefings, arranged alphabetically for teachers' reference, provide additional information about the electoral system.

Australian Electoral Commission

The Australian Electoral Commission is an independent statutory authority that is empowered by the Electoral Act to maintain the Commonwealth electoral roll, and to organise and conduct federal elections and referendums. As such it plays a crucial role in ensuring that elections operate according to democratic principles and values and are independent of politics. For example, the AEC supports the process of redistributing electoral boundaries.

The AEC administers election funding and financial disclosure and has the responsibility to conduct electoral education programs. While the AEC's primary responsibilities are carried out in Australia, it also assists in the conduct of foreign elections and referendums as approved by the Minister for Foreign Affairs.

Commonwealth Electoral Act 1918 (Cth)

Although the Constitution provides for the basic legal framework for representative government at the federal level, the *Commonwealth Electoral Act 1918* (Cth) (the Electoral Act) provides supplementary machinery for the conduct of federal elections. In effect, the Electoral Act provides the legal basis for the administration of elections including:

the creation and maintenance of the electoral roll; the distribution of electoral divisions (electorates) for the House of Representatives in each state and territory; the registration of political parties and

election funding; the election timetable; the rules relating to the marking of ballot papers and the counting of votes; the rules regulating electoral advertising; and the rules governing challenges to election results.

Constitution

The *Commonwealth of Australia Constitution Act* (the Constitution) is the basis of the Australian Federation (see **Federation**) and broadly defines the relationship between the Commonwealth and the states, as well as the structure and powers of the Commonwealth Parliament and the High Court. The Constitution provides the legislative basis for the Commonwealth Parliament's law-making powers, and laws made by the Commonwealth Parliament must be in accordance with the Constitution.

The Constitution also establishes the basis of representation and the terms of the two houses of parliament: the House of Representatives and the Senate.

Some of the laws governing representation in the House of Representatives and the Senate are laid down in the Constitution, and these are given effect and supplemented by the provisions of the Electoral Act and its subsequent amendments.

Democracy

Democracy comes from the Greek words *demos* meaning 'the people' and *kratos* meaning 'power'. Effectively, the word 'democracy' means 'people power' – the right of people to make decisions on how they are governed. In modern democracies citizens elect representatives to govern on their behalf, and these representatives remain answerable to electors at periodic elections.

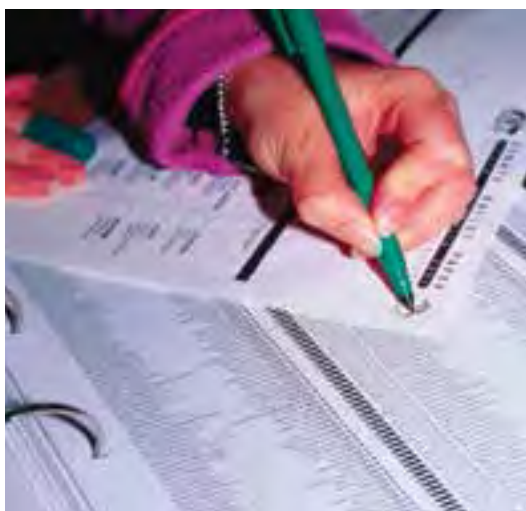


Fig 1: A polling official initialling a ballot paper

Electoral division

A fair electoral system ensures that each citizen's vote has equal value and that voters have, as near as possible, equal representation. For House of Representatives elections (see **House of Representatives**), each Australian state and territory is divided into electoral divisions (also called electorates) which each elect one member to the house. Each member of the House of Representatives therefore represents an individual electorate.

The number of House of Representatives electoral divisions for each state and territory is based, as near as possible, on the total population of that state or territory as a proportion of the Australian population. The exact quota is arrived at using the formula in section 24 of the Constitution. Within a given tolerance, each electorate in a particular state or territory contains the same number of electors.

Population changes affect electoral division boundaries, which are altered to ensure that electorates have, as near as possible, equal enrolments (see **Redistribution**).

The Senate (see **Senate**) differs from the House of Representatives in that it is not a single-member system. A proportional system of representation applies and electors of a state or territory, voting as a single electorate, elect the relevant number of senators to represent them.

Electoral roll

The Commonwealth electoral roll is the list of the names and addresses of all people who have enrolled to vote at Australian elections. You cannot vote unless you have enrolled. Australian citizens 18 years of age and over must enrol to vote and must also notify any change of address in order to stay on the roll.

Federation

In 1901 the six British colonies in Australia joined to form the Commonwealth of Australia, and became the six states of the new federation. The colonies had formerly been self-governing. The rights of the new states were protected by the Constitution in the new federation, creating two levels of government: state and Commonwealth.

Full preferential voting

Australia uses the full preferential voting system for both House of Representatives and Senate elections. Electors number the candidates in the order of their preference. For the House of Representatives, a valid ballot paper would contain a preferential order which includes all candidates. This is also true for 'below the line voting' on the Senate ballot paper. However, electors for the Senate can also vote 'above the line', where they defer to the order of preferences as decided by a particular group or party, by placing the number 1 in one of the squares.

In the House of Representatives, a single-member system, electors in an electoral division vote using the full preferential system and elect one Member of Parliament to represent them. To be elected, a candidate must gain an absolute majority (more than 50%) of the formal vote in an electorate or division.

While the Senate also uses a full preferential voting system, a proportional system applies to counting the votes in the Senate. This means that candidates must gain a proportion of the electorate's votes (a quota) to be elected. Each state or territory forms a single electorate and voters elect the relevant number of senators.

House of Representatives

Under the Constitution, the House of Representatives (or 'people's house') represents the people of the Commonwealth. It is the House where government is formed and where most legislation is initiated. The party (or coalition) that commands a majority of Members in the House of Representatives forms the government, and the leader of that party or coalition becomes the Prime Minister. The House of Representatives is elected for a term of not more than three years.

Indigenous Australians' rights

In Australia, Indigenous Australians were progressively granted citizenship rights, including the right to vote in 1962. However, during the 1960s there were calls for the Australian Constitution to be changed. Although Indigenous Australians were mentioned in the Constitution, these references were to their exclusion, as under section 51 the Commonwealth Government had no power to make laws for them and, under section 127, they were excluded from being counted in the census.

These provisions meant that Indigenous Australians, who at the time were subject to a range of differing laws and regulations in various Australian States and Territories, were denied the status of equality of citizenship with other Australians.

The anomalies resulted in calls to amend the Constitution. The referendum of 1967 had enormous symbolic significance for Indigenous Australians, and was passed by an overwhelming majority of Australians with 90.77% voting in favour of change. In 1984, compulsory enrolment and voting in Commonwealth elections for Indigenous Australians came into effect, bestowing upon them the same responsibilities as other citizens under the Electoral Act.



Fig 2: Indigenous Australians received the right to vote in Commonwealth elections in 1962

International assistance – East Timor

East Timor was the first democratic nation formed in the 21st century, but the path to democracy was not smooth and continues to be difficult. Nine days after a unilateral declaration of East Timorese independence in 1975, Indonesian forces invaded East Timor, later claiming it as the 27th province of Indonesia. The United Nations, however, did not recognise Indonesian sovereignty over East Timor.

By the late 1990s increased international attention to human rights abuses, as well as pressure on the Indonesian government, led the United Nations to organise a 'popular consultation'. The vote was to allow the East Timorese to decide whether to remain part of or separate from Indonesia. The East Timorese voted not to remain part of Indonesia.

Australia led the international peacekeeping efforts during the period of violence that followed the popular consultation in East Timor in 1999, and contributed to an international contingent of police. This peacekeeping role included supporting the establishment of democratic institutions and conducting democratic elections. Australia has continued to provide support for democratic governance since, through education programs and capacity building.

The AEC assisted with electoral planning, conducting the ballot for the East Timorese diaspora in Australia, and providing voter registration equipment kits and ballot papers. The AEC also helped with the development of registration, polling and counting procedures and the training of United Nations Mission in East Timor (UNAMET) electoral staff for subsequent democratic elections in 2001 and 2002.

Parliament

The Commonwealth Parliament was created under the Constitution; it consists of two houses: the House of Representatives and the Senate. The law-making powers and functions of each House, as well as the bases of their election, are described in the Constitution.

Redistribution

The rearrangement of an electoral divisional boundary is called a redistribution. The AEC is responsible for regular redistributions of electoral boundaries for the House of Representatives.

A redistribution is needed when there is a change in the number of members in the House of Representatives to which a state or territory is entitled, or if a redistribution has not taken place for a period of seven years. A redistribution is also undertaken when the difference in the number of electors across divisions is outside a given tolerance. This is defined as a variation of more than one-third of the divisions within a state or territory from the average divisional enrolment for that state by more than 10% for two consecutive months.

The AEC uses population data from the Australian Bureau of Statistics.

Referendum

The Constitution contains provisions that allow for its alteration. Section 128 allows for the Constitution to be altered by referendum. In a referendum to alter a provision of the Constitution, the proposed change must be approved by a double majority: a majority of voters in Australia as a whole *and* a majority of voters in a majority of States (at least four of the six States). Citizens eligible to vote must participate in a referendum and vote 'Yes' or 'No' to the proposed change. Since Federation, 44 proposals for constitutional change have been put to the Australian electors but only eight referendums have been successful.

Representation

In modern democracies electors elect representatives to parliaments, or other representative institutions, at periodic elections. These representatives, who are usually members of political parties, participate in the legislative process, and are entrusted to make decisions on behalf of electors for which they are accountable at elections. In the Australian democratic system, citizens elect representatives to make decisions on their behalf. Because voting is such an important part of a democratic representation, electoral laws and the systems that are used to elect representatives are critical in ensuring that democratic principles and values are upheld – and the worth of each citizen's vote is maintained.

Senate

Under the Constitution, each state has equal representation in the Senate (currently 12 senators per state, but two senators per territory). To be elected to the Senate, candidates must receive a specific proportion of the votes. This is called a 'quota'.

The term of office for senators for the states is six years. In 1974, parliamentary legislation granted Senate representation to the Northern Territory and the Australian Capital Territory. However, the term of office for senators from the territories is contingent on the term of the House of Representatives, a maximum of three years, unless dissolved earlier.

The Senate reviews legislation passed in the House of Representatives and must approve it before it becomes law. The Senate has equal powers with the House of Representatives, except that it cannot initiate money bills.

Universal Declaration of Human Rights

Australia was a founding member of the United Nations, which was formed in 1945 a few months after the end of World War II. The Universal Declaration of Human Rights was signed by all United Nations member nations in 1948, obliging them to promote its ideals among their peoples and aspire to its principles in the areas over which they had jurisdiction. The Declaration outlines civil and political rights, as well as economic, social and cultural rights, and it has significant symbolic and moral importance for all people. Article 21 of the Declaration is an example of its democratic principles:

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives ... The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote ...

(Universal Declaration of Human Rights,
www.un.org/en/documents/udhr/)