

Democracy Online Program

Background Notes

What is a Democracy?

The idea of democracy originated from Ancient Greece. The word “democracy” comes from two Greek words “demos” meaning people and “kratos” meaning rule.

Democracy is a form of government where people decide matters as a group. In a democratic country like Australia, all eligible citizens, aged 18 years and older, who are enrolled on the Electoral Roll, have the right and the responsibility to vote for people to represent them in State or Federal Parliament. Some of the responsibilities undertaken by the elected representatives include attending Parliament and helping to make laws on behalf of their electorate. Voting rules for Local Government Councils vary between states and territories, however, in Western Australia, voting for candidates in Local Council elections is not compulsory.

In countries with a democracy, the people’s views influence decisions made by the government. Lobby groups, interest groups, trade unions, political parties, and individuals can contribute to a strong democracy.

There are different types of democracy. Some countries like Australia have a representative democracy where we vote for representatives to make decisions.

History of Democracy

Democracy in Ancient Greece

Around 2500 years ago in Ancient Greece, the people of Athens developed a way of making decisions that differed from the autocratic ways of the past. An autocratic system of government is a type of government where one person or small groups make all the decisions on behalf of the people of the state.

Athens was the first city state to allow ordinary citizens access to government offices and courts. In theory, all Athenian citizens were eligible to speak and vote in the Assembly. In reality, this was not the case as women were not included nor were foreigners, slaves or freed slaves. The democracy therefore, was only for a very small minority of the people living in Athens. It was, however, the closest any country had come to establishing a democratic society at this time.

Democracy in England: Magna Carta

In Medieval England in the 1200s many people had little choice or freedom and had to pay high taxes to fund wars with France. There was unrest between King John and his subjects, including the barons.

The barons decided the best way to overcome unrest was to make an agreement with the King. The agreement is known as Magna Carta (Great Charter) which included 63 clauses (sections) and provided the people of England with written laws, some of which limited the powers of the King and improved the rights of the people.

Some of the principles included in the Magna Carta have helped shape our democracy today. One of these is the concept of the rule of law, which means the law should apply to everyone equally regardless of who they are. This is still an important principle in modern democracy over 800 years later.

Development of Democracy in Australia

Australia's system of government grew over time from single Governors representing the British Parliament to the fully elected representative democracy that functions today.

The Development of Representative Government

Around 1830, people in New South Wales began to push for a representative government, one with members who were elected to represent the people. Finally, in 1843, the people got their chance to vote but only for some members of the new parliament. The other members were chosen by the British. The Governor still had most of the power and the only people who could vote were wealthy landowners.

By the mid-1850s New South Wales, Victoria and Tasmania had elected governments, but it was still only men who owned a lot of property that could vote. Poorer men felt it was unfair that they had no vote - and therefore no say in government - but they still had to pay taxes. This was one of the complaints that led to the Eureka Stockade in Victoria in 1854, where miners rebelled against government authorities. The authorities responded harshly but most people sympathised with the miners. Not long after this event both Victoria and South Australia extended the vote to all men over 21 regardless of how much property they owned.

1901 Australia's Constitution

In 1901 Australia became a Federation and our Constitution came into effect. The Constitution explains the rules for how the institutions of our democracy should be set up and the roles and responsibilities of Federal Parliament. There are eight chapters and 128 sections in the Constitution.

The Government cannot change any part of the Constitution without first having a referendum, where citizens are given the right to vote "yes" or "no" for the change. Since 1901 there have been 44 attempts to change the Constitution and only eight referendums have been successful.

Although the intention of the Australian Constitution was to unite the colonies and the Australian people, First Nations Australians were excluded from being recognised within the document and were not given a voice in discussions concerning the creation of a Federation.

As a result Aboriginal and Torres Strait Islander people have continuously fought to be recognised and acknowledged within the Constitution and by the Australian Government.

One of the most successful referendums to amend parts of the Constitution occurred in 1967 when First Nations Australians and other Australians advocated for two sections of the Constitution to be altered. The two sections were:

Section 51(xxvi): The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:The people of any race, other than the aboriginal people in any State, for whom it is necessary to make special laws.

Section 127: In reckoning the numbers of people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted.

The changes to be made were:

In Section 51 (xxvi) The words "...other than the aboriginal people in any State" to be removed, meaning the Federal Parliament would have the power to make laws with respect to First Nations People, which was believed would result in more rights and better conditions. At the time, the State Governments made the laws so the rights of First Nations Australians varied between the states.

All of Section 127 to be removed, so that Aboriginal and Torres Strait Islanders could be included in the Census. A census is a survey, where details of a population are gathered, including the number of people. Before 1967 First Nations People were not included in the national Census.

The outcome of the 1967 referendum was that 90.77% of people voted "yes" to the changes - the highest recorded "yes" vote out of 44 referendums.

There remains further changes to the Constitution that First Nations People and non-Indigenous people continue to fight for. The Uluru Statement from the Heart, issued to the Federal Government by 250 First Nations leaders from around Australia in 2017 is an example. The desired amendment to the Constitution is to provide for a First Nations' Voice to Parliament. There is ongoing debate about this between the Australian Government and advocates who support the Statement.

1902 Women in all of Australia can Vote

South Australia was the first electorate in Australia and the fourth in the world to give voting rights to women in 1894, including Aboriginal women. Women were also able to stand for Parliament in South Australia at this time. In Western Australia women could vote by 1900, however First Nations women were not given this right yet.

By 1902 the Commonwealth Parliament allowed women aged 21 and over the right to vote in Federal elections and also to stand for elections in Federal Parliament. Many non-European and First Nations Australians did not have the same rights until much later.

1962 First Nations Australians

In some states such as South Australia, Aboriginal men were able to vote in elections from 1856 and Aboriginal women could vote from 1894, but it wasn't until 1962 that all First Nations Australians were given the right to vote in Federal elections in their own country.

Although First Nations Australians were able to vote in all State and Federal elections after 1962, their vote wasn't made compulsory, as it was for other Australians, until 1984.

Australia's Democracy Today

Today the Constitution, together with statute and common law, protects the rights and freedoms of individuals and minority groups; diverse political interests are acknowledged; and all Australians are entitled to procedural fairness in the resolution of disputes.

Key values of Australia's democracy

Shared values such as freedom, equality, fairness and justice play a significant role in the democratic way of life in Australia. These shared values reflect a commitment to a society where everyone is entitled to certain rights and freedoms. Listed below are some of the freedoms and democratic values that shape the democracy that we live in.

- freedom of assembly and political participation;
- freedom of speech, expression and religious belief;
- fairness and equality before the law; and the rule of law which applies to citizens and the government.
- equal opportunity for all people, regardless of their gender, sexual orientation, age, disability, race or national or ethnic origin.
- Australia's commitment to other basic human rights (such as the Universal Declaration of Human Rights, 1948).

Australian values are fundamental to a successful democracy. The Australian Government Department of Home Affairs website lists Australian values as follows:

- Respect for the freedom and dignity of the individual.
- Freedom of religion (including the freedom not to follow a particular religion), freedom of speech, and freedom of association.
- Commitment to the rule of law, which means that all people are subject to the law and should obey it.
- Parliamentary democracy whereby our laws are determined by parliaments elected by the people, those laws being paramount and overriding any other inconsistent religious or secular "laws".
- Equality of opportunity for all people, regardless of their gender, sexual orientation, age, disability, race, or national or ethnic origin.
- A 'fair go' for all that embraces:
 - Mutual respect
 - Tolerance
 - Compassion for those in need
 - Equality of opportunity for all

Information about Australian values has come from the [homeaffairs.gov.au](https://www.homeaffairs.gov.au) website:

<https://www.homeaffairs.gov.au/about-us/our-portfolios/social-cohesion/australian-values>

For further information:

- The Australian Human Rights Commission: <https://humanrights.gov.au/our-work/rights-and-freedoms/about-rights-and-freedoms>
- The Museum of Australian Democracy: <https://www.moadoph.gov.au/#>



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 The Constitutional Centre of WA

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Acknowledgement of Country The Government of Western Australia acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.