

Democracy in Action Online Program

Background Notes

Defining Democracy

Definition

The Mirriam-Webster dictionary defines democracy as:

a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.

Often, democracy is described as “rule by the people”: essentially a way of governing which depends on the “will” of its citizens. The actual word itself, democracy, comes from two ancient Greek words “demos”, meaning people, and “kratos” meaning rule. Whilst people often associate democracy with the idea of majority rule whereby citizens get their voice heard by voting at election time, this is a simplistic view. Democracies are much more complex systems of government than simply creating the voting structures to allow people to cast a ballot.

Ideas that Underpin Democracy

Consider, for example, essential to what makes a country a democracy are two key ideas:

- **Free choice** – the idea that people should be able to control their own lives and make their own decisions.
- **Equality** – the idea that everyone should have the same opportunity to influence the decisions that affect people in society.

These two ideas go a long way to explaining democracy’s ongoing appeal as they provide an assurance that all of us have as much chance as anyone else to decide on the rules and laws we are required to follow in a cohesive society.

In addition, a democratic system of government needs to balance the idea that citizens can freely make political decisions by **majority rule** with guarantees of **individual human rights**. Majority rule, if not backed up by undertakings of human rights for all, can lead to laws and policies which are harmful to minorities. The “will of the people” cannot provide justification for decisions that may be detrimental or damaging to minority groups. Unsurprisingly, it is this balancing act, between majority rule and minority interests that can make democracies messy, complicated, and at times difficult.

Furthermore, is the need to consider the principle of **separation of powers** when defining democracy. This principle ensures that no single person or group has too much power or influence. It is based on the belief that the three arms of government - the legislature (parliament), the executive (Ministers and their government departments) and the judiciary (the courts) – should have distinct and independent powers and responsibilities. Each arm of government can keep a check and balance on each of the others, and this importantly guarantees no one arm of government can control all the power in a democratic system.

It is important to note that in Australia, the separation of powers is combined with another idea called **responsible government** by which members of the executive are also members of parliament and are accountable to the parliament. This provides a check on the executive, ensuring they are responsible to parliament and do not abuse their power. This is an essential feature of the **Westminster system** that Australia borrowed from Britain. However, this means there is not a complete separation of powers in Australia, as members of the executive (Prime Minister and Ministers) are also members of the legislative arm (parliament).

Development of Democracy

Ancient History

The Ancient Greeks are credited with creating the very first democracy around two and a half thousand years ago. The Greek model was established around 507BCE, in the city of Athens. Significantly, in comparison to other types of governments of the time, which were mostly autocracies and oligarchies, the Greek's system was groundbreaking. The Athenian model was a form of **direct democracy**, whereby eligible citizens voted on every single policy and law themselves. However, "eligible citizens" was a very limited category as only free men were deemed citizens of Athens. This meant that women, children and slaves were not allowed to vote. Nonetheless, the number of eligible citizens who participated directly were still far greater than in modern day democracies, with probably around 16% of the population, directly engaged in politics.

At a similar time, the Romans also adopted the idea of democracy – in fact, Rome's republican government is one of the earliest examples of representative democracy in the world. However, as time went by, and different rulers came to power, the idea of democracy died out, in both Greece and Rome.

Medieval England and the Magna Carta

Fast forward to 1215, and King John, under the threat of civil war from a group of English barons, agreed to a charter of liberties, known as Magna Carta. It was the first document in history to put into writing the principle of the **rule of law**, whereby it set out the rules limiting the power of the monarchy and safeguarding basic human rights. Over its long history, Magna Carta has become known as a symbolic agreement upholding ideas of justice and liberty, not to mention the fundamental idea that underpins most modern-day democratic nations, namely, that the law should apply to everyone equally, regardless of who they are.

Australia's Democracy in the Modern World

On the first of January 1901, Australia federated and became one nation, and the **Australian Constitution** came into effect, setting up Australia as a democracy. While the intention of the Australian Constitution was to unite the new nation and its people, First Nations peoples were excluded from being recognised within the Constitution and were not given a say in Federation. Although women won the right to vote federally and stand for elections in the Australian Parliament in 1902, it was not until 1962, that a law was passed allowing First Nations peoples the option to enrol and vote in federal elections.

In 1948, the United Nations adopted the **Universal Declaration of Human Rights**. This document lists 30 basic rights and fundamental freedoms for countries to aspire to. This pioneering paper was the world's first globally agreed to document that marked out all humans as being free and equal, regardless of gender, colour, background, religion or other characteristics.

Many of these key events have helped to shape the rights and freedoms most people can enjoy in Australia today. Australia's democracy has certainly evolved across the decades to reflect modern-day values of equality, fairness, justice, freedom and respect. Impressively, Australia's democracy, at more than a hundred years old, is considered one of the oldest continuous democracies in the world. However, for many countries around the world, democracy is in its infancy with many, less than a generation old.

Today there are as many different forms of democracy as there are democratic nations in the world. No two systems are exactly the same and no one system can be taken as a "model". However, one thing that unites democratic nations and distinguishes them from the Ancient Greek model, is the idea that rather than people taking part directly in law-making decisions, modern-day democratic countries use elections to choose representatives who govern and make laws on their behalf. This system is known as a **representative democracy**. Additionally, at least to some degree, modern-day democracies embrace those two key ideals mentioned previously of:

- a citizen's desire for free choice and
- a citizen's aspiration to influence political decisions equally.

Australia's Democratic Model

Influences on Australia's Democracy

In Australia, our democracy is a blend of the British, American and Swiss systems and traditions we borrowed when we federated in 1901. To create a truly unique democracy, the authors of the Australian Constitution integrated the ideas of:

- the monarchy and a parliamentary system of government from the British Westminster model
- federalism from the United States (division of power between federal level of government and state and territory governments)
- referendum from Switzerland (to change the Australian Constitution).

Democracy Types That Best Fit Australia

There are perhaps six democracy types that best describe our nation. They are:

1. **Constitutional Democracy:** a democracy in which a government's authority comes from its citizens, with the structures, powers, and limits of government set out in a constitution.
2. **Federal Democracy:** a democracy in which power is constitutionally divided between a central governing authority and state or provinces.
3. **Liberal Democracy:** a democracy in which the power of government is limited, and the freedom and rights of individuals are protected by legislation. It emphasizes the following of the rule of law.
4. **Parliamentary Democracy:** a democracy where citizens elect representatives to sit in parliament and make laws on their behalf. The head of the government is a member of, and accountable to, parliament.
5. **Pluralist Democracy:** a democracy which allows multiple groups in society with diverse views and interests (e.g. political parties or pressure groups) to coexist and compete to influence policy.
6. **Representative Democracy:** a democracy in which electors choose representatives to a legislature to make laws and decisions on their behalf.

Features of a Healthy Democracy

Measuring Democracy

Interestingly, there is no consensus on how to measure democracy. Some people argue that a country is either democratic or not. However, most agencies that measure democracy agree, that it is a continuous concept, with the possibility of varying degrees of democracy.

With that in mind, there are many aspects as to what makes up a democracy, however, there are perhaps four key pillars that are fundamental for a country to be judged as having a well-functioning democratic system of government. Conceivably, how well a country embraces and upholds these four pillars will help determine just how democratic a country is, as a country may be deemed as more democratic, the more they support, promote and protect these pillars.

Four Pillars of a Healthy Democracy

1. **Free and fair elections** – political change should be considered an expected feature of democracy. This is because the government exists to represent and serve the people and public opinion shifts all the time on all sorts of issues. Therefore, it is only natural that elections will produce a change in government from time to time. So, it is essential that elections when held, are free and fair. This means

universal adult suffrage where people are not only given good and accurate information to enable them to make an informed decision, but they must be free to discuss and debate this information in different forums. Moreover, citizens must have a true choice on election day which necessitates there be a competitive, multi-party political system. Likewise, for elections to be fair, everyone must have equal access to polling places, and everyone's vote must have the same value and be counted accurately. Finally, elections need to be held regularly and conducted on the basis of secret ballots, with sufficient ballot security.

2. **Active participation** – this pillar is the cornerstone of a democracy. By its very definition, democracy allows the people a voice in charting the course of their government and their future. The most obvious way to participate in government is through voting but active participation is far more than just voting. The effective functioning of democracy, in fact, depends on people participating in lots of different ways. These include:
 - Keeping informed about public issues
 - Watching carefully how parliamentarians use their power
 - Speaking with or writing to local representatives
 - Campaigning for a candidate or political party
 - Creating or joining a social cause with like-minded citizens
 - Standing as a candidate for parliament
 - Attending community meetings
 - Peaceful protesting

All these things also go a long way to allowing people to make informed decisions when completing their ballot paper on election day.

3. **Rule of law** – democratic nations operate under the principle of rule of law, whereby everyone is equal under the law – no person, group or organisation is above the law. This principle, which we inherited from the centuries old Magna Carta, underpins the way a democratic nation will be governed. It means that everyone – both citizens and the government alike – is bound by and entitled to the benefit of the law. In other words, the people (including those who hold positions of power) should be ruled by the law and obey it and the law should be such that people will be able and willing to follow it. Under rule of law, the law needs to be known and accessible and it needs to be enforced in a fair and consistent way. Justice must prevail and if there are any disputes, there must be an independent judiciary (separate to the executive arm of government) to settle any issues that may arise.
4. **Rights and freedoms** – finally, for a democracy to be deemed as healthy, it must protect and promote the rights and freedoms of their citizens. Rights may be defined as the moral and legal privileges that citizens are entitled to whilst freedoms may be described as the power of being able to act, speak and think as a person wishes without being controlled or limited.

Ranking Democracy

Each year, the Economist Intelligence Unit (EIU) provides a snapshot of the state of democracy for countries around the world. This snapshot, known as the Democracy Index, is based on five categories:

1. Electoral process and pluralism
2. Civil liberties
3. The functioning of government
4. Political participation
5. Political culture

Based on their scores in each of these categories, each country is given a total score out of ten and then dependent on this score, classified as one of four government types:

1. Full democracy (a score above 8.00)
2. Flawed democracy (a score greater than 6.00)
3. Hybrid regime (a score greater than 4.00)
4. Authoritarian regime (a score 4.00 or less)

In 2023, a total of 167 countries were ranked with the following classification breakdown:

	Number of countries	% of the world population
Full democracies	24	7.8
Flawed democracies	50	37.6
Hybrid regimes	34	15.2
Authoritarian regimes	59	39.4

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In 2023, Australia's scores and rank were as follows:

	Overall score	Global rank	Electoral process and pluralism	Functioning of government	Political participation	Political culture	Civil liberties	Regime type
Australia	8.66	=14th	10.00	8.57	7.22	7.50	10.00	Full democracy

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In 2023, the best performing country was Norway on a score of 9.81 with New Zealand coming in at second spot on 9.61 and Iceland rounding out the top three on a score of 9.45. Historically, the highest Australia has ever been ranked is 6th, in 2010 on a score of 9.22. Interestingly, the rankings of the three countries that Australia borrowed ideas from whilst drafting the Australian Constitution were as follows:

- Switzerland – ranked 8th on an overall score of 9.14 (full democracy).
- United Kingdom – ranked equal 18th on an overall score of 8.28 (full democracy).
- United States – ranked 29th on an overall score of 7.85 (flawed democracy).

Rights and Responsibilities

Rights

As previously discussed, one of the key pillars of a healthy democracy is the promotion and protection of rights. They play an important role in our daily lives as our rights ensure we are able to have a say in the way our country is governed. Article 21 of the Universal Declaration of Human Rights (1948) states that “The will of the people shall be the basis of the authority of government”. This would suggest that democratic countries have the system of government most compatible with the promotion and protection of human rights for their citizens.

Unlike most similar liberal democracies, Australia does not have a Bill of Rights. Instead, protections for human rights may be found in the Australian Constitution and in legislation passed by the Federal Parliament and State or Territory Parliaments. Australia is also a party to seven core international human rights treaties, such as the International Covenant on Civil and Political Rights. Some of the rights/privileges of Australian citizenship include:

- voting in federal and state or territory elections,
- voting in a referendum or plebiscite
- applying for children born overseas to become Australian citizens by descent
- applying for a job in the Australian Public Service or in the Australian Defence Force

- seeking election to parliament
- having a fair trial
- applying for an Australian passport and re-enter Australia freely
- asking for consular assistance from an Australian official while overseas

Responsibilities

Whilst rights may be described as the privileges citizens are given, citizens also need to give back to society. These obligations can be described as responsibilities – the duties people contribute to society in order to keep it socially cohesive and peaceful. Some of these responsibilities are:

- obeying the laws of Australia
- respecting the freedoms of others
- voting in federal and state or territory elections
- voting in a referendum or plebiscite
- defending Australia should the need arise
- serving on jury duty if called to do so

Democratic Freedoms

Six Freedoms

The active participation of citizens to take part in government, in a genuine and authentic way, is almost impossible without people having their freedoms respected. People need to be able to act, speak and think unreservedly and to hold whatever beliefs are important to them without fear of being punished for doing so. In Australia, we can classify six key freedoms that enable active participation within the **bounds of the law**. They are:

1. **Freedom of speech** – Australians are free, within the bounds of the law, to say or write what we think privately or publicly, about the government, or about any topic. We do not censor the media and may criticise the government without fear of arrest. Free speech comes from facts, not rumours, and the intention must be constructive, not to do harm. There are laws to protect a person's good name and integrity against false information. There are laws against saying or writing things to incite hatred against others because of their culture, ethnicity, or background.
2. **Freedom of assembly** - The right to peaceful assembly protects the right of individuals and groups to meet for a common purpose or in order to exchange ideas and information, to express their views publicly and to hold a peaceful protest. The right extends to all gatherings for peaceful purposes, regardless of the degree of public support for the purpose of the gathering. However, the right applies only to peaceful assemblies, not to those involving violence.
3. **Freedom of association** - The right to freedom of association protects the right of all persons to group together voluntarily for a common goal and to form and join an association. Examples are political parties, professional or sporting clubs, non-governmental organisations and trade unions. Restrictions may be placed on the exercise of this freedom in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.
4. **Freedom of movement** - We can move freely to and from all states and territories of Australia. We can also leave and return to Australia at any time. People must be able to move freely and choose a place of residence within the country without restrictions. Governments have a duty to ensure that a person's freedom of movement is not unduly restricted by others, including private persons or companies. This freedom may be restricted to protect national security, public order, public health or morals or the rights and freedoms of others.
5. **Freedom of religion** - Australia does not have an official or state religion. We are free to follow any religion we choose and to practice it. People can engage in religious worship, which includes the building and use of places of worship, use and display of ritual objects and symbols, observance of holidays and periods of rest, performance of ceremonial acts, adherence to dietary regulations, wearing of distinctive clothing and use of particular languages. We are also free not to have a

religion. The law does not enforce any religious beliefs; however, religious practices must conform to the law.

6. **Freedom of media** - We are free to circulate opinions in print without censorship by the government. It allows communication and expression through various media, including printed and electronic media, especially published materials without interference by the government. This freedom allows people to hold opinions without interference and to seek, receive and impart information and ideas through any form of media. This freedom may be limited when necessary to protect the rights or reputations of others, national security, public order, or public health or morals.