

# Active and Engaged Citizens

## Formal and informal ways to support democracy

Australia is a democracy founded on the rule of law. Democracy is a form of government which enables and empowers its citizens to participate and have a voice in the running of the government.

To ensure that Australia remains a stable democratic society, its citizens must be involved and informed in civic processes to protect the foundations of freedom, justice, and authority. It's only when citizens cease their engagement that democracy is undermined and usurped by authoritarianism, totalitarianism or anarchy.

Many of the key roles of citizens are informal and necessary for civil society to survive such as being kind, respectful of others and inclusive. There are also other roles which are deemed so vital that they are required by law such as compulsory voting, jury duty, and compliance with the law.

### Voting

#### Having a voice in who represents you in the levels of government

The Australian Constitution does not expressly refer to elections but makes it clear that members of parliament are to be chosen directly by the people.

Having all sectors of the community able to vote has taken time as voting laws have slowly changed to reflect evolving societal values. The Eureka Rebellion in 1854 was a key moment in Australia's democratic history pushing forward important voting rights stemming from the Chartist movement. These included the right of every citizen to have a voice in making laws, no taxation without representation, universal suffrage and secret voting.

In 1894 the South Australia Parliament gave women the right to vote, making it the second Parliament in the world to recognise this right. Aboriginal people have had varied voting rights across the different states of Australia. From 1902, because they were denied the right to vote in Commonwealth elections (but allowed after 1962), they were often illegally denied the vote in state elections. In 1973 the voting age was reduced from 21 to 18 years.

Voting helps to ensure that the opinions and needs of all citizens are considered and represented, the laws have the consent of the people and their vote acts as a check of the power of the government.

### Juries

#### Community participation in the justice system

Jury trials date back to the Magna Carta in England and have been a part of Australia's legal system since 1833.

A jury trial is not an *absolute* (unlimited) right. The Australian Constitution provides for jury trials for only the most serious offences covered by Commonwealth legislation, whilst State laws also provide for jury trials in their respective Supreme or District Courts.

One of the most important things about juries is that they let people be judged by their peers; fellow citizens who are reflective of the broader community and its current standards. Jurors act as the decision-makers for the facts of the case. They listen carefully to all the evidence and **decide if the person on trial is guilty or not**. This not only reinforces fairness and impartiality in legal proceedings but also **actively engages ordinary Australians in the justice system** and is seen as a balance against the power of the government.

Jury duty is an important part of how our courts work. It gives everyday Australians the chance to take part in the justice system. It also helps make the law more understandable and ensures that decisions are not just made by judges, but by the community as well.



### Rights and Responsibilities

#### Protecting and respecting the rights of everyone in our community

Engaged citizens recognise the integral connection between rights and responsibilities. Active citizens live in accordance with their responsibilities in order to protect the rights of others. Where we have entitlements, we also have obligations.

Because rights are not absolute in all situations, responsibilities enable conflicting rights to be **balanced in the community**.

For example, you have a right to freedom of movement, and so you can obtain a driver's license and have the right to travel between the states and territories of Australia freely. Whilst on the road you have many duties, or responsibilities, including: a duty to drive safely, and a duty not to damage others property.

Many responsibilities are laid out in the law, the most fundamental of them being a **duty by all Australians, even those in power, to follow the law**. Unlike other nations that are ruled by laws, Australia operates under the rule of law where people are willing and able to follow the laws made on their behalf, not just because of possible government penalties but because they believe it is an essential part to sustain and protect our community and safety.