

# **Sociology support materials**

## **UNIT 4: CITIZENSHIP AND GLOBALISATION**

### Area of Study 1: Citizenship



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## PREFACE

The Sociology support resources have been commissioned by the Victorian Curriculum Assessment Authority (VCAA) and developed in collaboration with Social Education Victoria (SEV) and practising teachers to support teaching and learning of VCE Sociology Units 3-4.

The resources focus on two areas of the study:  
Unit 3: Area of Study 1, Community and Society  
Unit 4: Area of Study 1, Citizenship

The organisation of the material is according to key knowledge in the Sociology study design. The resources contain contextual information about the areas of study, suggested teaching and learning activities and possible school assessed coursework (SAC) tasks. The case studies and student activities provide examples of how experienced sociology teachers have approached the teaching of the study design. The resources may be adapted and updated by teachers for use in their own classes.

Because of the contemporary nature of Sociology it is impossible to provide a completely up to date resource which covers the study. During the process of putting these resources together we have witnessed the Federal government's apology to the Stolen Generation, proposals for review of the citizenship test and the signing of the Kyoto protocol. By the time that you read these resources there will be other changes which will be relevant to the concerns of the study.

The VCAA acknowledges the work of Loretta Glass, Executive Officer of Social Education Victoria as well as the work of the writers: Janet Argeres from Sandringham Secondary College and Fiona Gontier from Haileybury College.

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## **Unit 4: Citizenship and Globalisation**

### **AREA OF STUDY 1: Citizenship**

#### **INTRODUCTION**

Ideas about citizenship, egalitarianism and social justice have played a key role in Australia throughout most of the 20<sup>th</sup> century. Australia developed distinctive ideas and practices regarding citizenship after Federation in 1901. These included compulsory voting, the basic wage, a centralised industrial relations system, and a system of universal social welfare benefits.

This area of study explores definitions of citizenship, the implications of those definitions and the differing experiences of groups such as young people, women, immigrants, rural and regional Australians and Aboriginal and Torres Strait Islander peoples. It also investigates current debates about citizenship and the implications for Australians in the 21<sup>st</sup> century and how these relate to issues of social justice and egalitarianism. How much is citizenship a political, social or economic achievement? Is there a point at which a society based upon democracy and citizenship becomes compromised by economic and political inequality? Can we consider ourselves a democracy when large numbers of people are prevented from participating in social democratic practices because, for example, of their age, their economic status or their sexual orientation?

#### **STRUCTURE OF THE RESOURCE**

The following resource will address each of the six key knowledge areas from the VCE Sociology Study Design Unit 4: Citizenship and Globalisation, Area of Study 1: Citizenship, Outcome 1. It is anticipated that 1-2 weeks would be spent addressing each key knowledge dot point. A further 1-2 week period would then be needed to revise and complete a SAC. To achieve this outcome students will address the knowledge and related skills outlined in 'Sociology Victorian Certificate of Education Study Design Area of Study 1: Outcome 1' (Victorian Curriculum and Assessment Authority, 2005).

The following information is provided:

- A definition of the key concepts
- An exploration of the key knowledge dot points
- Case studies and student activities
- A practice SAC
- Revision questions
- Useful resources and references

#### **Disclaimer**

Material provided in this resource was current at the time of writing. Aspects of the study of sociology are contemporary in nature and teachers are therefore advised to use up-to-date study materials and examples. This resource aims to assist teachers in developing student knowledge and skills by providing teacher support materials that also demonstrate approaches to teaching Sociology.

## KEY CONCEPTS/GLOSSARY

**Aboriginal and Torres Strait Islander (ATSI) people:** Aboriginal and Torres Strait Islanders are the traditional inhabitants and custodians of Australia.

**Citizen:** A member of a state, an enfranchised [right to vote] inhabitant of a country, as opposed to an alien; a person, native or naturalized, who has the privilege of voting for public offices, and is entitled to protection in the exercise of private rights.

**Democracy:** The word *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 about how they are governed. In modern representative democracies citizens elect representatives to govern on their behalf, and these representatives remain answerable to electors at periodic elections.

(Source: *Democracy Rules: An electoral education resource*, Australian Electoral Commission, 2007)

**Globalisation:** Involves the increased mobility of goods, services, labour, capital, communication and technology on a global scale. Globalisation is a powerful factor in influencing the way people live and interact with each other and the ways in which states operate. It has both positive and negative impacts across many areas, including economies, cultures, politics, technology and the environment, and it is sometimes seen to challenge the sovereignty of states. (Source: Scott & Simpson 2007)

**Human rights:** Human rights are about recognising and respecting the inherent value and dignity of people. Human rights principles are contained in internationally agreed human rights standards.

The Human Rights and Equal Opportunity Commission (HREOC) is responsible for promoting and protecting human rights in Australia. Human rights principles are contained in international agreements regarding human rights standards. The HREOC is responsible for promoting and protecting those human rights in Australia.

[http://www.humanrights.gov.au/human\\_rights/index.html](http://www.humanrights.gov.au/human_rights/index.html)

**Indigenous peoples:** The 'original' residents and owners of a land at the time of colonisation (Holmes, Hughes & Julian 2007). The Australian Government defines an Aborigine as 'a person of Aboriginal or Torres Strait Islander (ATSI) descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives.' (Source: Australian Bureau of Statistics)

**Social justice:** Social justice is found when a society enables all its members to participate in and have access to the social, cultural, political and economic resources that define a normative way of life for that society. Social justice is absent when groups of people within a society are excluded from or have very limited access to social, cultural, political and economic resources, compared to the majority of that society. Social justice is related to, but is wider than, human rights. People may have their human rights respected and upheld, but still be excluded from participating in or accessing the resources of their society.

(Source: Salvation Army website -

[http://www.salvationarmy.org.nz/SITE\\_Default/SITE\\_about/Position\\_Statements/ps\\_socialjustice.asp](http://www.salvationarmy.org.nz/SITE_Default/SITE_about/Position_Statements/ps_socialjustice.asp))

## KEY KNOWLEDGE

Definitions of *citizenship* and its relationship to democracy and social justice. There are a number of definitions of citizenship.

## UNDERSTANDING THE KEY KNOWLEDGE

### Definitions of the terms *citizen* and *citizenship*.

#### Citizen:

- An inhabitant of a city or (often) of a town; especially a freeman of a city; a townsman 1514; a civilian 1607.
- A member of a state, an enfranchised [right to vote] inhabitant of a country, as opposed to an alien; a person, native or naturalized, who has the privilege of voting for public offices, and is entitled to protection in the exercise of private rights.
- Inhabitant, denizen.
- City-bred.

(Source: *Shorter Oxford Dictionary*)

#### Citizenship:

In political and legal theory, *citizenship* refers to the rights and duties of a member of a nation-state or city. TH Marshall defined citizenship as the status enjoyed by a person who is a full member of a community. Citizenship has three components: civil, political and social.

- Civil citizenship refers to the rights necessary for individual freedoms and is institutionalised in the law courts.
- Political citizenship guarantees the right to participate in the political process, both by voting and by standing for political office.
- Social citizenship is the right to participate in an appropriate standard of living. This right is embodied in the welfare and educational systems of modern societies.

Marshall wrote of the development of citizenship rights over time. First came civil (or legal) rights through court cases and later through legislation. In the 19<sup>th</sup> century political citizenship developed, though for men and not for women until the 20<sup>th</sup> century. Ideas of social citizenship developed in the 20<sup>th</sup> century after WWI. A more recent addition to Marshall's three realms of citizenship is the idea of *cultural citizenship* which involves the right to be 'different', to revalue stigmatised identities, to embrace openly and legitimately hitherto marginalised lifestyles and to propagate them without hindrance ... Full citizenship involves a right to full cultural participation and undistorted representation.

(Source: Pakulski, Jan 1997, 'Cultural citizenship', *Citizenship Studies*, vol 1, no1, pp. 73-86)

## ☛ Activity

### Explore definitions of *citizenship*

Explore the relationship of various definitions of *citizenship* to democracy and social justice.

1. On the previous pages there are definitions of citizenship.
  - Compare and contrast TH Marshall's definition with the other definitions.
  - Find three examples of civil rights or freedoms and three examples of social rights.
  - Democracy and social justice are concepts linked with citizenship. Define these terms (use a sociology dictionary) and explain how they are linked with citizenship.
  - How is the term *Australian citizen* defined?
  - Examine the material on the next page.
  - Based on this information, make a list of at least two groups who may be living in Australia but who do not have citizenship rights.
  - Do you think this is just? Why/why not?
2. Citizenship implies rights and responsibilities.
  - Make a list of ten rights and ten responsibilities of an Australian citizen. Stuck for ten?
  - Look at Marshall's definition. For example, we have the right to freedom of speech but in exercising this right we have the responsibility not to defame or demean others with, for example, racist or sexist remarks.
  - Go to the Australian Government citizenship website for a list of the privileges and responsibilities of an Australian citizen:  
<http://www.citizenship.gov.au>

## ☛ Activity

### Citizenship in Australian history

Read the following information:

The establishment of a convict settlement in 1788 impacted in two ways upon the concept of *citizenship*. Firstly, it reduced the social (and cultural) citizenship rights of the Indigenous people while not providing them with political citizenship. It also imposed a set of laws on the Indigenous people of which they were completely ignorant, thus impacting on their civil citizenship.

The second impact was within the colony. Convicts had no citizenship rights, and even early free settlers could not vote; there were no elections in NSW until 1823. A Governor managed the colony and was answerable to the British Government. New South Wales was a penal colony and many aspects of day-to-day life were effectively run by the military. Few citizenship rights existed in the early days of the colony.

Listed below are a series of events that have taken place in Australia since European settlement, which impacted in citizenship rights.

- Working in groups, choose one event and investigate it.
- Provide a short description of the event (where needed) and explain how it impacted on citizenship rights in Australia at the time.

- Using Marshall's concept of citizenship, examine the political, civil or social citizenship experiences resulting from these events.
- Present your research to the class in a format of your choosing, for example a PowerPoint presentation, a talk, a poster, or a play.

## Events

- Establishment of a convict settlement in 1788. New South Wales declared a possession of the British Crown.
- Legislative Councils introduced in the colonies of New South Wales and Tasmania in 1823. Voting for two thirds of the Legislative Councils introduced in 1839.
- Eureka Stockade, 1854.
- Establishment of 8 hour day, 1856 and onwards.
- Commonwealth of Australia created as a Constitutional Monarchy in 1901.
- Commonwealth Franchise Act, 1902
- Post WWII, United Nations formed; Universal Declaration of Human Rights adopted in 1948.
- Constitutional referendum of 1967 covering ATSI people.

## Activity

### What is an Australian citizen?

- How does one become an Australian citizen?
- When did Australian citizenship become a reality?

### Pledge of commitment to Australia

*From this time forward,  
I pledge my loyalty to Australia and its people,  
Whose democratic beliefs I share,  
Whose rights and liberties I respect,  
And whose laws I will uphold and obey.*

*(Source: Australian Government Department of Immigration and Citizenship)*

A citizen is a person who is a member of an independent country. A citizen is subject to the laws of that country. They are also entitled to have their rights as a citizen protected by that country.

Until 1949, even though the word *Australian* was used to describe those people born or naturalised in Australia, there was no such thing as an Australian citizen. All Australians were British subjects.

In 1949, the concept of an Australian citizen became a legal reality. This happened when the *Naturalisation and Citizenship Act 1948* was passed by both houses of the Australian Parliament and took effect on 26 January 1949. In 1973, the Act was amended to become the *Australian Citizenship Act 1973*. It provides the framework by which a person may become an Australian citizen.

### Related websites

*How do people become citizens?*

Automatic citizenship

[www.citizenship.gov.au/automatic-citizenship/citz-by-birth.htm](http://www.citizenship.gov.au/automatic-citizenship/citz-by-birth.htm)

Applying for citizenship

<http://www.citizenship.gov.au/applying/index.htm>

## ➤ Activity

### A citizenship test

Discuss the following questions:

- What knowledge, values and attitudes should new citizens have? What, if anything, should be tested in a citizenship test?
- What are arguments for and against a citizenship test?
- What is the Rudd Government's attitude towards the citizenship test that was introduced in October 2007 by the Howard government?

The following are sample questions from the Australian citizenship test.

Do you know the answers to these questions?

1. In which year did Federation take place?
2. What date is Australia Day?
3. Who was the first Prime Minister of Australia?
4. What is the first line of Australia's national anthem?
5. What is the floral emblem of Australia?
6. What is the population of Australia?
7. In which city is the Parliament House of the Commonwealth Parliament located?
8. Who is the Queen's representative in Australia?
9. How are Members of Parliament chosen?
10. Who do Members of Parliament represent?
11. After a federal election, who forms the new government?
12. What are the colours on the Australian flag?
13. Who is the head of the Australian Government?
14. What are the three levels of government in Australia?
15. In which year did the European settlement of Australia start?
16. Serving on a jury if required is a responsibility of Australian citizenship: true or false?
17. In Australia, everyone is free to practice the religion of their choice, or to practice no religion: true or false?
18. In order to be elected to the Australian Parliament one must be an Australian citizen: true or false?
19. As an Australian citizen, I have the right to register my baby born overseas as an Australian citizen: true or false?
20. Australian citizens aged 18 years or over are required to enrol on the electoral register: true or false?

(Source: <http://www.citizenship.gov.au/test/resource-booklet/citz-booklet-pt-4.pdf>)

Further information can be found at <http://www.citizenship.gov.au>

The information booklet and a practice test can be found at <http://www.citizenship.gov.au/test/preparing/index.htm>

## What is currently tested in the Australian citizenship test?

### ➤ Activity

#### What are the pros and cons of a citizenship test?

Examine the material from the following articles relating to the citizenship test. The URLs are provided.

- Write a list of arguments for and against the citizenship test including who or what group is making the statements. Provide examples, where appropriate, to support arguments.
- Can the current government justify its decision to retain the test? See David Crawshaw's article below. Explain.

#### Related articles

*Value-added citizenship on the agenda* — The Age, Michelle Grattan, 30 April 2006  
<http://www.theage.com.au/news/opinion/valueadded-citizenship-on-the-agenda/2006/04/29/1146198389941.html?page=fullpage>

Ethnic groups want citizen test changed — The Age, 2 January 2008  
<http://news.theage.com.au/ethnic-groups-want-citizen-test-changed/20080102-1jt5.html>

Multiple choice time for Labor — The Age, Gwenda Tavan, 10 January 2008  
<http://www.theage.com.au/news/opinion/gwenda-tavan/2008/01/09/1199554738755.html>

Testing years for a scattered, scared people — The Age, Sue Hoffman, 10 January 2008  
<http://www.theage.com.au/news/opinion/testing-years-for-a-scattered-scared-people/2008/01/09/1199554738761.html>

Sports trivia faces axe from test — The Australian, David Crawshaw, 29 January 2008  
<http://www.theaustralian.news.com.au/story/0,25197,23126175-26103,00.html>

The following letters about the citizenship test were published in *The Age* newspaper

### **What really counts**

JASON Foster (Letters, 3/1), I was born and educated in Australia and work here, and I couldn't answer one of the nauseatingly irrelevant questions on the new citizenship test. I can't even remember whether Australia Day is in January or February. I have not a clue who Australia's first prime minister was, and I sure never learnt it in school.

The nation's population is roughly in the tens of millions and is going up, but who really cares anyway, and rather than know the exact title of the head of our Government, I would rather spend my time learning about what the PM is doing to my country. Therefore, I do know about the Tampa, Siev-X, David Hicks, AWB kickbacks, the Chaser's breach of APEC 'security', the millions of taxpayer dollars spent on advertising WorkChoices and the disastrous state of the environment, thanks to 11 years of a government with its head in the sand.

In fact, should any new or old citizen know the answers to any of those citizenship questions I would be horrified, because it would mean they won't have been spending their time learning about what really goes on in this country.

Bojun Chiswell, Alphington

### **Scrap embarrassing test**

ANY form of a test seeking to know whether potential citizens have the "right" values should be dropped. Take, for example, the question "Australia's values are based on ...", to which the correct answer is the Judeo-Christian tradition. What is the underlying implication? Is it an alert to Muslims, Buddhists and atheists and others that their value systems are wrong?

The new citizenship test is a national embarrassment. Fitness for Australian citizenship should not be based on the ability to memorise a short selective list of facts. The correct answer does not represent agreement and is damaging to humanitarian citizenship claims.

So, King George V granted Australia its Coat of Arms in 1912 and South Australia has 13 wine regions. So what! It is also imperative to answer that to defend Australia and its way of life is a responsibility of all Australians. This "defence" currently means fighting in Iraq in the pursuit of oil. Scrap the test, Mr Rudd.

Melanie Lazarow, Brunswick

### **Back to the 1950s**

I am disappointed that the Rudd Government is planning to review the citizenship test but has pledged to keep it in place (The Age, 30/1). Every Australian who has been through our education system knows what it is like to dread a test or exam, and it should be no surprise that potential citizens experience the same thing. If there are important topics that migrants need to know about, such as English, smoke alarms or hazardous wildlife, then we shouldn't be waiting until they are qualified to apply for citizenship to educate them.

To test knowledge of Australian culture in a formal setting is like writing an essay about the tales you heard sitting on a grandparent's lap — it drains the life out of them.

The review of this test should send it back to the 1950s, where it belongs. Rudd promised us "New Leadership", yet he is endorsing this insidious resurrection of the White Australia Policy's dictation test.

Shaun Khoo, Brunswick

### **Establishment and protection of citizenship rights**

'There are no words that truly express how it feels for a stateless person to receive the privilege of Australian citizenship in a country like Australia. An approximation might be the experience of a person who has battled a serious illness, experiencing the borderline of death, only to recover and resume full health. Citizenship is a gift from God of priceless value.'

Akoch Manheim, Sudanese refugee

Not all countries or societies have granted citizenship rights to all people living there in the past. For example, slaves in ancient Greece and ancient Rome were not citizens. In many countries, including Australia, not all people have always had the rights that we now consider to belong to all citizens. It took a long struggle in Australia before everyone (men, women, Indigenous and ethnic) could vote or stand as a candidate in elections. Even today, if a person has dual citizenship (being a citizen of Australia and a citizen of another country) they are not eligible to stand as a candidate at an Australian election. It is also important to realise that citizenship rights are only guaranteed as long as the government in power chooses to abide by them; i.e. that even with a Bill of Rights, governments (including dictatorships and military juntas) can and do quite deliberately remove the rights of citizens and have the power to persecute and execute those that object. Citizens must therefore remain constantly vigilant to the erosion of rights.

At the time of Federation, the legal status of citizenship in Australia remained undefined. The Australian Constitution contains no explicit mention of citizenship. Until the *Nationality and Citizenship Act 1948*, the only formal civic status in Australia was that of British subject. The rights and obligations attached to citizenship have been defined in an ad hoc manner in Australia and this is probably quite deliberate. Those who oppose an American style Bill of Rights see Australia's use of the courts, particularly the High Court of Australia, as the best means of establishing and maintaining citizenship rights. Nevertheless, over the past 100 years there have been repeated calls for a Bill of

Rights and some Australian states (for example Victoria) have created their own Bills of Rights.

Citizenship rights in Australia are established and protected by:

- The Constitution;
- Federal and State/Territory Acts of Parliament;
- The High Court, Federal Court and Supreme Courts;
- The Human Rights and Equal Opportunity Commission (HREOC);
- The Commonwealth Ombudsman and State/Territory Ombudsmen;
- Community/international non-government organisations such as State Councils for Civil Liberties, Amnesty International;
- The Universal Declaration of Human Rights.

### **The Australian Constitution**

The Australian Constitution provides and protects the framework for the Australian system of government. Unlike the Constitution of the United States of America, few rights are mentioned in the Australian Constitution. One of the reasons for this is that the circumstances in which these constitutions were written were quite different. The US Constitution (with its Bill of Rights) originated at a time of revolution against Britain. The American Revolution was precipitated by concern over 'onerous' taxes, the fact that there was little genuine representation of Americans in Britain's Parliament, and opposition to the the concept of absolute monarchy and subsequent support for democratic ideals. The US Constitution was written after independence and the concept of citizenship and its rights and responsibilities was a key element of the new republic. The Australian Constitution was more about ensuring that the colonies retained some power after Federation. Citizenship rights were not a concern. The States already had representative governments and most included women and Indigenous people on their electoral rolls. Controlling the power of the soon-to-be-formed Commonwealth Parliament was the main purpose of the Constitution.

The Australian Constitution guarantees only four rights of a citizen

- Compensation for compulsory acquisition of property by the Commonwealth;
- Trial by jury for serious offences against Commonwealth law;
- Freedom of religion;
- Freedom from discrimination on the basis of State residence.

### **➤ Activity**

#### **Scenarios to discuss**

Would the following be possible?

- The Australian Government abolishes trial by jury in Commonwealth cases.
- The Australian Government decides that Buddhism will be adopted as the official Australian religion.
- The Australian Government provides funding to religious schools.
- The Australian Government decides to take over your house in order to expand an airport. They offer you the market price for the house.

- The Australian Government wants to take away the right of a group of Aboriginal people to live on land they have traditionally been associated with. The Commonwealth offers the market price for the land.

(Source: Discovering Democracy Secondary Kit 1998, Curriculum Corporation, Melbourne.)

## Australian democracy

### The separation of powers

Governing Australia requires the exercise of power. The Constitution says that this power is divided between three branches of government so they can balance each other: the executive, the legislature and the judiciary. Each branch checks the power of the other two. Legislative power means the power to make laws and is concentrated in the Parliament. Executive power means the power to implement laws and is given to the government. Judicial power gives the High Court power to decide whether laws that have been passed are legal according to the Constitution.

This division of power is designed to prevent one person or one group of people from having too much power. The Prime Minister and Cabinet work in both the executive as well as in the legislature.

### Commonwealth of Australia

Executive Prime Minister and Cabinet Government Departments	Parliament (Legislature) House of Representatives and Senate  Functions of Parliament: Representation Scrutiny Formation of government Legislation	High Court (Judiciary) The power of judicial review allows judges to interpret the Constitution
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The idea of the separation of powers was described by Montesquieu in his L'Esprit des Lois in 1748. He said that a nation's liberty depended on the separation of the three types of power - legislative, executive and judicial - each having their own separate institution.

(Source: <http://www.peo.gov.au/students/fss/fss35.html>)

### Federal and State/Territory Acts of Parliament

A number of Acts of Parliament provide citizenship rights, for example:

- Equal Opportunity and Employment Acts (Federal and State),
- The Racial Vilification Act (State),
- Racial Discrimination Acts (Federal and State).

These types of laws ensure that citizens are treated equally and without bias.

### The High Court, Federal Court and Supreme Courts

Most of the citizenship rights enjoyed by Australians have their origin in court decisions; that is, laws that are made by judges. This is known as common law. One of the

reasons cited by opponents of the introduction of an Australian Bill of Rights similar to that of the United States of America is that common law decisions provide sufficient protection of citizens' rights. The reversal of the legal concept of *terra nullius* in the Mabo case, which gave ATSI peoples the right to claim ownership over their land, is an example of a common law decision.

The High Court interprets Acts of Parliament and can create citizenship rights in the process. For example, the right of the accused to legal representation was established by the High Court via its interpretation of the *Commonwealth Judiciary Act 1903* and various related court cases.

### ➤ Activity

#### The Human Rights and Equal Opportunity Commission (HREOC)

Visit the HREOC website at <http://www.hreoc.gov.au/about/index.html>

- Explain the role of HREOC.
- Explain how they perform this role.
- Investigate one current human rights issue that HREOC is responding to.

### ➤ Activity

#### The Ombudsman

The Australian Ombudsman is an independent body whose main role is to ensure actions taken by government departments are legal and reasonable. The Ombudsman reports to Parliament and makes recommendations with regard to human rights issues in situations that it has investigated. Each State and Territory also has an Ombudsman.

Find out the origin of the term and the role of an ombudsman. Wikipedia is a good source for this. Write a paragraph of around 100 words to describe what you have found.

#### Community/international organisations

Organisations devoted to the promotion of human rights and civil liberties are found in every State/Territory; examples include the New South Wales Council for Civil Liberties and Liberty Victoria. These non-government organisations often represent people, provide information, organise campaigns and provide media releases to promote causes dealing with civil citizenship or human rights.

Amnesty International is a private organisation that lobbies governments around the world to stop human rights abuses. Its role is to promote and protect the rights set out in the Universal Declaration of Human Rights. It does this by being *apolitical* (i.e. by having no affiliation with any political party or movement), and by protesting to governments wherever serious human rights abuses exist. It will only support political prisoners who have not advocated violence.

*(Much of the text material above was sourced from: Discovering Democracy Secondary Kit 1998, Curriculum Corporation, Melbourne)*

## 🕒 Activity

### Liberty Victoria

Visit <http://www.libertyvictoria.org.au/LibertyDiscussionPapers>

- Make a list of the topics in the discussion papers.
- Choose one of these topics and relate the discussion back to citizenship rights/experiences. You do not have to read the whole of the discussion paper as generally the introduction will give you an overview. Write a paragraph examining:
  - Whose citizenship might be being impacted on;
  - What aspects of citizenship (political/civil/social) are being impacted on;
  - How and why citizenship is being impaired.

### International human rights standards

International human rights standards that are legally binding take the form of agreements between different countries. These agreements, or *treaties*, are worked out by representatives of governments at the United Nations. Human rights treaties are usually called *conventions* or *covenants*. They are 'legally binding' in the sense that signatories have agreed to allow the United Nations to examine and potentially intervene should the treaty be broken.

International law does not have the same power of compulsion as does the domestic law within any given country; there are no police forces and no courts with a general jurisdiction over human rights. It is very much up to the government of each individual country as to whether or not it will adhere to international law and, inevitably, there are many cases where countries choose to step outside the law.

However, the system of international law is not as weak as this may make it sound. When countries ratify a treaty, they take on a solemn obligation to observe the provisions of that treaty. In the case of major human rights treaties, obligations include regular reporting to, and scrutiny by, United Nations human rights bodies. Each country has an interest in maintaining a rule-based international system. While there are no penal sanctions, most governments do not like to be exposed to international criticism for failing to observe human rights standards.

In the case of Australia, there is usually a substantive review of legislation and practice before ratifying a human rights treaty in order to ensure that Australian law complies with the treaty concerned. Of course, Australian law which is not compliant can always be changed and in the past, specific legislation has been passed prior to the ratification of a human. The *Race Discrimination Act* and *Sex Discrimination Act* are two examples of the Australian government changing the law so that it complies with the obligations of an international treaty.

After adopting the Universal Declaration of Human rights, the United Nations went on to draft two major treaties which elaborated on the provisions of the Universal Declaration in a way that made them legally binding on countries that agreed to become parties to them: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). These were adopted by the United Nations General Assembly in 1966.

Other major human rights instruments include:

- The Convention on the Prevention and Punishment of the Crime of Genocide (adopted in 1948)
- The Convention relating to the Status of Refugees (1951) and its Protocol of 1967
- The International Convention on the Elimination of All Forms of Racial Discrimination (known by the acronym CERD, adopted 1965)
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)
- The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984)
- The Convention on the Rights of the Child (CROC, 1989)
- Convention 169 of the International Labour Organization concerning Indigenous and Tribal Peoples in Independent Countries (1989)
- The Declaration on the Rights of Disabled Persons (1975)
- The Declaration on the Right to Development (1986)
- The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)
- The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981)

As part of the process of accepting international human rights standards governments agree to ensure that the people living within their boundaries are able to access and enforce the rights set out in the treaty or convention concerned. International human rights instruments provide the Australian community with standards by which it can measure equality and fairness.

## 🕒 Activity

### The Universal Declaration of Human Rights

Examine the Universal Declaration of Human Rights and material relating to it at

<http://www.un.org/Overview/rights.html>

Answer the following questions.

1. What are human rights?
2. What was the origin of the Declaration (who was the creating body and what were the reasons for its creation)?
3. What was Australia's involvement in this document and subsequent human rights declarations? (Examine both creation and adoption).
4. How does the Declaration relate to the concept of citizenship? Respond with reference to political, civil, social and cultural citizenship providing one example for each.
5. How are treaties such as this implemented in Australia?
6. Is Australia always a good international citizen in terms of the creation and implementation of UN covenants? Read Brian Walters' article below and use examples from it to support your viewpoint.

### Related article/resources

*Going the wrong way on rights* — The Age, Brian Walters, 20 July 2006

<http://www.theage.com.au/news/opinion/going-the-wrong-way-on-rights/2006/07/19/1153166452454.html>

The Universal Declaration of Human Rights and other human rights instruments

The Charter of Human Rights and Responsibilities, Victoria

<http://www.justice.vic.gov.au/humanrights/>

## KEY KNOWLEDGE

How experiences of citizenship differ according to gender, age and ethnicity;

## UNDERSTANDING THE KEY KNOWLEDGE

### Researching citizenship

#### ➤ Activity

Are people treated differently because of gender, age, sexual preference, ethnicity/culture, social class and religious identification?

Discuss the attitudes, beliefs or assumptions being applied that lead to the discriminatory acts. Give examples for each group.

1. Research the citizenship experience of one of the groups listed below.
  - Examine all aspects of citizenship, that is, political, civil and social. In most instances, full political and civil citizenship is in place but you still need to talk about this.
  - Examine the positive as well as the negative experiences of citizenship. For most groups it is social citizenship that is compromised. For some groups you could also examine cultural citizenship (a fourth element added to Marshall's definition by others in more recent times), which focuses on discrimination on ethnic or racial grounds.
  - Establish reasons for the poor experience of citizenship of some citizens, for example sexism, conservatism, or racism.
2. Collate material into one document and present this in hard and soft (an electronic copy emailed to your teacher) copy.
3. The document should be one A4 page in length.
4. Use standard margins and a font size of 12.

### Gender

#### Men

Examine the attitudes of society to men.

- Are men 'victims' of feminism?
- Are men being portrayed in the media as, for example, stupid or needlessly violent?
- Find out what people like the writer Doris Lessing are saying.
- Do the divorce courts treat men unfairly?
- Find out what the 'black shirts' are saying about divorce and men.
- What is the economic/workplace picture for men? Are men losing the jobs and women gaining them?
- How do men stand up in the health stakes?
- How are boys doing educationally?

## **Women**

Examine the attitudes of society to women.

- When did Australian women get the vote?
- How involved are women in the political process?
- Find out about EMILY's List.
- How are women politicians treated?
- Investigate the attitudes of male politicians and the media to female politicians who 'fell from grace', for example Cheryl Kernot and Pauline Hanson.
- Investigate the media's portrayal of Julia Gillard.
- Do women get equal pay?
- Do women get equal opportunity in the workplace?
- What is the glass ceiling?
- How are women treated in the legal system in relation to crimes such as rape, assault, and domestic violence?
- How are women treated in the Family Court with regard to divorce and custody of children?
- How does the media portray women – sex objects, good mothers, dumb blondes?
- How does the education system treat girls?
- Are there issues with women's health?

## **Ethnicity**

### **Ethnicity**

Examine the experiences of ethnic groups.

- Do ethnic communities have a voice and are ethnic communities represented in the political system?
- How do people whose first language is not English fare in the Australian legal system? Does this impair on their civil citizenship rights?
- How do recent migrants fare in the workplace?
- What is the employment rate of recent migrants?
- What cultural citizenship issues apply to this group?
- Does the media portray migrants in stereotypical terms?
- Are particular ethnic groups singled out for more discrimination?
- What is the attitude to Muslims post September 11?

## Age

### Youth

For the purpose of this exercise this group can be defined as people aged between 13 and 25 years.

- Young people are able to vote at 18. How much of a political voice does this give them?
- Are young people knowledgeable about civics and citizenship, politics and political processes?
- Does the fact that young people have a vote mean that politicians listen to them?
- What forums represent the needs of young people? What rights and 'responsibilities do young people have?
- Do these rights and responsibilities improve their citizenship?
- Are there any examples of obvious discrimination against or exploitation of young people?
- How does this discrimination impact upon their citizenship?

### The elderly

For the purpose of this exercise this group can be defined as people aged over 60, although the term *elderly* is probably more appropriately attached to people aged over 75.

- Are the rights of older Australians any different to those 20 or 40 years younger?
- What benefits do governments (Federal, State and Local) confer on the elderly that might enhance their citizenship?
- Are there any examples of discrimination against or exploitation of older people?
- What is the prevailing attitude to older people in the workforce or within society generally?
- What are the laws regarding older Australians and driver licences?
- Are these laws discriminatory or are they necessary?
- How does this impact upon the citizenship rights of the elderly?

## Rural communities

### Rural communities

- Do members of rural communities really have full political citizenship in terms of their participation in the system?
- Are they being shouted over by the louder/stronger voice of the cities?
- What is life like for rural communities? What is happening to their infrastructure (banks, doctors, telecommunications and other services)?
- What are the employment prospects of someone in a rural community?
- Where do kids in rural communities get an education and a job?
- What impact is population drift (the movement of people to large regional or metropolitan centres) having on rural communities?
- What have governments done? Has this helped or hindered?

## **Sexual orientation**

### **Lesbian, gay, bisexual and transgender/transsexual (LGBT) people**

Examine the experience of citizenship for members of the gay and lesbian community.

- Does this group encounter a different application of the law? For example, marriage, inheritance, adoption, employment etc.
- How have the laws changed for LGBT people? For example, when were the laws against homosexuality repealed?
- What does the United Nations say about the treatment of LGBT people?
- Does the mainstream discriminate against LGBT people?
- Which groups or people are opposed to increasing the rights of LGBT people and what are their reasons?
- What evidence is there that LGBT people are accepted in the mainstream?
- What have governments done with regard to this issue? Has this helped or hindered or a bit of both? Elaborate.

## **Religion**

### **Religious groups**

Examine the experience of citizenship for different religious groups.

You could examine the Islamic community in Australia (there is a crossover in terms of ethnic communities above), or the Exclusive Brethren, in terms of these groups having being marginalised and/or intensely investigated in recent years.

- There are political citizenship (political voice) angles to matters regarding both these groups, especially the Exclusive Brethren.
- Freedom of worship is guaranteed under the Constitution. Is this indeed the case in Australia with regard to the practice of Islam?
- Does the Exclusive Brethren take full advantage of the civil rights available to Australian citizens?
- Is Australian society inclusive of these religions?

## KEY KNOWLEDGE

The different ways that citizenship is interpreted and experienced in Australia, for example by young people, Aboriginal and Torres Strait Islander peoples, non-English-speaking background groups, and rural communities.

## UNDERSTANDING THE KEY KNOWLEDGE

### Aspects of Indigenous citizenship

Download the Resource 'Indigenous Rights 1950s and 1960s' from [http://vels.vcaa.vic.edu.au/downloads/sample\\_units/ref\\_worksheet1.pdf](http://vels.vcaa.vic.edu.au/downloads/sample_units/ref_worksheet1.pdf)

OR

[http://www.aec.gov.au/pdf/education/resources/history\\_indigenous\\_vote.pdf](http://www.aec.gov.au/pdf/education/resources/history_indigenous_vote.pdf)

- Read through the documents with students and ensure that they are familiar with key terms used (such as *detrified* in Source 1, and the right to 'move around freely', which refers to the right of Aborigines to move off missions and reserves in order to work or visit others.)
- Have students work in groups to analyse two or more of the sources ensuring that all of them are covered. Students should discuss and write down answers to the following:
  - What is this source about?
  - What sorts of rights does it talk about?
  - What does it tell us about the right of Aborigines in the 1950s and 1960s?
  - Have students report back on their source analysis.
  - Have students write a list of rights of Aborigines based on the examples in the sources.
  - Discuss with how these rights compare with the rights that students expect as Australian citizens.
  - For further background information, students might also access the *Collaborating for Indigenous Rights* website at [www.nma.gov.au/indigenousrights/](http://www.nma.gov.au/indigenousrights/)

### Related article/source

The 1967 referendum: History and mythology  
[www.aph.gov.au/library/pubs/RB/2006-07/07rb11.htm](http://www.aph.gov.au/library/pubs/RB/2006-07/07rb11.htm)

*Police under scrutiny after Aboriginal custody death* — The Age, Andra Jackson, 2 February 2008  
<http://www.theage.com.au/news/national/police-under-scrutiny-after-aboriginal-custody-death/2008/02/01/1201801035358.html>

Social citizenship is the area that highlights the greatest difference between the citizenship experience of ATSI and non-indigenous peoples. Use the text *Sociology Australia*, (Bessant and Watts 2007) to provide material showing the differences between the social citizenship rights of Indigenous and non-indigenous Australians and record your findings in the table provided.

***Hint: Use the index to research the categories listed in the boxes and check under Aboriginals too.***

<b>Incomes</b>	
<b>Employment opportunities</b>	
<b>Education</b>	
<b>Housing</b>	
<b>Health</b>	

What factors do you think might have contributed to the lower social citizenship status of ATSI people? Look for some of the less obvious factors; for example, where do most ATSI people live? How might this impact on their access to social justice? If you use sociological terms like *racism*, define them.

Factor	Contribution

### ➤ Activity

#### Indigenous civil rights investigation

In groups research one of the following important events commenting on the impact that they have had on Indigenous experience of social, political and civil rights. Present your findings to the class.

- The Indigenous experience at Federation
- The National Day of Mourning
- The Freedom Rides
- The Stolen Generations
- 1962: The vote for Indigenous Australians
- 1967: Referendum
- 1984: Compulsory Voting
- Land rights (The Wave Hill protest, Mabo and Wik and the consequences, The *Native Title Act 1993* and the *Native Title (Amendment) Act 1998*)
- Indigenous courts in Australia
- Aboriginal deaths in custody

The presentation should take 3–5 minutes and should include a typed half-page handout of dot point notes summarising your findings. Cover the following in your research and presentation:

1. What was the event about (what was at issue) and what activities/protest actions were involved?
2. What aspects of citizenship were affected by the issues?
3. Name key individuals or groups involved in the event (note: not all groups or individuals will be Indigenous).
4. What was the outcome of the event?
5. To what degree were Indigenous people's citizenship rights was improved by this event? Provide reasons.

### **Related resources**

Australian History books, particularly those focusing on Indigenous issues

Australian Broadcasting Corporation

[www.abc.net.au/messageclub/](http://www.abc.net.au/messageclub/) (Look under the 'History' or 'Rights' links)

Dreamtime

[www.dreamtime.net.au/indigenous/social.cfm](http://www.dreamtime.net.au/indigenous/social.cfm)

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

[www.aiatsis.gov.au/](http://www.aiatsis.gov.au/) (look for 'Online exhibitions' in the AIATSIS library)

National Museum of Australia Canberra, Collaborating for Indigenous Rights

[www.indigenoustrights.net.au/](http://www.indigenoustrights.net.au/)

National Archives of Australia

<http://www.naa.gov.au/> (follow the 'About us' -> 'Publications' -> 'Fact sheets' links)

Australian Electoral Commission

[www.aec.gov.au/pdf/education/resources/history\\_indigenous\\_vote.pdf](http://www.aec.gov.au/pdf/education/resources/history_indigenous_vote.pdf)

Victorian Curriculum Assessment Authority

<http://vels.vcaa.vic.edu.au/support/level6/referendum.html>

## ➤ Activity

### Analysis of the Apology to the Stolen Generations

In February 2008, the newly elected Rudd government formally apologised to the Stolen Generations in the Australian Parliament.

- For what actions/attitudes was the apology made?
- In what way(s) did these actions by non-Indigenous Australia impact on the citizenship of Indigenous Australians? Provide examples of the impacts.
- The Howard government balked at using the word 'sorry' but instead focused on so-called *practical reconciliation*. In what ways was practical reconciliation intended to improve the citizenship rights of Indigenous Australians?
- In what way or ways would an apology improve the lives of Indigenous Australians?

### Related Articles/resources

*PM Rudd's 'sorry' address* — The Age, 12 February 2008

<http://www.theage.com.au/news/national/bfull-textb-pms-sorry-address/2008/02/12/1202760291188.html>

*Apology is just one step towards finally setting things right* — The Age, Editorial Opinion, 9 January 2008

<http://www.theage.com.au/articles/2008/01/08/1199554650897.html>

*The inherent flaw in the concept of 'practical reconciliation'* — John Tomlinson 9 March 2004, [www.onlineopinion.com.au/view.asp?article=2056&page=0](http://www.onlineopinion.com.au/view.asp?article=2056&page=0)

*Sorry was tough, now it gets harder* — The Age, Jo Chandler, 14 February 2008

<http://www.theage.com.au/news/national/sorry-was-tough-now-it-gets-harder/2008/02/13/1202760398804.html>

The ABC has a DVD of the Apology to the Stolen Generations that is available for school use

<http://shop.abc.net.au/browse/product.asp?productid=900516>

## ➤ Activity

Write approximately 250 words comparing your experience of citizenship (as a youth) to that of an Indigenous person.

## KEY KNOWLEDGE

The rights and responsibilities of Australian citizens in a global world in relation to, for example, self-determination, refugees, the environment, aid issues, and the Universal Declaration of Human Rights

## UNDERSTANDING THE KEY KNOWLEDGE

### Australian citizenship in a global world

Australia's national interest, like that of other countries, includes security and economic interests and also an interest in being seen and to be a good international citizen.

Global citizenship is the recognition that all people, regardless of national boundaries, have certain rights which should be upheld. These rights are largely based on those expressed in United Nations conventions such as the Universal Declaration of Human Rights. Global citizenship also recognises that all nations have interests in common and involves nations and individuals working across national boundaries on issues including the environment, refugees, aid for developing countries and solution to world conflicts. Globalisation has led to increasing movements of people, labour, money communication and technology on a global scale and increased the importance of Australian involvement in the international sphere.

Australia was one of the founding members of the United Nations and has supported global citizenship in many areas including:

- Support for the United Nations and United Nations conventions and agreements
- Support for refugees in accordance with the United Nations High Commissioner for Refugees (UNHCR)
- Provision of Aid to developing countries to alleviate poverty and support for the efforts of Non-Government organisations such as World Vision and Care Australia
- International peacekeeping and support for self determination
- Ratification of international environment protocols including most recently the Kyoto Protocol

Australia has also spoken out against human rights abuses internationally. For example, new Prime Minister Kevin Rudd made clear Australia's concern about human rights abuses in Tibet during his 2008 trip to China.

Australia has not been without criticism regarding its record on global citizenship. Concerns have been raised about the level of foreign aid that a wealthy nations like Australia spends on less fortunate countries. Concerns have also been expressed about attitudes to asylum seekers, support for the US invasion of Iraq without the sanction of the United Nations and the support for denial of rights to citizens caught up in the 'war on terror' such as David Hicks.

Individual Australians show concern for international rights and concerns. It is expressed through a range of activities such as supporting international appeals for financial support in world catastrophes. Examples include support for the victims of the Tsunami, sponsoring children through World Vision, participating in volunteer programs

organised by Non-Government Organisations (NGOs) and protesting against human rights abuses such as the 2008 pro- Tibet protests at the Chinese Olympic Torch Relay in Canberra.

### **Background to Australia's global role**

Between 1900 and 1945 Australia saw itself as an English outpost in Asia and foreign policy as well as Australian security was heavily influenced by the 'mother country', Britain. The experience of World War II with massive support by the United States in the Pacific war, led to a new alignment. In 1951, Australia signed the ANZUS treaty with New Zealand and the United States. In the post war period the US was keen to prevent communist expansion. As a result Australia became involved in wars to contain communism such as Korea and Vietnam.

The strong relationship with the US continues to this day and was evident in the Howard government's support for the US-led invasion of Iraq amidst much debate and without the endorsement of the United Nations Security Council.

In the 1970s and 1980s Australian foreign policy began to recognise the importance of Asia and leaders like Hawke (1983 - 1992) and Keating (1992 – 1996) strengthened relations with the Asia – Pacific region. Australia became the first dialogue partner in the [Association of Southeast Asian Nations \(ASEAN\)](#) in 1974. ASEAN aims to accelerate economic growth, social progress and cultural development in the region and to promote regional peace and stability through the rule of law and adherence to the principles of the United Nations Charter.

In 1989 the Asia-Pacific Economic Cooperation (APEC) forum was founded to promote regional economic cooperation and to build on the growing interdependence of Asia - Pacific economies. Australia has had a key role in APEC and hosted its most recent summit in 2007.

Today, China is Australia's largest trading partner and Japan, Singapore, Korea, Malaysia and Thailand are in our top ten trading partners.

### **Australia and the United Nations**

Australia is one of the founding members of the United Nations which was formed at the end of World War II with the goal of preserving peace after the horrors of World War II.

In 1948, the United Nations adopted the Universal Declaration of Human Rights which set out rights and freedoms 'without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'.

(Universal Declaration of Human rights. See: <http://www.un.org/Overview/rights.html> ).

Australia is a party to all international agreements in the field of human rights treaties. These include:

- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- Convention on the Elimination of all forms of Racial Discrimination
- Convention on the Elimination of all forms of Discrimination against Women
- Convention on Torture and other Cruel, Inhuman or Degrading Treatments or Punishment
- Convention on the rights of the Child

## **Australia's Global Citizenship – some key areas**

### **Australian Aid to overseas countries**

The Australian Government's overseas aid program is a federally funded program that aims to reduce poverty in developing countries.

The Australian Agency for International Development (AusAID) manages the program.

The aim of the program is to assist developing countries reduce poverty and achieve sustainable development, in line with Australia's national interest

Australia gives aid to help alleviate poverty and to improve our regional security. Australia helps partner governments improve law and order, prevent and recover from conflict, and manage a range of transnational threats such as people trafficking, illicit drugs, HIV/AIDS and other communicable diseases. By helping to build stronger communities and more stable governments we improve our own economic and security interests.

### **Millennium Development Goals**

In September 2000, member states of the United Nations, including Australia, agreed to work towards eliminating global poverty and hunger, to improve health, gender equality, education, and environmental sustainability and to create a global partnership for development. This commitment produced the eight Millennium Development Goals (MDGs).

### **How much Australia spends**

In 2007-2008 Australia will provide \$3.155 billion worth of official development assistance of which \$2.731 billion will be managed by AusAID.

### **How the aid program works**

The Australian Government, through AusAID, competitively contracts aid work to Australian and international companies.

AusAID funds not-for-profit organisations, such as World Vision or Oxfam, to deliver aid programs at the local community level in developing countries.

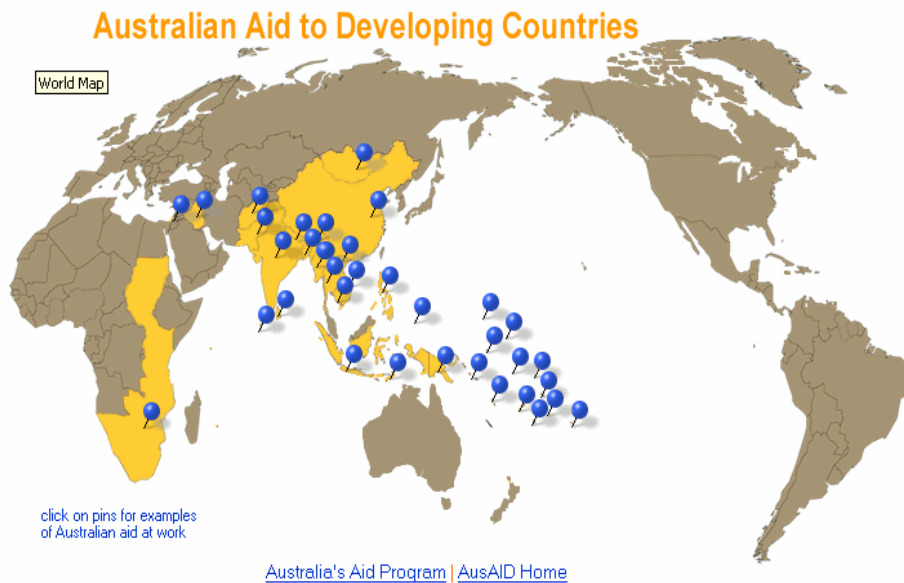
In response to emergencies, AusAID staff travel to affected areas to provide immediate support. This can include communities devastated by cyclones and earthquakes, or those recovering from conflict.

AusAID works with the governments of neighbouring countries to improve the way they deliver economic and community services.

AusAID contributes funding to international organisations that help people in emergencies, such as the International Committee of the Red Cross. We also provide funding through the United Nations to UNICEF and to the UN Development Programme, for their work in developing countries. AusAID contributes to global and regional poverty reduction programs set up by the World Bank and the Asian Development Bank.

*(Text adapted from AusAID available:  
<http://www.ausaid.gov.au/makediff/default.cfm>)*

## Activity



(Source: AusAID <http://www.ausaid.gov.au/makediff/map/index.cfm>)

- What do you notice about the geographic pattern of Australian aid?
- What might be the reasons for this pattern?
- Go to the AusAID website at the URL above. Write down the names of five countries on the map and next to each indicate the types of aid that is given by Australia. Add further information and background from the country profiles section of the website: <http://www.ausaid.gov.au/country/default.cfm>

### Concerns about the level of Australia's overseas aid.

Australia has failed to meet the aid targets it committed to ( 0.7% of Gross Domestic Product) under the UN Millennium Development Goals (2000). In 2007 Australia was lagging behind other developed nations on the level of overseas aid, ranking equal 15th out of 22 of the world's richest countries. Further criticism has been made of the types of aid that Australia gives to other countries supplying Australian goods and services when local goods and services can be bought more cheaply.

In 2007 the level of overseas aid became a minor election issue.

## Activity

Read the following articles and answer the questions below:

Australia near foot of table for aid donors — The Age, Tim Colebatch, April 6, 2006  
<http://www.theage.com.au/news/national/australia-near-foot-of-table-for-aid-donors/2006/04/05/1143916593320.html>

Aid and obligation — Tim Colebatch, The Age, April 26, 2006  
<http://www.theage.com.au/news/in-depth/aid-and-obligation/2006/04/26/1145861419831.html>

Overseas aid and the election, Tim Costello, Chief Executive, World Vision Australia  
Available: <http://www.worldvision.com.au/aboutus/whoweare/ceoElection.asp>

- How does Australia's aid commitment compare to that of other developed countries?
- What other issues have been raised about the nature of Australia's overseas aid?
- How did the opposition commitment differ from that of the government in the 2007 election campaign?
- What is World Vision opinion of the level of overseas aid?
- What does Australia's level of aid indicate about its record in global citizenship?

### **Peace-keeping and support for self-determination**

Since 1947 Australians have been involved in peacekeeping operations. Most of these have been mandated by the United Nations under the terms of its charter; others have been under the auspices of the Commonwealth or the South Pacific Forum, or as parts of coalitions led by the USA or Australia.

Some of the countries where Australians have been involved include: Indonesia, Korea, Namibia, Cambodia, Somalia, Rwanda, East Timor, Sinai, Egypt, Israel and Cyprus, Cambodia, Haiti, Mozambique, Bougainville and East Timor.

Some recent operations are:

- East Timor currently at the request of the East Timorese Government and following United Nations efforts before and after the vote to gain independence from Indonesia – a move resisted by pro Indonesian militias in East Timor.
- Afghanistan as part of the International Security Assistance Force, in collaboration with the North Atlantic Treaty Organisation (NATO) and the US.
- Solomon Islands as part of the Regional Assistance Mission to help the local Government restore law and order

Roles of Australians have included:

- Monitoring ceasefires
- Medical support and support for humanitarian efforts
- Protecting delivery of humanitarian aid
- Maintaining law and order
- Providing communications infrastructure
- Clearing landmines
- Overseeing the return of civilian refugees
- Providing air support
- Enforcing UN sanctions
- Supporting democratic elections

### **Case Study – East Timor**

East Timor was a former Portuguese colony which was granted independence in 1974. After elections held in 1975, East Timor declared its independence. Nine days later Indonesian troops invaded and Indonesia claimed East Timor as its 27<sup>th</sup> province. East Timor was under military occupation for the next 24 years and suffered gross human rights abuses. The Indonesian army was opposed by Fretlin (led by Xanana Gusmao)

which engaged in ongoing guerrilla warfare. During this period many East Timorese sought asylum in Australia.

In 1999, in the light of international criticism and in the wake of an economic crisis, Indonesia agreed that the United Nations could organise a 'popular consultation' in order to determine whether the East Timorese people accepted or rejected special autonomy within the Republic of Indonesia.

The United Nations (UN) set up UNAMET (United Nations Mission in East Timor) to organise and conduct the 'popular consultation' in 1999. The Australian Electoral Commission (AEC) provided significant support to this operation. Timorese residents in Australia also voted. The result of the 'popular consultation' was overwhelming rejection of the proposed status of autonomy in favour of beginning a process of transition towards independence. Although voting was not compulsory, there was a very high voter turnout and 78.5% voted in favour of independence.

During and after the vote a period of great unrest occurred, including widespread murder, violence, arson and looting by pro-integration militias.

In view of the urgent situation, the United Nations authorised an international peacekeeping force, led by Australia. INTERFET (International Force East Timor) comprised of 11 000 troops, 5 000 of them from Australia. The force, commanded by Major-General Peter Cosgrove arrived in Dili on 20 September 1999 and oversaw the withdrawal of Indonesian troops, disarming of pro-Indonesian militia and the return of refugees from West Timor.

Other United Nations missions were organised to support the rebuilding of the country and the establishment of administrative structures to support an independent nation.

(Source: Adapted from *The voice of a vote in a world of change*, **Democracy Rules**, Australian Electoral Commission, Available: [http://www.aec.gov.au/Education/Democracy\\_Rules/teachers/teaching\\_guide.htm](http://www.aec.gov.au/Education/Democracy_Rules/teachers/teaching_guide.htm) )

### ➤ Activity

- **Self determination** is the principle that people have the right to determine their political status and pursue their economic, social and cultural development. In what ways do Australian actions in East Timor support self determination and support for human rights?
- Australia has been accused of bullying East Timor over Timor gap oil treaties. What is the justification for this point of view?
- See: <http://homepage.esoterica.pt/~cdpm/oil01eng.htm> or other online resources.
- What involvement does Australia currently have in East Timor? See: <http://www.usaid.gov.au/country/country.cfm?CountryId=911> and other online sources.

### Australia in Iraq

In 2008, Australia is supporting the United States in Iraq, as part of Operation Catalyst, to support 'rehabilitation and reconstruction' in Iraq.

- What criticisms have been made of Australia's involvement in Iraq?
- What has been the response of the Rudd government to the stationing of Australian troops in Iraq?
- What might be said about 'global citizenship' in the light of this conflict?

See:

<http://www.theaustralian.news.com.au/story/0,20867,20817682-601,00.html>

<http://www.theage.com.au/news/national/bush-sweet-with-rudds-iraq-pullout/2008/03/29/1206207499097.html>

## Refugees and asylum seekers

### Definitions

The [United Nations Convention Relating to the Status of Refugees](#), 1951 defines a **refugee** as 'a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of their nationality, and is unable to or, owing to such fear, is unwilling to avail him/herself of the protection of that country'. The concept of a refugee was expanded by the Conventions' 1967 Protocol to include persons who had fled war or other violence in their home country.

**An Asylum Seeker is** someone who has made a claim that he or she is a refugee, and is waiting for that claim to be accepted or rejected. The term contains no presumption either way - it simply describes the fact that someone has lodged the claim. Some asylum seekers will be judged to be refugees and others will not.

In Australia asylum seekers have entered Australia by boat or by air or have been people who have overstayed tourist visas to seek refugee status.

### The Australian Migration Program

The Australian migration program consists of two parts:

- Migration Program (mainly for skilled and family migrants)
- Humanitarian Program

The Humanitarian Program includes both refugees and those called Special Humanitarian who are people outside their home country who are subject to substantial discrimination amounting to gross violation of human rights in their home country.

Since 1945 when orderly migration programs began, Australia has taken 650,000 refugees.

By far the largest intake is the Migration program where in 2007 – 8 the planning levels are 158,000 as opposed to 13,000 under the Humanitarian program.

*(Source: Department of Immigration and Citizenship,  
<http://www.immi.gov.au/media/fact-sheets/20planning.htm>)*

The majority of applicants for refugee status in Australia are identified and referred by the United Nations High Commissioner for Refugees (UNHCR) to Australia for resettlement. The Refugee category includes the Refugee, In-country Special Humanitarian, Emergency Rescue and Woman at Risk sub-categories. The Australian government thus works in cooperation with the United Nations and shows concern for human rights in accepting refugees.

In the area of asylum seekers however, the Australian Government has been accused of violating human rights. While the United Nations does not distinguish the rights owing to refugees and asylum seekers, the Australian government does. Policies of

mandatory detention (including the 'Pacific Solution'), legislation to exclude islands from the Australian migration zone and Temporary Protection Visas have been justified by the Australian government in the interests of border security and national sovereignty.

It is not yet clear how the attitude of the Rudd Labor government to asylum seekers is significantly different from the Howard government. The policy of mandatory detention was instituted under the Keating Labor government.

### Some facts

At the beginning of 2007, the number of people of concern to UNHCR was a record 32.9 million.

They included:

9.9 million refugees	30%
12.8 million internally displaced people	39%
5.8 million stateless people	17%
2.6 million returned refugees and IDPs	8%
740,000 asylum seekers	2%
1,000,000 'others of concern' to UNHCR.	

(Source: United Nations <http://www.unhcr.org/basics/BASICS/4034b6a34.pdf>)

### Activity

#### Offshore Visa Grants by Top Ten Countries of Birth, 2005 – 2006

Country	Numbers
Sudan	3726
Iraq	2150
Afghanistan	1799
Burma/ Myanmar	1118
Liberia	888
Burundi	740
Sierra Leone	460
Congo (DRC)	363
Eritrea	274
Iran	232
Others	1008

Using the United Nations website, find out how the situation in one or more of these countries has created an international refugee problem.

### Recent issues

The following policies and events were significant issues during the Howard government (1996 – 2007) Find out the following about each of them:

- What was the policy/event?
- What were the arguments for and against?

- What do each event/policy indicate about Australia's global citizenship?
  - Tampa and the Children Overboard affair
  - SIEV X
  - The Pacific Solution
  - PMs People Smuggling Taskforce
  - Mandatory Detention
  - [National Inquiry into Children in Immigration Detention](#)
  - Temporary Protection Visas
  - Cornelia Rau case

What changes to Immigration detention have been announced under the Rudd Government.

See: <http://www.smh.com.au/news/national/pacific-solution-ends-but-tough-stance-to-remain/2007/12/07/1196813021259.html>

What concerns about Australian immigration have been highlighted by the UNHCR? (See <http://www.unhcr.org/country/aus.html> )

## Environment

Australia is party to a number of multilateral treaties and a signatory to a number of agreements on the environment. International concerns have been raised in relation to global warming which leads to rising sea levels, a loss of agricultural production, reductions in the ozone level, an increase in extreme weather and the spread of disease.

At times Australia's concerns for the environment have been in conflict with economic interests. Such was the case with the Howard government in relation to the Kyoto Protocol. International attempts to deal with global warming came out of the Rio Earth Summit in 1992 and culminated in the Kyoto Protocol in Japan in 1997.

In 2007 the new Labor government under Prime Minister Kevin Rudd signed the Kyoto protocol after long years of national and international criticism. Rudd also announced that Australia would monitor Japanese whaling.

### Student Activities

- List the key elements of the Kyoto Protocol
- Outline arguments advance in favour and against the ratification of this protocol
- How was Australia's stance seen by others?
- What changes were made by Kevin Rudd?
- What actions did Rudd announce on Japanese whaling?

Use internet search engines and the following references:

Australian Government Department of Climate Change  
<http://www.greenhouse.gov.au/international/kyoto/index.html>

Rudd signs Kyoto ratification document, ABC  
<http://www.abc.net.au/news/stories/2007/12/03/2108345.htm>

Rudd drafts plans to spy on whalers, The Age,  
<http://www.theage.com.au/news/national/rudd-drafts-plans-to-spy-on-whalers/2007/12/13/1197135656425.html>

## Another issue to consider

### 🕒 Activity

David Hicks

David Hicks is an Australian citizen who spent almost 5 years in Guantanamo Bay as a prisoner of the 'war on terror'. He was tried and found guilty of aiding terrorism (al-Qaeda) by an American military court. He completed his jail sentence (much of his time had already been served) in an Adelaide prison and was released in late December 2007.

In April 2008, the former chief prosecutor of the Guantanamo Bay trials, Colonel Morris Davis, gave startling evidence that he faced political pressure to prosecute Hicks, even though he did not want to proceed against him because the charges were not serious enough.

- What are his rights as a citizen overseas?
- Did he give up these rights by fighting with the Taliban in Afghanistan?
- Is his imprisonment (and trial) by the Americans in breach of his rights as an international citizen? Explain your response by referring to material in the articles.
- What citizenship rights are still being affected? Refer to material in the articles.

The life and times of David Matthew Hicks — The Age, 30 December 2007

<http://www.theage.com.au/news/national/the-life-and-times-of-david-matthew-hicks/2007/12/29/1198778767716.html>

A shameful episode — The Age, Tim McCormack, 29 December 2007

<http://www.theage.com.au/news/opinion/a-shameful-episode/2007/12/28/1198778699299.html>

Hicks not ready to speak out — The Age, Penelope DeBelle, 19 January 2008

<http://www.theage.com.au/news/national/hicks-not-ready-to-speak-out/2008/01/18/1200620210546.html>

Magistrate places Hicks on control order — The Age, 21 December 2007

<http://www.theage.com.au/news/national/hicks-to-be-on-tight-leash/2007/12/21/1198175305306.html>

Hicks charge was 'political'

<http://www.theage.com.au/news/national/hicks-charge-was-political/2008/04/29/1209234862002.html>

## KEY KNOWLEDGE

The role of government, the media and communication technologies in promoting or eroding active citizenship.

## UNDERSTANDING THE KEY KNOWLEDGE

### Government, the media and active citizenship

In a democratic society, the term *active citizenship* refers to the right of an individual or group to play an active role in public life (not necessarily as a politician) so that democracy and democratic practices and institutions are supported and preserved. Active citizens also respect and take responsibility for human rights so that no group or individual is excluded from these practices and institutions. Active citizenship can be hindered by interference by government and other institutions, but it is also up to the individual how they use the rights and responsibilities conferred by active citizenship.

Government has the power to control its citizens and can therefore impact upon the ability of a group or individual to engage in active citizenship. In Australia there are a number of checks and balances designed to reduce the likelihood that this power might be abused. These include:

- The Constitution;
- The High Court the role of which is to interpret the Constitution;
- The concept of *one person, one vote*;
- The existence of State Governments with specific and separate powers, for example Victoria has a Charter of Rights whereas no equivalent exists at a national level;
- A bicameral (two house) parliamentary system, consisting of the House of Representatives, in which Members represent the interests of their local constituents; and the Senate, which was intended to represent the interests of the States. Legislation must pass through both houses in order to become law and both houses can make amendments to proposed laws;
- The Governor-General, the Queen's representative in Australia, could in theory withhold consent on a law that was considered harsh or undemocratic. In practice, this has never occurred;
- Access to international forums, for example the United Nations.

In a functioning democracy, governments can (and do) promote active citizenship, for example:

- By the creation in 1984 of the independent Australian Electoral Commission (AEC), the role of which is to oversee the process of free and fair elections in Australia. The independence of this body means that the operation of the electoral system is not biased towards one political party or another. Regular elections are the chief way that government are made accountable in a democracy and ensure that the government represents the interests of the people. The AEC also ensures that there is maximum and informed participation by voters; for example, it engages in electoral education and oversees postal

voting and the establishment of mobile polling booths in remote areas of Australia;

- By the establishment of compulsory voting. Since 1924, this has helped to ensure that Parliament represents the overwhelming majority of Australians and that the overwhelming majority of Australians participate in the political process;
- By providing access to local members of parliament at State and federal level and access to local councillors so that people may express their views;
- By publicly funding the ABC and SBS to ensure access to independent information free (for the most part) from commercial considerations;
- By the promotion of legislation which enshrines particular rights into law. For example, equal opportunity and anti-discrimination legislation;
- By consulting with interest groups at a range of levels about proposed government policy;
- By engaging in community consultation about particular policies;
- By providing funding for and creating government campaigns on behalf of the environment, such as Clean Up Australia Day;
- By funding community organisations such as Islamic councils as well as organisations that inform people about their rights; for example the Victorian Equal Opportunity and Human Rights Commission, which supports individuals who feel they have been a victim of discrimination or who are critical of particular government policies;
- By ensuring the freedom of the press, thus ensuring access to a wide range of opinions via the media and ability of people to create their own media.

### ➤ Activity

Research the name and contact details of the elected representatives for the area in which you live.

My Federal member of Parliament is:
His/her email address is:
My State member of Parliament is:
His/her email address is:
My local council representative is:
His/her email address is:

- Contact your local Federal, State or local member and ask them to speak to your class about their role as a representative of their electorate.

OR

- Have a delegation visit your local member with a set of questions that have been devised by the class. You could film this interview but would need to inform the member and get permission. The member would generally also like to see your questions beforehand.

OR

- Organise a visit to your municipal council offices and an audience with the Mayor. Issues relating to citizenship could include the role of local representatives and public consultation as part of planning procedures.

## Activity

Read the article *Have a whack, PM invites as curious meet the cabinet* — The Age, Michelle Grattan, 21 January 2008

<http://www.theage.com.au/news/national/have-a-whack-pm-invites-as-curious-meet-the-cabinet/2008/01/20/1200764082354.html>

1. What is the Rudd Government doing? Is this eroding or promoting active citizenship? Explain the term *active citizenship* in your response and use examples from the article to support your view.
2. Politically, what is the Cabinet; what power does it have to influence citizenship?
3. If you were given the opportunity to 'have a whack' what would be your five most important issues? List them in order of priority to you.
4. In a group, compare your answers. Create a common list and present this to the class.
5. Are there areas that overlap? What were some of the more unusual issues – from your perspective?

## Institutional influences on active citizenship: The media, information and communication technologies

*The media* is a term that covers print (newspapers, magazines, books), electronic (television and television networks, radio, telephone, computers, mobile phones) and audiovisual (film, video, DVD, photography) means of communication. The term *mass media* refers to national or worldwide networks capable of mass (all people) circulation. The media is a powerful tool and influence on society. People's reliance on the media to inform us means that it can affect active citizenship. Internet media such as personal web pages, podcasts and blogs provide individuals with the means to achieve the sort of mass circulation that has previously been only available to large networks.

Communication in pre-modern times relied on face-to-face contact. The advent of printing and, in recent times, the Internet and satellite communication has led to instant global communication (the 'compression of time and space') but not necessarily to increased face-to-face contact. Without face-to-face contact with people we trust, we rely on 'experts', i.e. people we trust and rely on but whom we do not know at a personal level, for example newsreaders, journalists, or authors, and 'expert systems', for example legal systems, telecommunications systems and banking systems in our daily lives. We rely on the media for information about a whole range of ordinary and extraordinary events such as weather forecasts, water storage levels, traffic hazards, supermarket specials, natural disasters, celebrity news, and political news. We also rely on the media for entertainment.

The media plays an important role in informing citizens about events so that appropriate decisions can be made. Because of the existence of global media networks like Time Warner, CNN and News Limited, the media is now able to spread its message throughout the world.

A problem with the media in its current form is that it may be influenced by special interest groups, especially powerful owners. The Packer and Murdoch families dominate Australian media ownership. The two groups are closely intertwined. Both Murdoch and Packer own part of the Nine Network and Consolidated Press. Ownership of the media is concentrated in a similar way on a global scale.

Because of people's reliance on the media, the information it provides must be unbiased, accurate and timely. This is probably not the case.

In a mass market most people are consumers and do not have a direct say about what goes into the media. Decisions about what gets printed as news, made into films or sent out as television programs are made inside large corporations by managers and other professionals.

There is one obvious consequence of the unequal power balance between media producers and media consumers. The media consistently claims that it wants to defend 'freedom of speech'. The reality is that most commercial media outlets exercise two forms of control over what ordinary people do through the media:

- Through censorship (both overt and invisible), television stations and newspapers act as gatekeepers for the types of views that are said to be 'reasonable'. [For example, when David Hicks returned to Australia one commercial television network referred to him as 'convicted terrorist, David Hicks'; only SBS referred to him by his name alone.]
- They also have the power to screen out opinions, determining which views are presented in the media and which are not. The media selects whom it will interview, which events and people make news stories, and whose 'letters to the editor' are printed. Talkback radio shows are a little less controlled.

In order to justify this, media organisations claim there are community moral and political standards that they cannot ignore. Media spokespeople argue that they have to be 'responsible', and not promote or publicise views that might offend a majority consensus or break the law – especially those in relation to libel and defamation.

If someone wants to use the media to promote a point of view or belief, they have to buy media time or space. But this is usually very expensive, and television time or newspaper space is beyond the reach of most people. Even if a free media does exist in Australia, the media is not freely available to all.

Another consequence of the patterns of ownership in the Australian media is a growing loss of diversity in what appears, for example, on television. With some exceptions, every branch of a television network screens the same show at the same time in every capital city. This also affects the production of news and current affairs shows, which mostly come from Sydney.

(Source: *Bessant, J and Watts, R 2002, Sociology Australia (2nd ed), Allen & Unwin, Sydney p.388*)

The following are headlines that appeared on the same day in *The Age* and the *Herald Sun*. Both papers were reporting on the same issue but each presented it differently.

Does this reflect editorial or journalist bias?

*Poll reveals Labor backlash* — Herald Sun, Ellen Whinnett, 24 October 2006  
<http://www.news.com.au/heraldsun/story/0,21985,20633526-661,00.html>

*Libs face crushing loss at poll* — The Age, Paul Austin, 24 October 2006  
<http://www.theage.com.au/news/victoria-votes/lib-face-crushing-loss-at-poll/2006/10/23/1161455664070.html>

Does it matter that ownership is concentrated at a national or global level? The answer is yes, when the concentration is subject to commercial interests that exploit or manipulate information for its saleability or where the interests of the owners take precedence over impartiality. Some examples of owner interference are given in *Sociology Australia*, pp. 394-399. The topic of media manipulation of information is also covered in more detail.

The way that people perceive their governments and their role in the world is coloured by the information provided by the media. The problems of media bias and censorship highlight the importance of having a free-to-air, taxpayer owned but independent of government, television and radio network, for example the Australian Broadcasting Corporation. SBS is no longer free from commercials but is still less constrained than the commercial networks.

Getting a global message across is increasingly done through the Internet because it is largely uncontrolled by government and generally uncensored (see *In cyberspace, now everyone can hear you scream*, below). However, it is possible to control even the Internet: for example, Microsoft has agreed to censor blogs on its new Chinese MSN Spaces network that contain words such as 'freedom' and 'democracy'. Microsoft justifies its decision by saying that it abides by the laws of each country it operates in. Google has recently agreed to a similar arrangement in order to operate in China.

### ➤ Activity

Wikipedia is an interesting example of public participation in the global information network.

Read *Trawling for truth* (link below), which looks at research on the Internet.

Answer the questions in 'Your view' at the end of the article.

Are you getting confused about who or what to believe? You are not the only one. It is important that you don't jump to conclusions based on one piece of evidence. Writers have biases (see *No excuses, I was taken in by a fraud* below) and material should be read with this in mind. Readers must remain open to new information that might give them a new perspective on an issue.

*Trawling for truth* — The Age, Vikki Leone, 20 February 2006

<http://www.education.theage.com.au/pagedetail.asp?intpageid=1573&strsection=students&intsectionid=0>

*In cyberspace, now everyone can hear you scream* — The Age, Nick Miller, 16 February 2008

<http://www.theage.com.au/news/national/in-cyberspace-now-everyone-can-hear-you-scream/2008/02/15/1202760604821.html>

### ➤ Activity

Examine the articles that follow. What are the opportunities provided and the threats posed to active citizenship by:

- Poor journalism or media bias?
- Changes within the ABC or SBS?
- The changes to media ownership?
- The composition (and role) of the Senate?
- Changes to the High Court's composition?

How serious are these problems?

### Related articles

No excuses, I was taken in by a fraud — The Age, Terry Lane, 6 August 2006

*Caving in to ideological critics* — The Age, Sharon Beder, 18 October 2006

*ABC hits dump button on opinion of Windschuttle* — Daniel Ziffer, 8 August 2006, The Age

### ➤ Activity

- Read the articles listed below.
- Summarise the main arguments in each article.
- Discuss the articles.
- Write an opinion piece article outlining your views in relation to media ownership.

### Related articles

*Democracy depends on media diversity* The Age, 19 October, 2006

The concentration of media ownership will restrict information flow, writes Barnaby Joyce.

[\*It matters who owns the media\*](#) — The Age, Matthew Ricketson, 18 July 2006,

[\*How the fight for the Senate will unfold\*](#) — The Age, Tim Colebatch, 29 October 2007

[\*Online activists more than a mere mouse click\*](#) — The Age, 29 October 2007

*The non-partisan movement has Coalition control of the Senate in its sights* — Larissa Dubecki, <http://www.getup.org.au>

## KEY KNOWLEDGE

Debates about citizenship and democratic practice, and implications for these for Australians in the 21st century, for example debates about whether Australia should become a republic or adopt a Bill of Rights; the welfare state; immigration; and privacy.

## UNDERSTANDING THE KEY KNOWLEDGE

Possible areas of debate are:

- An Australian Bill of Rights (Victoria already has one);
- Anti-terrorism laws;
- The Australian citizenship test;
- An Australian republic;
- Privacy and the proposed 'Access Card';
- The treatment of Jack Thomas or Dr Mohammed Haneef;
- Torture;
- Detention and deportation;
- Euthanasia.

### 🔍 Activity

Research a topic in small groups and prepare notes for a debate. Debate the topic in class.

## Sociology Unit 4: Citizenship and Globalisation

### Area of Study 1

#### SAMPLE SCHOOL-ASSESSED COURSEWORK TASK

In developing a school-assessed coursework task, teachers should refer to the advice provided in the **VCE Sociology Assessment Handbook, 2006 – 2011** pages 7-8. In particular in developing assessment rubrics for SAC tasks, teachers should refer to the Descriptors. Available:

<http://www.vcaa.vic.edu.au/vce/studies/sociology/sociologyindex.html>

#### Preparation questions for SAC 1

1. Define citizenship using TH Marshall's definition and provide one appropriate short example for each category of rights.
2. Provide one paragraph (<100 words) explaining the background to the Dr Haneef case, i.e. answer the 'who, what, when, where, how' questions related to this person.
3. What were Dr Haneef's rights and responsibilities in Australia as a guest worker? For example, temporary residents are required to pay taxes on income earned in Australia.
4. What were Australia's obligations to Dr Haneef as a 'global citizen'? See *Nothing trumps political expedience* and *Scaring off the world* below as sources for what is expected.
5. Has Australia been responsible in its actions? The same articles mentioned below the and international (for example, Indian) media response is useful for a few examples.
6. Provide a brief summary of Australia's anti-terrorism laws. For each, link to its impact on citizenship, for example the sedition laws affect freedom of speech and the control orders affect freedom of movement and association
7. What are the arguments for and against the use of these laws? Keep in mind that terrorist acts (bombings, hostage taking etc) are infringements on citizens' rights. Citizens have a right to feel secure and that this is a government responsibility. *On the attack, Australia's anti-terrorism laws* and *Nothing trumps political expedience'* below are good sources for this
8. Define active citizenship
9. Provide two examples of governments promoting and two examples of governments eroding active citizenship rights.
10. Provide two examples of the media promoting and two examples of the media eroding active citizenship rights.
11. Have the anti-terrorism laws reduced active citizenship? For example, sedition laws reduce free speech but the media were unfettered by government controls and took a positive and helpful stance in the Dr Haneef case.

### **Related articles/resources**

*Fears raised over 'judicial clones'* — The Age, Brendan Nicholson, 11 August 2007

*More police power 'could boost terror'* — The Age, Ian Munro 1 December 2005

*Ruddock hits back on terror laws* — The Age, Sushi Das 16 October 2007

*Terrorists win if we erode our laws* — The Age, Geoff Provis, 16 November 2007

*Offender of the faiths* — The Age, 1 September 2007

*Too tough for our own good* — The Age, Waleed Aly, 17 November 2007

*The challenge: disarming the terrorist threat* — The Age, 25 August 2007

*Supporting terrorists now a 'thought crime'* — The Age, Carmel Egan, 15 July 2007

Amnesty International fact sheet on Anti-Terrorism Act

[www.amnesty.org.au/\\_data/assets/pdf\\_file/10583/factsheets.pdf](http://www.amnesty.org.au/_data/assets/pdf_file/10583/factsheets.pdf)

ASIO and Anti-Terrorism Act fact sheet

[www.amcran.org/files/BeInformed.pdf](http://www.amcran.org/files/BeInformed.pdf)

Uniting Church of Australia, Anti-Terrorism Act fact sheet

[nat.uca.org.au/unitingjustice/resourcearchive/infoandaction/factsheets/FS\\_AntiTerror.pdf](http://nat.uca.org.au/unitingjustice/resourcearchive/infoandaction/factsheets/FS_AntiTerror.pdf)

Human Rights Coalition

[www.humanrightscoalition.org.au/index.php?option=com\\_content&task=view&id=41&Itemid=79](http://www.humanrightscoalition.org.au/index.php?option=com_content&task=view&id=41&Itemid=79)

Wikipedia, 'Terrorism' and 'Counter-terrorism'

<http://en.wikipedia.org/wiki/Terrorism>

<http://en.wikipedia.org/wiki/Counter-terrorism>

Wikipedia, 'Australian anti-terrorism legislation'

[http://en.wikipedia.org/wiki/Australian\\_anti-terrorism\\_legislation%2C\\_2004](http://en.wikipedia.org/wiki/Australian_anti-terrorism_legislation%2C_2004)

### **Articles related to the Mohammed Haneef case**

*Plumbing the depths on Haneef* — The Age, Michelle Grattan, 27 July 2007

*Nothing trumps political expedience* — The Age, Joseph Wakim and Harold Zwiwer, 4 August 2007

*In war on terror, anything goes* — The Age, Michelle Grattan, 31 July 2007

*Give us the whole story, minister* — The Age, Tony Wright, 1 August 2007

*Haneef case condemned* — The Australian, 21 July 2007

*Scaring off the world* — The Age, 1 August 2007

*On the attack, Australia's anti-terrorism laws* — The Age, Ben Haywood, 3 October 2005

## SAC 1, Part 1: Analysis of a representation

Examine the representation and text below.



### **What we know**

June 26: Mohammed Haneef's daughter born in India.

June 29–30: Car bomb and attempted car bombing in UK.

July 1: Sabeel's mother rings Haneef from Bangalore to say British policeman Tony Webster has rung her looking for him because he was misusing his mobile phone. Haneef asks his hospital for leave and arranges a ticket home for the next night.

July 2: Haneef has chatroom conversation with his brother in India. His brother tells him that 'nothing has been found about you' and recommends he leave Australia - 'tell them that you have to leave as you have a daughter born' (conversation translated from Urdu into English). Haneef tries four times to call British policeman Tony Webster but does not make contact. Haneef arrested at airport as he awaits an evening flight home to India

(Source: *The Age*, 1 August 2007)

### **Treatment of Mohammed Haneef and his case**

Haneef is taken into custody, without charge, and kept there for 12 days. The time was extended with court permission; the 24 hours allowed for questioning can be taken in 'chunks'.

The Government runs the case publicly under the Crimes Act. (It could have done so more secretly under the ASIO Act.)

There is much media publicity surrounding the case following public interest in the British bombing attempts.

The Government and Australian Federal Police defend the tough line on terrorism.

*Haneef is charged with 'recklessness' for providing his SIM card to a terrorist organization. Haneef gave the card to his cousin Sabeel a year earlier on when he left the UK for Australia.*

*The prosecution tells the bail hearing that the SIM card was found in a car used in the Glasgow bombings; in fact, it was found at Sabeel's home. There are allegations that AFP officers wrote notes in Haneef's diary and a series of leaks and false police reports.*

*Haneef is granted bail. Before he can be released, Immigration Minister Kevin Andrews announces that his visa has been cancelled because he has failed to meet 'character' requirements and he will be placed in a Detention Centre. He will be deported regardless of the outcome of the trial.*

*Haneef and his lawyer Peter Russo decide that he will refuse bail and stay in legal custody rather than be placed in detention. Russo leaks Haneef's police interview.*

*The case is reviewed by the Commonwealth Director of Public Prosecutions and dismissed. Haneef is released, but his visa remains cancelled; Haneef flies home vowing to fight to have it reinstated. Andrews defends his decision.*

1. Discuss how the representation dramatically depicts the change in Dr Haneef's experience of citizenship.  
(6 marks)
2. Dr Haneef was arrested and interrogated under the anti-terrorism laws. His treatment raised the issue of citizens' rights under the anti-terrorism laws. Provide four examples of the way in which citizens' rights have been affected by the anti-terrorism laws.  
(4 marks)
3. What justifications have been given for the need to create laws such as the *Anti-Terrorism Act* that infringe on citizens' freedoms?  
(3 marks)
4. What does the Haneef case suggest about the role of government and the media in promoting or eroding active citizenship?  
(6 marks)
5. Using the representation, the text and other knowledge you have of the Haneef case, describe how this case reflects the best and worst of Australia's behaviour as a global citizen.  
(6 marks)

**25 marks**

## SAC 1, Part 1: Analysis of a representation

### Sample answer

Examine the representation and text below.



**1. Discuss how this representation dramatically depicts the change in Haneef's experience of citizenship.**

**(7 marks)**

- The term *representation* refers to the photographs. A high-scoring answer requires students to examine the photographs for evidence to use in their answer. Students who summarise the events in the text but who do not refer to elements in the photographs would score poorly.
- A short definition of citizenship (TH Marshall) would give a framework through which to examine the changes to Haneef's citizenship experience, including that Haneef was an Indian citizen with slightly different rights and responsibilities to an Australian citizen.
- The question refers to 'change', so a good answer would examine both photographs and compare the experiences they reveal showing how Haneef's experience has changed from good to bad.

#### **Example 1**

*This representation demonstrates a vast difference in Haneef's experience of active citizenship to his loss of citizenship under the anti-terrorism laws. The first picture portrays Haneef's life enjoying active citizenship in Australia, where he enjoys freedom of movement, freedom of association and position as an equal member of Australian society. He was hard working and made a respectable career as a doctor (brings in outside material). In this image Haneef enjoys these freedoms and is able to spend time with his friends/family and enjoy Australia as any other Australian is entitled to. Overall, in the first image Haneef enjoys his citizenship under just and humane terms. The second picture shows Haneef's treatment under the anti-terrorism laws that deprived him of basic citizenship rights. The image of Haneef locked up indicates that he is no longer innocent until proven guilty. Haneef has lost his freedom of movement. The vast difference of these images – the first in an open, uncontrolled environment and the second*

*in a locked solitary confinement, portray the extent to which citizens lose their freedoms under the anti-terrorism laws. The harsh conditions of the second image represent a lapse in Haneef's right to humane treatment.*

**Example 2**

*The representation shows two different scenarios, one is Haneef with his wife on a beach. We can assume that they are enjoying the freedom that comes with citizenship, for example freedom of association, freedom of movement, freedom of speech, freedom to choose your own dress style, wear your own clothes. Also they are seen as individuals in society, they have a uniqueness, they are themselves within society. The second picture shows that Haneef's rights have been taken away. He has lost his freedoms. He no longer has a freedom of association, he is in isolation, he doesn't have freedom of speech, and he must give all information or face imprisonment. Haneef is in an enclosed space, which is limiting his freedom of movement. As he was arrested he was put in prison clothes and lost his individuality. In the first image we see Haneef's enjoyment of life but in the second there is a lack of enjoyment, he is in the foetal position and may be suffering very much emotionally.*

2. **Haneef was arrested and interrogated under the anti-terrorism laws. His treatment raised the issue of citizens' rights under the anti-terrorism policy. Provide four examples of the way in which citizens' rights have been affected by the anti-terrorism laws.**

**(4 marks)**

A short outline of the anti-terrorism laws could have been included covering: the reasons for introduction (Sept 11 in NY, Bali bombings); when they were introduced (mainly 2004); that they are a federal initiative accepted by the state governments; and that they involve changes to four pieces of legislation: ASIO legislation, the Commonwealth Crimes Act, the Commonwealth Criminal Code and the National Security Information Act. An answer could also have included any of the following:

- a) Stop and Search, Control Orders. These affect freedom of movement and freedom of association. No protection against self-incrimination. Thus, the right to silence is abolished.
- b) Presumption against bail; the accused must prove their right to bail. This affects freedom of movement and reverses the presumption of 'innocent until proven guilty'.
- c) Lawyers without security clearances may be barred from hearing evidence against the accused. The accused has no right to a lawyer of their choice. This affects the right to not self-incriminate.
- d) Detention without charge is possible. Questioning time is 24 hours, but 'dead time' (time when no interrogation is taking place) is allowed. The clock only runs during interrogation. This affects freedom of movement and reverses the presumption of innocence.
- e) No right to an open court process. This affects the right to be judged by one's peers.
- f) Expanded notions of 'recklessness'.
- g) Vague definitions of what it means to be a 'member' of an organisation. This affects freedom of association.
- h) Sedition laws, which affect freedom of speech

**1. What justifications have been given for the need to create laws (anti-terrorism) that infringe on citizen freedoms?**

**(3 marks)**

Three marks can be assumed to mean that three points, or two well-explained points, are needed. A good answer could include at least two of the following:

- There are sufficient safeguards in place to prevent misuse.
- The need to protect Australians from terrorism.
- Global citizenship responsibilities (the War on Terror)
- The government has responsibilities to all citizens; some citizens might suffer loss of liberties as a result. "The discomfort involved in restrictions of this nature if imposed upon an individual is nothing compared to the lifetime of pain and suffering for the innocent survivor of a terrorist attack." (Attorney General Philip Ruddock)

**2. What does the Haneef case suggest about the role of government and media in promoting or eroding active citizenship?**

**(8 marks)**

- Active citizenship (the right to play an active role in public life so that democracy and democratic practices and institutions are supported and preserved) should be defined or the elements included in a response. A definition is useful in providing a framework to put an answer in.
- Next, a good answer would also discuss the powers that governments have that could affect citizenship, for example the overriding power to pass laws, the ability to control social institutions such as the media, the armed forces, schools, and churches. A democracy usually has safeguards in place to stop governments abusing their powers, for example a constitution or Bill of Rights.
- The answer would then examine how the Haneef case showed the government using its powers either positively, negatively, or both positively and negatively. The last part of a good answer would then examine how the media could promote or erode citizenship, for example modern societies complete reliance on media as a source of information and the media's potential for bias. The response would then use aspects of the Haneef case to demonstrate the use of these powers.

**Example 1**

*Active citizenship entails a citizen's entitlement/right to an active role in public life and the need to respect human rights preventing discrimination. The main interest of the media in the Haneef case was inspired by his harsh loss of active citizenship. The Haneef case demonstrates the importance of the media in Australian society as citizens rely on television and newspapers to inform them. In the case of Haneef the media supported Haneef's case as they made it a prominent public debate. The constant newspaper reports created public debate and pressure on the Government. The large attention devoted to this case in the media prevented the government from hiding the negative aspects of the anti-terrorism laws. The media was highly influential in building support for Haneef as they portrayed positive images of Haneef enjoying his honest life as an equal citizen before his detention. The media also portrayed the harsh lack of freedom, equality and humanity in Haneef's confinement.*

*The government acted with the intention of protecting Australian citizens' safety but removed many citizenship rights in the Haneef case. The strict control prevented*

*Haneef's right to freedom of movement. Haneef's ability to enjoy an active role in public life has been eroded by the society's negative view of him. The government decision to revoke Haneef's visa demonstrates their determination to prevent Haneef from enjoying active citizenship. However, the government's underlying reason for the harsh treatment of Haneef was to maintain Australian citizens' ability to enjoy a free and active public life.*

### **Example 2**

*The government and the media can have extensive influence upon the promotion or degradation of active citizenship. By implementing these new laws the government has effectively impinged on citizens' rights thus eroding their experience of active citizenship. The Attorney General (currently Phillip Ruddock) has the power to deem any group or organisation a 'terrorist organisation', this also deteriorates citizen's experience of active citizenship. Perhaps most predominantly, Immigration Minister (currently Kevin Andrews) has the power to exclusively revoke any person's visa as seen in the Haneef case. This can dramatically impact on one's experience of active citizenship. The media also plays an important role in active citizenship as the media almost exclusively controls the flow of information. This can be both a negative or positive force. Trial by media can occur and this can affect a citizen's experience of active citizenship. However, in Haneef's circumstance, the media proved his saviour and very much focused on his side and reported sympathetically on his situation. The media roused much debate about the new anti-terrorism laws, thus the media is able to directly affect active citizenship.*

3. **Using the representation, text and other knowledge you have of the Haneef case, describe how this case reflects the best and worst of Australia's behaviour as a global citizen.**

**(8 marks)**

The key words here are *representation, text and other knowledge*. A top scoring answer needs to use material from two of these three. These sources would also need to be used in order to give examples of the 'best and worst of Australia's behaviour'.

### **Example 1**

*The first image represents the positive aspects of how Australian citizenship can be enjoyed. Haneef is happy and free enjoying the high standards of living in Australia that all migrants and ethnic groups can enjoy without discrimination. Australia's procedure in the Haneef case was initially straight and honest, following due process. The Indian Express believed this to be the case agreeing 'due process seems to have been followed.' The Australian prosecution acted on the best of their knowledge and can't be blamed for inaccurate British information. Australia behaved fairly in the prosecution as the charges against Haneef were heard, dropped for the lack of evidence and bail was granted. This process was just and fair as Haneef was entitled to due process. However, the Government's decision to revoke Haneef's visa portrayed a negative image around the world. The poor treatment of Haneef during detention were compared to Guantanamo Bay and painted a negative image of Australia. With the rising threat of terrorism around the world many countries have become stricter and empathise with anti-terrorism restrictions. However, the circumstances of Haneef's detention have been associated with the poor standards of Australian detention centres.*

**Example 2**

*As a global citizen Australia has rights and responsibilities on an international level, and is expected to uphold and protect the rights of global citizens. The Haneef case highlights examples of Australia both following and ignoring these global rights. The government did not give Haneef the humane treatment he should have expected as a global citizen, as the presumption of innocence was eroded, as evident when the government announced they would revoke his visa regardless of the outcome of the case. Furthermore the government soiled Haneef's reputation in an attempt to justify their treatment of Haneef, and placed political interest higher than its responsibilities to treat Haneef humanely and allow him a fair trial. The government ignored its international responsibilities to Haneef as they portrayed him as guilty from the moment he was arrested and he was subject to treatment that went against humanitarian responsibilities. The Haneef case also highlights Australia's obligations as global citizens, as they have a duty of care to protect the community against terrorism. The government has to treat those suspected of terrorism differently in an effort to discourage others from associating with terrorism, and to send a message to a wider community that terrorism will not be tolerated. Initially the government acted on beliefs that Haneef and terrorist associations, thus they were acting under the global responsibility to the threat of terrorism. Immigration minister Kevin Andrews felt that there was enough evidence to 'reasonably suspect an association with persons involved in criminal conduct, namely terrorism', thus the government's initial arrest and treatment of Haneef can be seen as an attempt to protect the rights and freedoms of Australians.*

## REVISION QUESTIONS

- Define citizenship.
- Explain the relationship between citizenship, democracy and social justice.
- Explain how a person's experience of citizenship may differ according to their gender, age and ethnicity. Use a case study to help explain.
- Explain different ways that different people interpret and experience citizenship in Australia. For example, explain how young people, Aboriginal and Torres Strait Islander peoples, non-English-speaking background groups, and rural communities might have different experiences and interpretations of citizenship. Use a case study to help explain.
- Explain the rights and responsibilities of Australian citizens in a globalised world in relation to two of the following: self-determination; refugees; the environment; aid issues; the Universal Declaration of Human Rights.

## RESOURCES

### DVD/Video

#### Video Education Australia

Some appropriate titles include: Should Australia be a Republic?; Some More Equal Than Others: Inequality in Australia; Democracy and the Role of the Individual; Urban Aboriginal Lives; Understanding the Issues for Indigenous and Non-Indigenous Australia; How Far Have We Come? Indigenous Acceptance and Understanding.

<http://www.vea.com.au/>

#### Tape Services, South Australia

SBS and ABC programming are available here. It is worth doing a check on some commercially available DVDs and videos (for example from Video Education Australia) as the same programs/documentaries may be available at a fraction of the cost from Tape Services. <http://www.tapeservices.sa.edu.au/>

The ABC has a DVD of the *Apology to the Stolen Generations of Australia* that is available to purchase for school use

<http://shop.abc.net.au/browse/product.asp?productid=900516>

### Television

4 Corners (ABC): The website has podcasts (more recent programs) and transcripts of investigations. Tape Services can provide episodes.

Insight (SBS): The website has podcasts (more recent programs) and transcripts of debates. Tape Services can provide episodes.

### Books

Bessant, J and Watts, R 2002, *Sociology Australia (2nd edition)*, Allen & Unwin, Sydney

Issues in Society, Spinney Press

[www.spinneypress.com.au](http://www.spinneypress.com.au)

Some titles relating to citizenship:

Volume 271 - Indigenous Disadvantage

Volume 265 - Cloning and Stem Cell Research

Volume 261 - Immigration and Citizenship

Volume 256 - Native Title and Land Rights

Volume 248 - Indigenous Australians and the Law

Volume 234 - Aboriginal Reconciliation

Volume 216 - Masculinity: Men and Boys

Volume 213 - The Abortion Issue

Volume 197 - Religions and Beliefs in Australia

Volume 193 - Refugees and Asylum Seekers

Volume 192 - Government in Australia

Volume 205 - Capital Punishment

Volume 199 – Terrorism

Volume 191 - Our Ageing World

Volume 266 - Voluntary Euthanasia

Volume 264 - Child Poverty

Volume 251 - Gay and Lesbian Rights

Volume 245 - Impacts of the Internet

Volume 243 – Homelessness

Volume 237 - World Poverty

Volume 227 - Human Rights

Volume 226 - Wealth and Inequality

Volume 222 - Women's Rights

Volume 219 - Disability Rights

Volume 209 - IVF and Surrogacy

Volume 200 - Indigenous Health

Volume 198 - Children's Rights

Volume 180 - Racism in Australia

## Useful websites

Civics and citizenship

<http://www.civicsandcitizenship.edu.au/cce/default.asp?id=9029>

Youth Central

[www.youthcentral.vic.gov.au](http://www.youthcentral.vic.gov.au)

Victorian Equal Opportunity and Human Rights Commission

[www.humanrightscommission.vic.gov.au/publications/HR%20Charter/](http://www.humanrightscommission.vic.gov.au/publications/HR%20Charter/)

Victorian Council for Civil Liberties

[www.libertyvictoria.org.au/](http://www.libertyvictoria.org.au/)

Wikipedia, 'Bill of Rights'

[www.wikipedia.org/wiki/BillofRights](http://www.wikipedia.org/wiki/BillofRights)

Australian Republican Movement (ARM)

[www.republic.org.au/arm-2001/speeches&articles/spa\\_wran3.htm](http://www.republic.org.au/arm-2001/speeches&articles/spa_wran3.htm)

ABC.net, links to republic debate

[www.abc.net.au/referendum99/r99SubIdx\\_RepublicanDebate.htm](http://www.abc.net.au/referendum99/r99SubIdx_RepublicanDebate.htm)

Amnesty International fact sheet on Anti-Terrorism Act

[www.amnesty.org.au/\\_data/assets/pdf\\_file/10583/factsheets.pdf](http://www.amnesty.org.au/_data/assets/pdf_file/10583/factsheets.pdf)

ASIO and Anti-Terrorism Act fact sheet

[www.amcran.org/files/BeInformed.pdf](http://www.amcran.org/files/BeInformed.pdf)

Uniting Church of Australia, Anti-Terrorism Act fact sheet

[nat.uca.org.au/unitingjustice/resourcearchive/infoandaction/factsheets/FS\\_AntiError.pdf](http://nat.uca.org.au/unitingjustice/resourcearchive/infoandaction/factsheets/FS_AntiError.pdf)

Human Rights Coalition

[www.humanrightscoalition.org.au/index.php?option=com\\_content&task=view&id=41&Itemid=79](http://www.humanrightscoalition.org.au/index.php?option=com_content&task=view&id=41&Itemid=79)

Echo Education

<http://www.echoeducation.com.au> examines issues using newspaper sources, provides a summary of arguments for and against. You must be a subscriber. Some topics over 2007/2008:

- Should the Australian Government have temporarily halted the admission of African refugees?
- Should the channel deepening project in Port Phillip Bay proceed?
- Should the ritual slaughter of sheep, in accord with Jewish and Muslim traditions, continue to be allowed?
- Discrimination: Should heterosexuals and lesbians be excluded from a gay bar?
- Should the Australian Government introduce the Health and Social Services Access Card?
- Should the organisers of Sydney's Big Day Out have discouraged the carrying of the Australian flag?
- Should David Hicks be released from Guantanamo Bay and repatriated to Australia?

- Australia's anti-terrorism laws: is the control order that has been placed on Joseph 'Jack' Thomas appropriate?
- Is Steve Irwin a suitable figure to view as an Australian national hero?

Discovering Democracy

<http://www.civicsandcitizenship.edu.au/cce/>

Australian Electoral Commission

[www.aec.gov.au](http://www.aec.gov.au)

Australian Electoral Commission: Democracy Rules.

[http://www.aec.gov.au/Education/Democracy\\_Rules/index.htm](http://www.aec.gov.au/Education/Democracy_Rules/index.htm) ('Education' tab -> 'teacher resources')

Human Rights and Equal Opportunity Commission

[www.humanrights.gov.au](http://www.humanrights.gov.au)

Making Multicultural Australia for the 21<sup>st</sup> Century

[www.multiculturalaustralia.edu.au/](http://www.multiculturalaustralia.edu.au/)

Australian Collaboration

[www.australiancollaboration.com.au/](http://www.australiancollaboration.com.au/)

Australian Government Department of Immigration and Citizenship

[www.immi.gov.au](http://www.immi.gov.au) OR [www.citizenship.gov.au/](http://www.citizenship.gov.au/)

Australian Government Department of Foreign Affairs and Trade

[www.dfat.gov.au](http://www.dfat.gov.au)

Australians All

[www.australiansall.com.au/](http://www.australiansall.com.au/)

Australians for Native Title and Reconciliation

<http://www.antar.org.au/>

Indigenous websites

[www.abc.net.au/messageclub/](http://www.abc.net.au/messageclub/)

[www.dreamtime.net.au/indigenous/social.cfm](http://www.dreamtime.net.au/indigenous/social.cfm)

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

[www.aiatsis.gov.au/](http://www.aiatsis.gov.au/) (look for 'online exhibitions' in the AIATSIS library)

National Museum of Australia Canberra: Collaborating for Indigenous Rights

[www.indigenoustrights.net.au/](http://www.indigenoustrights.net.au/)

National Archives of Australia

<http://www.naa.gov.au/> (follow the 'about us' -> 'publications' -> 'fact sheets' links).