

# Story of Our Rights and Freedoms – Constitutional Referendum in Action – Year 7 Civics

## Teacher preparation

**Overarching learning goal:** Students will gain a deeper understanding of the process to make changes to the Australian Constitution, and the requirements for a successful constitutional referendum. They will be able to make connections between the referendum process and our rights and freedoms. They will develop skills in presenting and in purposeful group discussion.



## Teacher content information:

Throughout the Story of Our Rights and Freedoms lessons, students will consider Civics and Citizenship concepts through a human rights lens. They will critically assess the Australian system of government and the effect that it has on our rights and freedoms.

There is no universally accepted definition of human rights, and our understanding is continually developing. Some definitions include:

- The recognition and respect of peoples' dignity
- A set of moral and legal guidelines that promote and protect the recognition of our values, our identity and access to an adequate standard of living
- The basic standards by which we can identify and measure inequality and fairness

- Those rights associated with the Universal Declaration of Human Rights (UDHR)

When we talk about human rights we usually refer to principles that have been agreed upon by countries throughout the world. These rights have been set down in international agreements and form part of international law. They can also be written into the domestic law of individual countries. Human rights cover virtually every area of human life and activity. These include:

- Civil and political rights, such as freedom of speech and freedom from torture
- Economic and social rights, such as the rights to health and education
- Individual rights, including the right to a fair trial
- Collective rights, or those rights that apply to groups of people, such as the right to a healthy environment or to live on one's ancestral land.

The UDHR is an international document that recognises the basic rights and fundamental freedoms to which all human beings are entitled. It was adopted by the United Nations General Assembly on 10 December 1948 and marks a key milestone in the history of human rights. The Magna Carta, though limited in who it protected, was an important precursor to the UDHR.

[Click here to watch a video about the Magna Carta.](#)

You can view the entire text of the Universal Declaration of Human Rights, and the other core international human rights treaties, on the [United Nation's website](#) or by downloading [RightsApp](#) (free from the iTunes App store).

## Additional resources:

- Factsheet: [What are Human Rights?](#)
- Factsheet: [About the Australian Human Rights Commission](#)

- Factsheet: [The Universal Declaration of Human Rights](#)
- Factsheet: [The International Bill of Human Rights](#)
- Link: [Human Rights Explained: Index of factsheets](#)
- Factsheet: [The Australian Constitution: Overview](#)
- Link: [Parliamentary Education Office Factsheet - The Australian Constitution](#)
- [Australian Electoral Commission: Referendums Overview](#)
- [Australian Electoral Commission: The Australian Constitution Alteration Process](#)

**Hot tip:** Consider starting this lesson by establishing a mutually agreed list of class agreements, displaying them in a highly visible place, and encouraging the class to kindly remind each other of the agreements. Refer to the [Handling Sensitive Topics and Controversial Issues factsheet](#) for more information.

## Teaching sequence

30 minutes – Part A: Role Play - Proposing Change to the Constitution

15 minutes – Part B: Role Play - Constitutional Referendum Process

15 minutes – Part C: Role Play - Yes or No?

15 minutes – Part D: Constitutional Referendum and Our Rights and Freedoms

15 minutes – Reflection

### Work through this resource material in the following sequence:

#### PART A: Role Play - Proposing Change to the Constitution

**Step 1.** Arrange the classroom so that the tables are pushed to the walls. On one side of the classroom, arrange 13 chairs to represent the House of Representatives: two horseshoe-shaped rows of six chairs, with one extra chair at the front for the Speaker of the House to sit in. On the opposite side of the classroom, create one horseshoe-shaped row of six chairs to represent the Senate. The remaining chairs should be positioned so that the rest of the class can observe.

**Step 2.** Explain to the class that during this lesson, they will be deepening their understanding of the process of a constitutional referendum in a role play activity.

**Note:** This activity may appeal to students' sense of justice, as opposing views on an issue will be explored throughout. Remind the class that this is a role play activity, and that the joy of role play is that it provides the opportunity to understand a situation from a perspective other than your own. Reinforce that the opinions shared while in character during the activity may not be the same as the personal opinions each student holds, and that's ok.

This activity requires 23 students to play the following roles:

- Concerned citizen
- Local MP
- Minister for Women
- The Cabinet:
  - Party Leader
  - Minister for Education
  - Minister for Defence
  - Minister for Health
  - Plus eight more members of Cabinet
- Speaker of the House
- The Senate (six people)
- The President of the Senate

Ask for students to volunteer to play a role, and distribute this [Referendum Role Play Running Sheet](#) to each student, even if they don't have role, so that they can follow along.

**Step 3.** Allow enough time for the class to read the instructions on the running sheet, be aware of their part, and move to the required position (i.e. House of Representative members should be seated in the two-row horseshoe). If required, encourage students to rephrase what they are required to say in the role play into their own words.

**Step 4.** Run through the role play, ensuring that students are ready for their part:

*1. A concern is raised*

The concerned Citizen and Local MP have a conversation.

*2. A petition is created and signed*

Once the concerned citizen and the MP have both spoken their part, give the concerned citizen the [blank petition](#), which they will seek to have signed by the class.

While the concerned citizen is gathering signatures, cue the local MP to continue the role play.

*3. The Local MP responds*

Once the local MP has responded to the concerned citizen, the Cabinet becomes involved, including the party leader (the Prime Minister if it is the ruling party) and the ministers who hold portfolios e.g. Minister for Education, Minister for Defence, Minister for Health.

Once the Minister for Women has responded they will take a seat and act out writing a bill.

**Hot tip:** This is a good time to let students know that members from opposition parties also have portfolios (e.g. Education, Defence, Health). We refer to these members as 'shadow ministers'.

*4. The Bill goes to the House of Representatives to be voted on*  
The Speaker of the House and each of the students in the horseshoe should read their part on the role play running sheet.

The activity requires an even number of representatives. The cards instruct the same number of students to vote each way, necessitating that the Speaker of the House votes, too.

*5. The Bill goes to the Senate for approval*

The President of the Senate, as well as each member of the Senate will

respond by either supporting or opposing the change, depending on their role.

For the sake of the role play, more Senators should approve the change. Explain that if the change was not approved, it would either go back to the House of Representatives to be amended and resubmitted, or it would not go any further, resulting in no change to the Australian Constitution.

Explain to students that the part of the process to change the Constitution involving the parliament is now complete. The decision is now in the hands of the Australian voters.

## Part B: Role Play - Constitutional Referendum Process

**Step 1.** Inform students that the next step in the constitutional referendum process involves members of Parliament forming two case committees: a 'Yes' committee and a 'No' committee, whose job it is to inform voters about the reasons to vote 'yes' or 'no' to the proposed change to the Australian Constitution. Inform students that an exception to this is when a proposal is passed unanimously by Parliament - then a 'No' committee is not formed (because all representatives agree that the change should be made to the Constitution).

For this activity, students will work collaboratively to think about the reasons why people should vote either 'yes' or 'no' on the proposed change to the Constitution.

**Step 2.** Split the class into two large groups and invite them to move their chairs so that each group is sitting in a circle facing each other. Give a ['Yes' poster to one group, and a 'No' poster](#) to the other.

Ask three students from each group to volunteer to take on the following roles:

1. Timekeeper – keep track of time and alert the group at intervals.

2. Scribe – record the ideas that the group comes up with.
3. Facilitator – guide the discussion and ensure that all who have something to contribute are heard.

Instruct the timekeeper to time 5 minutes. In that time, students should work together to identify reasons for people to vote either 'yes' or 'no' to the proposed change to the Australian Constitution while the scribe takes notes on the 'Yes' or 'No' posters. Encourage students to think about the perspective of other people while they are trying to come up with reasons, and to follow the direction of the facilitator, who should ensure that all who want to have a say get time to be heard.

**Hot tip:** Remind students about what they have learned about human rights and freedoms so far in this unit, and encourage them to connect their understanding with the proposed change to the Australian Constitution that they are considering.

**Step 3.** Once the time is up, or groups have exhausted their ideas, swap the 'Yes' and 'No' posters between groups. Timekeepers should track 5 more minutes to allow groups to consider the other perspective, and add to the suggestions if they have more ideas.

**Step 4.** Bring the groups back together as a team to share ideas and create one list on the whiteboard. Draw a T-chart on the board and invite groups to contribute the ideas they have listed under the 'Yes' or 'No' column accordingly.

**Step 5.** Let the class know that the next step involves the Governor-General issuing the writ (the authority to act) for the referendum. The date set for the close of rolls (when people can no longer enrol to vote in the referendum) is seven days after the issue of the writ; and polling day, which must be on a Saturday, is not less than 33 nor more than 58 days after the issue of the writ.

**Step 6.** Inform students that the next part of the constitutional referendum process involves passing the 'yes' and 'no' reasons onto the Australian Electoral Commission (AEC), who then communicate

them to Australian voters through methods such as online advertising so that they can make up their minds about whether to vote 'yes' or 'no' in the referendum.

### Part C: Role Play - Yes or No

**Step 1.** The class will now vote in a constitutional referendum. Explain to the class that the number of voting cards allocated to each state is proportionate to the population of each Australian state and territory - so, if the population of Australia was 26 people, Tasmania, South Australia and the Australian Capital and Northern Territories would have a population of one person. The population of New South Wales would be eight people, Victoria's population would be six people, Queensland's population would be five people, and Western Australia's would be three (these numbers have been sourced from the [Australian Bureau of Statistics](#), are correct as at June 2017, are approximate and have been adjusted for the activity).

New South Wales	7,757,800	32.03%
Victoria	6,100,900	25.19%
Queensland	4,860,400	20.07%
Western Australia	2,632,200	10.87%
South Australia	1,710,800	7.06%
Tasmania	519,800	2.15%
Australian Capital Territory	398,300	1.64%
Northern Territory	245,700	1.01%
Australia	24,220,200	100%

**Hot tip:** You could remind students about the AEC poster they saw in the previous lesson: ['Double Majority' AEC Poster](#).

**Step 2.** Give each student a [Referendum Voting Slip](#) and allocate each student to a state according to the guide above. Ask them to note down the state they are representing on the back of the voting slip. They should then place a cross in either the 'yes' or 'no' box on their voting slip and place the marked slip in an area that has been designated as

the ballot box.

**Step 3.** Draw the following tally table on the board:

STATE/TERRITORY	YES VOTES	NO VOTES	STATE % 'YES' VOTE
Australian Capital Territory			
New South Wales			
Northern Territory			
Queensland			
South Australia			
Tasmania			
Victoria			
Western Australia			
National tally:			

Invite two student volunteers to read out the votes, and one student to fill in the tally on the board.

Explain to students that votes are read out in front of a group so that any mistakes are picked up. Advise the readers to hold up the voting card so interested students can also check.

Guide the students reading out the votes to read the state and then to say if they are for or against. When all votes have been tallied, work out the percentage for each state and the overall votes.

*(Number of state 'yes' votes ÷ total number of state votes) × 100 = state percentage*

Check if four of the six states have voted 'yes', then ask a volunteer to share the national percentage of 'yes' votes. If four states have voted in favour and the national vote is above 50%, announce a double majority and a change to the Constitution.

If three or more states have voted ‘no’ and/or the national vote is below 50%, announce that the referendum has not reached a double majority, is unsuccessful and the Constitution will not change.

## Part D: Constitutional Referendum and Our Rights and Freedoms

Direct students to respond to the following on the Student Worksheet:

*Article 21 of The Universal Declaration of Human Rights states that:*

*“Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.”*

*A constitutional referendum ensures that all Australian voters have a say on changes to the Australian Constitution.*

*Is there a link between Article 21 of the UDHR and Australia’s Constitutional referendum process?*

*If so, what is it?*

*If not, do you think there should be?*

## Reflection

Ask students to respond to the following on the Student Worksheet:

*On a scale of 1-10 (1 = not effective at all, 10 = the most effective), how effective is the process to change the Australian Constitution in ensuring that our rights and freedoms are maintained?*

*Why did you give that rating?*

## Differentiated Learning

**Extension/Homework:** Challenge students to dive deeper into the concept of a constitutional referendum by researching one successful and one unsuccessful referendum in Australia, then sharing their understanding at the beginning of the next class.

**Provisional learning support:** Students with low literacy levels or anxiety about speaking in front of the class can take on roles in the House of Representatives or the Senate where they will not be required to speak for long. Invite students who face barriers in expressing their ideas to record their ideas in dot points, or pair them with students who can help them to record their thoughts.