



Entries in the 2015 essay competition answered one of the following questions.

Magna Carta

1. “Magna Carta has neither legal nor symbolic significance in Australia today.” Discuss.

Rule of law

2. Did any of the Australasian colonies experience struggles similar to those associated with the emergence of the rule of law in England? (You may focus on one or more of the colonies.)

Anglosphere

3. “Along with representative democracy, the rule of law... [is] a key element of the Anglo-American legacy to the world. The bonds between the countries of the anglosphere arise from patterns of thinking originally shaped by Shakespeare and the King James Bible, constantly reinforced by reading each other’s books, watching the same movies and consuming the same international magazines. It’s a solidarity based on ideas in common and even mutually shared differences of opinion rather than on race, religion or economic self-interest.”
(Tony Abbott, *Battlelines*)
In what sense, if any, is Australia part of an ‘anglosphere’? Can this concept help us to understand Australia’s institutions and values, or its place in the world?

Democracy

4. Was Athenian democracy more democratic than Australian democracy?

Disillusionment and democratic process

5. “Just 60% of Australians say democracy is preferable to any other kind of government, and only 39% of 18 to 29 year olds.” (Lowy Institute, 2012)
The Museum of Australian Democracy’s *Power of 1* survey charts growing dissatisfaction with Australian democracy among younger generations of voters. What conclusions can you draw about current attitudes to Australian democracy from the results of the survey? How would you respond to calls for redressing such citizens’ disillusionment with the democratic process?

The Dismissal

6. In the lead up to the 1975 dismissal of the Whitlam Government, opinions concerning the scope and potential application of the Governor-General’s reserve powers were written by the Solicitor-General, Maurice Byers QC, and a former Solicitor-General, Robert Ellicott QC. Drawing on the resources of the National Archives, assess which you think was the better opinion, and why.

Drafting the Constitution

7. The framers of the Constitution considered including some aspects of the US 14th Amendment in the Commonwealth Constitution, including 'equal protection of the law' and 'due process of law'. Drawing on the Constitutional Convention Debates and the online resources of the National Archives, explain which aspects of the 14th Amendment were incorporated in the Constitution, which were defeated, and why. In your view, were the framers right in the choices they made about what to include and exclude of the 14th Amendment?

Freedom

8. "I disapprove of what you say, but I will defend to death your right to say it." (often attributed to Voltaire)
What relevance does this quotation have in discussions about the *Racial Discrimination Act*?

Trial by jury

9. What is the nature of the 'trial' that section 80 of the Australian Constitution protects? Why does the right to trial by jury have a different constitutional status at Commonwealth and State levels? Does this matter?

Scientific policy

10. In 1675, Charles II appointed the first Astronomer Royal to provide scientific advice to the Crown. What are some of the more and less effective ways in which the executive government has sought to obtain advice from scientists since then? What principles ought to govern the relationship between scientists and the government in future?

The essay was not to exceed 2,500 words. All sources had to be cited, however footnotes and bibliography were not included in the word count.