

# **SOCIAL SCIENCE**

## **GRADE 9**

### **PROJECT 2**

#### **COMPARATIVE STUDY OF SYSTEMS OF GOVERNMENT**

**CHAPTER 1: TYPES OF GOVERNMENT AND  
THEIR CHARACTERISTICS**

**CHAPTER 2: RIGHTS OF CITIZENS**

**CHAPTER 3: LAW AND ORDER**

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**DIANA TEIT AKIS**

PRINCIPAL

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## **TOPIC 1            INTRODUCTION**

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Dear Student,

This is Project 2 of the Grade 9 Social Science Course. In this Project you will study the comparative study of systems of government.

This is an extension of what you have already studied in Unit 4. The project will enable you to examine important aspects of the systems of government in more detail.

In this Project you will:

- identify the different types of government systems
- compare democracy and communism
- compare government system in PNG and China
- Identify similarities and difference in rights of citizen, structure of government and law and order in PNG and China

This project comprises of three topics. They include

**Chapter 1    Types of Government and their characteristics**

**Chapter 2    Rights of Citizens**

**Chapter 3    Law and Order**

Each topic has an activity which you will do after the completion of the topic. Answers to the activities are found at the end of the Project.

We hope you will enjoy this project.

Your teacher

## Chapter 1 Types of Government and their Characteristics

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The governments of various countries play a very significant role in managing and controlling the affairs of their nations. These government systems influence political, social and economic actions. There are several types of government systems and their characteristics are explained below.

1. **Dictatorship:** In a dictatorship, one person—the dictator—has total power. Dictators can usually do whatever they want. Everyone must obey a dictator. In some dictatorships, a small group rules, rather than one individual. In a military dictatorship, the ruling officials are military officers. Some dictatorships call themselves republics. Examples of such leaders were Adolf Hitler (Germany) and Fidel Castro (Cuba)
2. **Fascism** is a political movement that believes in an extreme form of nationalism, denying individual rights, insisting upon the control of state and promoting one party rule.
3. **Nazism** refers to the German workers party idea which is based on **totalitarian**, racial superiority and the state control of industry.
4. **Communism** is a theory of government in which wealth and property are owned in common and production and labour are shared equally among the people. However, in reality there is state ownership and control.
5. **Federalism** is a form of government in which power is shared by the national government and the governments of the separate states. For example, Australia and USA.
6. **Republic** is a government under which citizens with the right vote choose their leaders. For example, USA.
7. **Democracy** is a political system in which the people of a country rule through any form of government they choose to establish. Examples of democratic forms of government would be federalism, republic and democratic constitutional monarchy.

The following discussion will be on the two systems of government which is democracy and communism. This will enable you to do a comparison on PNG's constitutional democracy and China's communist system.

You will start with the definition of democracy.

What is Democracy?

**Free and equal representation of people: the free and equal right of every person to participate in a system of government, often practiced by electing representatives of the people by the majority of the people**

This system of government is for the people where freedom is granted for all citizens of the country regardless of age, gender and status. You may have heard about countries in the world with a democratic form of government, treat their citizens to exercise their rights. In sort form, the term democracy is about all citizens having equal political rights. It deals with a government of a country where representatives are elected by the people. With such system comes the idea of freedom, rights, ownership and the different arms of the government that function on their own.

### **Brief history of democracy**

Democracy is a Greek term, **demos** “the people”; **kratein**, “to rule”, a political system in which the people of a country rule through a form of government which allow its citizens to exercise freedom. Greeks did practice democracy but it was guided in a sense that women and slaves had no rights and it only covered the native citizens.

By the middle of the 20th century, all independent countries in the world, with only few exceptions, had a government that, in form if not in practice, embodied some of the principles of democracy. Although the ideals of democracy have been widely professed, the practice and fulfillment have been different in many countries. In practice there about 60 countries that follow the **ideology** of democracy.

We shall now look at the definition of communism.

**Communism is a theory of government in which wealth and property are owned in common. Production and labour are shared equally among the people. It is a system of government where everything is controlled by the government/state through the army. The Government owns everything. Communal ownership.**

You may have heard about countries like, Russia, Cuba and China where the state controls the land, resources, production and distribution of goods. Based on the writings of Karl Marx communist Manifesto 1848 who believed workers’ were exploited. The means of production and distribution are owned and controlled by the state for the benefit of everyone. In other words, communal interest is considered more than individual interest.

### **Brief history of communism**

Communism can be traced back to the ancient Greeks. However, in the modern times the idea grew out of socialist movement of the 19<sup>th</sup> century (1800s) in Europe. The period of **industrial revolution** with mass production of goods caused social change to occur. This created the two classes of people, the rich (haves) and the poor (have nots).

The class struggle therefore brought about the ideology of communism by Karl Marx (1818 – 1883) with his associate Friedrich Engels. Karl Marx wrote the book called; “**Communist Manifesto**” that points the lack of products available to satisfy people’s needs and wants.

**Haves** control the means of production and have great wealth and power. The **have nots** are over worked and receive lower wages while enduring poor conditions.

Communism as described by Marx is a form of complete **socialism** in which the means of production – all land, mines, factories, rail roads and businesses would be owned by the people. Private property will cease to exist and the result would be that all goods and services will be shared equally.

## **PAPUA NEW GUINEA’S DEMOCRATIC SYSTEM**

### **Establishment of the Papua New Guinea Government**

In 1884, British established a protectorate over the present day Central, Gulf, Oro, Southern Highlands and Western with the headquarter in Port Moresby. It was declared a colony in 1888 as British Papua whilst German colonized the north east quarter of the island. (German New Guinea)

When Australia gained independence in 1901, British announced its plan to transfer British to Australia. Under the Papuan Act 1905, Australia accepted British New Guinea as a territory and changed its name to Papua. Germany transferred its administration from the mainland to Rabaul in 1910.

When World war one broke out in 1914, Australian troops occupied New Guinea. And in 1920 a separate administration for New Guinea was established as the Mandated Territory of New Guinea.

World War two reached New Guinea in 1942. The Australians and the Americans fought against the Japanese invaders. In 1945, the Japanese surrendered and the civil administration was established uniting both Papua and New Guinea. It was in 1972 that the name of the territory was later changed to Papua New Guinea.

Papua New Guinea gained independence after the self-government in 1975. The country adopted the British style of government-the **Westminster system**, which is the **Constitutional Parliamentary Democracy**.

PNG’s system of government is a **Constitutional Parliamentary Democracy or Constitutional Monarchy**, with Queen Elizabeth II as the head of state. This means that the country is governed by the people through their elected representatives and the Queen as the monarch, (head of state.) The representative of the Queen in the country is the **Governor General**. The Governor General acts on behalf of the Queen in attending to the affairs of the nation.

Papua New Guinea has 22 provinces, with 21 provincial governments except for National Capital District. There are 89 districts in the country in which members elected serve those open electorates. The provinces have their governors at the provincial level

and each district has its own local level government with a duly elected president and ward councilors

**PNG MAP**



**Characteristics of PNG’s Democratic System**

The constitution establishes three (3) branches or arms of government (refer to figure 1 on pg. 10). They are:

**1. The Legislative Branch**

The legislative branch of the government makes **laws** and **plans** for the country. Members of the legislative branch are the elected Members of Parliament who are voted in after every five years. We have 113 members of Parliament, comprising of 22 provincial governors and 91 open members.

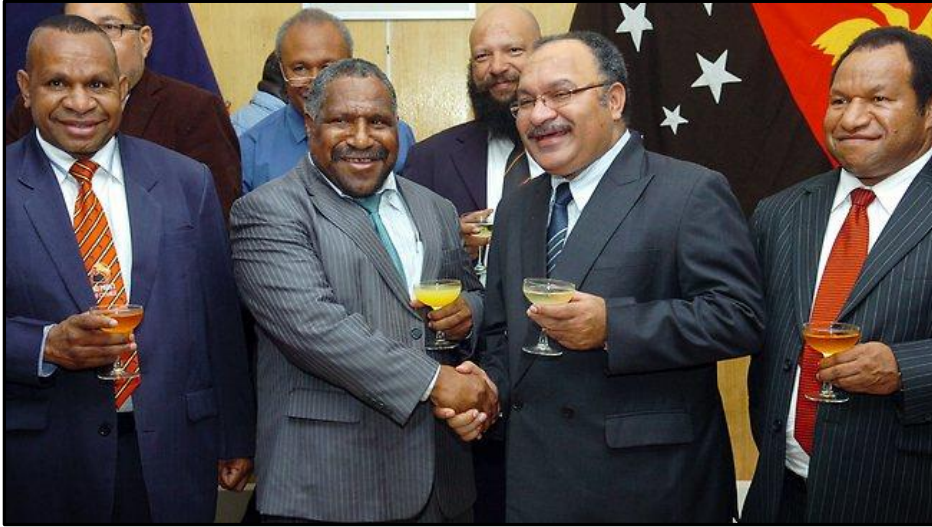


**The Parliament House – Legislative Branch**



## 2. The Executive Branch/Arm.

The executive branch is made up of the Prime Minister with the government ministers. This is known as the National Executive Council (NEC). They make sure that plans made by the government are carried out.



Members of the Executive Branch of the Government, 2011

## 3. The Judiciary Branch

The Judicial branch is made up of the courts. The Judges and the magistrates work in the courts. Their main role is to make sure that the laws made by the legislative are followed and use these laws to punish those who break them. In PNG we have several court systems in practice.

1. **The Supreme Court** is the highest court in the country. It reviews constitutional matters and is the final court of appeal against decisions by the lower courts. At least three judges hear the case brought before the courts.
2. **National Court** is heard by the same judges who sit in the Supreme Court but only one judge hears the case. The court hears cases on appeals, criminal and civil matters
3. **District Court** hears smaller civil law claims, less serious criminal charges, and appeals from local courts. They are run by magistrates who can make final decision or refer the case to the National Court.
4. **Village Court** deals with the problems in five or six nearby villages or settlements. The village magistrate is a local resident appointed after consultation with the people. The aim of the Village Court Act is to encourage people to settle local disputes in their own peaceful way.

5. **Special Courts** in PNG are numerous and they include **Land courts** that deal with land matters; **Children’s court** that handles criminal charges against children 7 to 16 years of age **Coroners court** that investigates unexpected deaths or with unusual circumstances; **Tax court** hears charges involving unpaid taxes; **Military court** hears charges against Defence force personnel; **Wardens court** handles local mining disputes; **Court of disputed returns** deals with complaints by losers in political elections.



CHIEF JUSTICE SIR SALAMO INJIA ON PARADE

The three (3) arms/branch of the government is independent from each others each serve as a check on the others avoiding (concentration of powers.) one arm from having too much power over the other.

This diagram looks familiar.

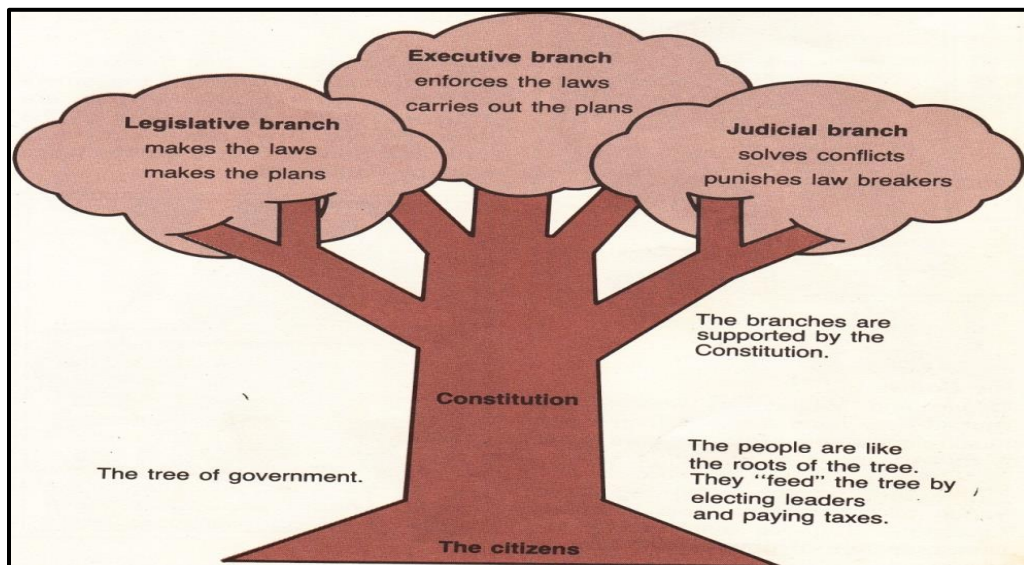


Figure 1. The three (3) arms/branches of the government

## Elections in PNG

Individual rights of the people are protected by the government and free elections are conducted every five years. Citizens who are over 18 years are eligible to vote. Despite the election related violence that you may have heard or seen, the country is still following a **limited preferential voting system** that peoples' voice are heard fairly through the ballot papers. Elections are held every 5 years for all levels of government (National & Local Level Government). The Electoral Commission is responsible for the elections especially in the **issuing of writs** and the **returning of the writs** in the election process.



## Political Parties in PNG

What is Political Party?

**Political Party is an organisation of people with a common political idea on how the government should be run.**

The parliament had adopted the **Organic Law on the Integrity of Political Parties and Candidates** with the aim to have fewer stronger political parties. In theory, it restricts the politicians from switching to other parties and the members of the parliament have to vote on what their party wants. You may have heard about members of parliament switching from one party to another and in doing so violate this law.

PNG with a democratic form of government has political parties which are well over 50 political parties and makes it quite difficult to master numbers to form the government. According to the registrar of the political parties the number is increasing with limited membership.

## **PNG's Economy**

PNG has a mixed economic system of both modern and the traditional economy. There are two sectors in operation, which are private and the public sector. Public sector is controlled by the government whilst private sectors are controlled by privately owned businesses whose main aim is to make profit. Individual and private businesses are encouraged to operate through the private sector.

## **Freedom of Speech and Religion**

In the media you may have heard about planned marches and public forums held in the country for people to air their views, as well as more Christian denominations (churches) being established. This clearly implies that PNG citizens have freedom of speech and religion as part of the characteristics of a democratic society.

## **Land Tenure System**

Land tenure system, clans or kinship groups own 97 percent of the land and the remaining 3% is owned by the state. They control its division, use and transfer. Disputes have risen as a result of this type of ownership. Disputes are either settled by clan leaders or in courts.

## **CHINA'S COMMUNIST SYSTEM**

### **Establishment of the Chinese government**

In 1900s, China through independent in name only, the foreign countries still had **spheres of influence** over China. Many Chinese wanted changes and among the group pushing for the modernisation and nationalisation was the Kuomintang or Nationalists People's Party. Its founder and leader was the Sun Yat-sen. The Nationalist overthrew China's last emperor of the **Ching dynasty** which had ruled China since 1644.

Sun Yat-sen became the first President for the new Republic of China. The president hoped to establish a modern government based on the three principles of the people;

- i. Nationalism (meaning an end to a foreign control)
- ii. People's right (democracy)
- iii. People's livelihood (meaning a form of Marxist socialism and land reform to benefit peasant farmers).

The political change did little to bring change to the lives of Chinese people, especially the peasants. The Warlords terrorised the countryside, **pillaging** and looting everywhere. Roads and bridges fell into disrepair and the crops were destroyed. Famine took the lives of many. Such were the situation China was in when World War one broke out in 1914 caused many deaths.

Sun Yat-Sen joined the **Allies** and fought against Germany hoping that in gratitude the Allies would return China to the Chinese. But in the **Treaty of Versailles** (1919) Allied leaders refused to give up their territories and commercial interests in China. Even worse for China, Japan was (to be) allowed to keep the Chinese territory it had seized during the war.

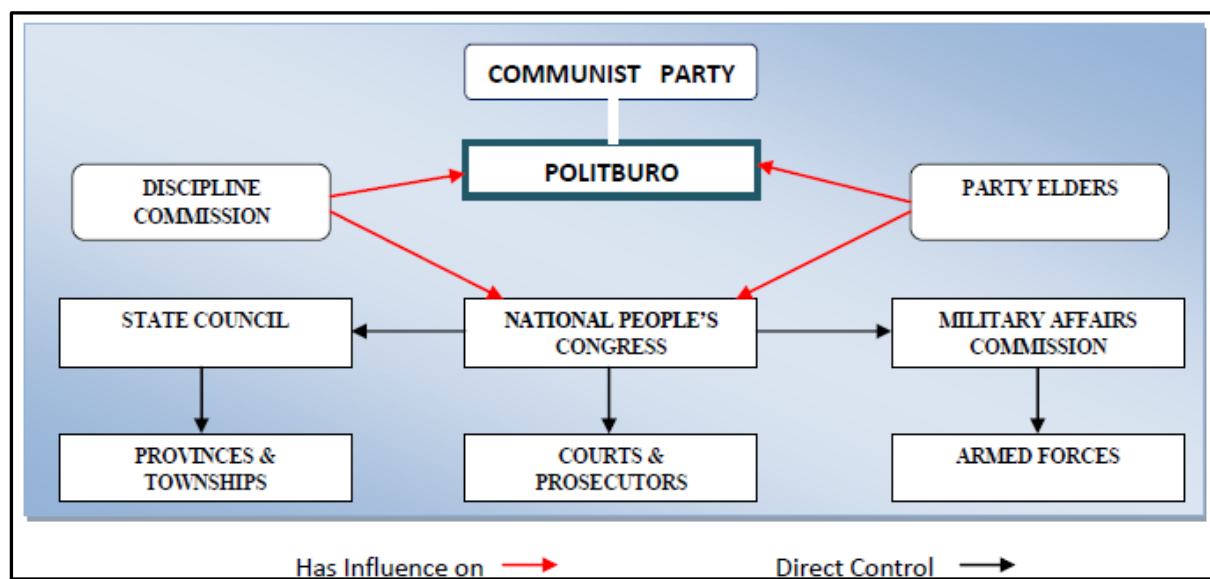


China's humiliation at the hands of the Allied powers left a deep scar on many young Chinese intellectuals. Many turned away from Sun's belief in western style democracy. They instead chose the ideals and beliefs of a new powerful leader of the Soviet Union, Lenin.

In 1921, the Chinese Communist Party established and one of the leader was Mao Tse Dhung (1893 -1976). The triumph of the Red Army and Mao's Communist Party in 1949, ended nearly half a century of revolution, anti-war, and chaos in China. It also marked the beginning of a new era. Mao and his successors strived to transform China into a communist society and a modern industrial nation.

China's system of government is opposite to that of what Papua New Guinea. It has a communist form of government. In totalitarian regime, one party or person is in complete control of private as well as state affairs. There is a great lack of freedom and denial of human rights.

#### STRUCTURE OF THE CHINESE GOVERNMENT



#### Characteristics of China's Communism System

The individual rights are not protected, no free elections are conducted and there is only one party rule which is the Chinese Communist Party. The party leader acts in the interest of the state with the military having an excessive control.

China had established two parallel and overlapping organisations, the **Communist Party** and the **National Parliament**. The party sets policies, while the government is responsible to implement it.

China has 33 administrative units directly under the central government. They consist of 22 provinces, 5 autonomous regions, 4 municipalities (Chongqing, Beijing, Shanghai, and Tianjin), and 2 special administrative regions (Hong Kong and Macau).

### MAP OF CHINA



Politically, **China** is a **Communist** country. It operates under a highly centralised, single-party rule by the **Communist** Party. All regions, provinces or cities, have two sets of leadership: **a)** local government functionaries and **b)** **Communist Party** officials.

### China's Branches of the Government

It is interesting to know how the Chinese government functions. There are three arms of the government as explained below.

#### 1. Executive

The National People's Congress elects a president for a five year term. The premier heads the State Council and the executive powers rest upon this council. It is the National People's Congress that elects the premier after being nominated by the president.

The State Council is made up of about 40 heads of ministries and the national-level commissions who are nominated by the premier and elected by the NPC to a five-year terms. In general, every election of the officers is controlled by the China Communist Party.

#### 2. Legislative

Members of the **National People's Congress (NPC)** are chosen for five-year term in an indirect election by the provincial congress. Typically, the provincial congress selects those delegates that are recommended by the CCP. The size of the NPC is determined by law and ranges from about 3,000 to 3,500 members. The NPC conducts many debates over the legislation that it passes. The government reports its approvals or the official appointments and removals it makes.

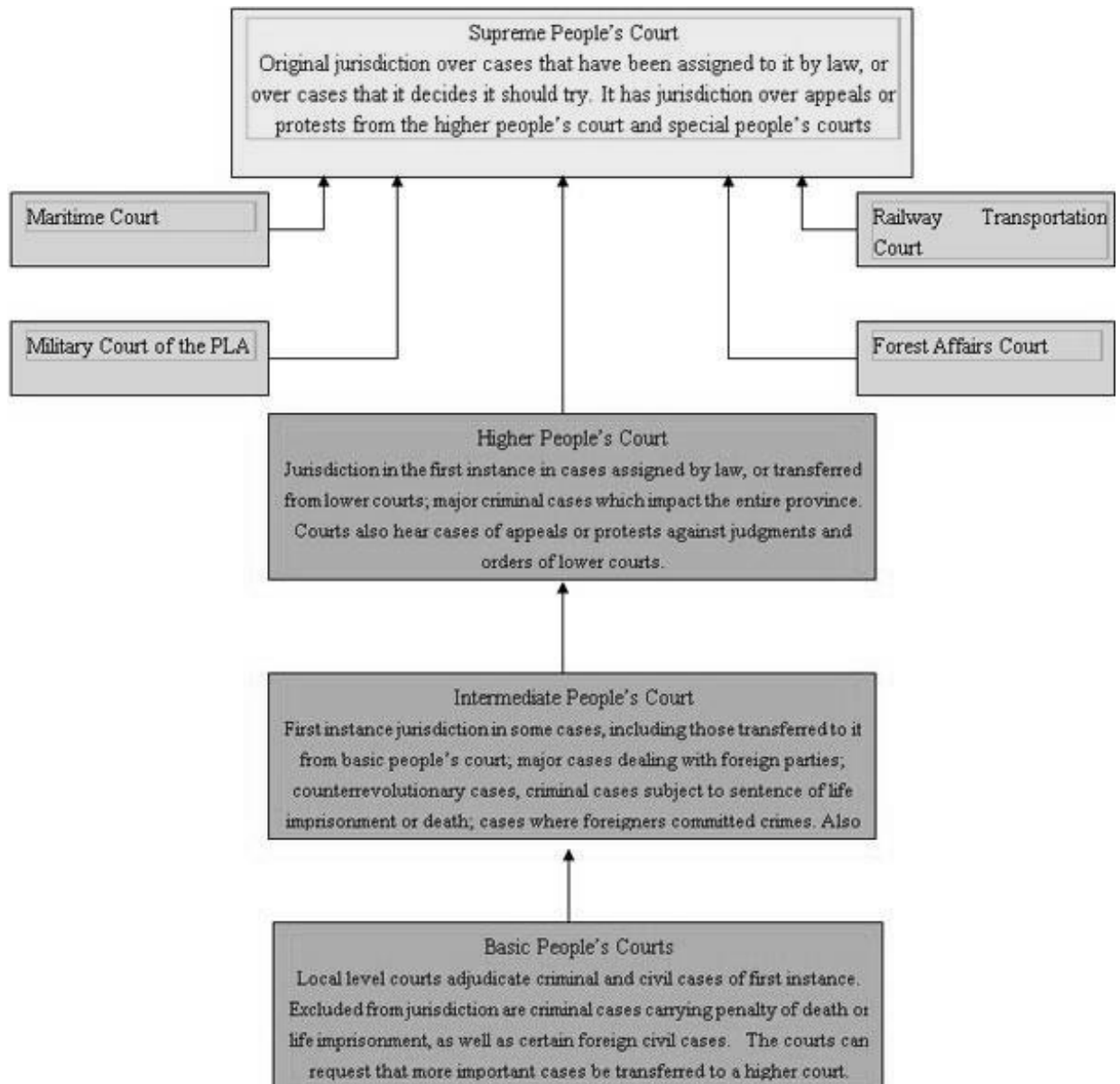
When NPC is not in session, a Standing Committee of about 150 members elected from the NPC membership acts in its place. The Standing Committee represents the congress in many of the functions, including law making,

interpreting and the supervision and implementation of the constitution, and ratifying or nullifying treaties with foreign governments.

### 3. Judiciary

The Chinese legal system has four components: **a court system; a public security administration or police component; an office of the procurator, or public prosecutor,** and a **system of prisons and labor camps.**

The highest court is the **Supreme People’s Court.** It supervises the administration of justice by various lower levels of people’s courts. The Supreme People’s Court does not have the power for constitutional supervision. That power is vested in the Standing Committee of the National People’s Congress. Lower courts, public prosecutors, and public security offices exist at the provincial, county, and municipal levels. In addition, public security offices function at the neighborhood level. There are also private and public lawyers practicing law.



## COURT SYSTEM OF CHINA

There is a top down hierarchy within the court structure. The Supreme People's Courts, the Higher People's Courts, the Intermediate People's Courts, and the Basic People's Courts. The Basic People's Court comprises of more than 3,000 courts at county level, which are further subdivided into about 20,000 smaller units referred to as people's tribunals located in towns and villages. There are 376 Intermediate People's Courts and 31 Higher People's Courts located in the provinces. Additionally, there are a number of specialized courts, for example those dealing with railway transportation, forest affairs, the People's Liberation Army (PLA) and maritime issues. Jurisdiction is allocated partially through the Constitution, the 1979 Organic Law of the People's Courts, the Law of Criminal Procedure, the Law of Civil Procedure, and the Law of Administrative Procedure.

The structure of China's government follows a Leninist model of one-party rule established by revolutionary leader **Mao Zedong** in 1949. Under the Leninist system, the mandate to govern originates not in elections but in the ruling party's armed seizure of power. The claim to legitimacy rests on the ruling party's assertion that it serves the interests of the people. Russian revolutionary leader **Vladimir Lenin** first established this system in the Union of Soviet Socialist Republics (USSR), and it was later adopted by or imposed on many other socialist states. In China, the ruling party is the **Chinese Communist Party (CCP)**, which came to power in 1949 and established the **People's Republic of China**.

The CCP dominates policy making and policy execution through its members in the government. Within the state (governmental) structure, the highest organ in theory is the legislature, called the **National People's Congress (NPC)**. In practice, however, the most powerful state organ is the cabinet, called the **State Council**, which is headed by the premier.

### Economic reforms in China

In the 1970s, there were economic reforms initiated to give freedom for managers to plan in the production stage. Political control was vested in the communist party and the military but the country was slowly allowing the ideas of **capitalism**, hence is the investment of money in business ventures with a goal of making a profit, to help drive its economy.

China's constitution allows for the practice of a "socialist market economy". It also encourages economic roles of private firms and provides legal protection of private property.

Most large industries are owned by the state and operated by managers, committees and work teams. The Chinese government allows for the formation of cooperatives by individuals and groups.



## Political Power in China

The constitution centralized power in the National People's Congress, giving it the power to appoint and supervise the top officials of both the executive and the judicial branches.

## Political Parties in China

China is a socialist dictatorship of the proletariat (working class) led by the Chinese Communist Party (CCP) in a united front with other parties. Under the united front policy, the CCP permits several minor political parties to operate in China. These parties draw their members mainly from cultural, educational, and scientific circles. No truly independent political parties exist.

The CCP supervises organizations serving the constituencies of youth, women, and labor

## Elections in China

Members of people's congresses at the two lowest levels of government—the township and county levels—are directly elected in a tightly controlled election with limited competition. Citizens who are at least 18 years of age may vote. Members of the people's congress (at the provincial and national levels) are indirectly elected by the congress at the lower level. Administrative leaders at all levels—for example, county heads, provincial governors, and the premier—are elected by the people's congress at their level.

## Certain restrictions in China

In China, religion and freedom of expression is restricted. The ruling party and with the military do this to maintain the **status quo** and to avoid any conflict.



**CHINESE MILITARY**

We have tried to compare the types of government and their characteristics for both PNG and China. PNG has a constitutional democracy system with the queen as the head of state whilst China has a communist system of government with control by the Communist party and it's military.

## SUMMARY

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- There are various systems of government practiced today and in the past.
- Democracy is rule for the people by the people. All citizens have equal political, economic and social rights.
- Communism is a theory of government system in which wealth and property are owned in common production and labour are shared equally among the people.
- PNG has a parliamentary system of government with three arms of the government-legislature, executive and judiciary
- China has a two parallel and overlapping organization: the Communist Party and the National Parliament as well as the three arms of the government.
- PNG has a mixed economic system modern and traditional (both operating.)
- China has a dominant political party with the military that controls the affairs of the country.
- China has allowed capitalism in its economy with firm control by the state.

Turn to the next page to do Activity1

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**Activity 1**

---

1. Name the three arms of the government in PNG and state their main function.

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

2. What is the name of the ruling party in China? \_\_\_\_\_

3. Define the following terms:

a. Democracy \_\_\_\_\_

b. Communism \_\_\_\_\_

c. Capitalism \_\_\_\_\_

d. Totalitarian \_\_\_\_\_

Now check your answers at the end of the project.

## Chapter 2: Rights of citizens

---

You may have heard people talking about their rights. What would it be like if there are no rights? And what would happen when your rights are denied? Whenever people live together in communities, they have duties towards the other members of the community. These duties are called **obligations** or **responsibilities**. With the responsibilities comes their right as the members of the community.

### What are citizens' right?

In Unit 9.4 you have studied ethics where it covers human rights. We can further define *rights* alone.

**Right refers to what a person is entitled to and others are duty bound to respect it.**

Every citizen has a right to do things as required by the law. With the rights comes freedom where a person is free to engage in activities that he or she wishes, as long as he or she does not interfere with the other people's rights. The citizens' rights are derived from the UN Declaration of Human Rights.

### **Article 1**

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

### **Article 2**

Everyone is entitled to all the rights and freedoms set forth in this Declaration, 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.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

### **Article 3**

Everyone has the right to life, liberty and security of person.

### **Article 4**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

### **Article 5**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

**Article 6**

Everyone has the right to recognition everywhere as a person before the law.

**Article 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

**Article 8**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him by the constitution or by law.

**Article 9**

No one shall be subjected to arbitrary arrest, detention or exile.

**Article 10**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

**Article 11**

1. Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

**Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

**Article 13**

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own, and to return to his country.

**Article 14**

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

### **Article 15**

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

### **Article 16**

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

### **Article 17**

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

### **Article 18**

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

### **Article 19**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

### **Article 20**

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

### **Article 21**

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

### **Article 22**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

### **Article 23**

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

### **Article 24**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

### **Article 25**

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

### **Article 26**

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

### **Article 27**

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

### **Article 28**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

### **Article 29**

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

### **Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

## **Freedom**

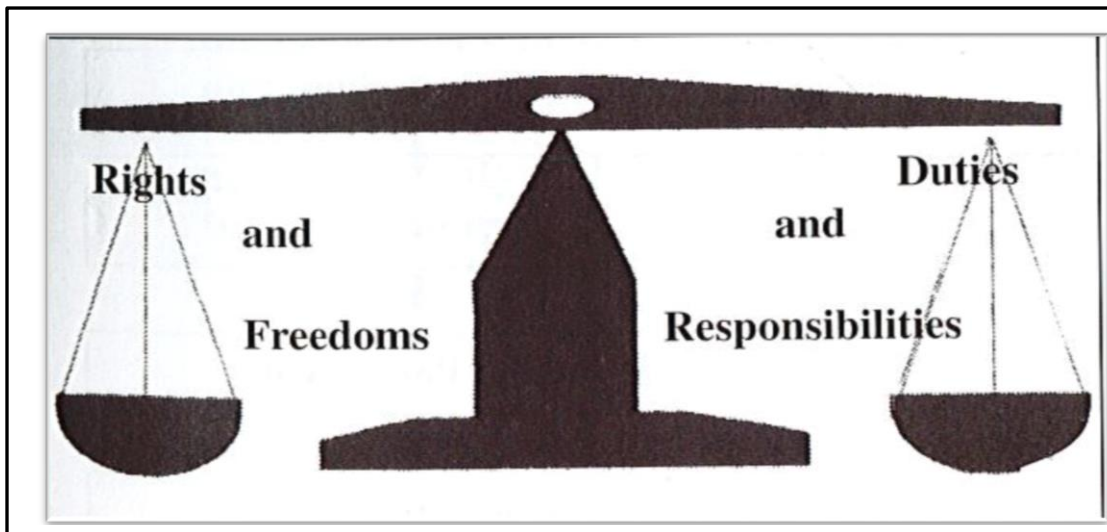
What do we mean by freedom?

**Freedom is when a person is free. It may refer to a person who is free to engage in any activity and does not interfere with other person's rights.**

In our societies the rights, freedoms and responsibilities exist together. When one has a right to do something, he or she also has duties or responsibilities towards others. That means while we exercise our rights to do something, we have to ensure that we do not violate other people's rights. For example, we have the right to freedom of movement. This freedom allows us to move freely, but we cannot enter some else's premises.

The law places our society on a scale. It places the rights and freedoms on one side and duties and obligation on the other side so that the society is balanced. That is why the law guarantees our rights and freedoms and at the same time imposes upon us the duties and obligations. In that way, it keeps a balance in our societies and maintains peace and harmony.





**THE DIAGRAM OF RIGHTS AND DUTIES**

### **Citizens' rights in PNG**

Papua New Guinea being a democratic country has its citizens exercise their rights. Our rights are considered as obligations that we find freedom within. Basic rights and social obligations of Papua New Guinea citizens are spelled out in the beginning of the constitution which is the basis of people's legal protection against abuse.

The rights are:

- right to freedom of life
- right to freedom of liberty
- right to freedom of assembly and association
- right to freedom of inhuman treatment and forced labour
- right to freedom from arbitrary rule of power
- right to freedom of expression
- right to freedom of movement
- right to freedom of employment
- right to privacy
- right to freedom of choice
- right to freedom of speech
- right to protection of law
- right to equality
- right to freedom of arbitrary search and entry
- right to freedom of conscience, thought and religion
- right to freedom of unjust deprivation of property

Do I know  
my rights?



### **The Basic Obligations of PNG Citizens**

Do you know that being a citizen you have your rights as well as obligations specified in the Constitution? The basic obligations are:

- to respect the Constitution
- to actively participate in the development of the national community as a whole
- to participate fully in the government of the nation

- to protect PNG and to safeguard the national wealth, resources, and environment
- to work in socially useful employment
- to respect the rights and freedom of others
- to contribute to the revenue required for the advancement of the nation
- parents to support, assist and educate their children (whether born in or outside the wedlock), and in particular, give them a true understanding of their basic rights and obligations and of the national goals and directive principles
- for the case of children-to respect their parents

The Papua New Guinea Constitution guarantees that every person, tribe, race and sex has equal rights and obligations. These rights and obligation are very important because it affects the way we live and interact with each other. The constitution guarantees the right to freedom. That means that we have the right to freedom and others have the duty to respect that and not to violate it.

### **The Citizens' Rights in China**

Is China strictly following communist system of government? It is quite interesting to know about China, a communist country that may have limited citizen rights and obligation, attached with freedom. The current constitution after several amendments state that all citizens are equal. Rapid socio-economic change in China has been accompanied by relaxation of some restrictions on basic rights, but the government remains an authoritarian one-party state. It places uninformed controls on expression, association, assembly, and religion; prohibit independent labor unions and human rights organizations; and maintains Party control over all judicial institutions.

The following are some of the citizens' rights issues that China has not addressed.

#### **1. Freedom of expression**

The government has multiple controls over all media and publications. There is internet censor that blocks outside content from reaching the Chinese users. Punishments are given in the form of jail sentence, or detainment and their work deleted.

#### **2. Freedom of religion**

Although the constitution guarantees freedom of religion, the government restricts religious practices to officially approved mosques, churches, temples, and monasteries organized by five officially recognized religious organizations. It audits the activities, employee details, and financial records of religious bodies, and retains control over religious personnel appointments, publications, and seminary applications. Unregistered spiritual groups such as Protestant "house churches" are deemed unlawful and subjected to raids and closures. Members are harassed and leaders are detained and sometimes jailed.

#### **3. Health and disability rights**

This right is not properly addressed where there were people affected through environmental pollution and related threats to health. Laws were also enacted to protect people living with disability but as usual there were loopholes to this amendment.

#### 4. Women's Rights

Women's reproductive rights and access to reproductive health remain severely curtailed under China's population planning regulations. While the government announced that Chinese couples will now be allowed two children if either parent was a single child, the measure does not change the foundations of China's government enforced family planning policy, which includes the use of legal and other tough measures—such as administrative sanctions, fines, and coercive measures, including forced abortion—to control reproductive choices.

#### 5. Migrant and Labor Rights

The official All-China Federation of Trade Unions (ACFTU) continued to be the only legal representative of workers; independent labor unions are forbidden. Despite this limitation, workers have become increasingly vocal and active in striving for better working conditions across the country, including by staging protests and strikes.

#### 6. Sexual Orientation and Gender Identity

To date there is still no law protecting people from discrimination on the basis of sexual orientation or gender identity, which remains common especially in the workplace. Same-sex partnership and marriage are not recognized under Chinese law.

China participated in the review of its compliance with the **Convention on the Rights of Persons with Disabilities** by the international treaty body charged with monitoring implementation of the convention and a review of its overall human rights record at the **UN Human Rights Council**, but it failed to provide basic information or provided deeply misleading information on torture, arbitrary detention, and restrictions on freedom of expression. The UN agencies operating inside China remain tightly restricted, their activities are closely monitored by the authorities.

**You have come to the end of the Chapter. Below are the main points of the chapter.**

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## SUMMARY

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- Citizen is an individual member of a given political society or state; by extension, one who owes allegiance to and may lawfully demand protection from the government of that state which is his or her right.
- The citizens' rights are derived from the 30 Articles of the UN Declaration of Human Rights.
- In our societies the rights and freedoms as well as responsibilities exist together when one has a right to do something, he or she also has duties and responsibilities towards others. That means while we exercise our rights to do something, we have to ensure that we do not violate other people's rights where it involves respect.
- PNG being a democratic country has its citizens exercise their rights. Our rights are considered as obligations that we find freedom within. Basic rights and social obligations of PNG citizenship are spelled out in the beginning of the constitution which is the bases for people's legal protection against abuse.
- In Papua New Guinea, the constitution guarantees that every person, tribe, race and sex has equal rights and obligations. These rights and obligation are very important because it affects the way we live and interact with each other. The constitution guarantees the right to freedom. That means that we have the right to freedom and others have the duty to respect that and not to violate it.
- Rapid socio-economic change in China has been accompanied by relaxation of some restrictions on basic rights, but the government remains an authoritarian one-party state. It places uninformed controls on expression, association, assembly, and religion; prohibit independent labor unions and human rights organizations; and maintains Party control over all judicial institutions.
- China participated in the review of its compliance with the Convention on the Rights of People with Disabilities by the international treaty body charged with monitoring implementation of the convention and a review of its overall human rights record at the UN Human Rights Council. However, it failed to provide basic information or provided deeply misleading information on torture, arbitrary detention, and restrictions on freedom of expression. The UN agencies operating inside China remain tightly restricted, their activities closely monitored by the authorities.

**Now, do the activities on the next page before you move on to the next chapter.**

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## Activity 2

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1. Explain in your own words what *Article 3* of UNDHR means?

\_\_\_\_\_

2. Define the term freedom.

\_\_\_\_\_

3. What is a right?

\_\_\_\_\_

4. Explain how Chinese exercise their freedom of expression.

\_\_\_\_\_

\_\_\_\_\_

5. Write **true** or **false** next to each statement below.

(i) My obligation is to disrespect the constitution. \_\_\_\_\_

(ii) In China, there is freedom of speech. \_\_\_\_\_

(iii) Law guarantees our right and freedom and at the same time imposes upon us duties and obligation. \_\_\_\_\_

(iv) China observes all the Articles of the UN Declaration of Rights. \_\_\_\_\_

6. In PNG which court system would deal with the following cases?

(i) A constitutional case \_\_\_\_\_

(ii) Criminal Charges \_\_\_\_\_

(iii) Land dispute \_\_\_\_\_

7. How many articles are there in the UN Human Rights Declaration?

\_\_\_\_\_

**Now check your answers at the end of the project**

## Chapter 3 Law and order

---

Who needs law? All communities need the law to keep order, peace and harmony in the society. Without law communities can be chaotic. As communities expand and complicated there have to be more laws introduced. Breaking of the laws is accompanied by punishment or penalty.

**Law and order is the strict enforcement of the law to create social stability within a society.**

In this topic, we will specifically look at law and order issues, hence doing a comparison of PNG and China.

There are two types of law used in the societies. They are: **formal laws** which are written rules, for example the constitution; and the **informal laws** those that are not written but were passed on from one generation to another orally. There is no society that members have complete freedom. Laws are made to protect us so that we can live peacefully in our communities.

### **PNG Traditional laws**

The traditional or customary (informal) laws have existed since the prehistoric times. And were (informal) laws passed on from one generation to another. Different groups have different laws that govern their community. Those laws, though not written, were still strong and people obeyed them. They were obeyed for several reasons:

- To maintain and strengthen kinship ties and cooperation in communities.
- Fear of being punished by the chiefs, sorcery or ancestral spirits.
- Fear of public shame.

In any country, the Constitution is the (highest) supreme law. Basically it sets out the government system and how the country should be governed. PNG and China are no exception.

### **Formal laws**

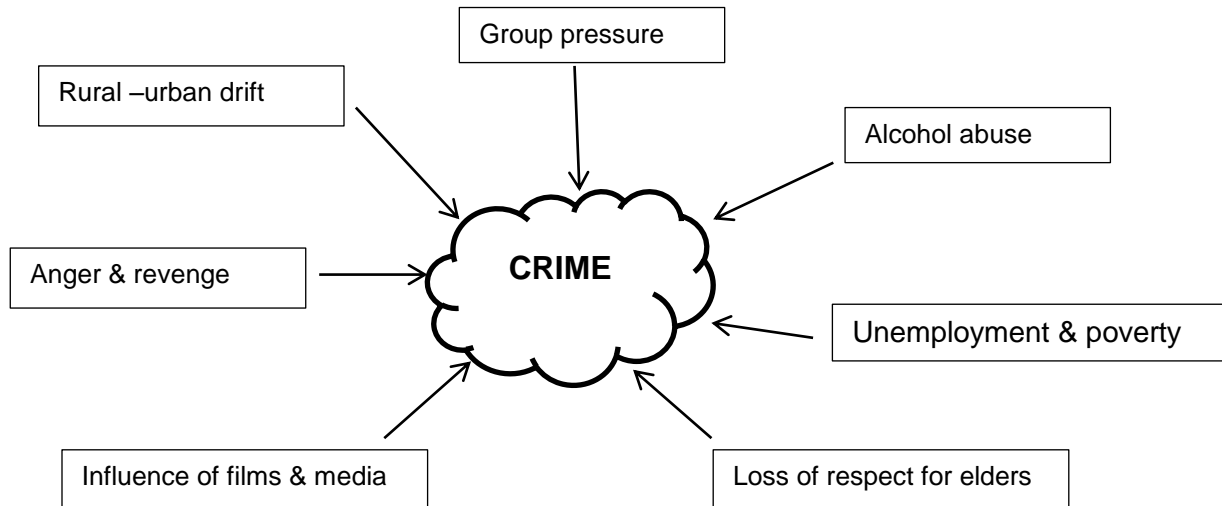
The formal laws in Papua New Guinea are based on the laws of England which were used by the colonial government. The Constitution is the most important law. However, traditional laws are also recognized. They are more often applied by the village courts in settling disputes.

The formal law discourages some traditional laws such as payback killing because they violate the constitution. We can say that both traditional (where applicable) and modern laws are used in the country today. More importantly formal laws are given more preference than the traditional laws.

### Law and Order Problems in PNG

We have heard about the law and order problems, especially the increase in crime rate in urban areas and tribal fights and payback killing in rural areas. There are many factors that contribute to the increase in crime. The contributing factors are complicated and there are no easy solutions.

#### SOME FACTORS THAT LEADS TO CRIME

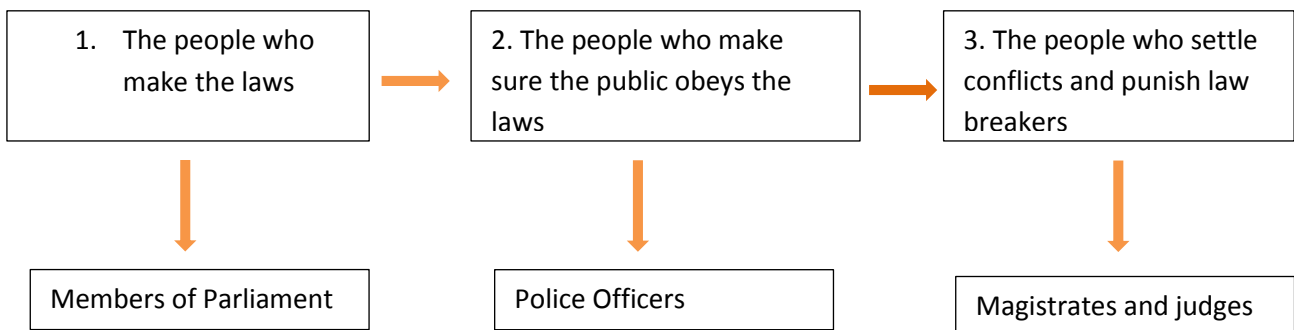


Some of the effects of law and order problems in PNG would be:

- loss of life and property
- ethnic clashes and violence
- threat to tourism
- disruption of vital government services
- loss of foreign investment

### Law enforcement agencies in PNG

Do you know who enforces the law? There are various agencies that are responsible for enforcing the law and they are **the Police, the Courts** and the **Correctional Services**. But also we need to know that there are three main groups involved in the legal system of our country.



#### LAW ENFORCEMENT AGENCIES



THE COURT SYSTEM



PNG ROYAL CONSTABULARY

### Law and order in China

The stability and the enforcement of law and order in China are totally different from that of the other government systems. It is important that you know the difference.

The 1982 Chinese constitution vested supreme command of the armed forces in the **Central Military Commission**. The country's military force is the **People's Liberation Army (PLA)** which includes the national army, navy and the air force. PLA is one of the world's largest military forces.

The reforms in China had brought some changes where the government had enacted hundreds of laws which deal with businesses, management of prisons and the activities of judges and lawyers.

### The laws used in China

China had a history of successive changes in the government system with amendments to the constitution in 2004. Wide range of laws were enacted to align with the communist regime and the power vested in the hands of the ruling party.

There were laws enacted by the ruling party that forms the basis of China's constitution. You should know that the laws that were continuously changed through amendments did not in the best interest of the citizens.

The aim of the law was to safeguard the citizens of the country. However, it was also serving the interests of the Communist party. So when the communist party came into power in 1949, China experienced a lot of human rights abuse. The laws then were used to bring the intentions of the party to the citizens to suppress their rights and control any unrest.



## Law enforcement agencies in China

There were several law enforcement agencies that were given the task by the ruling party to enforce the laws.

1. **The procurators** are officers who supervise the execution (carrying out) of the laws in the provinces, ensure justice, and prevent abuses. Their function was now on judicial matters, such as acting as public prosecutor in all criminal cases and conducting them on behalf of the government and the law
2. **The courts** were functioning in close coordination with the police and other administrative agencies. The main matters reaching the courts were economic matters and other disputes.
3. **The Chinese Communist Party** often acts as an informal mediator between aggrieved parties. The party was successful in bringing resolution to neighborhood disputes, divorces, family arguments, and minor thefts. The penalties imposed were lighter sentences.
4. **The police** had a vital role to play in maintaining law and order. The Chinese law also permits the police and other administrative authorities to impose up to three years of detention without trial.

The Chinese Communist Party is concerned with maintaining political stability through a combination of **patriotic indoctrination**, which is about promoting nationalism for being a Chinese, and using police control.

Below are the main points to chapter 3

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## SUMMARY

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- Law and order is the strict enforcement of the law to create social stability within a society.
- There are two types of laws used in the societies and they are: **formal laws** which are written rules; and the **informal laws** those that are not written but passed on from one generation to another orally.
- Some of the effects of law and order problems experienced in PNG would be: loss of life and property, ethnic clashes and violence, threat to tourism, disruption of vital government services and loss of foreign investments.
- There are various agencies that are responsible for enforcing the law and they are **the Police, the Courts** and the **Correctional Services**.
- The aim of the law was to safeguard the citizens of the country but on the other hand, it was serving the interest of the Communist party. When the communist party came into power in 1949, China experienced a lot of human rights abuse. The laws were then used to bring the intentions of the party to the citizens to suppress their rights and control any unrest.
- There were several law enforcement agencies that were given the task by the ruling party to enforce laws and they were: the **procurators** ,the **courts** ,the **police** and the **Chinese Communist Party**

Now do Activity 3 on the next page.

**Activity 3**

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1. What is the difference between formal and informal laws?

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2. Why do communities need law?

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3. What are some of the effects of law and order problems in PNG?

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4. What would be the role of a procurator?

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5. Name the three agencies responsible for enforcing laws in PNG.

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6. List down the agencies responsible for enforcing laws in China.

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Now check your answers at the end of the project

## ANSWERS TO ACTIVITY QUESTIONS

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### Answers to Activity 1

1.
  - a. Legislature – make laws and plans for the country
  - b. Executive – it executes the laws and plans made by the legislature.
  - c. Judicial – it enforces the laws made and punishes the offenders.
2. Chinese Communist Party (CCP)
3.
  - a. Either of these definitions.  
Democracy is a political system in which the people of a country rule through any form of government they choose to establish. **Or** Democracy is a form of government for the people by the people through their elected leaders and power is in the hands of the people.
  - b. Communism is a theory of government in which wealth and property are owned in common. Production and labor are shared equally among the people.
  - c. Capitalism is an economic system characterised by the investment of money in business ventures with the goal of making more money.
  - d. Totalitarian is a political system in which the government has a total control over the lives of individual citizens.
4.
  - (i) The Supreme Courts
  - (ii) Village Courts
  - (iii) Land Courts

### Answers to Activity 2

1. Everyone has the right to be alive and to be free and safe
2. Freedom is when a person is free. It may refer to where a person is free to engage in any activity that does not interfere with other person's rights.
3. Right refers to what a person is entitled to and others are duty bound to respect it.

4. The government has multiple controls over all media and publications. There is internet censor that block outside content from reaching the Chinese users. Punishment are given in a form of jail sentence, or detained and their work deleted.
  
5.
  - (i) False
  - (ii) False
  - (iii) True
  - (iv) False
  
6.
  - i. National Court-*serious cases*
  - ii. National Court-*serious cases*
  - iii. District Court- *Less Serious cases*
7. 30

### Answers to Activity 3

1. Formal laws are written laws and informal laws are unwritten laws.
2. Communities need laws in order to live in peace and harmony.
3. The effects are loss of life and property, ethnic clashes and violence, threat to tourism, disruption of vital government services and loss of foreign investment.
4. Procurators are officers who supervise the execution of the laws in the provinces, ensure justice, and prevent abuses.
5. There are various agencies that are responsible for enforcing the laws in PNG and they are the Police, the Defence Force and the Ombudsmen Commission.
6. Agencies responsible for enforcing laws in China are the Procurators, the Courts, the Chinese Communist Party and the Police.

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**YOU HAVE COME TO THE END OF GRADE 9 PROJECT 1.  
YOU MAY NOW BEGIN WITH YOUR PROJECT ASSIGNMENT.**

**GLOSSARY**

<b>Absolute</b>	Not restricted or limited by constitutional restraints.
<b>Allies</b>	Those countries that fought against Germany and Austria – Hungary in world war one – Britain, France and Russia.
<b>Arbitrary</b>	Chosen or done, not according to a rule or law.
<b>Coerce</b>	Compel someone by using threats or force.
<b>Constituency</b>	a district representative by a member of parliament elected by the people who live there.
<b>Constitution</b>	A written plan of laws and principles to guide government or society.
<b>Curtail</b>	Cut short or reduce.
<b>Dynasty</b>	A line of rulers or powerful people from the same family.
<b>Ideology</b>	A set of beliefs that influences political, social and economic actions.
<b>Indoctrination</b>	Fill a persons' mind with particular ideas or beliefs, so that he or she comes to accept them without thinking.
<b>Industrial Revolution</b>	The period (1800's and 1900's) of greatly increased production of machine made goods.
<b>Karl Marx</b>	German socialist who wrote the Communist Manifesto (1848) and Das Kapital (1867), the basis of communist theory.
<b>Land Tenure System</b>	Clans or kinship groups own 97 percent of the land in PNG. They control its division, use, and transfer. The common ownership binds them together and is the basis for their identity in the community.
<b>Leadership code</b>	is part of the constitution. It requires national leaders, their families and their agents (those who represent them) follow basic rules of good behavior.
<b>Lenin Vladimir Ilyich</b>	Bolshevik leader who became head of the first communist government in Russia (1917). Died in 1924.

<b>Limited Preferential Voting</b>	Voters pick their first, second and third choices. The ballots are counted and recounted in a process of elimination.
<b>Mao Tsetung / Zedang</b>	Chinese communist leader who become the chairman after the 1948 Revolution. He believed that peasants were most important to the Chinese Revolution. He died in 1924.
<b>Monarchy</b>	Government headed by a king or monarchy.
<b>Nationalism</b>	A feeling of loyalty for one's own land and people, the belief that one's greatest loyalty should be to one's country.
<b>Ombudsman Commission</b>	is composed of the Chief Ombudsman and two other ombudsman commissioners. Their main job is to ensure that the government serves the people. They investigate people's complaints about unfair treatment by government officials. They also investigate the officers that violated the leadership code.
<b>Patriot</b>	A person who loves his or her country and supports it loyally.
<b>Pillaging</b>	Carry off goods using force, in a war.
<b>Prosperity</b>	Successful or rich.
<b>Public prosecutor</b>	represents the government in criminal law matters. His/her assistants file criminal charges against people in the District court or the National court and present evidence collected by Police or other investigative bodies.
<b>Red Army</b>	Communist troops in USSR and China.
<b>Reform</b>	A change in something in order to improve it.
<b>Socialism</b>	Belief in state ownership of capital, land etc. for common good.
<b>Spheres of Influence</b>	A region dominated by, but not directly ruled by, a foreign nation
<b>Status Quo</b>	The state of affairs as it was before a change.
<b>Treaty of Versailles (1919)</b>	Settlement with Germany after world war one.

**Writs** a written court order demanding that the addressee do or stop doing whatever is specified in the order



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Limited Preferential Voting is .....

PC NO	FODE PROVINCIAL CENTRE	ADDRESS	CUG PHONES (COORDINATORS)	WIRELESS PHONES	SENIOR CLERK	CUG PHONE
1	DARU	P. O. Box 68, Daru	72228146	77522841	Mr Kevin Sere	72229047
2	KEREMA	P. O. Box 86, Kerema	72228124	77522842	Mr David Saria	72229049
3	CENTRAL	C/- FODE HQ	72228110	77522843	Mr Aubi Elodo	72229050
4	ALOTAU	P. O. Box 822, Alotau	72228130	77522844	Mr Albi Bapera	72229051
5	POPONDETTA	P. O. Box 71, Popondetta	72228138	77522845	Mr Stansen Sevese	72229052
6	MENDI	P. O. Box 237, Mendi	72228142	77522846	Mr Wari Tange	72229053
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9	MT HAGEN	P. O. Box 418, Mt. Hagen	72228148	77522849	Mr Robert Maki	72229057
10	VANIMO	P. O. Box 38, Vanimo	72228140	77522850	Mrs Isabella Danti	72229060
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12	MADANG	P. O. Box 2071, Madang	72228126	77522852	Mrs Applonia Bogg	72229063
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17	BUKA	P. O. Box 154, Buka	72228108	77522857	Mr Marlyne Meiskamel	72229073
18	MANUS	P. O. Box 41, Lorengau	72228128	77522858	Ms Roslyn Keket	72229080
19	NCD	C/- FODE HQ	72228134	77522859	Mrs Marina Tomiyavau	72229081
20	WABAG	P. O. Box 259, Wabag	72228120	77522860	Mr Salas Kamberan	72229082
21	HELA	P. O. Box 63, Tari	72228141	77522861	Mr Ogai John	72229083
22	JIWAKA	c/- FODE Hagen	72228143	77522862	Joseph Walep	72229085

**SUBJECTS AND GRADE TO STUDY**

<b>Grade Levels</b>	<b>Subjects</b>
<b>Grades 7 and 8</b>	1. English Language
	2. Mathematics
	3. Science
	4. Social Science
	5. Making a Living
	6. Personal Development
<b>Grades 9 and 10</b>	1. English
	2. Mathematics
	3. Science – Biology/Chemistry/Physics
	4. Social Science
	5. Business Studies
	6. Personal Development
	7. Design and Technology- Computing
<b>Grades 11 and 12</b>	1. English - Applied English/Language and Literature
	2. Mathematics - Mathematics A/Mathematics B
	3. Science – Biology/Chemistry/Physics
	4. Social Science – History/Geography/Economics
	5. Business Studies
	6. Personal Development
	7. ICT

**REMEMBER**

- For **Grades 7 and 8**, you are required to do all six (6) courses.
- For **Grades 9 and 10**, you must study English, Mathematics, Science, Personal Development, Social Science and Commerce, Design and Technology-Computing is optional.
- For **Grades 11 and 12**, you are required to complete seven (7) out of thirteen (13) courses to be certified.
- For **Matriculation**, you must successfully complete 8 courses; 5 core and 3 optional courses.

**CORE COURSES**

- Basic English
- English 1
- English 2
- Basic Maths
- Maths 1
- Maths 2
- History of Science & Technology

**OPTIONAL COURSES**

- Science Stream:  
Biology, Chemistry and Physics
- Social Science Stream:  
Geography, Introduction to Economics,  
and Asia and the Modern World

**Your Provincial Coordinator or Supervisor will give you more information regarding each subject.**

