

Comparative analysis of japan and australia

[Parts of the World](#), [Australia](#)



Similarities

Both Japan and Australia have a multi tier legal system. This allows for citizens of both countries to appeal for their hearing to be heard in a higher court. It also allows for less congestion within their legal systems.

Differences

The main difference between these two countries legal systems is that Australia has a more tiers than Japan. Both Australia and Japan have a head state. The role of the heads of state mainly representative as Japan's head of state, Emperor Akihito seen on the left of figure 2. 1, role is only ceremonial due to the 1947 constitution of Japan. He has been in power since 1989. This is similar to the Queen of the commonwealth, Queen Elizabeth II seen in figure 2. 2, who has been in power since 1952.

Difference Australia is apart of the commonwealth meaning that a representative of the Queen is needed. The Queen selects who represents her in each country. She is given advice on who to select by the state premiers. This role is known as the Governor-General. The current Governor-General of Australia is Peter Cosgrove and he has had the role since 2014.

Voting in Australia and Japan are very similar in the way each party is voted in. The voting age in both countries is 18 and only citizens of the country can vote in their elections. If the citizens of those countries are overseas they are still able to vote. Imprisoned citizens in both countries have their voting rights removed. This does change slightly in Australia as their constitution enshrined a limited right to vote. Meaning if they are serving a short sentence they can vote but otherwise they cannot.

Differences

The conditions around voting in each country are very different. Australia is one of a few countries that have compulsory voting, in which Japan does not. If an Australian citizen does not vote, it is a criminal offence and they will have to pay \$20 AUD for their first penalty.

Rights & Freedoms Australia

Australia has core values that are seen through the government. Some examples are parliamentary democracy, freedom of speech and religion and freedom and dignity of the individual. If you are arrested in Australia you have the right to silence, a phone call, an interpreter and solicitor. They can only keep you in custody for a reasonable amount of time, which can vary on the seriousness of the offence. You have the right to write a complaint letter and call a lawyer if you feel they have kept you in custody for an unreasonable amount of time. Japan's constitution states that people have the right of free speech, writing and publication. They also have freedom of religion but have to acknowledge the holiness of the Japanese Emperor. Academic freedom is also stated alongside the barring discrimination of race and social status. They are also obliged to minimum standards of living, equal education and the right to work. The right to marry whoever is also recognised, much like in Australia. If you are arrested in Japan you can be held in custody for 23 days. If they cannot prove you are guilty you are released.

Similarities

Both Japanese and Australian citizens have many rights and freedoms in their respective countries. International obligations Japan and Australia are

both heavily involved in the UN. Both countries have been apart of the UN for many decades shown in figures 6. 1 and 6. 2. In the 2018-19 Australian budget \$4. 2 billion dollars will be allowed for foreign aid. In 2015 Japan's foreign aid budget was US\$10 billion.

Example of their international efforts In 2018-19 Australia will donate \$12. 36 million dollars to the World Health Organisation. The World Health Organisation (WHO) coordinate the UN health system. They assist governments with diseases and help them with catastrophic health problems within their countries. Japan on the other hand have created a plan to become more competitive and contribute more to international health problems. Japan will achieve solutions and contribute more with their plan.

Conclusion/Evaluation

What makes a resilient democracy? Resilience means the capacity to recover from conflict quickly. This means a resilient democracy is a democracy that can promptly recover from any form conflict or violence within itself. This means the democracy much have policies and systems in place to control and recover from conflict. These might include law enforcement groups. This all must be done in a peaceful to avoid further conflict. Which system is more free? Australia's system is more free. It has all the freedoms and rights that the Japanese have but more. Specific examples of this are when you arrested. Legally in Australia you held for a shorter amount of time and you have more rights when you arrested in Australia then Japan. Which system is more just? The Australian system is more just. There are extra layers to the

Australian court system compared to Japan. This allows for better hearings as different cases can be appealed to different courts.