

Chapter Five

The Singers, not the Song: The Civics Expert Group Report

Bruce Knox

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In a moment I shall state some rather prosaic "facts", to confirm the physical existence of this Report. But first, I should perhaps explain my published title, though it is merely a tag. It derives from the title of a film made some years ago, which involved an evil-doer who was much impressed by the abilities, the character, and the achievements of a certain priest, while maintaining, even unto death, an adamantine disbelief in religion and morality. In short, the singer was held to have performed well, but singing an impossible song.

The Civics Expert Group (CEG) Report which is the subject of my paper is in like case. The authors have done well what they had to do; but their work and their subject matter impress this observer far less than they deserve, begun and produced as they were in seriously untoward circumstances.

To the Report then. The Foreword, by Professor Stuart Macintyre, on behalf of his colleagues, is dated 30 November, 1994, in strict conformity with the delivery date specified in the Terms of Reference from the Prime Minister. The total length of the Report is 249 pages (including Terms of Reference and Foreword). There are eight chapters, occupying 108 pages; these contain the text of the Report proper. They are:

1. The Task of the Civics Expert Group.
2. Why educate Australians for Citizenship?
3. Civics, Citizenship and Australian School Practice.
4. Proposals for Civics Education in School.
5. Proposals ... in Other Education Sectors.
6. Citizenship Education and the Wider Community.
7. What Next?
8. The Plan: Recommendations of the CEG.

Then there are Appendices, totalling 135 pages, including:

1. Lists of submissions & consultations, occupying 13 pages. None of these submissions is reproduced, but quotations from some of them are scattered in boxes at appropriate points throughout the text.
2. A 32 page Executive Summary of an Australian National Opinion Polls (ANOP) Survey of Civics Knowledge.
3. Three consultancy papers, some 28 pages altogether. These are different from the "consultations", and provide some of the most interesting reading in the whole document; the Report pays tribute to them, incorporating their findings in Chapters 3.1, 3.2 and 5.1.
4. An Example of a Draft Syllabus (54 pages). This is for me the most daunting part of the document, for the reason (amongst others) that it elaborates what is foreshadowed in Chapter 3.3, "Curriculum Development in Australia", in which it is plainly stated:
"The language of curriculum development in schools is technical and specialised. In describing highly complex processes it uses terms with meanings that are unfamiliar to those outside the education profession."

It would appear that I at least do not qualify for "the education profession". I most certainly needed the brief assistance offered by the educationists for "non-initiates". I have something to say about this "sample", but less perhaps than such an aspect of the report deserves, because of the difficulty I've had in understanding the boxes, arrows, categories, levels, outcomes, etc., which so much veil the substance of the document. If and when a "sample" becomes a firm proposal, it is to be hoped it is couched in language understood of the people.

If this beginning conveys an impression that my paper is not without criticisms of the CEG Report, I can only say that the impression is correct. My major criticism is not, however, to do with the Report's contents per se or its authors. It is rather of the fact of its very existence. Again, that is not to say that an inquiry into the possibility of "Civics Education" is unjustified in principle. The ANOP National Civics Survey (Appendix 3) presents ample evidence of a "high level of community ignorance about Australia's system of government and its origins"; or, as it puts it also, that "knowledge about governmental, constitutional, citizenship and civics issues is generally very low." In that sense, as far as it goes, there would appear to be every reason why an effort should be made to find ways of supplying what would seem to be a deplorable deficiency. Nor is it only the deficiency in "knowledge" which is to be deplored, but also the fact that (as Dr Julian Thomas shows in one of his valuable consultancy papers) there has been practically no serious attempt made for many years past to bring school children into contact with such courses of study or learning which would equip them with even the most basic knowledge, let alone understanding, of political and constitutional institutions and processes, or of what we (and the authors of the Report) are pleased to refer to as "values" underpinning (or what we might wish were underpinning) those institutions and processes.

To make at once a controversial point, it seems to me now, as then, appalling the extent to which, in November, 1975 and subsequent months, persons even of very considerable eminence and accomplishment in various fields lacked even the remotest comprehension of the circumstances and rationale of the constitutional crisis involving both Houses of Parliament, the Prime Minister, and the Governor-General.

It was even possible for a bevy of distinguished academics to subscribe to a newspaper advertisement which compared the dismissal of Mr Whitlam, and the installation of Mr Fraser as Prime Minister, with the coming to power of Adolf Hitler in Weimar Germany in 1933.

Nothing could have saved the events of 1975 from being violently controversial, but that such ignorance of Australian political and constitutional history and organisation could exist in such quarters was, well, appalling. If, then, the CEG's labours can have the ultimate result of spreading some enlightenment, if not amongst the present adult population, at least in future generations, then they are worthwhile.

I have, however, the most serious doubts whether this can be so, at least in the rationally foreseeable future. There are, it is true, shortcomings in the Report itself to which I must refer. But I return to my statement that my major criticism of the Report was the fact that it exists at all. The fault lies, not in itself, but in its stars, given the task the Group was set, at the time it was set, and by whom it was set.

One cannot but recall that the Prime Minister earlier appointed a Republic Advisory Committee, with distinguished membership, for the sole and explicit purpose of pressing forward his scheme for constitutional transformation. The CEG had no such ostensible purpose, but I suggest below that it is hardly possible to suppose that that purpose was not intended. It is to the credit of Professor Macintyre and his colleagues that they have transcended this intention. But that does not dispose of the spirit of Keating, which inevitably broods over his creation.

In the light of this, it is difficult to see how, at this time, or for long in the future, any programme of civics education can be organised or implemented in this country. In terms of the sorts of things which one might expect to find a place in such a programme, we are a seriously divided community. This applies to the two components of "civics" as handled in the CEG Report, viz., institutions and systems of government, and the "values" which are essential to "citizenship" (which is expressly, but unnecessarily, differentiated from the status of "subject"). The latter, the "values" are difficult to deal with in any circumstances, but particularly at present, as can be seen almost any day in the Press.

Perhaps the most striking instance in recent months is the controversy over a proposed Racial Vilification Bill, for this involves judgments not only on the potential for wickedness, or for

suffering on the part of individuals and groups, but on no less than the capacity of the law to deal with such phenomena.

Again, the Report takes to be an essential part of any civics education programme, an emphasis on the merits of "diversity", which it describes as one of the strengths of the country. Yet it feels bound to mention that there are aspects of "multiculturalism" which might work against civic unity – and there are those who would be prepared to be much more critical of the role of multiculturalism and its values in our polity and society.

Values are also involved in the question of how large a part "the family" must play in our lives and living, and what constitutes a family; it is perhaps hardly surprising that the Group have avoided any mention of such values. As has become terribly obvious during the last week, there is a vast gulf between the values of those who advocate the legalisation of euthanasia, and those who abhor it. Are we to say that values involved in such a matter do not act upon the notion of good citizenship? It is a matter in which both cannot be right, save in a theoretical sense.

However, unsurprisingly, the values which most engage the CEG are those of democracy . I look in vain in the Report for a clear statement of those values which are not platitudinous or nearly so. Perhaps there are those with skills to translate generalities into practice; but I'm troubled even so, for I sometimes wonder whether many of the political ills which beset us are not the result of laying upon "democracy" a burden too great. We might need to make clear that the institutions and systems, and some of the fundamental values, of which we think so highly, are wholly pre-democratic in origin, and that democracy is, in a way, a gloss upon them in one sense, and restrained by them in another. For instance, it was not democracy to which we owe the general idea of parliamentary government, the answerability of Ministers to Parliament; representative institutions were not the creation of democracy, nor was democracy responsible for the establishment of the rule of law; the "liberties of Englishmen" which colonists in America believed to be under threat in the 1760s, and which they attempted later to secure by rebellion leading to what they seem to have hoped to be a purified English Constitution, were pre-democratic.

Meanwhile, if we are to deal in precepts, it is difficult to see that what this Report urges upon us as "democratic values" are not covered by that concise "Golden Rule", of "Do unto others as you would that they should do unto you." Nor am I convinced that desirable values, if indeed they can be agreed upon, should require a specific programme or curriculum called "Civics . The whole experience of education ought surely to involve them.

Both the Group as a whole, and the educationists who have drawn up a "sample" curriculum, seem to agree that the most obvious component of "Civics" is that which deals with the way we are governed. The ANOP National Civics Survey was exclusively to do with knowledge of the Constitution and associated matters, and this is the source of most disquiet about public ignorance. Civics", then, must involve teaching the educationists make much of the words "discussion", "analysis", "investigation": these avoid any suggestion of instruction, partly, perhaps, because the Report is most anxious that any curriculum shall avoid the appearance of "indoctrination" – the elements at least of our constitutional and political system or systems.

Here is the most troublesome matter. Our constitutional and political system might well be thought to lack stability at present, not indeed in its operation, but because it is subject to unprecedented attack, striking at its legitimacy as well as its character. Such is the intensity of public dispute – I do not use the word "debate", for matters have gone well beyond that – on various, including fundamental, aspects of our constitutional system, that it might well be said that we are rendered uncertain of what our system of government actually is, and insofar as we know it to some extent, how far or how long it is to remain in place.

This, of course, brings me into a realm which might be better avoided in itself, but which is so obvious that it must come out. Two and a half years ago I gave a paper to the inaugural meeting of this Society, on the subject of the Australian Republican Agenda. I expressed disapproval, contempt, and alarm at both the motivation and the objectives of the push.

Lest there be any apprehension on the point, I've no intention of recapping my remarks, or introducing those which have occurred to me since. The point is that the campaign to abolish the monarchy and substitute some kind of republic has engendered in Australia a political atmosphere and circumstances inimical to attempts to spread knowledge or, more, understanding about the Constitution. Part of the blame for this must lie with the progenitors of the Australian Republican Movement (ARM); but I leave them out of it as far as possible, for every subject of the Crown, or "citizen", has a clear right to question the usefulness or reasonableness of even the most august institution: a theme which, incidentally, ought to form a major part of any attempt to teach political and constitutional "values", as well as "processes", in schools or anywhere else.

The ARM can be left to the attention of those who have organised defensive works against it, notably Australians for Constitutional Monarchy (ACM). Doubtless there would be a problem affecting "civics" even so. But by far the greater trouble arises from the fact that the campaign is not merely one of a curiously assorted bevy of persons. The assault on the Constitution is led, or driven, by the Prime Minister of Australia. It may be that before too long there might be some public disquiet at the spectacle of a Government adopting a settled policy of constitutional subversion, abrogation of oaths taken, public – indeed international – expression of contempt for the system of government, of repudiation of immense swathes of past experience, of denigration of most of the generations of Australians before the present one, all this having been undertaken gratuitously, not in response to some massive groundswell of public dissatisfaction, which alone could justify a government in essaying profound constitutional change.

But, bizarre though the spectacle is, that too is not quite to the present point. The Keatingite Government has given notice that it intends eventually to provide for a referendum on the Constitution. This is its policy, not something to be considered. Yet a referendum would, or will, be bitterly contested, probably on party political lines as well as any other. Existing divisions would be intensified and entrenched, no matter what the outcome. Meanwhile, the Government has long since begun its campaign for acceptance of the change and, unwilling to await a favourable outcome (if it should happen), has used legislative and executive power to put a number of measures in place which would be consequential upon the establishment of a republic. A fine lesson in constitutional behaviour, to be sure.

For this Government and this Prime Minister the issue is cut and dried. What anti-republicans and the Liberal and National Parties are invited to do is to join in the process of implementing what the ALP and the ARM prescribe: the option they are offered is limited to helping to decide the form of a republic, not to consider whether there ought to be one. And it is to be recalled that, at the time of the appointment of the CEG, the Prime Minister stated his hope that teaching the Constitution in schools will cause children to question the present system. We can hardly doubt that he doesn't mean academic questioning, but the sort which will serve his purpose. In this operation, in which the word education has long since been routinely used, Mr Keating has had the active co-operation of the print and television media, whose attitude is remarkable.

Where stands, then, any attempt to inform school children or the public? The ANOP survey reports that the people generally find television to be their best source of information. It must be added that the CEG makes no suggestion for supplying the ignorance of all those recent immigrants (presuming they are naturalized, and naturalized now in a ceremony which deliberately contrives to prevent new citizens from acknowledging their Sovereign) from countries and cultures to which our constitutional arrangements are alien, usually to a greater rather than a less degree.

Here indeed is exhibited a need for civics education, without which it seems quite improper to require – for we are not merely invited, but compelled, to vote – a decision by referendum to transform the character of the Australian Constitution. But is it at all likely that a curriculum or programme, financed by a Keatingite Government which is asked by the CEG to provide \$30 million for such purposes over the next mere five years, will fail to lean heavily towards the need for change, rather than explication of the existing, functioning system?

It is not, of course, just the Monarchy which is at stake; and this brings me to another aspect of the present climate, which again makes it difficult to see how we can arrange education for citizenship, including understanding of institutions of government. We heard much, until recently, of a "minimalist" republican innovation. That apparently now exists in very few imaginations. More commonly there is heard advocacy of wide-ranging changes to the Constitution. Not least there is what I might call the "Barry Jones syndrome"; for the ALP's President and quiz-kid has frequently urged, as a matter of perhaps chief priority, that the Constitution must have written into it a description of certain functional elements, notably the Cabinet and the office of Prime Minister. He would appear to wish to have the Constitution spell out the meaning of parliamentary, responsible government. There are severe practical objections to such a course, for it would tend at least to ossify, to cast in the aspic of the present, what is meant by a political system which so far has exhibited, amongst other things, a capacity for change and adaptation; and it would extend the area of what might be justiciable in an age which seems to wish increasingly to resort to such processes.

But we are here concerned with civics education. Mr Jones is a man who knows a great deal. Can it be that he does not comprehend his information? It is hard to believe that he does not know that these vital aspects of our political existence found their way into the Australian constitutional fabric long before 1901, and are not spelled out in the Constitution of that year precisely because there was no need for it. They are the rational yet unplanned and unphilosophical products of practice and experience, for which no amount of theorizing or codification can be sufficient replacement.

True, some people are fond of playing parlour games with constitutional documents – for example, whiting-out "Queen", "Crown", "Governor-General", to replace them with "President"; or re-writing the whole Constitution, especially the preamble, in a style or fashion which would not only inspire but instruct the citizenry. But there is a reason why Mr Jones and others might well be reluctant to explain rather than codify "responsible government": such explanation must necessarily involve ideas indicating the British and imperial dimensions of our polity. This might cause Mr Keating to be displeased with his initiative, for he has given ample evidence of Anglophobic motives. These stand in distinct contrast to the dictum of David Malouf, the distinguished novelist, to the effect that an increased dissemination of things Australian would require teaching "a good deal of English history", and that "we should not be afraid of that."

The CEG, to its credit, gives some prominence to David Malouf's remarks. Perhaps then, it is but little affected by the "Barry Jones syndrome". Yet the prospects for historical explanation of our institutions of government in a civics curriculum are not wholly auspicious. This conclusion is prompted by the "sample" provided in the Report, and by the text of the Report, which speaks perhaps too simply of a system of government which was put in place only in 1900: the self-government of colonies before federation does not seem much considered by the CEG. On the other hand, thanks no doubt to the chairman of the CEG, a distinguished historian, it is stated (p. 52) that history is "an essential foundation for Australian citizenship" and that it "should be a core element" of the school civics curriculum.

Alas, there is a complication. In the same page, the Report says:

"While it is essential that all young people have a thorough knowledge and deep appreciation of the occupation of Australia by the indigenous peoples and of growth of the nation since 1788, it is important that they also have an understanding of the history and culture of the countries from which so many of their parents have recently come."

This is a statement with very considerable implications and, as the "sample" curriculum shows, likely consequences. It renders the task of conveying information and understanding very complex indeed, and – which is more troublesome – probably misleading. We find that "Australian history" is interpreted as "history of Australians"; and this is evidently related (as the chapter on Civics in Higher Education has it) to changes in the modes in which history is commonly studied by its professional practitioners. Let me quote from the Report (p. 74):

"The radicalism of the 1960s ushered in changes to the methodology and epistemology of history that hastened the decline of political and diplomatic history. The nation continued to define the boundaries of much historical research, but whereas before it had served to highlight the exploits of an elite few, it was now more commonly in the service of those who were alienated and disadvantaged. The history of empires, nations and political institutions the stuff of a traditional civics education was supplanted by the history of women, blacks, indigenous peoples and other groups that had been hitherto neglected."

This is dismayingly so. The Report goes on to note the emergence of "cultural studies", affecting history (for example) as well as English. Despite this, the CEG very properly welcomes signs of "a renewed interest in civics education". This observer, however, wonders what exactly might be the implications of having this interest manifested in the activities of "scholars questioning how contemporary Australian society can best be reflected (my emphasis) in our political conventions and institutions", with a prominent reference to Donald Horne's "concern with citizenship as a key component in developing a republican public sphere".

Moreover, the comparative element is heavily present in what seems to be contemplated in Chapter 4 (Proposals for Civics Education in School), as though learning about one's own polity is less important than observing that (a) it is but one polity amongst many (which is a perfectly legitimate operation, if not taken to excess); and (b) that it might be necessary to learn a lot from others, including the institutions and methods of government of Aboriginal Australians (which might or might not be a sensible operation).

There comes to me from all this a strong suggestion that Australian civic values and organisation which developed in the years up to some 30 or so ago, were insufficiently robust, and that the real Australia has only emerged since that time. It follows that the political and constitutional institutions which might be regarded as native to the country, having developed since their importation in the years after 1788, were never complete or authentic to an extent which entitles them to absorb later influences, rather than be remade in a new image. This is a kind of civics education which, I suggest, we can do without.

Incorporating Aboriginal experience into the constitutional story is another task evidently envisaged by the Group. There are ways of doing this, perhaps, and it certainly should be attempted, but care must be taken not to fall into a mode of presenting the Australian State as somehow illegitimate; there are modes of approaching Australian history which at least tend to present this appearance of illegitimacy.

And what of multi-culturalism? The Report gives cause for some apprehension on this score, with its adulation of diversity. The federative formula super-imposed in 1901 upon the separate responsible government colonies has one or two exotic sources. But could there be any temptation to suggest that the Constitution otherwise – something beyond the mere document so titled – is not of purely British origin?

In regard to such matters, there was always a danger that the CEG might have to produce the proverbial camel: we know what happened to the horse designed by a committee. The Terms of Reference gave them (to mix metaphors) a hard row to hoe. Worse, the atmosphere of division, dispute and controversy, which so much surrounds the Group's endeavours, just might cause the animal to make a mess in classrooms. Far from being edified and informed, school children would be in danger of ending up in a kind of chaos of the tribal, ideological, cultural, religious and other divisions to which the republican push has given life or a renewed lease of life. Perhaps this explains why the Report leans towards such complexity.

What, however, if it were possible to establish a rather less extravagant mode of approaching civics through history (and I beg to be forgiven if I say that I think there is no other satisfactory way of doing it)? What if we were indeed to re-introduce the study of political and constitutional history?

Even then we are not out of trouble. I say but briefly that, although John Hirst and I (to take but a convenient contrast) largely agree on what constitutes bad history, we profoundly disagree about

what has been called the "logic" of Australian history. We work from much, though not identically, the same data.

His view appears to be that each accretion of local self-government and autonomy distanced the Australian colonies and the Commonwealth of Australia that much further from the Crown, and that the logical end is the removal of all connection, the elimination of any institution, not domiciled in Australia, which might be called British.

In contrast, I hold that the process involved the piecemeal removal of the authority of the British State as exercised by its government, and not the distancing but the entrenchment, in the local polity, of the Crown as the embodiment of the autochthonous State.

It is, unfortunately, more than an arcane academic trifle. Our different perspectives or perceptions account for the fact that he is Victorian convenor of the ARM and I am a member of the Victorian Council of ACM. Even good history, in short, might contribute to a serious confusion in school education; and there is no telling how far the personal predilections of school teachers – to the training of whom the Report gives some consideration (p. 76) – might end in the kind of indoctrination which the CEG is so anxious to avoid. But above all, the political campaign to which I have referred renders it difficult, if not impossible, to envisage a reconciliation of diametrically opposed assessments of the nature of the Australian State and its institutions, to the detriment of programmes of education, whether in schools or in the general community.

Appendix:

The Group's Summary of its Terms of Reference

Under the Terms of Reference, the Group was asked to develop a strategic plan for a non-partisan program of public education and information on the Australian system of government, the Australian Constitution, Australian citizenship and other civics issues. The expressed goal was to ensure that Australians can participate fully in civic decision-making processes.

The following specific objectives were set out:

- to educate and inform the public about governmental, constitutional, citizenship and civics issues in Australia.
- to help Australians understand their rights and responsibilities as citizens and to promote good citizenship.
- to enhance Australians capacity to participate fully in decision-making processes affecting these issues.

The Terms of Reference specifically required the Group to ensure that any initiatives it might recommend would be non-partisan and likely to attract wide public acceptance.