



Australian  
Human Rights  
Commission

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# Strengthening human rights education in the Civics and Citizenship curriculum

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Recommendations on the *Civics and Citizenship  
Draft Shape Paper*

28 August 2012

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**Contents**

- 1 Introduction .....3**
- 2 Context, Informing Principles, Rationale and Definition .....3**
  - 2.1 Context..... 3*
  - 2.2 Informing Principles and Rationale ..... 4*
  - (a) Concerns and Recommendations ..... 5*
  - 2.3 Defining Civics and Citizenship..... 7*
- 3 Learners and Learning: F-12.....8**
- 4 Conclusion.....9**

# 1 Introduction

The Australian Human Rights Commission welcomes the development of the civics and citizenship curriculum through the release of the *Civics and Citizenship Draft Shape Paper* (released in June 2012) (shape paper). We believe that the development of the civics and citizenship curriculum is a unique opportunity to ensure all young people in Australia have the opportunity to gain an understanding and respect for human rights. Civics and citizenship is an area which is closely connected to human rights, and there is ample opportunity to incorporate human rights in this learning area. The Commission congratulates ACARA on the first steps taken to incorporate human rights into the civics and citizenship curriculum. The Commission is pleased to see that the shape paper identifies respect for human rights together with democracy, active citizenship, the rule of law, social justice and equality, respect for diversity, difference and lawful dissent, the environment and acceptance of the rights and responsibilities of citizenship as important values which will inform the development of the civics and citizenship curriculum.

However, the Commission has some serious concerns regarding some of the underlying presumptions and principles of the shape paper, including the definitions of 'civics' and 'citizenship' as these inform the whole structure and tenor of the shape paper, which will ultimately inform the development of the curriculum.

The Commission acknowledges the commitment of the Government in Australia's Human Rights Framework to enhancing its support for human rights education across the community, including primary and secondary schools.<sup>1</sup> In particular, the Framework notes that developing an understanding of rights and responsibilities, including human rights, will be an integral part of the development of a rigorous, world-class national curriculum for all Australian students from kindergarten to Year 12.<sup>2</sup> Another important element of the Framework is making information about human rights more readily available across our community. The civics and citizenship curriculum has a unique place in Australia to achieve both these goals.

## 2 Context, Informing Principles, Rationale and Definition

### 2.1 Context

The Commission is pleased to see reference to the contribution that the civics and citizenship curriculum will make towards achieving the educational goals identified in the *Melbourne Declaration on Educational Goals for Young Australians*.<sup>3</sup> The Commission also welcomes reference to the opportunity for students to develop awareness and understanding of diversity, as well as developing inclusive attitudes and beliefs, enabling them to challenge stereotypes based on difference (paragraph 8). All of these are important aspects of developing understanding and respect for human rights. The Commission further welcomes the provision of opportunities for students to engage with their communities and to actively participate in community decision-making (paragraph 9) as this is consistent with Article 12 of the Convention on the Rights of the Child, the right of children to express their views about matters affecting them.

The Commission supports the recognition of the importance of students developing both knowledge and understanding *and* skills, which are underpinned by values, attitudes and dispositions necessary to participate in community life. This approach reflects the most contemporary international articulation of human rights education is the Declaration on Human Rights Education and Training (Declaration), which was adopted by the United Nations General Assembly in December 2011.<sup>4</sup> Article 2 of the Declaration states:

Human rights education and training encompasses:

(a) Education **about** human rights, which includes providing **knowledge and understanding** of human rights norms and principles, the values that underpin them and the mechanisms for their protection

(b) Education **through** human rights, which includes learning and teaching in a way that respects the rights of both educators and learners

(c) Education **for** human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.

Internationally, the importance of learning about human rights and developing human rights skills has a long history, with early recognition in the Universal Declaration of Human Rights Article 26(2), which states:

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.

Equipped with human rights knowledge and skills, and motivated by human rights values and attitudes, students will be empowered to lay claim to their own rights, as well as to defend the rights of others.

The Commission recommends that specific reference be made to Declaration on Human Rights Education and Training and other relevant international human rights instruments, particularly in relation to setting out the Context, Informing Principles, Rationale, and Organisation of the civics and citizenship curriculum.

## **2.2 *Informing Principles and Rationale***

The Commission generally supports the Informing Principles, in particular, the broad integration of democratic and human rights values, multicultural understanding and support for diversity. The Commission is pleased to see reference to the rule of law, social justice and equality, respect for diversity, difference and lawful dissent, and support for the common good – all of which are important human rights principles. Further, the specific reference to respect for human rights is also welcomed (10(b)).

The Commission welcomes the recognition that Australia is a multicultural, secular society with a multi-faith population and students require opportunities to appreciate

and participate in this society. In particular, the Commission commends the move beyond the notion of 'tolerance' with the reference to students needing the opportunity 'to appreciate and participate in Australia's multicultural and multi-faith society' (paragraph 10(c)). This is an important part of fostering acceptance and celebration of diversity, which is an important human rights value.

The Commission congratulates ACARA on the extension of the civics and citizenship curriculum beyond the classroom. With the curriculum providing knowledge and skills underpinned with values, attitudes and behaviours intended to support active citizenship, it is significant that the shape paper envisages opportunities for the application of these values and skills in class-based activities, but also in whole-of-school and community activities (paragraph 10(e)). This is particularly important because schools are not isolated but rather are part of the community. It also reflects the common interpretation of Article 12 of the Convention on the Rights of the Child being broadly conceptualized as 'participation'.<sup>5</sup>

The Commission generally supports the Rationale, in particular that civics and citizenship involves 'the development of knowledge, skills, attitudes, beliefs and values that enable students to effectively participate in community activities and public affairs locally, nationally and globally' (paragraph 11(a)). This reflects the recognition that the civics and citizenship curriculum is not only focused on content (knowledge) but also values, attitudes and behaviours (skills) that are important to the development of informed and active citizens.

#### (a) *Concerns and Recommendations*

However, the Commission has some serious concerns regarding the Informing Principles, Rationale and Definition which are all related to a similar issue. In particular, the Commission is concerned that the link and relationship between human rights and democracy is neither clearly nor accurately reflected. This is especially concerning as these three sections underpin the shape paper and in turn will fundamentally inform the development of the curriculum. Of particular concern is that the shape paper implies that principles of democracy are separate from human rights principles and values, and indeed in some instances it appears that some rights are separated from the general description of human rights.

For example, paragraph 10(b) of the Informing Principles contains a list of democratic values including 'active citizenship, the rule of law, equality, respect for diversity, difference and lawful dissent' and 'respect for human rights'. This articulation fails to recognise that all of the above values are not only democratic values but are in fact internationally recognised human rights. The Commission recommends that one way to rectify this confusion is to include specific reference to the internationally recognised human rights where relevant. For example, when reference is made to the following rights:

- right to vote (Article 25 of the International Covenant on Civil and Political Rights (ICCPR))
- the rule of law (Articles 6-11 of the Universal Declaration of Human Rights (UDHR) and parallel rights in the ICCPR)

- freedom of expression (Article 19, ICCPR)
- equality and non-discrimination (Article 2, ICCPR and Article 2, International Covenant on Economic, Social and Cultural Rights (ICESCR))
- respect for diversity (Article 2, ICCPR; Article 2, ICESCR; CERD, CEDAW, CRPD, CRC throughout).

The Commission would be happy to provide assistance with further identification of relevant international human rights instruments.

The Commission further recommends that paragraph 10(b) be re-worded as follows:

*Australian values are consistent with internationally recognised human rights values, including: democracy, active citizenship, the rule of law and accountability, social justice, respect for human dignity, equality and non-discrimination, respect for diversity and difference, lawful dissent, stewardship of the environment, support for the common good and acceptance that human rights entail both respect and responsibility.*

The Commission agrees that one of the keys to the efficacy of Australia's democracy is informed citizens who actively take part in their community in the context of liberal democratic values, institutions and systems of government. However, the Commission has some concerns about a phrase in the following sentence in paragraph 11 (d), which states that our representative democracy is 'built on a constitution and supremacy of parliament'. The Commission is concerned that this is misleading and does not adequately reflect all the institutions, which are engaged in a democratic dialogue, including: the parliament, the executive, the judiciary and the community. It is this relationship between the institutions, in which they provide an important check and balance on one another, which is so instrumental in a democracy and is consistent with international human rights principles.

Acknowledging the Australia's Human Rights Framework, the Commission recommends a new statement be included in the Rationale section:

*Human rights matter. They are about a fair go—about each of us being able to realise our potential and having the chance to participate on our own merits as members of the Australian community. Australia is a member of the international community which has endorsed and promoted the protection of and respect for human rights. Australia has signed up to the following seven core United Nations treaties that protect human rights:*

- *the International Covenant on Civil and Political Rights*
- *the International Covenant on Economic, Social and Cultural Rights*
- *the Convention on the Elimination of All Forms of Racial Discrimination*
- *the Convention on the Elimination of All Forms of Discrimination Against Women*

- *the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment*
- *the Convention on the Rights of the Child*
- *the Convention on the Rights of Persons with Disabilities*

*Australia has also committed to uphold the Declaration on the Rights of Indigenous Peoples.*

*Integral to the development of the civics and citizenship curriculum is developing an understanding of rights and responsibilities, including human rights and Australia's international commitments to respect, protect and promote human rights.*

The inclusion of this important principle will inform the rest of the shape paper and in turn the curriculum so as to effectively capture human rights and democracy. The Commission also recommends including new Key Terms and Definitions referring to the seven core international human rights instruments to which Australia is a party and the Declaration on the Rights of Indigenous Peoples. The Commission is happy to assist in the drafting of these new Key Terms and Definitions.

### ***2.3 Defining Civics and Citizenship***

The Commission notes that there is no definition of democracy in this shape paper, and suggests that the inclusion of a definition would be useful.

Although the definition of civics is broad it is surprising to the Commission that there is no reference to the civics being the 'study of the rights and duties of citizenship'. This is generally the definition used in the Oxford dictionary. Other dictionaries use similar definitions. Although citizenship is defined as including the rights and responsibilities of citizens, the Commission recommends that this element equally be included in the definition civics to reflect the dictionary definition and the interrelatedness between civics and citizenship.

Related to the issue raised above regarding the separation of some rights from others and the inferred prioritisation of some rights over others, the Commission has some concerns that the definition of citizenship links rights and responsibilities only to the 'civic' components of citizenship. This fails to recognise that political and social components are also recognised human rights. Recognising, however, that this is a definition of 'citizenship', within which rights and responsibilities have a particular role, the Commission recommends that the definition in paragraph 15 be altered to focus broadly on these characteristics rather than to separate them into the categories of 'civil, political and social' components.

The Commission recommends that paragraph 15 be amended as follows:

In the Australian Curriculum citizenship incorporates ~~three~~ the following components: ~~—civil (rights and responsibilities), political (participation and representation,) and social (social values and community involvement).~~

Without these key relationships being integrated and referenced in the shape paper as a basis and framework for the civics and citizenship curriculum, the development of the curriculum may result in some significant inconsistencies.

The Commission has already provided some feedback to ACARA on the civics and citizenship curriculum and would be happy to provide further feedback on how to better integrate human rights into the civics and citizenship shape paper.

### **3 Learners and Learning: F-12**

The Commission supports the development of civics and citizenship knowledge and understanding from the foundation years until the end of schooling, and also the acknowledgement that all children are citizens. The Commission also endorses the inclusion of empowerment in the middle and secondary years of schooling, as well as the ethical implications of student actions.

The Commission notes that the below recommendations may be outside the scope of the shape paper and recognises that these issues were also discussed at the Civics and Citizenship National Forum hosted by ACARA on 19 March 2012. However the Commission believes they are important enough to raise again.

The Commission believes that:

- civics and citizenship links to other learning areas should be explicitly integrated for the Foundation years
- civics and citizenship be compulsory until Year 10
- the allocated hours to teach this learning area are increased.

The Commission commends ACARA on the reference to the *Early Years Learning Framework*.<sup>6</sup> Children in Foundation years are able to connect with their world and many of the principles contained in the civics and citizenship learning area. Given that civics and citizenship will not be taught for Years F – 2 but links will be made through other learning areas and subjects, the Commission recommends that these links be made explicit; this may be possible to incorporate at paragraph 30.

As acknowledged in the shape paper, in Years 9 and 10 students begin to develop a stronger sense of identity and engage with politics and news, locally, regionally and globally. It is important that they have the opportunity to build on the content and skills developed through civics and citizenship further. The Commission recommends that civics and citizenship be made compulsory until Year 10.

The Commission is concerned that the time allocation for civics and citizenship is extremely short. The time frame of only 20 hours over one year is not enough to teach a learning area in depth or comprehensively. Civics and citizenship plays a significant role in children becoming informed, active and responsible citizens and to



do this effectively it needs to be taught well. Therefore the Commission recommends that the allocated time for civics and citizenship be increased.

## 4 Conclusion

If ACARA would value more detailed suggestions on how human rights could be incorporated into the next stages of the civics and citizenship curriculum drafting, or would like to discuss any details in this submission further then please contact Dr. Annie Pettitt, Principal Adviser, Community Engagement and Human Rights Education, [annie.pettitt@humanrights.gov.au](mailto:annie.pettitt@humanrights.gov.au) or ph: (02) 9284 9806.

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<sup>1</sup> Commonwealth Government of Australia, *Australia's Human Rights Framework* (April 2010), p 5. Available at:

<http://www.ag.gov.au/Humanrightsandantidiscrimination/Humanrightsandthepublicsector/Documents/Human%20rights%20framework.pdf> (viewed 24 August 2012).

<sup>2</sup> Australia's Human Rights Framework, above.

<sup>3</sup> Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) 2008, *Melbourne declaration on educational goals for young Australians* (December 2008).

<sup>4</sup> *United Nations Declaration on Human Rights Education and Training*, UN Doc A/HRC/RES/16/1 (8 April 2011).

<sup>5</sup> Committee on the Rights of the Child, *General Comment No. 12 - The Right of the Child to be Heard*, UN DOC CRC/C/GC/12 (20 July 2009).

<sup>6</sup> Department of Education, Employment and Workplace Relations (DEEWR), *Belonging, Being and Becoming – The Early Years Learning Framework for Australia* (2009). Available at [http://www.deewr.gov.au/Earlychildhood/Policy\\_Agenda/Quality/Pages/EarlyYearsLearningFramework.aspx](http://www.deewr.gov.au/Earlychildhood/Policy_Agenda/Quality/Pages/EarlyYearsLearningFramework.aspx) (viewed 1 August 2012).