



A failed Voice, failed curriculum

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In 2023 Australia went to the polls for the very nature of the nation's soul. To fulfil the election promise of the recently elected ALP government¹. We voted in a referendum² to determine if the constitution could be modified to include a representative voice to advise the Federal Government on matters specifically pertaining to First Nations contexts. After months of campaigning on a mixture of lies, innuendo, gossip, alternative facts and half-truths, the side voting against the change won in a landslide of consistently around 60% in each state and territory except the ACT (Australian Electoral Commission, 2023).

As a proud and sovereign Dja Dja Wurrung man, I watched in horror and utter dismay as the various polling bodies detailed a declining 'Yes' vote up to the referendum day. I watched as my communities were targeted with derision, and outright racism, as we were the ones being blamed for 'rocking the boat' and 'creating division' within the wider unified nation of so called 'Australia'. As I observed this rhetoric, I saw key similarities between the recent plebiscite for same sex marriage³ and the opposition to that, and the opposition to the Voice referendum.

¹ The ALP is the Australian Labor Party and is politically aligned with the Australian Trade Union Movement. In practice, this political party is more of a centre-right than a moderate left workers' party.

² In Australia a referendum is required to change the constitution. Historically, Australia has voted conservatively in most referenda with only eight out of forty-five being successful. For a referendum to be successful, there needs to be at least 50% of yes votes in over 50% of states, of which there are six as well as a total population yes vote of 50% or more.

³ In 2017 the conservative Australian Government, to placate their anti-same sex marriage members, established an expensive and

The aspect that has not been lost on me and many within the First Nations communities in Australia is just how similar the negative campaigns were for both, and how a central tenet of their approach was to ferment uncertainty through banking on the ignorance of those they were seeking to appeal to. The central opposition to the same sex marriage plebiscite used a strategy to focus on aspects not directly related to the proposed marriage laws. The first was to claim that this would impact sex education in schools and the parental right to choose what their children are taught. The second was a free speech argument, and the third was an argument concerning freedom of religion (Shelton, 2017).

These were an attempt to associate the same-sex marriage debate with other human rights issues to convince those wavering in their support that it would have unintended and far-reaching consequences. This approach has been described as being an attempt to change the dominant social imaginary through establishing resistant imaginaries, a desire for change, time, resonance, critique, and power (Richardson-Self, 2018). By manipulating these factors, those opposing were able to craft an opposition that did have an impact as the support for same-sex marriage did trend slightly down as the campaign progressed (Massola & Kozol, 2017).

The overarching approach for this negative campaign was to use many derivations of the 'slippery slope' argument to claim that things would not stop there and would only get worse. This was also exacerbated by notable high-profile politicians like former MP Cory Bernardi claiming that same-sex marriage would directly lead to polygamy and bestiality (Jabour, 2013).

unnecessary postal plebiscite to give Australian citizens the chance to vote on the legality of same sex marriage in Australia. Legalising same sex marriage only required an amendment to legislation that the Parliament could do without the plebiscite vote. On November 15th, the results of 61.6% of people voting yes were recorded, and on the 7th of December the Federal Parliament voted same sex marriage into Australian Law.

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The ‘No’ campaign for the Voice to Parliament referendum mirrored the experience. During the ‘No’ campaign, they too used the same five factors to shift public sentiment. In this case, however, I think there was an additional factor that possibly had the greatest impact: ignorance. In this case, the ‘No’ campaign openly embraced this factor with their slogan ‘if you don’t know, vote No’ (Australian Government, 2023).

In the official pamphlet, they claimed that the yes case was risky, unknown, divisive, and permanent (Australian Government, 2023, p. 9), and this was also an extension of the ‘slippery slope’ arguments seen in the plebiscite. During the referendum campaign, many high profile ‘No’ campaigners stopped short of making inaccurate claims, but did aid the disinformation by claiming that there was a lack of detail and therefore some kind of clandestine plot (Butler, 2023). The overarching impact was to ferment enough uncertainty and to encourage those who were unsure that no change would be better than an unknown change.

This leads to reflections on the Australian Curriculum and how it has failed a decade of students of students, many of whom voted against the Voice to Parliament because they were lied to.

The argument of this paper is that in terms of the same-sex marriage vote, Australia got it right and for the Voice referendum, Australia got it so very wrong. A simple search in the Australian Curriculum version 9.0 highlights that the term marriage appears fifteen times (Australian Curriculum, Assessment, and Reporting Authority [ACARA], 2023a). Of the fifteen times, it is mentioned in terms of marriage equality once, part of Turkish cultural engagement in the language subject once, and then explored in history in several places. Nowhere is marriage discussed in terms of its legal, relationship and process. That is, we do not teach students the ‘how’ of getting married (ACARA, 2023a).

This is in great contrast to the term constitution that is mentioned 51 times in the curriculum. This differs greatly from the way that marriage is explored in that the history of the constitution and federation is explicitly taught in the History discipline at Year 9 and the political systems, processes and reasons for constitutional change are explicitly taught in Civics and Citizenship in Year 9 (Australian Curriculum, Assessment, and Reporting Authority, 2023b). In this case, the way the constitution is taught about specifically covers the ‘how’ of the topic.

The relative results in the two votes and the similarities of the respective ‘No’ campaigns also highlight a great irony. It indicates that in our Australian body politic, we collectively know more about marriage than we do about our own constitution. Despite the fact that in Australia there is only a proportion of people who are subject to the contractual institution of marriage, yet, every single person in

Australia is subject to the constitution. This means that we know significantly less about the founding document of our democracy that impacts every part of our lives than a voluntary contractual agreement with a person of our choosing.

Another limitation of the curriculum has been the effects of the culture war that has been raging in Australia for several decades. This has been driven by loud conservative voices seeking to shape the curriculum in their own image to remove what is perceived as leftist bias (Harkin, 2023), and has resulted in an education system, despite the best efforts of teachers and the Australian Education Union, becoming increasingly risk averse. An example of this was a department wide communication instructing teachers to be wary of their support of the Voice to Parliament in the lead up to the campaign (Victorian Public Sector Commission, 2023). Anecdotally, several schools in Victoria reduced the amount of time spent exploring the referendum in the classroom, despite the public and vocal support for the Voice to Parliament from the Australian Education Union.

Where this could be interpreted as a failure of curriculum relates to the collective response, or lack thereof, to certain elements of our community that were opposing the Voice referendum in the lead up to the vote. While some have suggested that civics and citizenship education has failed young Australians (Heggart, 2023), arguably the limited engagement with ethics education over the decades has contributed to the terrible result. There was an incident that resulted in a group of morally corrupt, utterly inept, and fascist-cosplaying neo-Nazis storming the steps of the Victorian Parliament House and unfurling a banner stating that the ‘Voice = Anti white’. While there was some mild condemnation of their actions, there was little mainstream political or media response beyond general platitudes relating to having a ‘civil debate and discussion’. The irony here is that the opportunity to engage in a free debate about the Voice to Parliament extended everywhere but the classroom and what was present relied on the very few resources that had been produced for teachers and students (Heggart, 2023).

Beyond the restrictions of free speech in the classroom and its impact on the enactment of curriculum, the neo-Nazi event highlighted another issue. That is, the desire to uphold the principles of free speech no matter the harm or the damage it does to marginalised people within the community. Just as the ‘No’ campaign harmed the Queer community during the Same Sex Marriage Plebiscite—and the legacy has remained through the religious discrimination laws and the continued attacks on trans people⁴—we too are seeing renewed attacks on First Nations communities and

⁴ For more information relating to the negative impact of the same sex marriage vote, please see: Verrelli et al. (2019); Trans justice project (2023).

the hard-fought rights that we have been fighting for, for decades.⁵

The neo-Nazis on the steps of the Parliament of Victoria also raises critical questions and issues for curriculum in Australia. This, broadly speaking, relates to the amount and the nature of ethics education. The risk-averse nature of curriculum authorities and education departments, and the concern of overstepping family and community responsibilities and expectations has meant that often ethical education has been woefully under-engaged with, despite Ethical Understanding being a general capability in the curriculum (Australian Curriculum, Assessment, and Reporting Authority, 2023c). One only needs to observe the nonsense opposition to the Safe Schools program which was designed to reduce instances of bullying against Queer students being distorted into some kind of cultural Marxism to turn students Gay (Busbridge et al., 2020). From my own experience, I greatly benefited from having two grandfathers who served in World War Two and parents who had ethical and progressive views on a variety of issues, and they instilled in me one of many golden rules to live by – do whatever the opposite of what the neo-Nazis want you to do.

The fact that this golden rule is not something that at least 60% of Australians consider important is deeply concerning. I will acknowledge that some would consider this take ‘uncharitable’ and that there were many reasons to vote ‘No’ not associated with neo-Nazis, but I contend that this is a poor response and would be like claiming that it was okay to vote for the Nazis because of their policy on road-based infrastructure. As the saying goes, if you have ten people at a dinner party and one is a neo-Nazi, and none of the other guests have a problem with this, you actually have ten neo-Nazis at a dinner party.

This is also not the first time this has happened to the First Nations community in Australia either. During the Adam Goodes’ booing scandal, there were still many people claiming that they were not booing for any racial reason, just because he was a ‘flog’ (Online Hate Prevention Institute, 2015). Of course, it took two major documentaries released in 2019 to uncover the extent of the racism and only then did it prompt the AFL and the professional clubs to make public apologies for their failure to support him (Black, 2019). The basic failure to recognise that if there is an action done because of racism, and the same action done for another reason, then they both may as well be racism. It begs the questions, what does a non-racist boo sound like? Likewise, what does a non-Queerphobic or a non-racist ‘No’ vote look like?

⁵ For more information relating to the negative impact of the Voice to Parliament Referendum, please see: Basford Canales (2023); Anderson et al. (2023)

To compound this frustration further one only needs to recognise that every single right that has been won for First Nations people has never been awarded freely. They have never been granted easily, and have, without exception, had to be forced from non-Indigenous Australians. The referendum was no exception and will be recorded as, yet another failure of non-Indigenous Australia to do even less than the bare minimum⁶.

What this highlights is a nation without maturity, a nation that cannot, and will not, look at itself in the mirror for fear of disliking what is staring back. We see this through the near constant politicisation of Australian history curriculum (Macintyre & Clark, 2004), and the continued experience and manifestation of the Great Australian Silence (Fricker, 2017; Stanner, 1969). We see this through the insistence that we are a multicultural and diverse society, yet we still insist that non-White Australians conform to the colonial ideal (Hage, 2000), and every time January 26 comes around, despite the immense hurt it perpetuates.

The only way forward through this racial ignorance is education, and as part of this significant curriculum reform. The directions that this could take are many and varied. At the centre, there needs to be a focus on truth-telling, especially in the Australian History discipline area (Fricker, 2017; Cairns, Fricker, & Weuffen, *In Press*). There needs to be a rejection of populist and divisive conservative ideologies, and an acceptance that curriculum can never be without bias or political interpretation, and a courageous engagement with diversity and progressive values that will be required to build a better future for all Australians without neo-Nazis.

We should not be teaching our children to have an uncritical love of a nation that is so deeply flawed, instead, we should be aiming to instil in our young people such a love of this nation that they recognise the flaws and work to make it better for everyone. Only then will we have the potential to rise above the ignorance of 60% of the voting public and take our place in the world as the mature and considerate nation I know we have the potential to become.

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⁶ For example, please see: Attwood (2020); Foley and Anderson (2006); Ivison (2003).

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