



# **2023 Draft Syllabus for NSW Stages 1-5 History Curriculum**



**RULE OF LAW**  
**EDUCATION CENTRE**

## **2003 Draft Syllabus for NSW History Stages 1-5**

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## Submission to the NSW Education Standards Authority (NESA)

Draft Syllabus for the Proposed History Curriculum NSW Stages 1- 5

11 September 2023

### Summary

This submission is primarily concerned with the lack of consistent, explicit teaching of key concepts related to Australia's democratic beliefs; parliamentary democracy and the rule of law across K-10 HSIE syllabuses in NSW, including History.

The Submission outlines:

1. The NSW Government believes in principle, that active and engaged citizens are necessary to maintain a democracy and the aims of the HSIE draft syllabus is consistent with this principle.

However, the 2023 draft History Syllabus;

2. Fails to build knowledge over time and develop critical democratic concepts;
3. Fails to provide an understanding of key events in Australia's democratic heritage;
4. Contains Unbalanced Outcomes and Content within Stages 4 and 5;
5. Key Concepts are Optional rather than in Core (Compulsory) Units; and
6. Key Terms and Specific Terminology is Excluded

In conclusion, this opportunity to change the Curriculum will ensure future citizens in NSW have a strong understanding and appreciation of the systems of the democratic principles including parliamentary democracy and the rule of law that NSW and Australia has in place, the reason for their development and the relative successes and failures of such.

It is an opportunity to fix the shortcomings of the current NSW History Curriculum and align the aspirations of the Curriculum with the material that is taught within the Curriculum.

## Context

This submission is primarily concerned with the lack of consistent, explicit teaching of key concepts related to Australia's democratic beliefs; parliamentary democracy and the rule of law across K-10 HSIE syllabuses in NSW, including History. Given that approximately 30.7% of all students in Australia are schooled in NSW, with NSW taking an 'adopt and adapt' approach to the National Curriculum, the current failure in NSW to follow best practice and adequately equip young people with sufficient historical perspectives and knowledge, and therefore the tools to be active, informed, responsible and engaged citizens must be urgently addressed as a part of the reform to any new syllabuses in NSW.

The draft K-6 and 7-10 History syllabus documents show a deprioritisation of student learning about the historical foundations of Australia as a nation, particularly in the secondary syllabus, where important learning about Australia's democratic beliefs, government and the law as seen in the Federation, the Constitution, Parliament and referenda are included in **optional units rather than forming part of the core knowledge that all students are required to undertake in their learning**. Where these concepts do appear in some detail is in the primary syllabus, however, **students are not provided adequate explicit teaching and building of knowledge** and are too young to understand and appreciate their importance and the relationship with current systems. It also fails to prepare them to participate in these systems when they turn 18, or understand the importance of their participation.

As indicated above, **the draft secondary syllabus does not explicitly cover Australia's democratic beliefs, the government and law in the bulk of the core content, and where they do, it is through the lens of the experiences of Indigenous Australians only**. This limited perspective will serve to undermine our students understanding of key aspects of our nation's past and impact on their ability to participate in their democracy fully and confidently in the future, and clearly understand the importance of doing so. Single lens views inhibit the development of analytical skills, which are required for adulthood in general, but more importantly, when making decisions about participating in key democratic processes such as voting or referenda. A balanced approach is needed that provides students with important and truthful information about the experiences of all peoples in our nation's development.

Importantly though, a thorough knowledge and understanding of the systems of governance and their origins, their reasoning and development over time will assist our students to actively participate in their democracy and make the necessary changes to the systems that improves outcomes for all Australians today. Without a context for the importance of their participation, young Australians are opting out of processes that are necessary to the maintenance of our democracy.

**It is the responsibility of our education systems to ensure that our young people are properly educated in the concepts that underpin our systems of governance and the democracy that we enjoy.** Consistent, explicit teaching and building of knowledge in these concepts across all primary and secondary school years is needed to create and sustain informed, active, responsible and engaged citizens in NSW. NESA now has the opportunity to amend this before the Draft Syllabus becomes final and provide NSW students with the education they need and deserve to ensure that they are equipped with the skills required to be active, engaged and informed citizens that help NSW and Australia to continue to evolve using lessons from the past.

This document outlines the key issues that RoLEC has identified that will inhibit the draft syllabuses from achieving the educational aims regarding civics and citizenship aspired to in NSW and Australia.

## 1. Educational aims related to civics and citizenship in NSW

Active, confident, informed and engaged citizens are necessary to maintain a democracy. The education sector in Australia and NSW recognise this as identified in:

- the Rationale and Aim stated in the two draft Syllabuses,
- the aims of the NSW Department of Education
- the Key design features identified in Masters 2020 “Nurturing wonder and igniting passion: Designs for a new school curriculum: NSW Curriculum Review.”, completed for NESA
- the goals of the Melbourne Declaration and Alice Springs (Mparntwe) Declarations
- the rationale and aims of the Australian Curriculum (v.9) and the inclusion of a specific Civics and Citizenship subject strand in the Humanities and Social Sciences (HASS) curriculum area spanning from F-10 (K-10)

Furthermore, the Australian Government outlines key areas of knowledge related to Australia’s foundational history, democracy, the rule of law and Australia’s systems of government and governance that are required as part of the citizenship application process. These are considered to be key aspects of knowledge necessary for new Australian’s to be able to engage fully in their chosen community and exercise their rights and responsibilities as a citizen of Australia.

The relevant aspects from each document are given below.

### *The Draft Syllabus*

The HSIE K-6 Draft Syllabus (‘the Primary Syllabus’) identifies the rationale/aims on pages 13 and 14:

#### **“Rationale**

*Human Society and its Environment (HSIE) develops the knowledge, understanding and skills for students to become independent, critical and creative thinkers. It also enables them to be active, confident, engaged and valued members of the community...*

*Building knowledge about diverse people, customs and practices across time and place..”*

#### **Aim**

*The aim of Human Society and its Environment in K-6 is for students to become confident, active and informed members of their community through engagement with their world and the past.”*

The HSIE 7-10 Draft Syllabus (‘Secondary Syllabus’) identifies the rationale/aims on pages 15 and 16:

#### **“Rationale**

*Human Society and its Environment (HSIE) develops the knowledge, understanding and skills for students to become independent, critical and creative thinkers. It also enables them to be active, confident, engaged and valued members of the community...*

*Building knowledge about diverse people, customs and practices across time and place..*

*...to develop an understanding of the shared history that has shaped Australia. Students also engage with civics and citizenship, which forms the basis for Australia’s free, democratic and egalitarian*

*society. Students may consider the motives and actions of people across time, place and cultures and the context in which they exist. Asking questions and exercising critical judgement when encountering information, experiences as well as contextualising perspectives different to their own promotes critical and creative thinking.*

**Aim**

- *develop historical consciousness through a critical understanding of the past and its impact on the present and future...*
- *participate as active, informed and responsible citizens."*

*The Department of Education – Curriculum [[link here](#)]*

**"Civics and citizenship**

*Our schools produce active and informed citizens through knowledge and understanding of Australian society – our institutions, values and heritage.*

*Civics and citizenship education builds students' knowledge and understanding of the ways in which citizens can actively participate in Australia's diverse and inclusive society. Students learn about the civic institutions and the processes through which decisions are made for the common good of the community and they also develop the skills and understandings that relate to the organisation of a harmonious democratic society.*

*Students are encouraged to develop skills such as participating in discussions, working cooperatively with others, negotiating issues and developing the ability to make decisions. These are the skills that will allow students to effectively participate in society and become responsible, informed and active citizens.*

*Civics and citizenship content is incorporated across all NSW syllabuses and includes:*

- *principles and concepts underpinning democracy*
- *rights and responsibilities of citizens*
- *global citizenship and the influence of global events in Australian democracy*
- *skills for active citizenship*
- *multiculturalism and diversity in Australian society*
- *environment and sustainability*
- *role of the media and democracy."*

*The Masters Report – NSW Curriculum Review*

This report was the first comprehensive review of the NSW education system since 1989, and created recommendations and guidelines for the reformulation of the NSW curriculum across subject areas. As stated on page 103 of the report, the new curriculum should allow students across years to build their knowledge and be equipped with the knowledge to be active citizens:

*"A first feature of the new curriculum is its design to provide every student, in each phase of learning, with strong foundations for what comes next. The ultimate aim is to ensure every student leaves school well prepared for a lifetime of ongoing learning and informed and active citizenship and with knowledge, skills and attributes that will help equip them for meaningful work and satisfying careers.*

*Underpinning this design is recognition that there are currently significant costs to individuals and society when students fall behind in their learning and leave school with inadequate levels of attainment.”*

### *The Melbourne (2008) and Alice Springs (Mparntwe) (2020) Declarations*

Agreed to by all Education Ministers, these documents set out educational goals that have guided education policy and practice across Australia since 2008.

#### The Melbourne Declaration – Goal 2

*“All young Australians become: successful learners, confident and creative individuals, active and informed citizens”*

#### The Alice Springs Declaration – Goal 2

*“All young Australians become confident and creative individuals, successful lifelong learners, and active and informed members of the community”*

### *The Australian Curriculum (v.9)*

The Australian Curriculum, of which all versions have been endorsed by the presiding NSW Minister for Education of the time, contains a specific strand in the in the Humanities and Social Sciences (HASS) subject area specifically dedicated to Civics and Citizenship spanning across years from Foundation (Kindergarten) to year 10. This meets the rationale and the aims as stated in v.9 of the Australian Curriculum:

#### *“Rationale*

*This learning area has a historical and contemporary focus ... It plays an important role in assisting students to understand global issues, and building their capacity to active and informed citizens who understand and participate in the world. The Humanities and Social Sciences subjects in the Australian Curriculum provide a broad understanding of the world we live in, and how people can participate as active and informed citizens...*

#### *Aims*

*.. to ensure students develop:*

- *key historical...civic.. knowledge of people, places, values and systems, past and present in local and global contexts*
- *an understanding and appreciation of historical developments...civic values... that shape society... and create a sense of belonging*
- *dispositions required for effective participation in everyday life, now and in the future, including ...make informed decisions, be a responsible and active citizen..”*



*The Australian Department of Home Affairs: Australian Citizenship - Our Common Bond*

At the Australian citizenship ceremony, the Australian Citizenship pledge is made by stating:

*From this time forward, under God,\*  
I pledge my loyalty to Australia and its people,  
**whose democratic beliefs I share,**  
whose rights and liberties I respect, and  
whose laws I will uphold and obey.*

The Australian Citizenship booklet states on page 18 that “It is very important that you understand Australia’s democratic beliefs, and the rights and liberties shared by Australians” and then outlines the democratic beliefs as:

- Parliamentary democracy
- The Rule of Law
- Living peacefully
- Respect for all individuals regardless of background

If the Australian government requires all new citizens to know and appreciate these democratic beliefs, why does the NSW Curriculum not also include detailed and explicit teaching on parliamentary democracy and the rule of law?

It is clear from these references that the NSW Government believes in principle, that assisting young people in NSW and Australia to become active, informed, responsibly and engaged citizens is a philosophy and goal of the education of our young people. However, as outlined in our submission, there are few opportunities to build core knowledge of governance and democracy, with key terms missing entirely from the Curriculum. If these principles are not expanded nor detailed sufficiently in the elaborations and compulsory materials, it is almost impossible that the students of NSW will be provided sufficient education to enable them to be active and informed citizens.



## Key issues with the Draft Syllabuses in assisting to create active, informed, responsible and engaged citizens

### 2. Failure to Build Knowledge Over Time and Understand Critical Democratic Concepts

The syllabus from stages 1-5 is not structured in a way that allows students to build knowledge and understanding of essential democratic concepts over the course of their schooling. The stated outcomes of the draft syllabuses indicate that learning of concepts is built on over time, however, the specific content supporting the stated outcomes contains very little core knowledge with regard to systems of governance and democracy in an Australian context after Stage 3.

Emerging from the Masters Review (2020) and identified as a government priority in both draft syllabus under the headings of Curriculum Review, Learning with understanding is:

*“1.1 In each subject of the new curriculum, identify essential facts, concepts and principles, the understanding of which is developed in increasing depth over time.”*

*Source: p.5 of each History 7-10 Draft Syllabus, HSIE K-6 Draft Syllabus*

With regard to civics and citizenship concepts, knowledge and concept building does not happen across the proposed History curriculum as drafted. Key concepts of parliamentary democracy and the rule of law such as Federation, the Constitution, Referenda, Parliament the origins of Australia's system of government, Separation and Division of powers are all explicitly taught as core content in the Stage 3 syllabus, and then not developed in detail throughout the core aspects secondary syllabus, when students will have a better understanding of the importance and relevance of these concepts. They will also have an emerging awareness of issues that matter to them as individuals and be able to draw a relationship between the systems of governance, their participation in them and their ability to make change through participation.

Clear explicit teaching of these concepts throughout a student's schooling experience is required in order for students to understand that active participation in and engagement with them is the key to creating change.

Evidence clearly shows that civics and citizenship education is failing students in NSW and throughout Australia.

Despite the compulsory voting system in Australia, the 2003 Federal election saw only 50% of 18 year old voters attended to vote. The Australia Institute reported in 2022 that at the 2022 federal election, voter turnout fell below 90%, the lowest ever attendance rate since compulsory voting was introduced in 1925. The Institute states:

*“...improving education could increase voter turnout...Compulsory voting brings us closer to the ideal of ‘Government of the people, by the people, for the people’... Australians should be grateful for our compulsory voting system and the genuinely mass turnout that it encourages – but the recent fall in voter turnout shows it has been taken for granted and needs to be made a priority...”*

The National Assessment Program - Civics and Citizenship (NAP-CC) report was developed in 2004, and shows clearly that young Australians are poorly equipped to participate in Australia's democracy.

**Table 1: Results of NAP-CC Year 10 civics proficiency since 2004**

	2019	2016	2013	2010	2007	2004
Percentage of Year 10 Students at or above the proficient standard (an expected level of student knowledge and achievement for that age group)	38%	38%	44%	49%	42%	39%

The most recent 2019 NAP-CC data showed only 38% of Australian Year 10 students were at or above the proficient standard.

In that paper, a question regarding a change to the Constitution was:

*The Commonwealth of Australia Constitution Act 1900 is a document outlining the powers of the Australian government. A referendum is required to change the Australian Constitution. Who decides the result of a referendum?*

- a) *The Queen*
- b) *The Government*
- c) *The people of Australia*
- d) *The judges of the High Court*

Only 45% of Year 10 students chose the correct answer to that question, with 24% of respondents believing that the government determined the results of a referendum. This means that 55% of Year 10 students believe that the people of Australia have no direct say in the results of a referendum. Although these tests are conducted Australia wide, given that one third of Australian students are educated in NSW, there is clearly a gap in students civic knowledge.

Students who participated in the NAP-CC assessments from 2004-2019 are unlikely to have experience with, or memories of, the last attempted change to the Australian Constitution in 1999 and they are now old enough to vote. Further, a number of these young people will have become or be in training to be the next generation of teachers. Many teachers, therefore, will not be sufficiently equipped with a thorough understanding and knowledge of key governance concepts to adequately teach their students the reasons and ways these systems were created and their ongoing relevance and importance.

Other studies, such as the Lowy Institute Poll 2023 also confirm these results, finding that 25% of Australians believe that in some circumstances, and non-democratic government can be preferable and a further 6% stated that "... for someone like me, it doesn't matter what kind of government we have."

Further, Professor Anne Twomey stated in 2022 that "Decades of neglect of civics has left us with a population that is insufficiently equipped to fulfil its constitutional role of updating the Constitution."

## FINDING

A lack of consistent, longitudinal teaching across the schooling experience is failing to equip one third of Australian students with an understanding and appreciation of the systems of governance that uphold democracy and the rule of law in Australia. Immediate change to syllabuses and curriculum is needed to increase student understanding of our key systems of governance through explicit teaching of these concepts spanning their school life.

## RECOMMENDATION

Explicit teaching of Australia's key democratic beliefs (parliamentary democracy, rule of law, living peacefully and respect for all individuals regardless of background) and their associated terminology which is incorporated consistently throughout each stage in the Syllabuses from K-10.

This would enable students to become active and engaged citizens who are able to critically analyse issues and make decisions after creating and listening to respectful debate.

### 3. Failure of Secondary History to Provide Understanding of Key Events in Democratic Heritage

The core, compulsory aspects of the Stages 4 and 5 Syllabus exclude concepts related to the history of key events and details in Australian history. This is at a key development stage when students are developing independence in opinion, social awareness and key analytical skills that they will take forward into adulthood. This is in conflict with the overarching philosophy of the importance of knowledge and outcomes specified in the draft syllabuses.

As indicated in the secondary draft syllabus, knowledge is a key aspect of the education process:

*"The importance of knowledge in the secondary curriculum*

*The attainment of knowledge is a key goal of education. There is accumulated knowledge and wisdom of our world that all students have a right to learn. The curriculum plays a key role in identifying shared knowledge that fosters belonging and cross-cultural understanding in our society.*

*Knowledge underpins our ability to think and do. Students learn new ideas with reference to their existing knowledge. In each subject, background knowledge committed to long-term memory is vital to literacy development and underpins the ability to think critically and creatively."*

*P8, History 7-10 Draft Syllabus (italics added)*

The outcomes of a course then serve to guide teachers as to what level of achievement their students are attaining in the context of the learning goals of a subject, and therefore the overarching philosophy and goals of the education policy framework in NSW.

**Table 2: Outcomes relevant to Civics and Citizenship concepts**

<b>Stage 2</b>	Explains the past in Australia and the world using sources as evidence
<b>Stage 3</b>	Explains perspectives on past and present people, places and events in Australia and the world using sources Describes the origins and features of Australia's democratic system of government
<b>Stage 4</b>	Describes different contexts, perspectives and interpretations of the past Describes the role played by ideas, forces, events, individuals or groups in shaping the past Explains Aboriginal Cultures, Knowledges and Histories to present an understanding of Australia
<b>Stage 5</b>	

Source: p.15 HSIE K-6 Draft Syllabus, p.17 History 7-10 Draft Syllabus

Further, the secondary draft identifies, among others, the following Historical concepts and skills that have been identified as a priority across stages:

- **“Cause and effect:** events, decisions, and developments in the past that produce later actions, results or effects.
- **Perspectives:** people from the past may have had very different views shaped by their different experiences.
- **Significance:** the importance of an event, development, group or individual and their impact on their times or later periods.”

Source: p.13 History 7-10 Draft Syllabus

Such concepts and skills would foster critical thinking skills.

Although Stages 2 and 3 outcomes and content are well matched and give a wholistic view that provides students with a balance of the experiences of Indigenous and other Australians experiences in the time 1788 to 1914, subsequent stages in the proposed Secondary Syllabus do not necessarily achieve this balance as drafted.

#### 4. Unbalanced Outcomes and content – Stages 4 and 5

Of particular concern is the express outcome at Stages 4 and 5 relating to ‘Aboriginal Culture, Knowledges and Histories to present an understanding of Australia’. RoLEC believes that in order for students to understand Australia, a balanced perspective to Australia's past must be given to students in order to develop in them a sense of how the present Australian community came to be formed.

In an interview by Troy Bramston with Noel Pearson, Australian lawyer and member of the Senior Advisory Group on the Voice to Parliament, in the Australian newspaper on 28 April 2023 Bramston writes:

*“Pearson has articulated the notion of a layered Australian identity with three strands of an “epic” story: “our ancient heritage, our British inheritance and our multicultural triumph”. This is another attempt by Pearson to bind a nation. Recognition, he argues, is essential in having a unifying national narrative where everybody is counted and belongs. It is not about pitting one heritage against another but about acknowledgment, respect and harmony.”*

Learning how to create an opinion based on hearing all perspectives is the initiation of young people into becoming informed, active and responsible citizens, that can engage in respectful discussions about sensitive topics, and come to a conclusion that they feel to be the best outcome. Without balance, there is room for error in decision making.

Following from this outcome, the Stage 4 Depth Study (core) – Aboriginal Peoples’ Experiences of Colonisation in Australia (c. 1700-1901) provides a single lens perspective to students of one group experience in a particular time frame. Further, the concepts and skills as detailed are skills focused and do not foster the formation of critical thinking as detailed by the concepts and skills listed above.

RoLEC acknowledges and supports the need for express teaching of historical truth when students learn of the Indigenous experience. However, this must be balanced with the other aspects of the formation of the Australia that presently exists including the perspectives of the British Heritage and other migrants to Australia.

For critical thinkers to be created in an education system, all relevant perspectives must be examined and taught, and students must be able to think of these experiences from their own unique perspectives. It is the role of the education system to minimise bias in order to allow for student to develop the skills for critical thinking.

### 5. Key Components are Optional rather than Core (Compulsory)

The concepts of Parliamentary Democracy and the rule of law, specifically the reasons for, establishment and extension of the NSW colony, social and economic development of the colonies, Federation, democracy in Australia and government policy in the early 20<sup>th</sup> century **all appear in the Depth Study (option 5)** – Australia: Making a Nation 1788-1914), along with content covering industrial and social development, migration patterns, living and working conditions. This means that teachers have to ‘opt in’ to teaching this topic area, rather than the 10 other options on offer, in order for students to be exposed to fundamental concepts regarding governance and democracy in Australia at a secondary school level in NSW.

**At a secondary level, relegation of these concepts to optional is not enabling NSW students to participate effectively in democratic processes that underpin the stability of our community and economy.**

Explicit teaching of these concepts at a primary level only, does not foster longitudinal learning or involvement, nor does it create an appreciation of the systems created to protect the rights of all Australians, regardless of social status, background, profession, culture or wealth. Failing to teach these concepts explicitly does not create active, informed, responsible and engaged citizens who make conscious decisions based on community need and the protection of the rule of law, which is the key factor that underpins the rights we enjoy as a society. As outlined in the previous section, the current curriculum is failing to adequately prepare students to be informed and active citizens and the proposed changes to the Secondary History does little to remedy this.

### 6. Key Terms and Specific Terminology excluded

In addition, across both draft syllabuses, a search of key terms reveals that students are not being given the vocabulary to understand the systems either. Despite some of the concepts being covered, the topic specific terminology has been excluded in favour of simpler terms, which will ultimately lead to a lack of awareness of these systems and reduced learner outcomes. The importance of

explicit teaching of subject specific vocabulary to enhance student understanding and writing is well documented over time.

Among a large volume of literature, early studies by Halliday (1975, 1978) and Berenstein (1971), found there to be a strong link between language and cultural learning. Halliday emphasised that without learning the cultural language in which the individual will operate, they will not be enabled to become effective, competent participants in their culture and its functions – “Cultural learning involves language learning, and vice versa.” Christie (1985) states that for students, “..Learning to understand the various school subjects, successfully interpreting the information they deal with, and the methods of reasoning and enquiry they require, is a matter of learning to use the relevant language.” In his 1988 article ‘Subject-specific Literacy and School Learning: A Focus on Writing’, Green found that understanding of language enabled learners to develop higher order skills: “...[t]he use of written language enables the learner to focus deliberately on his or her thinking and work on it so as to develop it further. This feeds back on to language generally, and it is in this sense that the development of writing abilities, and of literacy, is instrumental in the development of higher order cognitive skills.”

More recently, Cummings et al (2018) state clearly that “[t]he knowledge of words and meanings it vital to the success of students...Vocabulary is a critical skill needed to successfully comprehend through listening and reading.. Students will not be successful at comprehending *any* texts if they do not know the meaning of the words ...lack of vocabulary knowledge could be a reason students are not able to access ...meaning” (p. 37). In addition, vocabulary development is also clearly a priority for the NSW Department of Education. In its 48-page supporting document for specifically for HSIE teachers, ‘Subject vocabulary – Stage 6 HSIE’ (2021), the department advises “Supporting specific subject vocabulary in HSIE is important as it supports students in addressing course outcomes”.

Given the clear importance of the need to incorporate terminology into learning, the lack of terminology related to key civics and citizenship concepts across K-10 in both draft syllabuses as demonstrated Table 1 below is of key concern.

**Table 3: Key terms supporting civics and citizenship learning and their frequency in the NSW History draft syllabuses released August 2023**

Term	K-6 Draft Syllabus	7-10 Draft Syllabus
“Federation”	Appears twice – Both times in Stage 3 in content of unit ‘Historical narratives present perspectives on the past’	1 time in the content of the ‘Depth Study (option 5) Australia: Making a Nation (1788-1914).’ 7 times across the Life Skills course in content and footnotes
“Constitution”	Appears once – As an example footnote in Stage 3 in content of unit ‘Historical narratives present perspectives on the past’	Appears in 3 example foot notes: One in the standard Stage 5 ‘Depth Study (core) – Human Rights and Freedoms (1945-present)’ as an example. Two in the Life Skills ‘Human Rights and Freedoms (1945-present)’ unit - referring to the Indigenous perspective and lack of inclusion in the development of the Constitution.
“Rule of Law”	NOT MENTIONED	NOT MENTIONED
“Separation of Powers”	Appears once – As an example footnote in Stage 3 in content of unit ‘Historical narratives present perspectives on the past’	NOT MENTIONED
“Division of Powers”	NOT MENTIONED	NOT MENTIONED
“Referendum”	NOT MENTIONED	Appears three times – In the context of the 1967 referendum in the standard course ‘Depth Study (core) - Rights and Freedoms (1945-present)’ As an example footnote in the standard course ‘Depth Study (option 5) Australia: Making a Nation (1788-1914)’ As an example footnote in the Life Skills unit ‘Human Rights and Freedoms (1945-present).’
“Parliament”	Appears twice – Both times in Stage 3 in content of unit ‘Historical narratives present perspectives on the past’	Appears in two example footnotes  Both in standard course Stage 5 ‘Depth Study (option 7) - Rights and Freedoms of Australian Women 1939-present.’
“Democracy”	Appears twice – Stage 3 in content of unit Historical narratives present perspectives on the past As an example footnote in same unit	In the Australian context – only appears once in the stage 5 ‘Depth Study (option 5) – Australia – Making a nation (1788-1914)’, otherwise in the context of ancient societies and government structures
“Democratic”	Appears three times – Stage 3 outcomes (twice) Title of unit of work in Stage 3	NOT MENTIONED
“Magna Carta”	NOT MENTIONED	NOT MENTIONED



Further, the literature also explicitly states the need for teachers to have informed and specific awareness of the language of their subject and its vitality to the learning of their students. In the context of the new curriculum, not having explicit teaching of subject specific terminology is damaging not only to current and future students, but also to teachers and students in future years, as today's students are tomorrow's teachers.

Given the compulsory nature of both the History subject and the core nature of this unit, RoLEC sees this as a missed opportunity by NESA to provide students with the core knowledge they need to:

- understand and appreciate systems of governance and democracy created, implemented and reformed in Australia;
- understand and appreciate those peoples who have positively contributed to our parliamentary democracy and rule of law which have formed the basis of Australia being the longest running democracy;
- understand and acknowledge past wrongs in the context of the time and their relationship to contemporary Australia;
- clearly communicate understanding of concepts relevant to governance and democracy in Australia to engage in discourse over time; and
- understand their role in altering the future and the importance of the structures that enable this.

It is important for a History syllabus to acknowledge the many factors that have contributed to the establishment of Australia as it is today. NSW students should be enabled to gain a deep understanding of the importance of these to create appreciation of the existing systems and their origins, including the use of accurate and subject specific terminology. Literature shows that this appreciation is a key element in creating informed, active and engaged citizens and that explicit teaching of these concepts embedded in curriculum is needed.

#### FINDING

It is very likely that most students in NSW will have an excellent understanding of the Aboriginal history, culture and experience, and almost no understanding of basis of the Australian system of government under which they live, and how that contributes to Australia being a free, democratic and egalitarian country, rendering them ill equipped to participate actively in an informed, responsible manner with Australia's systems of governance.

#### RECOMMENDATION

The secondary syllabus be updated to merge Depth Study (option 5) unit Australia – Making a Nation (1788 – 1914) with the Depth Study (Core) unit Aboriginal Peoples' Experiences of Colonisation in Australia (c. 1700-1901) and make a new Core unit called Creating a Nation: How modern Australia came to be.

This unit would serve to provide students with a more balanced view between the Indigenous perspective and the origins of Australian governance systems that support the democratic nation we live in. It would also serve to ensure that young Australians being educated in NSW understand and appreciate the democratic principles and the rule of law in operation today and are enabled to participate fully in their democratic life having been given differing perspectives at an age where they are able to interpret and analyse the causes and effects of past actions on our modern community.

Further, key terminology must included in the core units of the curriculum such as

- Parliamentary democracy,
- Rule of Law,
- Constitution and referendum,
- Division of Powers,
- Separation of Powers; and
- Magna Carta.

## Conclusion

The Rule of Law Education Centre's 2022 report "The State of Civics and Citizenship Education in NSW" stated:

*"In the NSW curriculum, there is no mandatory, comprehensive, discrete, or explicit aspects of Civics and Citizenship Education. Consequently, in New South Wales, it is possible for students to experience no, or very limited, exposure to civics and citizenship ideas in a historical or contemporary Australian context throughout their entire New South Wales schooling."*

The 2023 NESA Curriculum review is an opportunity for NSW to lead the way in national civics and citizenship education; rather than continue with their current position as the only state in Australia without explicit or discrete teaching in Civics and Citizenship Education.

It is an opportunity to fix the shortcomings of the current NSW History Curriculum and align the aspirations of the Curriculum with the material that is taught within the Curriculum.

This opportunity to change the Curriculum will ensure future citizens in NSW have a strong understanding and appreciation of the systems of the democratic principles including parliamentary democracy and the rule of law that NSW and Australia has in place, the reason for their development and the relative successes and failures of such.

It is only when NSW students are equipped with this knowledge, can they be active, informed, responsible and engaged citizens and undertake their civic duties to ensure the stability of the Australian community going forward.



**RULE OF LAW**  
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