



# Monolithic Cultural Policy: A Cultural Policy for Australia?

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## Introduction

When national governments enter into the realm of cultural policy, tensions are inevitable as the monolith of nation grates against the pluralism of culture. Governments through history have been eager to recruit culture for their own benefit, and have proved adept at supporting cultures that are agreeable to them, but less disposed toward cultures they view as radical, different, or threatening. There are good reasons to be critical when considering national cultural policies, even those of seemingly benign governments: whose cultures are being supported and why? Whose cultures are being ignored or suppressed and why?

Fortunately there is a healthy scepticism in cultural policy discourse. British cultural policy maverick John Pick, for example, views cultural policy as 'high-minded ideals that often [bear] little relationship to the actual actions proposed' (quoted in Schuster 2001, 4). With similar scepticism, Schuster (2001) identifies three common types of cultural policies: 'motherhood and apple pie', where policy is couched in terms too general to be a useful guide to action; 'everything but the kitchen sink', where, policy tries to satisfy too many priorities to be practicable; and 'form over function', where policy is emasculated by a focus on processes rather than on outcomes. Flew (2005) warns of an inherent duality in traditional 'sovereign' cultural policy models that makes them simultaneously inclusive and exclusive.

However, for better or worse, national governments do get involved in culture. Scepticism and good governance might dictate that we should know what a government's intentions for culture are, though not all governments are willing to spell these intentions out explicitly. When they do, they sometimes use what is called here a 'monolithic cultural policy': a single cultural policy statement bringing together the branches of the government's cultural involvements under one umbrella, into one, hopefully coherent, whole.

This chapter explores monolithic cultural policies around the world to address the question: if Australia is to have a cultural policy, what should it look like? The chapter surveys monolithic cultural policies in a selection of countries, examines what these policies have in common, what they say and how they say it, and ends with some personal reflections based on this comparative analysis. The approach is neither scientific nor fully comprehensive. The sample of policies is based exclusively on availability, and does not include countries that are a 'close fit' to Australia. The analysis is limited by time constraints, and the lessons drawn are accordingly broad and of a highly personal nature. The chapter outlines personal impressions gained from the brief comparison undertaken, but does not aim to supply a full empirical substantiation for these impressions.

## Cultural policy

Any international comparison of cultural policies requires some notion of what cultural policy is. A simple and perhaps trite deconstruction would start by noting that the phrase 'cultural policy' consists of two distinct concepts—'culture' and 'policy'.

These two concepts are in themselves abstract and contested, making defining the conjoined term especially difficult. In the world of cultural policy there is, thankfully, at least one tacit agreement; that when we talk of cultural policy, we are talking about policies directed at culture, not culture directed at policy. Other than that basic tacit understanding, however, little else seems to be in agreement.

'Culture' stands for different things to different people, communities, societies and nations. It is not uncommon for a person or an agency to use different definitions of culture in different settings. Nevertheless, it seems to be becoming a global standard to consider 'the arts' as the heart, or epicentre, of culture and creativity, and consequently of cultural policy (Throsby 2006). In this increasingly common view, culture and creativity are modelled as a set of concentric circles radiating out from a 'creative core', the arts. Problems of defining 'the arts' aside, the concentric modelling approach is useful as a mind-map, but it does not always fit well with the cultural sector. The model's hierarchies are blurred by an innate innovativeness in creative activities, and a promiscuous integration—both vertical and horizontal—in the arts and cultural sectors. Furthermore, the cultural centrality of the arts implied by the model has hardly been justified by cultural policy commentators; the mechanisms that make the arts so central to culture have not been articulated in the context of policy.

Ambiguities in defining art and culture mean that definitions of the arts and cultural policy 'domain' are far from clear, and countries therefore adopt different definitions. Fortunately, the aims and methods for the analysis in this chapter make it unnecessary to define culture succinctly or accurately. The boundaries of culture can be taken here to be 'floating', ie. 'self-defined' by policymakers in each country.

'Policy' is another difficult and highly variegated term. As Torjman (2005, 5) suggests, there is no simple answer to the question 'what is policy?' Definitions from Public Policy Theory, like Torjman's, tend to be prohibitively complicated. On the other hand, dictionary definitions tend to be oversimplified. The Oxford English Dictionary's ([www.askoxford.com](http://www.askoxford.com)) definition of policy as 'a course or principle of action adopted or proposed by an organization or individual' could cover any manner of institutional actions, including, in the case of a private company, coveting a profit.

To set rudimentary boundaries for this chapter, attention will be focussed solely on the cultural policies of *national governments*. Cultural policy should therefore be taken here as 'a plan or course of action of national government to influence and determine cultural decisions, actions and other cultural matters'.<sup>[ii]</sup> The cultural policies of sub-national and local governments, non-government organisations, transnational organisations, private companies and foundations, will therefore not be subject to analysis.

A recent review of the cultural policy literature undertaken by IFACCA, which takes a more neutral stance than Schuster's sceptical typology of cultural policies already described, identifies a number of universal themes in cultural policies (IFACCA forthcoming). Three themes are summarised below.

### ***Theme 1: Five key elements***

The 'machinery' of cultural policy involves the selection and mixing of five key elements: a domain map of policy areas considered 'cultural' (eg. the arts,

broadcasting, film, design); policy instruments (eg. subsidy, tax incentives, ownership); institutional structures (eg. ministry, department, arms length agency); decisionmaking processes (eg. peer review, bureaucratic decree); and rules and customs that determine the interaction of the above elements.

### ***Theme 2: Multiple vertical and horizontal linkages***

Cultural policy involves a multiplicity of policy linkages. Cooperation and collaboration usually needs to be made between institutions responsible for the various policy domains that fall under a government's definition of culture. For example, cultural policy will often involve linkages between government organisations with responsibility for the arts, heritage, broadcasting, and library sectors. Cultural policy also requires external or 'transversal' linkages to government agencies in other policy domains such as tourism, health, and education.

### ***Theme 3: Complexity***

Matarasso and Landry (1999, 7), suggest that 'the development and management of cultural policy is...one of the most complex areas of modern government.' The themes above have already alluded to an administrative, or mechanistic complexity, and this is reflected in the increasing use in cultural policy of systems analysis, network analysis, and entity-relationship modelling techniques, which model cultural policy as a complex interconnected system (for examples, see Gray 2000, and Schuster 2003). But cultural policy is not just mechanistically complex, it is also conceptually complex. Culture is an abstract thing, with a multitude of meanings and interpretations depending on who is using the term and in what context. Because policy cannot be separated from its conceptual or theoretical underpinnings, cultural policies are also unavoidably conceptually complex or abstract (Volkerling 1996; Weiss 2000; Hugoson 1997).

### ***Invisible, visible and monolithic cultural policies***

In light of the complexity outlined above, national governments face a daunting task if they choose to be explicit about their cultural policies. Explicitness requires accounting for the multiple entities and relationships of a complex interrelated policy system, and it obliges governments to articulate themselves in abstract and perhaps emotive ways. Not surprisingly, many governments choose to avoid such discomforts. But the paradox is that cultural policies are unavoidable. Governments will have cultural impacts and cultural policies whether they admit it or not. As Atlas (2001, 65) notes, 'not calling something a policy does not mean there isn't any. Cultural policies...are made all the time. In the United States, policy and policymaking are more often implicit than explicit, and thus they are frequently invisible'.

There has been some debate in the USA about whether cultural policies should be visible or invisible, with academics tending to favour visibility. Schuster (2001, 4) argues that a poor policy is, at least, better than no policy at all: 'Is it not unreasonable to insist that a public agency have a clearly articulated intent, one that is specific enough that we can know whether or not the actions that that agency is taking are in line with that intent?' And later (Schuster 2001, 5): 'whether or not it is considered appropriate to utter the words "cultural policy" in polite company, each society has one, and it ought to be made explicit so that we can all judge how well we are doing.'

Other cultural policy experts agree. After rehearsing arguments for and against invisible cultural policies, Atlas (2001, 65) concludes that the USA government's 'policy of not having a cultural policy... prevents the country from being able to have a conversation about the value of art and culture' and that 'invisible policies can easily become undemocratic and unaccountable.' Wyszomirski (1995, 76) argues that invisibility 'makes it difficult to develop linkages and coordination among agencies. Thus, opportunities both to the advance the arts and to improve the social impact of the arts are missed.'

Australia is similar to the USA in that it currently does not have a visible cultural policy. Throsby's recent call for Australia to have a cultural policy echoes the arguments for visibility used by his American colleagues: 'By spelling out how the different aspects of cultural policy fit into an overall policy agenda, we can raise the profile of culture in national affairs and provide a clearer direction for policy-making.' (Throsby 2006, 33)

A strong case has therefore been advanced by cultural policy experts, skeptics and converts alike, that cultural policies should be made explicit so that government's cultural actions can be properly evaluated.

A common way of making cultural policy explicit is via a 'monolithic' cultural policy: a public document that draws a government's various cultural interests together into one coherent whole and sets out its cultural aspirations. A number of countries around the world have monolithic cultural policies. A great benefit to the comparative policy analyst is that monolithic cultural policies are easy to compare, and it was with the aim of making inter-country comparisons that, in preparing for the forum from which this book has sprung, the author went searching internationally for monolithic cultural policies from which to make inferences for Australian cultural policy. The outcome of that search is described in the next section.

## Comparing cultural policies

There are a number of international online databases of cultural policies, the most noteworthy being linked to from a portal page at the IFACCA website. [\[iii\]](#) The nature, coverage and quality of the databases vary substantially, and using them can be a somewhat hit-and-miss affair. That said, there is so much cultural policy information now available online from which to make international comparisons that the problem for the comparative analyst is more an excess than a dearth of information. To place some boundaries around the current comparative analysis, search efforts were restricted to monolithic cultural policies, and to policies in English.

The aim of the search was to find information relevant to Australia, so the first step was to select cultural policies from countries with a 'close fit' to Australia. Choice of country is in itself a methodological minefield, being undertaken in comparative cultural policy typically through pragmatism, preconception and artifice. In developing of a more objective country selection methodology, Stroobandt and Waeye (2004) find that Australia is situated in a cluster of countries that comprises New Zealand, the UK and the USA. Surprisingly, Canada, popular in policy

comparisons with Australia, is in a different cluster comprising five Scandinavian countries, Japan and Switzerland.

As it turns out, the methodology of country selection is academic in this case anyway: none of New Zealand, the UK, the USA, or Canada currently has a monolithic cultural policy. After a brief inspection of websites linked to from the IFACCA's cultural policy portal, monolithic cultural policies were collected from: Botswana, Ecuador, Guatemala, Jamaica, Mexico, Namibia, and Uganda. These policies form the basis of the comparative analysis here. The key contents of the policies surveyed are summarised in table 1.

**Table 1: Key elements of selected cultural policies**

General policy area	Contents
Context/preamble	Definitions (culture, arts etc.) Cultural sector 'map' of key agents and stakeholders in the cultural sector Issues 'map' of key issues for the policy to address Policy rationale that justifies the existence of the policy Rights instruments, treaties, agreements, statutes etc. (international and domestic)
Policy framework	Guiding principles Vision Mission, goals, aims Objectives, key priorities
Roles and responsibilities	'Map' of institutions, stakeholders, key role players in the policy
Implementation	Implementation strategies, policies, programmes
Follow-up	Monitoring and evaluation review Policy review process and timetable

*Note that the cultural policies consulted do not necessarily contain all elements.  
Countries: Botswana, Ecuador, Guatemala, Jamaica, Mexico, Namibia, Uganda.  
Sources: Department of Culture and Youth (2001); Bejarano et al. (2002); Ministry of Culture and Sports Guatemala (2005); Ministry of Education, Youth and Culture (2003); Conaculta (2006); Ministry of Basic Education, Sport and Culture (2001); Ministry of Gender, Labour and Social Development (2003).*

The list in table 1 looks surprisingly like a guide to the design of a cultural policy, and to this end may even be worth expanding on further with additional analysis at a more detailed level. Indeed, the development of greater detail was the original intention of the empirical analysis here, but this objective was hijacked by something more compelling. While a number of the policies consulted have, as might be expected, a dry, textbook feel, couched in the efficient but rather lifeless language of public policy (missions, aims, objectives, stakeholders, evaluative measures, and so on), some of the policies make for good reading. The language used in some policies is hardly vague or mundane; it is uplifting and motivational. Some policies seem, to an outsider

at least, to be surprisingly bold, interesting, or even radical. Examples are provided below to illustrate.

Jamaica's draft cultural policy (Ministry of Education, Youth and Culture 2003) is spiced up with quotes from Jamaican artists, including Reggae legend Bob Marley, and Hip-Hop-East Coast Rap-Dancehall-Ragga artist Shinehead. [iv] Even the policy's title—*Towards Jamaica the Cultural Superstate*—provides a hint that it is something out of the ordinary.

Namibia's cultural policy takes a frank look at the country's past and the role of the arts in the country's future:

We should not forget that before independence people were divided and the majority discriminated against on the basis of race and culture... [M]anipulative actions [were taken] to 'divide and rule'. It served apartheid's purposes to foster a culture of enmity, inequality, isolation and dependence. Certain cultures and values were projected as superior, and a sense of inferiority was conditioned in the minds of many of our people. Cultural actions were therefore also an important part of the resistance to apartheid and colonial rule. Some of our artists showed just what a powerful role art can play in bringing about a change. The African Renaissance, based in arts and culture, must therefore be seen as an important part of our continuing emancipation.'

(Ministry of Basic Education and Culture 2001, 9-10).

Guatemala's cultural policy has a similar flavour:

'At the turn of the 21<sup>st</sup> Century, Guatemala has entered a new era. As a result of painstaking efforts, we are at last building peace. We are now prepared to conquer the future, and for that we are laying the foundations for dialogue, mutual understanding and solidarity. It is the time for self-recognition, for strengthening identities. It is the time of being ourselves.'

(Ministry of Culture and Sports Guatemala 2005, 2)

Both policies have a clear shelf life. The impacts of Namibia's apartheid will diminish as time goes by. Guatemala will not always find itself rebuilding after conflict, nor will the 21<sup>st</sup> Century forever be a benchmark. But, even when outdated, these reflexive cultural policies will stand as testament to the character and aspirations of the nation at a point in history. Nowhere is dating more evident than in Cuba's cultural policy:

'[We are] in a world dominated by a fierce neo-liberal globalization, in which a world power is trying to impose its hegemony . . . with messages of mediocre and meaningless consumption, aimed at influencing large sections of the planet's population with a certain specific way of thinking and of behavior, turning such masses into a passive, [undiscerning spectator]. Therefore, it is ever more critical to cultivate the respect for the national cultural values, from the viewpoint of a deeply humanistic ethics, through which the human being, as critical protagonist and participant, can establish a truly creative dialogue with contemporary culture and face any kind of manipulations.'

(Ministry of Culture 2005, 1)

One of the policy's objectives is:

'[To make] our people one of the most [cultured] in the world in the next few years as a revolutionary, humanistic and [critical] alternative against spiritual poverty, against globalized skepticism and against an imposed nonsense.'  
(Ministry of Culture 2005, 1)

Another aspect of the monolithic policies consulted that is particularly interesting in considering implications for Australia is how they balanced immutable principles and short-to-medium term policy objectives. A number of policies have whole sections that were constitutional in character—sections that set into stone such things as human rights, cultural rights and the rights of creators. International instruments formed the constitutional backbone of a number of policies. The United Nation's Universal Declaration on Human Rights, which contains references to cultural rights, was a popular reference point. But policies also cited various conventions, declarations and recommendations developed by UNESCO, too many to list here but reproduced at UNESCO (2006), on issues such as the status of the artist, the protection of tangible and intangible culture, the illicit trade of cultural property, and the prevention of intentional destruction of cultural heritage. Instruments of other international organisations are also cited in a number of cultural policies, such as those of the International Labour Organisation.

Besides these international instruments, policies also incorporated a variety of other long-term principles, with clauses citing such things as treaties, bilateral agreements, the nation's own constitution, and relevant domestic laws and statutes.

Important though these 'constitutional' elements are, a cultural policy also needs to remain flexible, especially as, according to Atlas (2001, 68) 'the power of creativity and the dynamic nature of culture often defy the coherence and consistency expected of policymaking.'

A good example of such flexibility is the cultural policy of The Netherlands. The Dutch enshrine flexibility in their cultural policy by having a four-year review cycle built in to their cultural policy process. The latest four-year cycle has seen a change in focus from the 'audience development' of previous years, to an emphasis on reducing bureaucratic influence over arts decisions and preventing excessive instrumentalism in cultural policy. In her policy letter, Dutch State Secretary for culture, Medy van der Laan, argues:

'[I]t is time for a new approach to culture. During the past years, [the view has developed] that the cultural sector must be used to solve social issues in the area of integration and emancipation... That has resulted in an instrumentalist policy... The cabinet chooses... reverse reasoning: [it is] not... social awareness in culture [that] must be increased, but rather cultural awareness in society. (van der Laan 2003, 2)

Later, the Minister states: 'Artists and culture creators—both professionals and amateurs—carry out work that has a considerable intrinsic value. That value is not only

interesting from the societal, social or economic point of view but also, in itself, more precious than words can express. (van der Laan 2003, 27)

Although periodic reviewing of cultural policy might risk introducing a faddism into cultural policy, it does allow the Dutch to respond to new developments in what is a very quickly changing field.

### **Implications**

A number of implications are evident from this unscientific scan of monolithic cultural policies. The aspects of the policies that stood out, that resonated, were those that were least like the 'magisterial' statements 'handed down from on high' so maligned by Throsby (2006). And, even though they all tend to have the textbook elements of good policy—combining objectives, instruments, and stakeholders in a rational and logical way—these were not the aspects that were most compelling about the policies. The survey highlighted the importance of honesty and reflection in cultural policy, and the importance for cultural policy to motivate and interest people. It caused me to consider a number of over-arching 'shoulds' if Australia were ever to develop a cultural policy. These shoulds are summarised below.

A cultural policy should be honest and self-reflexive. It should be a 'warts and all' reflection of the nation and its cultures. If done honestly, a cultural policy can be a way for nations, and national governments, to face demons, to face up to and right past wrongs, to articulate things that would not be articulated in any other domain of government.

A cultural policy should take an impartial view of culture. It should not be an advocacy document that aggrandizes culture or makes exaggerated claims that culture cannot hope to fulfill. It should recognise that the impacts of culture, and of cultural policies, can be both good and bad, both desirable and undesirable. The culture wars in the USA have illustrated that censorship, in that it is the management of the negative consequences of creative expression, is as much a cultural issue as is the promotion of cultural expression. The cultural practices of one group—genital mutilation, for example—may be abhorred by another group. Policy needs to recognise that not all practices deemed 'cultural' by their protagonists are universally celebrated.

A cultural policy should be interesting and even inspirational. A boring cultural policy is not worth producing. Cultural policy need not be full of gobbledygook or 'weasel words'. Nor should it be unclear. Culture may be an abstract thing, but abstractness should not be confused with vagueness: abstract phenomena can be described simply and clearly (for example,  $E = mc^2$ ).

A cultural policy should be comprehensive. If it overlooks some cultural issues, it will not just be incomplete, it will also be weakened, especially if important transversal policy links go unnoticed. Comprehensiveness should be measured across a number of dimensions. The policy should involve as many cultural 'domains' as is practicable or acceptable. This means not just incorporating conventional cultural domains, such as 'the arts', but also other domains that may be considered cultural by groups outside the power base. It should consider all the 'impacts', 'values', or 'linkages' associated with these cultural domains (call these 'associations' for convenience). At the very

minimum, cultural policy must consider at least three associations: social, cognitive, and affective associations. A cultural policy that ignores one or more of these will be palpably incomplete. Two other associations—physical and economic—could be integrated to enhance the policy's comprehensiveness. (An example of a fairly comprehensive 'map' of associations can be found in Connecticut Commission on Culture and Tourism 2004, 15) Finally, a cultural policy should attempt to understand and articulate how these associations relate both 'intrinsically' and 'instrumentally' to the public interest.

A cultural policy should not stop at the 'supply-side' of culture. It should not be an industries policy for the sake of supporting the cultural industries. The cultural industries should be supported for grander reasons than their own benefit; if they are to be supported through industry development or employment initiatives, policy success should be measured by improvements to national welfare, not by improvements to the welfare of those working in the industries.

Finally, the policy should be revised periodically. Even though, as noted earlier, cultural policy should enshrine certain long-term principles of a constitutional and human rights nature—principles that outlive political parties and that eschew faddism—culture and cultural priorities change. A cultural policy needs to move with the times.

## Australian Cultural Policy

The last time Australia had anything resembling a monolithic cultural policy was in 1996, with 'Creative Nation', the cultural policy of the Labor Government of 1991 to 1996 (Commonwealth of Australia 1994). Creative Nation is an anomaly in the history of Australian cultural policy. Traditionally, Australian cultural policy has been, as defined earlier, 'invisible'.

Since Creative Nation was abandoned in 1996 by the incoming conservative government, there have been a number of reviews and policy initiatives for sub-components of government cultural policy. For example, there have been major policy reviews of the contemporary visual arts and of the major performing arts, both of which have been well received (Department of Communications, Information Technology and the Arts 1999 and 2002). Australia's current cultural policy problem lies not in whether these initiatives were in themselves good or bad, but in the piecemeal approach and lack of strategic coordination that has surrounded them. There has been no obvious coordinating policy umbrella for culture *as a whole* that has set priorities and specified the proper sequencing of policy reforms for components of culture. Each review has been undertaken in and for itself.

There are clear benefits to making the sequencing of such sectoral policy reviews more explicit and coordinated. Reducing randomness and transparency is good governance. In such a highly transversal policy arena, there are also clear benefits to mapping all of government's cultural interests in one location. Making a map where none exists is bound to reveal anomalies, surprises and possibilities. Making explicit links between arts and cultural policy and other policy areas would surely also be welcomed by arts and culture agencies in an increasingly instrumental policy

environment, as it could facilitate their negotiations with agencies in non-cultural policy areas of government. The cost of building this cultural policy umbrella is the need for intellectual rigour and the obligation for the Australian government and Australia itself to face up to past and current demons.

Throsby (2006) has argued in a recent essay for more explicit cultural policymaking in Australia. Rather than a 'magisterial' cultural policy handed down from on high, he envisages a cultural 'accord' between Australia's government and its people, forged out of a national debate or discussion. Although it is unclear exactly what sort of accord is envisaged, it is explicit, and this, Throsby argues, is preferable to invisibility: 'By spelling out how the different aspects of cultural policy fit into an overall policy agenda, we can raise the profile of culture in national affairs and provide a clearer direction for policy-making.'  
(Throsby 2006, 33)

At the time of writing (March 2006), it seems that Throsby's essay has sparked the early stages of just such a debate. A search on Google news over the fortnight to 23 February 2006 returned fourteen articles in Australia's daily newspapers about Throsby's proposal. The topic 'does Australia need a cultural policy?' was featured on national radio, and the topic of Australia's cultural identity was picked up by at least one commercial television channel.

Critical issues surfaced early in the debate. Commentators expressed concern that a Federal cultural policy would lead to excessive government influence over Australian culture. An Australian cultural policy would, therefore, need to enshrine cultural independence and perhaps reinforce policy mechanisms such as the 'arm's length principle' upon which the Australia Council for the Arts is founded.

The debate also took place at a time when notions of Australia's culture and cultural values were highly visible in the media as the country reeled from Sydney's ethnicity-based 'Cronulla riots', which saw skirmishes between young men 'of Middle Eastern appearance' (to adopt the media's short-hand) and self-styled 'Australians' (whites or Anglo-Saxons rallied under the Australian flag). The cultural backdrop could not have been more obvious or more tense.

Around this time, broader cultural issues were further spotlighted when the leaders of the government, Prime Minister John Howard and Treasurer Peter Costello, chose the topic of culture to mark their government's ten years in power. The leaders declared that Australia's migrants should ascribe to 'Australian cultural values', and issued the ultimatum to potential migrants to subscribe to those values or not migrate to Australia (Humphries 2006, Herald Sun 2006). Migrant communities were quick to point out that cultural values are not articulated in any detail as part of the citizenship process.<sup>[v]</sup> Australian-born commentators were somewhat mystified about what Australia's cultural values might be. Prompted to articulate, the Prime Minister is quoted as saying that 'Australia's core set of values flowed from its Anglo-Saxon identity', not coincidentally the Prime Minister's own ethnicity (Humphries 2006). There can hardly be a better example of the discord between monolithic nationalism and pluralistic culture. The naïveté in the representation of the values of a country such as Australia, with a distinctive indigenous culture that extends deep into

antiquity and with vast waves of past and present migration, illustrates just how important it is for the country enter into the kind of debate advocated by Throsby.

The muddle in the discussion over 'Australian values' might be partly attributed to Australia's woefully inadequate constitution. Enacted in 1901 as a document of Federation for separate state colonies, the constitution confines itself to machinery of government issues and says little about the rights, values and aspirations of the new nation, or about the rights of indigenous Australians (Commonwealth of Australia 1901). Singularly uninspiring, the constitution says nothing about the nation's cultural values. The inadequacy of the constitution has led to calls down the years for a constitutional Bill of Rights for Australia (Kirby 1997). Whether or not such a Bill is enacted, it is unavoidable that an Australian cultural policy would need to tackle a number of key rights issues from a cultural perspective, as do many of the cultural policies reviewed earlier. Indigenous culture would clearly be part of any such suite of rights.

Rather surprisingly, indigenous issues have not featured prominently in the recent cultural policy debate, an oversight that only adds to the confusion: if, as the government's leaders suggests, Australian values are Anglo-Saxon, and those not willing to share these values should not migrate to Australia, where does that leave Australia's indigenous people, whose migration pre-dates Anglo-Saxon arrival by tens of thousands of years, and whose 'cultural values' may not everywhere coincide with Australian Anglo-Saxon or the Prime Minister's values? The Australian leadership would clearly benefit not just from a more nuanced appreciation of such complex ideas as Australian values, Australian culture, and indeed the very notion of Australia itself, but also from a more sophisticated understanding of Australia's indigenous cultures. This chapter will briefly explore indigenous cultural issues in more detail.

### **Indigenous cultures and Australian cultural policy**

The foremost recommendation in the list of 'shoulds' presented earlier in the chapter is that a cultural policy should be honest and self-reflective. The most critical honesty test for any Australian cultural policy would be in how it approached issues of indigenous cultures, the cultures of Australia's Aboriginal and Torres Strait Islander people.

It has become something of a cliché to declare Australia's indigenous cultures the oldest living in the world. Contemporary estimates suggest that humans had been living in Australia for at least 60,000 years before formal settlement by Europeans in 1788.<sup>[vi]</sup> But longevity does not of course guarantee survival. According to some estimates, of the 500 to 600 distinct aboriginal communities that existed at the time of white settlement, at least 50 are now extinct. In addition to the usual vagaries of colonisation, the arrival of whites in Australia was particularly brutal on indigenous communities. The land was annexed en masse in 1895 with the declaration of Australia as *terra nullius* (ie. occupied by no-one prior to the British Crown).<sup>[vii]</sup> Indigenous people were disingenuously denied suffrage in national elections until 1967. Indifference and apathy among successive national governments has delayed reconciliation between colonisers and colonised to the point that reconciliation is still today a distant aspiration.<sup>[viii]</sup>

An Australian cultural policy could not on its own shoulder the responsibility of achieving reconciliation between indigenous and non-indigenous Australia, but it would be a cornerstone of a reconciliation, as culture and reconciliation are inseparable. To illustrate this, consider just one aspect of reconciliation: land rights. As Strelein (1999) notes, culture and land are inseparably connected in indigenous Australia:

'[t]he land...is central to the worldview, the spirit and the history of all Indigenous peoples in Australia. The identities, language and relationships of Indigenous peoples all come from the land'.

This intimate link between indigenous culture and land is not just the view of indigenous Australia, it also fundamental in Australian law, since culture plays a vital role as evidence in land claims under Australia's Native Title Act. Under the Act, indigenous claimants must show that they possess native title rights and interests in the land under 'traditional laws acknowledged and customs observed by the Aboriginal peoples', and that they have a connection with the land through their own 'laws and customs'. The native land claims process in Australia is accordingly awash with cultural references. Culture can be the determining factor in the success or failure of a land claim. For example, in a ruling by the Federal Court for an unsuccessful claim by the Darug people of New South Wales, DuVé (2005) reports that:

'The Court considered several issues with respect to the request including...the existence of an Aboriginal society and whether there was the requisite continuity of society in the claimant group. It ultimately determined that there was insufficient evidence to establish that the claimants constituted a society observing traditional laws and customs. Similarly, the Court found that there was insufficient evidence of a connection with the land by the claimant group and it was proper to make a determination [that native title does not exist].'

The courts are not, of course, required to judge the fairness of the *Catch-22* in demanding communities prove a cultural connection to lands from which they have been culturally disconnected (nor, worse, the fairness of a system that is unable to hear the land claims of communities annihilated by colonisation). It is a tribute to the endurance of human culture that land claims ever succeed under the Native Title Act. When they do, culture plays a central role in that success, as can be seen on the determinations under the Act on the Native Title Resource Guide database.[\[ix\]](#) Indeed, in the Ngaanyatjarra claim for 187,700 square kilometres of land in Western Australia, culture was instrumental not just in the claim's success, but also in making this Australia's largest successful claim, as the communities were found to 'form a broad Western Desert cultural bloc' and to 'share similar social organisation, culture and ritual.' (Department of the Premier and Cabinet 2005)

In both indigenous and non-indigenous Australia, then, it is recognised that culture and land are intimately linked. The corollary is that an Australian cultural policy would need to consider indigenous land issues. This is just one example of many indigenous cultural issues that an Australian cultural policy would need to take account of, make sense of, and say something useful about. The symbols, values and attributes of Australia's indigenous people are the cornerstone of what makes Australian culture unique. Yet, today, the use of the symbols and values of indigenous

culture by non-indigenous Australia is too often opportunistic and of one-way benefit. Non-indigenous Australians cannot expect to exploit indigenous culture without a clear ethical framework forged through proper reconciliation, a framework of which culture and a cultural policy would be an inseparable part.

In this light, it is no surprise that the government responsible for Creative Nation had also made significant advances toward reconciliation with indigenous Australia. Indigenous culture and arts are an integral part of Prime Minister Paul Keating's 'Redfern speech' on reconciliation, which is still revered by proponents of reconciliation today:

And later,

'We cannot imagine that the descendants of people whose genius and resilience maintained a culture here through 50,000 years or more, through cataclysmic changes to the climate and environment, and who then survived two centuries of dispossession and abuse, will be denied their place in the modern Australian nation. We cannot imagine that. We cannot imagine that we will fail. And with the spirit that is here today I am confident that we won't. I am confident that we will succeed in this decade.'

A cultural policy, if Australia were to have one, would need to revisit these issues of culture and indigenous reconciliation. If done well and in full consultation, the policy could even be a critical step in moving the country closer to reconciliation.

## Summary

This chapter assumed the task of looking at cultural policies around the world and considering what lessons these policies might have for Australia. The policies selected highlight many things that could be in an Australian cultural policy, if Australia were to have one. The most essential thing is that such a policy would say something honest, useful and relevant about Aboriginal and Torres Strait Islander cultures. It would unavoidably be an integral element of any reconciliation between government and indigenous Australia. On top of that, it would need to provide a logical coherence to government's various involvements in culture.

But logicity should not beat the life out of a cultural policy. The overseas policies that are most impressive are not those that necessarily follow the public policy textbook, nor ones that are full of pleasantries. They are policies that are honest, gritty, and reflective. Reading them suggests that there is no point in having an Australian cultural policy unless it is similarly honest, a policy that reflects a nation, warts and all. Above all, a cultural policy should be interesting. Just like good art and good culture, it should excite, move, and motivate people. It should cause people to stop and think.

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[i] The views expressed here are solely the author's.

[ii] Adapted from the definition of policy from [www.answers.com](http://www.answers.com).

[iii] See page 'Cultural Policies Around the World', at [www.ifacca.org](http://www.ifacca.org).

[iv] Classification of Shinehead's musical style from [www.mp3.com](http://www.mp3.com).

[v] The author can vouch for this through first-hand experience. In applying to become an Australian citizen in November 2004, the author was required to affirm a number of *legal* values (including 'to obey the law' and 'to serve on jury duty when required'). Australian *cultural* values, however, were not supplied and were not part of the accession test.

[vi] The Australian Museum's *Indigenous Australia* (<http://www.dreamtime.net.au>).

[vii] For more on *terra nullius*, see Colonial Office of the British Government (1835). Recently it has been argued that the declaration of *terra nullius* is a 'judicial fallacy' concocted by historical revisionists, and that Australian land was instead *annexed* by the Crown (Flint 2006). Outside of legal curiosity, this argument is practically meaningless, as it does not diminish the barbarism of land theft, nor lessen the ethical obligation for redress: the impact on indigenous Australians, and the blot on Australia's history, is the same whether the land was declared *terra nullius* or annexed.

[viii] The issue of when indigenous Australians were granted the right to vote in Federal elections is rather complicated. A popular misconception is that Australia's Aboriginal people were constitutionally denied voting rights until a 1967 referendum granted them voting rights. This is not the case, and the reality is much worse: before the 1967 referendum, large sections of the indigenous population had been denied the vote through the sculduggery of Federal governments (Stretton 2005).

[ix] The Native Title Resource Guide is at <http://ntru.aiatsis.gov.au/research/resourceguide/index.html>.