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Opinion

Let's face it, today we're citizens of the world

By Kim Rubenstein

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PERHAPS the most hotly contested area of Australian citizenship law is dual citizenship. Presently, Australian citizens who acquire citizenship of a foreign country lose their Australian citizenship. Rupert Murdoch and the infamous Christopher Skase know too well this barbed provision.

There are many lesser-known Australians fundamentally affected by the bar who are no doubt hoping the Government will act upon the recommendation of its Australian Citizenship Council, calling on it to repeal the law.

Disappointingly, however, the Government last week stated that while it was disposed to support the ACC's recommendation, it was not ready to act on it. Given "the significance of this change to longstanding Australian citizenship law and practice, it is important that the community has a further opportunity to express its views". So the Government plans to seek further community input before making a final decision. One wonders how much community involvement the Government needs before taking the plunge? The bones of dual citizenship have been picked over with increasing intensity for more than 25 years.

In 1976, the joint committee on foreign affairs and defence reviewed dual citizenship. It was considered again in 1982 in the context of the national consultations on multiculturalism and citizenship. In 1994, parliament's joint standing committee on migration circled and dived on dual citizenship in its report *Australians All: Enhancing Australian Citizenship*. In 1997 the House of Representatives' standing committee on legal and constitutional affairs had a go with their report, *Aspects of Section 44 of the Australian Constitution*, looking at the disqualification of dual citizens from membership of the parliament. Last year, the ACC gnawed on the subject yet again.

In these reviews of dual citizenship, repeal of the law stripping Australian citizenship from people who assume citizenship of another country has been strongly supported. Moreover, if any issue has generated public debate and response to the review of citizenship, it has been that of dual citizenship.

In *Australians All*, the issue of dual citizenship attracted most attention throughout the inquiry. Similarly, the ACC told us that nearly three-quarters of the submissions to the council addressed this point. The council's report details many personal comments about the consequences of the law's operation. In short, the public has had a lot to say about dual citizenship and surely the time has come to act.

Strong and convincing reasons for repeated recommendations to repeal the law are abundant. The basic inequality of the system is striking. People who are born with another citizenship and

who also have or later acquire Australian citizenship are entitled to dual citizenship.

Yet once an Australian citizen, a person cannot take up a new citizenship. So while some people are able to be dual citizens, others are denied this privilege; it depends upon the order of obtaining the citizenship.

More pertinently is the question of how appropriate it is to divest Australians of their citizenship if they become a citizen of another country. The arguments for maintaining the status quo revolve around issues of allegiance and loyalty.

It is felt by some that one is necessarily disloyal to Australia if one takes up another citizenship. However, both the joint standing committee on migration and the ACC rejected this view. "In a world of increasing mobility, it was considered anachronistic that one section of the Australian population should be disadvantaged by a prohibition on accessing more than one citizenship," the joint standing committee stated.

The ACC noted the prevalence of dual citizenship internationally. England, Canada, the US and France all allow their citizens to take up other citizenships. These countries "simply recognise that they have an internationally mobile population and that they can retain connection with this population even if another citizenship is acquired." Moreover, none of those countries have experienced problems with their dual citizens.

In responding to the 1994 recommendation, the Keating government said it would consider repealing the law. The 1996 election, however, killed the chances of that happening. Perhaps the imminent election is figuring in this Government's response, too.

So the message is clear – all those people out there (and there are many) who are affected by the law will need to make their voices heard as loud as possible when the Government calls, yet again, for people's views on dual citizenship. Otherwise councils and committees will ponder and recommend their way through the ages but the hand of elected government (anxious to follow but afraid to lead) will forever tremble at the nettle.

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