

Australian government moves to revoke citizenship rights

Mike Head
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As part of a stepped-up drive to stoke and exploit fears of terrorism, the Australian government announced on Tuesday that it will legislate “within weeks” to give itself the power to arbitrarily cancel the citizenships of people alleged to be planning or supporting terrorist acts.

Against a backdrop of Australian flags, and flanked by newly-appointed ministers and ministerial envoys for counter-terrorism and citizenship, Prime Minister Tony Abbott called two media conferences to unveil the plan, plus the appointment of a new “counter-terrorism co-ordinator.”

The anti-democratic character of the government’s plan is underscored in its “discussion paper” which describes citizenship as an “extraordinary privilege,” not a fundamental political right. To qualify for this “privilege”, a person must adhere to “core Australian values.”

Over the past eight months, on the pretext of fighting Islamic fundamentalists, Prime Minister Tony Abbott’s government has already sent troops and airforce bombers to join the US-led war in Iraq and Syria, and introduced a barrage of laws to provide for mass telecommunications surveillance and override basic legal and democratic rights.

Now it is bringing forward plans to dismantle the right to citizenship, which can leave people stateless, and deny them other essential rights, such as to vote, reside, and access healthcare, welfare and other social programs.

The initial measure being drafted will reportedly allow the immigration minister to strip citizenship from individuals who have dual-nationality. That will be done without any trial or conviction for a criminal offence, simply on the basis of “advice through the intelligence agencies,” according to Immigration Minister Peter Dutton.

At present, citizenship can be revoked for an Australian-born person only if they serve “in the armed forces of a

country at war with Australia.” The government claims that it wants to “modernise” that power by extending it to anyone participating in or aiding terrorism. However, this opens up broad grounds to strip citizenship from people for political reasons.

As a result of the “anti-terrorism” laws adopted since 2002, by Liberal-National and Labor governments, someone can be convicted of a vaguely-worded terrorism offence—such as “conspiring to prepare for a terrorist act”—without any evidence of the time, location, methods or target of an actual plot. People can also be convicted for “promoting” or “counselling” a hypothetical terrorist act, which could include voicing opposition to US and Australian militarism in the Middle East.

Under the government’s proposal, these sweeping laws could be used to cancel citizenships without any proof of such activity. Dutton said the process would be “similar” to the one used by the government, acting on the advice of the Australian Security Intelligence Organisation (ASIO), to deny visas to refugees.

There would be appeals available to a tribunal or court, but it would be very difficult practically for anyone stripped of citizenship while overseas to challenge a ruling. The courts also have a proven record of supporting supposed “national security” decisions, and blocking attempts by those denied visas to even know why they have been classified as “security risks.”

After a reported rift in cabinet on Monday night, the government postponed, for now, a second measure to strip citizenship from any targeted individual, even if they were Australian-born and had no dual nationality. Some ministers are said to have opposed that step, essentially on tactical grounds, because it would openly violate international law by rendering people stateless.

Instead, the “discussion paper” states that the government is still considering a plan to revoke citizenship “where there are reasonable grounds to believe

the person is able to become a national of another country and would not become stateless,” even if the person has not applied for that alternative nationality.

The paper declares the government’s intention to follow other US allies in being able to cancel citizenship rights for vague reasons. The document states: “The United States, New Zealand, the United Kingdom, France and many other European countries have powers to revoke citizenship on broad national security grounds.”

The discussion paper asks people to submit their views to the immigration department by June 30. In a bid to drum up support for these measures, a government and media witch hunt has begun, directed in the first instance against an application by the wife and five children of an alleged Islamic State of Iraq and Syria (ISIS) fighter to return to Australia.

Without any proof of the family members committing any criminal offence, Abbott declared that Khaled Sharrouf’s wife Tara Nettleton and their children would be shown “no leniency” because “crime is crime is crime.” Abbott insisted: “It is a crime, a very serious crime under Australian law, for people to go abroad and fight or assist terrorist organisations.”

Anti-democratic powers already exist to cancel the citizenship of someone who acquired it by application, but only if they are convicted of a serious crime committed before being granted citizenship, or made a criminally false statement to obtain it.

Significantly, the discussion paper speaks of wartime obligations. It proclaims: “All Australians are responsible for respecting and protecting our country” and must be prepared to “defend Australia should the need arise.” It advocates that all citizens, including the native-born, make a “Pledge of Commitment” that would include swearing “allegiance to Australia and an undertaking not to act contrary to that allegiance.”

If enacted, such requirements would have far-reaching implications, effectively outlawing political opposition to war and militarism, and laying the ideological basis for military conscription. Potentially they could be used to remove citizenship from people campaigning against Australian involvement in US-led wars, or opposing conscription, as was imposed on young men during the Vietnam War.

This “citizenship” campaign dovetails with the four-year centenary “celebrations” of Australia’s participation, as part of the British Empire, in World War I. Both programs are seeking to silence anti-war sentiment and cultivate a new preparedness to fight and die for “the

nation,” as tens of thousands of young men did 100 years ago. This is under conditions of escalating war tensions with China, as well as the intensifying war in the Middle East and a mounting US confrontation with Russia.

Former Immigration Minister Philip Ruddock, who spearheaded the Howard government’s anti-refugee offensive a decade ago, and one of Abbott’s parliamentary secretaries, Senator Concetta Fierravante-Wells, will tour the country to “lead a national debate about the obligations of being an Australian citizen.”

The “debate” will also feed into the government’s drive to demolish welfare entitlements. The discussion paper highlights legislation passed last year to allow welfare payments to be “cancelled on national security grounds” and canvasses “additional powers like suspending certain privileges of citizenship,” including voting rights.

Both Labor and the Greens quickly indicated their readiness to back the government’s initial legislation, which was first mooted by the previous Greens-supported minority Labor government in 2013.

In line with Labor’s total support for the Middle East war and the Abbott government’s “anti-terrorism” laws, opposition citizenship spokeswoman Michelle Rowland said Labor was “absolutely committed to doing everything in a bipartisan way to keep our citizens safe.”

Greens immigration spokeswoman Penny Wright voiced concerns about “a person’s ability to exist in the world” without nationality status, but insisted only on “appeal rights” to a judge—precisely the legal fig leaf that the government is proposing.



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