Citizenship and the assault on democratic rights

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Eight hundred years since the English Magna Carta, which first enshrined the principle of freedom from being arbitrarily stripped of basic rights by an absolute monarch, the world's major capitalist governments are moving to overturn the most fundamental political right, that of citizenship.

Whatever its historical limitations, the "Great Charter" agreed by King John at Runnymede on June 15, 1215, asserted a core right. Clause 39 proclaimed that "No freeman shall be taken or imprisoned or stripped of his rights or possessions, or be outlawed or exiled, or deprived of his standing in any way" except by the judgment of his peers or the "law of the land," that is, not by royal command.

Today, so-called "democratic" governments are abrogating the very right not to be "outlawed or exiled." Citizenship is the bedrock of every essential democratic and civil right. Without it, no other political right exists, including to vote, reside, travel and not be detained without trial.

Last month, the Australian government announced its intention to revoke citizenships, even of native-born citizens, solely on the basis of allegations by a minister of engaging in or "counselling" supposed terrorist-related activity. This would be done by administrative fiat—today's equivalent of the royal prerogative—without any conviction in a court of law.

In its "discussion paper" issued for a token six-week "public consultation process," the government asserted that citizenship is "an extraordinary privilege," not an essential political and democratic right. That is, citizenship, far from being an inherent right, could simply be taken away. Moreover, that "privilege" was alleged to require a commitment to certain political beliefs—labelled "core Australian values"—and an obligation to "defend Australia should the need arise."

What is taking place in Australia is part of an international process. "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 paper pointed out. "Canada has legislation which will come into force in the near future."

These moves are a further deepening of the assault on democratic rights that has taken place, under the fraudulent banner of the "war on terrorism," since September 11, 2001. Spearheaded by Washington, first under President Bush then Obama, core legal and political rights have been eviscerated.

Illegal renditions, torture, indefinite detention, drone assassinations and mass surveillance by the US National Security Agency (NSA) and its global partners have been accompanied by the removal of essential protections against totalitarianism, such as the presumption of innocence and the right to remain silent.

Citizenship rights are the result of centuries of political and social struggles. It took the American and French Revolutions of the eighteenth century to finally abolish the feudal relationship in which people were born as vassals—"subjects of the monarch."

In its youthful, progressive phase, the rising bourgeoisie championed the rights of all, in order to overthrow the old aristocratic order. The 1789 French Declaration of the Rights of Man and Citizen directly linked the concept of rights with citizenship. All men were "born and remain free and equal in rights" and "the goal of any political association is the conservation of the natural and imprescriptible rights of man": "liberty, property, safety and resistance against oppression."

Thus, far from being a revocable privilege that depended on adhering to "core values" as defined by

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the ruling elite, citizenship was bound up with the opposite notion of resisting any government attack on liberty.

As a result of the American Civil War, the inalienable right of citizenship was extended to the liberated slaves and embedded in the United States Constitution, by the 14th Amendment of 1868, which states: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.”

The progressive phase of capitalism ended long ago with the eruption of World War I that marked a new epoch of wars and revolutions.

For the capitalist class of the twenty-first century, not a shred of this democratic heritage remains. It rests on a social order blighted by economic breakdown, mounting geo-strategic conflicts and worsening police-military violence.

In the US, a discussion is underway in legal and political circles to the effect that the Constitution is no barrier to revoking the citizenship of anyone who displays “intent to relinquish their citizenship” by participating in an officially proscribed “terrorist” organisation.

This January, the French Constitutional Court brushed aside legal arguments based on the Declaration of the Rights of Man and Citizen in order to uphold the government’s decision to strip a French Moroccan dual national of his citizenship for being convicted of an “act of terrorism.”

In the UK, the birthplace of the Magna Carta, the government last year aggregated to itself the power to take away the citizenship of people who “act in a manner which is seriously prejudicial to the vital interests of the UK.” This can render them potentially stateless, in violation of international law. A minister only has to be “satisfied” that “there are reasonable grounds for believing that the person is able to acquire another nationality,” regardless of whether any other country will accept the individual.

The British government is currently going further by “suspending” the rights of any citizen to return to the country if they are “reasonably suspected,” on the say-so of intelligence agencies, of “involvement in terrorist activity.” Similar citizenship or passport measures have been introduced in Canada and New Zealand.

None of this has anything to do with defending ordinary people from terrorism. In every instance, “terrorism” is defined in such sweeping terms that it can cover many expressions of political opposition, including to the global escalation of US-led militarism and the intensifying austerity measures being imposed by every capitalist regime.

That these powers will be used to suppress political dissent has already been demonstrated by the case of the Edward Snowden, the NSA whistleblower who exposed to the world its global spying operations. He was rendered stateless when the Obama administration revoked his passport and no government would grant him the democratic right of asylum, leaving him trapped in Russia.

Today’s historic assault on citizenship rights is a sharp warning of police-state mechanisms being put in place to preserve bourgeois rule against the inevitable development of mass opposition to war, inequality and deteriorating living conditions.

There is no longer any constituency in the ruling class for democratic principles. It can only maintain its grip through repression and state violence. The defence of the most elementary democratic rights can be taken forward only by forging a conscious socialist movement of the working class to overthrow capitalism and the entire bourgeois nation state system.

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