

Australian Greens demand disqualification of all “foreign” MPs

Mike Head

5 October 2017

The Australian Greens last week reinforced their position as the most nationalist advocates of expelling from parliament anyone—including their own representatives—accused of the slightest appearance of divided loyalty to the Australian nation state.

In a submission to the High Court, which is due to hear challenges to the eligibility of seven MPs next week, the Greens call for the removal of any parliamentarian who, even unwittingly, is eligible for citizenship of another country.

The High Court, the country’s supreme court, will sit from October 10 to 12 in an unprecedented session that could disqualify all seven, including Deputy Prime Minister Barnaby Joyce, producing a crisis for the unstable Liberal-National Coalition government. Up to another 20 MPs are believed to face potential disqualification if the High Court rules against the seven.

The Greens’ submission goes far further than those of the government or the other politicians who have been referred to the High Court for potential disqualification under section 44(i) of the 1901 colonial-era Australian Constitution.

The submissions of the other five parliamentarians facing removal all argue, in various ways, that the court should not punish those who were ignorant of their dual citizenship or their eligibility for foreign citizenship.

The Greens, however, insist that the ban on MPs should be applied to the fullest extent, even if, for example, parliamentarians unknowingly acquired foreign citizenship entitlements from their parents or grandparents.

The Greens also demand this prohibition even though it disqualifies an estimated half of the population of Australia, which has always been an immigrant nation. The Greens’ submission defends this anti-democratic constitutional provision, arguing that it should be strictly applied despite its “blunt and limiting effect on democratic participation.”

The submission was made by two ex-Greens senators, Scott Ludlam and Larissa Waters, who dutifully resigned from the Senate, and apologised profusely, as soon as the reactionary witch hunt against alleged “foreign” MPs was

first launched in mid-July. Ludlam and Waters quit their seats simply because they were born in New Zealand and Canada respectively, even though both have lived in Australia since they were infants.

Their submission reiterates that they “properly complied with the duty imposed by S 44 not to sit when disqualified by reason of being a citizen of a foreign power.”

Section 44(i) is far-reaching. It states that any person who “is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power” is “incapable” of being elected to parliament.

None of the other MPs referred to the High Court has stood aside. They are three National Party MPs—Joyce, Regional Development Minister Fiona Nash and ex-resources minister Matt Canavan—Senator Malcolm Roberts from the anti-immigrant Pauline Hanson’s One Nation and Nick Xenophon, who represents his own four-member Nick Xenophon Team.

In the government’s own submission to the High Court, Attorney-General George Brandis argues only Ludlam and Roberts were wrongfully elected because they allegedly should have known of their supposed foreign entitlements. Brandis contends that the other five MPs were all completely ignorant of their dual citizenships and should be allowed to stay.

The Greens’ submission is in line with the demand issued from the outset of the furore by party leader Senator Richard Di Natale for an “audit” of all 226 current federal MPs to determine their eligibility. This call, later taken up by the xenophobic One Nation, would trigger a McCarthyite inquisition into the loyalty of politicians.

What explains this extraordinary stance? First, the Ludlam-Waters submission objects that the government’s proposition would undermine the “integrity” of parliament and public confidence in the institution.

“Section 44 has a special status because it is protective of matters that are fundamental to the Constitution, being

representative and responsible government in a democracy,” the submission states. “The integrity of that system requires the government to be conducted by officers who enjoy the confidence of the people.”

Thus, the Greens emphasise their devotion to the parliamentary set-up, which is already discredited in the eyes of millions of people because of the responsibility of successive governments for declining social conditions and worsening inequality.

Above all, the Greens invoke the importance of unquestioned patriotism, especially amid mounting war tensions. Referring to section 44, the submission insists: “The provision prevents persons with foreign loyalties and obligations from serving in the Australian Parliament. This is one aspect of the purpose of safeguarding the integrity of parliament and Australian sovereignty, because the potential for the foreign power to call upon a citizen’s duty, even if it had never done so in the past and even if the person concerned was hitherto unaware of the citizenship, remains a real possibility.”

A submission footnote links to evidence submitted by former independent MP Tony Windsor, who lost his rural-based seat to Joyce in 2013 and is petitioning the High Court for a by-election in the electorate on the grounds that Joyce’s father was born in New Zealand.

Windsor’s submission directly ties the disqualification demand to preparations for war, including military service obligations. It harks back to the lead-up to World War I, when young Australian men of dual nationality faced conflicting requirements to serve in rival armed forces. Windsor argues that similar conflicts arise today, with some countries, such as Greece, imposing compulsory military service on its citizens.

Extending the wartime scenario, Windsor invokes the possibility of dual citizens being charged with treason by a foreign government for acts committed in support of Australia. He also cites an ancient British court ruling, in Calvin’s Case of 1609, that “[e]very subject is by his natural ligeance bound to obey and serve his sovereign” and therefore “to go with the King, &c. in his wars, as well within the realm as without.”

Such precedents are being dredged up because of the rising dangers of war internationally. Prime Minister Malcolm Turnbull’s government, backed by the Labor Party, has already committed Australia to join any US-led war against North Korea, the central purpose of which would be to confront China, which is regarded by Washington as the primary threat to American global hegemony.

Alongside the parliamentary witch hunt, the corporate media has mounted one propaganda campaign after another against “Chinese influence.” Over the past year, media-

driven “investigations” have increasingly vilified political and business figures, Chinese-born Australians and Chinese students studying in the country as a potential fifth column of the Chinese “communist” regime.

The promotion of nationalism is also a reactionary domestic diversion. It is occurring under conditions of growing social inequality and deepening class antagonisms, generated by the destruction of full-time jobs and deteriorating health, education and social services. There have been ever-deepening attacks on basic legal and democratic rights under the cover of the endless “war on terrorism.”

The Greens once appealed to young people by posturing as opponents of war and supporters of environmental protection. Increasingly, these pretences have been abandoned. Between 2010 and 2013, the Greens supported the minority Labor Party government of Julia Gillard, which unconditionally committed itself to the Obama administration’s “pivot” to the Indo-Pacific and the underlying US war plans against China.

Like their counterparts internationally, the Greens represent an upper middle-class layer, which is ever-more integrated into the capitalist state as growing international and social tensions threaten their social and economic status.

Whichever the way the High Court rules after next week’s hearings, the verdicts will be designed to shore up the political establishment and the entire capitalist state apparatus, of which the court is a key part.

The inquisition against “foreign” loyalties will not stop with MPs. The Greens’ submission underscores the warning issued by the Socialist Equality Party in a statement on September 6:

“The demand for unquestioned ‘allegiance’ on the part of the parliamentary servants of the capitalist state is intended as a benchmark for implementation throughout society. Anyone who opposes the policies of the government will be labelled ‘un-Australian,’ a servant of foreign interests, or, under conditions of war, downright treasonous.”



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact