

# MP disqualification crisis engulfs Australian government

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A four-month political crisis in Australia, triggered by the disqualification of federal members of parliament for being entitled to citizenship of another country, is increasingly calling into question the survival of the Liberal-National Coalition government.

What began as a nationalistic purge of parliament, demanding the ouster of those lacking undivided loyalty to the Australian nation state, has spiraled into a full-scale constitutional crisis.

Beyond the immediate fate of Prime Minister Malcolm Turnbull and his severely fractured government, the affair has thrown into doubt the functioning of parliament itself.

Five MPs have already been removed and as many as 30 more now face being forced out, mainly on the reactionary basis that at least one of their parents was born overseas, allegedly entitling them to citizenship of that country. A wave of by-elections to replace MPs is looming, if not a sudden dissolution of parliament and the calling of a general election.

While to many, the ongoing saga may have the appearance of an absurd fiasco, it has a deeply anti-democratic content. A full-scale McCarthyite witch-hunt is underway, with every MP being required to prove their citizenship “purity.” In the past few days alone, scores of new names have been added to media lists of MPs likely to be expelled, following last week’s forced departure of Senate President Stephen Parry.

The disqualification affair has risen to a new level since October 27, when the High Court, the country’s supreme court, disqualified five MPs by applying a strict and literal interpretation of section 44(i) of the British-authored 1901 Constitution. That provision forbids any citizen from even nominating for parliament if they hold “allegiance” to a “foreign power” or are “entitled” to citizenship rights of another country.

The seven High Court judges unanimously insisted on “unqualified allegiance to Australia” and “single-minded loyalty,” free from any “foreign loyalties or obligations.” There could be no excuses, they declared, not even ignorance of potential foreign entitlements that could date

back two generations. Significantly, the judges explicitly referred to the need to ensure undivided allegiance, and freedom from any overseas military service obligations, under conditions of war.

For months, Turnbull and Labor Party opposition leader Shorten both rejected calls for a full “audit” of all 226 members of the Senate and House of Representatives. Those demands were spearheaded by the Greens, whose leader Richard Di Natale highlighted his party’s unqualified commitment to the stability of Australian capitalism by insisting that two of the party’s senators had to quit as soon as the dual citizenship accusations were made against them. Murdoch’s media outlets then took up the demand, praising the Greens, and insisting on the necessity for unquestioned patriotism.

In the face of this agitation, Shorten last Friday performed a backflip on the audit question, followed on Monday by Turnbull, who announced a process requiring all MPs to disclose their possible dual citizenship entitlements.

So paralysed has the parliament become that Turnbull asked Shorten to agree that only “non-controversial” legislation be considered until the cloud hanging over the eligibility of so many MPs is resolved.

When Shorten rejected that request, after a two-hour meeting between the two leaders on Wednesday, Turnbull raised the stakes. Fighting for political survival, in the face of escalating media derision towards his inability to resolve the crisis, he threatened to use the government’s bare majority in the House of Representatives to unilaterally refer four Labor MPs to the High Court for disqualification, in the event that they had failed to complete the renunciation of their British citizenship before nominating for election.

Turnbull also informed a third party MP, Rebekha Sharkie, of the Nick Xenophon Team, that she should refer herself to the High Court. Earlier, Sharkie had indicated she might withdraw support for the government in a no-confidence vote.

Others caught up in the furore include extreme-right junior minister Alex Hawke, and several Liberal backbenchers,

such as John Alexander. If any of these Liberals is removed, the government will lose its one-seat majority in the lower house. Already, the Coalition is ruling without a majority, because the High Court disqualified Deputy Prime Minister Barnaby Joyce, the leader of the rural-based National Party. Having formally renounced the New Zealand citizenship he inherited from his father, Joyce is currently fighting a by-election for his seat.

Now some of the right-wing populists in the Senate have been named, including Senator Pauline Hanson, the leader of the anti-immigrant One Nation, and another xenophobic populist, Senator Jacqui Lambie.

Turnbull is currently proposing to give all MPs until December 7 to make declarations about their citizenship status. Shorten, responding to corporate and media demands for a speedier resolution, has insisted on a December 1 deadline. Labor also wants MPs to table documents to prove their sole citizenship—even showing where their grandparents were born—on pain of being charged with “serious contempt” of parliament if they “intentionally or recklessly” provide misleading information.

In an ever-more diverse country, where almost half the population has at least one parent born overseas, the High Court’s verdict bars millions of people from standing for election. Overnight, the court has rendered them second-class citizens. What comes next? Will they be relieved of their right to vote? What about other basic civil and political rights?

Moreover, in its extraordinarily anti-democratic decision, the court has arrogated to itself the right to determine the make-up of parliament and the future of a government. If the same literal interpretation of the Constitution were to be applied to the powers of the governor-general, the representative of the British monarch, he could simply dissolve the parliament. In 1975, Governor-General John Kerr invoked just such powers to dismiss the Whitlam Labor government, in the midst of a political and economic crisis. Today’s governor-general, Sir Peter Cosgrove, is a former military general. Under the Constitution, he is now also “commander-in-chief” of the armed forces.

Comments by corporate leaders provide an indication of the underlying economic and social crisis that has fuelled this political impasse. Westpac Bank chief executive Brian Hartzer this week denounced the “continuing inability from governments” to “set and stick with” policies to boost economic growth and restore business confidence.

Yesterday’s editorial in Murdoch’s *Australian* declared that the Turnbull government was “paralysed by indecision.” There was “growing doubt” that Turnbull was capable of shifting the debate to the “clear economic narrative” he promised when he deposed Tony Abbott as

prime minister in September 2015. In particular, the newspaper demanded the reduction of the company tax rate from 30 percent to 25 percent to remain competitive against sweeping global tax cuts.

The editorial in yesterday’s *Australian Financial Review* warned of the “disastrous” instability of the political system since Julia Gillard knifed Kevin Rudd as prime minister in June 2010. “The uncertainty, including two governments with zero or tiny majorities, has brought only years of policy mediocrity,” it declared.

Successive governments, both Labor and Coalition, have failed to enact the austerity agenda being demanded by the financial elite. Every move to slash healthcare, education, aged care and welfare has provoked widespread popular opposition. Mass political hostility towards the political establishment as a whole is intensifying as sweeping job losses, falling wages and soaring living costs impact on the lives of millions of ordinary working people.

The purging of parliament indicates a concerted bid by the ruling elite to divert this discontent into nationalist and xenophobic directions. Both the Turnbull government and the Shorten Labor opposition have signalled their unconditional support for a US-led war on the Korean Peninsula, despite mass anti-war sentiment. Already, the witch-hunt against the alleged “foreign allegiances” of Australian politicians, and the railing against “Chinese influence” in domestic politics, business and education, recall the widespread victimisations carried out in Australia during World I and World II against “foreigners” at the time, i.e., long-standing residents who happened to be born in Italy or Germany.



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