

MAKING AUSTRALIAN CITIZENSHIP MEAN MORE

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After over 30 years of increasingly easy access, Australian citizenship is becoming harder to acquire. Permanent residents must now wait for four years before applying (instead of two), and the Government intends to introduce a formal citizenship test. This latter change is the subject of heated debate. The emotion surrounding this debate can be best understood as an instance of the clash of two competing views about what citizenship ought to mean: the procedural and the patriotic.

INTRODUCTION

This paper outlines changes in the rules governing access to Australian citizenship over the last 34 years. It shows how these rules became increasingly relaxed up until 2002. In 2005 the pattern began to change and the Howard Government is now putting a regime in place where applicants will have to wait much longer before they can apply, and will need to pass a test on their knowledge of English and the Australian way of life before their application is accepted. Two questions lie behind our analysis of this history: why is the Government making these changes, and what does the debate surrounding these changes tell us about how people feel about being Australian.

ACQUIRING CITIZENSHIP BY GRANT: 1973 TO 2002, THE TRAJECTORY TOWARDS EASY ACCESS

Australian citizenship may be obtained in four ways, by birth, descent, adoption or grant, but almost all permanent residents who become citizens do so by grant. The Nationality and Citizenship Act of 1948 established the status of Australian citizen (as distinct from British subject with permanent residence) for the first time, but maintained most of the rules for naturalising aliens that had been developed for the Nationality Act of 1920.¹ These rules meant that obtaining citizenship by grant was rel-

atively arduous (for non-British subjects).² Applicants had to have lived in Australia for at least five years. They also had to: have 'adequate' English,³ show that they were loyal and of good character, produce three references, declare an intention to naturalise two years before the application,⁴ and place an advertisement in the newspapers notifying others of this intention. This was to give members of the public time to lodge confidential objections to their application.⁵

The last 34 years have, however, seen a steady dilution in these demands. In 1973 British subjects were put on the same footing as aliens (and both were referred to as 'non-citizens' from then on), the waiting period was reduced from five years to three years, and the Act was renamed the Australia Citizenship Act.⁶ In 1984 the waiting period was further reduced to two years and the English language requirement watered down to a 'basic' understanding, with people over 50 made exempt.⁷ Under the 1920 rules applicants had had to publicly renounce 'all other allegiances' in order to swear their loyalty to Australia, a requirement that remained in the 1948 Act. While this renunciation had no legal standing, most applicants and possibly most Australian officials did not realise that it was only a symbolic gesture.⁸ But in 1986 the renunciation was dropped and this symbolic burden was lifted.⁹ The implication was that migrants could keep their previous

citizenship (if their country of origin allowed dual citizenship). Becoming an Australian citizen no longer implied an exclusive commitment of loyalty to and identity with Australia.

These changes all made citizenship easier to acquire and reduced the personal cost of applying. The only move in the opposite direction was taken in 1986 when the Hawke Government tightened provisions governing the acquisition of citizenship by birth. After 1986 Australian-born children of visitors, temporary entrants and illegal immigrants no longer acquired citizenship automatically at birth, a step taken to prevent people without permanent residence using an Australian-born child to circumvent immigration law.¹⁰

The mass immigration of the post-war years magnified ethnic diversity. By the mid 1970s multiculturalism, the policy of valuing cultural pluralism and encouraging migrants to retain their culture of origin, was well established.¹¹ Indeed some argued that one of the purposes of immigration was to increase cultural diversity.¹² This had consequences for citizenship and, in 1993, a preamble was inserted into the Act acknowledging and implicitly valuing Australia's cultural diversity:

Australia citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians, whilst respecting their diversity ...¹³

At the same time the old oath in which new citizens swore their allegiance to the Queen of Australia was dropped and a new pledge introduced.

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.¹⁴

The pledge has a simple patriotic tone to it, possibly because it was drafted by

Australia's leading poet, Les Murray. But most aspects of these changes devalued citizenship and all of them took place under Labor Governments. Liberal politicians, however, did not oppose them. For example in 1982 the then Minister for Immigration in the Fraser Government, Ian McPhee, said:

Acquiring Australian citizenship should not require suppression of one's cultural heritage or identity. Rather, the act of becoming a citizen is—symbolically and actually—a process of bringing one's own gift of language, culture and traditions to enrich the already diverse fabric of Australian society.¹⁵

In 2002 a further significant change was introduced, this time by the Howard Coalition Government, when section 17 of the Act, governing dual citizenship was repealed.¹⁶ While migrants who had naturalised had long been permitted to keep their two passports, anyone who was already an Australian citizen and took active steps to acquire the citizenship of another country lost their Australian citizenship. The repeal of section 17 permitted citizens to acquire another citizenship without penalty (or indeed to acquire multiple citizenships, if they were able).

This article examines recent debates about changes to citizenship legislation introduced, or foreshadowed, by the Coalition Government in 2006. These changes have two main features, both of which are explored in more detail below. The first is to increase the qualifying period of residence from two years to four, and the second is to introduce a citizenship test. As citizenship does little to increase a migrant's welfare once he or she has obtained permanent residence, these changes are mainly symbolic. But the debates surrounding them are often heated. The emotion they reveal can best be analysed if we understand the two main perspectives that lie behind it.

Proceduralism versus patriotism

At the same time as the legal and symbolic changes described above were reducing the cost of citizenship, a relatively open-borders approach to citizenship, consistent with these changes, was gaining ground in academic and legal circles. In this perspective membership of the nation state was seen, not as a sign of belonging to a distinct people with their own history, memories, evolved culture, and sense of facing a common future. Rather such membership was described by adherence to laws and procedures rather than by patriotism and loyalty. Apart from obedience to the law, the only value citizens needed to share was tolerance. In this view, often known as proceduralism,¹⁷ new members could be readily accommodated, provided only that they were law-abiding and tolerant. As former Labor Prime Minister Bob Hawke once said, an Australian is 'someone who chooses to live here, obeys the law and pays taxes'.¹⁸ Proceduralism sits well with multiculturalism. It was also popular with advocates of the republic. As one of its well-known advocates (Don Watson) put it, Australia should be a republic that was 'post modern ... pluralist, complex and various: not oppressive or prescriptive but light, ironic, free'.¹⁹

The changes in citizenship law up to 2002 were consistent with the proceduralist perspective. The fact that migrants might be citizens of another country and might strongly identify with that country or its culture (as is the case with many Australian Jews and Muslims) did not concern advocates of this position. As long as migrants followed the procedural rules in Australia this should be all that was required of them. Proceduralists often argue that the nation state and its accompanying demands of exclusive national loyalty are becoming obsolete as a consequence of globalisation. Proceduralism appeals to elites on the left as well as to some on the right, the former

because it accommodates their internationalist values and the latter because it is consistent with removing government constraints on their freedom of action. A solid academic case can be made to support the idea that exclusive loyalties to the nation are indeed becoming obsolete.²⁰ But this is not the point here. Our interest is in what the recent controversy over the Coalition Government's policies to reverse the trend towards procedural citizenship tells us about the thoughts of elites, some intellectuals and ordinary people on the meaning of citizenship.

In our view most Australians embrace an alternative view of citizenship. They see it as a union of people who have something like a family feeling for each other, in the sense that they acknowledge strong bonds with their fellow Australians and thus a compassionate interest in their compatriots' well-being. They also have deep feelings of attachment to their native land. In other words they are patriots. Belonging is not just a question of tolerant individuals living side-by-side in a law-abiding fashion and most definitely it does not involve embracing diversity. As would be expected where people think of their nation as a bonded community, there are innumerable polls indicating that most ordinary Australians expect migrants to live like Australians. They do not support government expenditure to help newcomers sustain the culture of their homelands.²¹ Not surprisingly they also support the Coalition Government's recent moves to tighten access to citizenship and its insistence that this should be akin to joining the Australian 'family'.²²

The underlying division between proceduralists and patriots explains the controversial nature of the current citizenship debate. When Prime Minister John Howard welcomed new citizens at a ceremony on Australia Day 2007 he said:

[We are] deeply honoured we are that you

have chosen Australia to be your national family for the rest of your life ... You may be drawn from the four corners of the earth but you are united by a common love of this country of ours ...²³

This reference to families and love is a world away from Hawke's claim that an Australian is someone who lives here, obeys the law and pays their taxes. The two statements are drawn from two very different perspectives about what it means to belong to a nation and its people.

Citizenship versus permanent residence

Australian citizenship is now largely symbolic, since almost all the material benefits of citizenship (access to Medicare, welfare benefits and education) are available to permanent residents. Since 1997 migrants only achieve this after a two year wait in the case of unemployment benefits and ten years in the case of the old age pension but, after this period, they have full access. With or without citizenship migrants face few legal barriers to full participation in Australian society. The Coalition's recent actual and proposed changes to the rules governing access to citizenship do not change this situation.

Citizenship confers the right (and duty) to vote and serve on juries, and the right to a passport. Citizens may also apply for work in the public service, though many departments now accept applicants without citizenship on a temporary basis.²⁴ Citizenship also offers minor advantages in sponsoring relatives as migrants, and almost complete immunity from deportation.²⁵

A passport may, in some instances, be valuable, and immunity from deportation will be sought by a few, but in most cases the practical difference between permanent residence and citizenship is slight. One could then take proceduralism to its logical conclusion and abolish the distinction between the two statuses. Indeed former

Federal Court judge, Marcus Einfeld, has described permanent residents as 'Australians in all but law',²⁶ and Kim Rubenstein, among others, considers that residence would be a more 'inclusive' criterion for full political membership of the community than citizenship.²⁷ Why, she asks, should we insist on citizenship before immigrants can vote? 'If people are ... legally entitled to live in Australia permanently and participate in the community in other ways, why should they not be entitled to vote?'²⁸

Clearly the citizenship debate is not about degrees of access to the benefits of living in Australia but about what being an Australian means in terms of loyalty and commitment to the nation.

Citizenship policy under the Coalition

The Coalition Government has recently adopted a tougher position on access to citizenship. Given this, readers may be surprised by some of the views published in 2000 in a report by the Australian Citizenship Council (appointed by the Coalition in August 1998), *Australian Citizenship for a New Century*. These supported the procedural approach and paved the way for a further dilution of the meaning of Australian citizenship.

The Council, chaired by former Governor General, Sir Ninian Stephen, had been asked to report on contemporary issues of citizenship policy. In keeping with the procedural approach it drew a distinction between 'small "c" citizenship', an idea based on full participation in the community, as opposed to legal, 'capital C Citizenship'.²⁹ The authors of the report were anxious that barriers to capital C Citizenship should not be increased in any way, because they feared this would create a sense of social exclusion among potential applicants.³⁰ They argued that, 'Maintaining relatively little distinction between Australian Citizens and non-Citizens helps

promote inclusiveness and minimize discrimination in the Australian community',³¹ adding that, 'A peaceful and fruitful social cohesion does not come from imposing uniformity. It comes from accepting difference and negotiating it'.³²

The Council also endorsed the previous Labor policy of actively promoting citizenship. The authors argued that such promotional activity 'would give a clear message that the Government and the community value Australian citizenship highly'.³³ They estimated that, in 1998, 940,000 eligible immigrants had not yet taken out citizenship.³⁴ Thus for the past decade and more, at least 900,000 eligible permanent residents have refrained from going to the trouble of taking it out.³⁵

The authors did not stop at this point. They spelled out the implications of their approach for an alternative vision of Australian citizenship. They proposed a civic compact which embraced proceduralist values and, apart from a reference to the land, explicitly excluded any elements of a particularistic Australian patriotism. Their compact depended on a commitment to seven civic values:

- To respect and care for the land we share
- To maintain the rule of law and the ideal of equality under the law of all Australians
- To strengthen Australia as a representative liberal democracy based on universal adult suffrage and on freedom of opinion
- To uphold the ideal of Australia as a tolerant and fair society which values its diversity
- To continue to develop Australia as a society devoted to the wellbeing of its people
- To value the unique status of the Aboriginal and Torres Strait Islander peoples.³⁶

The authors said that their civic values were the 'very opposite' of nationalism and

urged that ideas about 'what is peculiar to the Australian experience ... ought never to form the basis of nationalistic boasting or self-regard'.³⁷

Finally, they addressed the vexed question of Section 17 of the Australian Citizenship Act, recommending that it be abolished. They considered that as 'we move into the twenty-first century, the prevalence of dual citizenship internationally will rapidly increase' and that Australia's prohibition placed 'a completely unnecessary obstacle in the way of expansion of Australian presence in other societies'.³⁸ This recommendation was important because previous attempts to abolish Section 17 (as during the early 1990s when the Keating Government was in office) had generated fierce controversy. Patriotic organisations like the RSL (Returned and Services League) had objected to the notion of dual loyalties. Their view was that an Australian citizen could not be loyal to, or identify with, two countries. Thus it was appropriate that Australians who took out another country's citizenship should forgo their Australian citizenship.

It is not widely known (because there was no public record of the event) that one of the first proposals put by Philip Ruddock to Cabinet when he became Minister for Immigration in the 1996 Coalition Government was a measure to abrogate Section 17. His initiative was soundly defeated in Cabinet. Yet a few years later the Citizenship Council, appointed by his Government, repeated the recommendation. This outcome can be explained by the make-up of the Council. It included Donald Horne and Robert Manne both of whom were articulate and outspoken proceduralists. According to Gary Johns (a federal Labor MP until 1996) who was also a member of the Committee, Horne played a crucial role in drafting the Committee's report and in setting its intellectual tone.

It is no surprise that a report shaped by Donald Horne favoured the abolition of section 17. From Horne's perspective the idea that mobile professionals could be good citizens in many lands was perfectly reasonable, as was the notion that patriotic notions of exclusive loyalty were outdated.³⁹ The puzzle is that the Howard Government would subsequently put this proposal into law (after rejecting it in 1996). In 2001 the Government published a discussion paper on Section 17 in which various options were canvassed.⁴⁰ The paper did not generate much controversy. The abolition of Section 17 was strongly supported by the Southern Cross Group (a group of expatriate Australians), which by that time had established itself as an influential voice for the Australian diaspora, and by business and science bodies. These interests argued that, if Section 17 remained in force, Australia could lose connection with thousands of talented Australians. While the abolition would probably have been unpopular with many Australians, no opposition group mobilised against it. Soon after the 2001 election (in April 2002) the deed was done.

By this time the Government was presiding over a citizenship regime which allowed hundreds of thousands of recent migrants to Australia to be dual citizens as well as tens of thousands of native Australian who had taken out another country's citizenship. This was the apogee of proceduralism in Australia.

The return of patriotism

Beginning in 2005 the Coalition decided to reverse the trajectory of past policy. Its proposals make citizenship harder to obtain and it has used patriotic language to justify this.

There are three basic strategies that a government can take to increase the value of citizenship, in the eyes both of reluctant applicants and a restive host population. They can talk it up (the strategy adopted

over the last couple of decades); they can restrict welfare benefits to citizens only (a strategy suggested by the FitzGerald report but not adopted);⁴¹ or they can make it harder to acquire, and in so doing, reverse the low-cost trajectory of the last 34 years.

The first strategy has had moderate success in meeting the twin goals of persuading migrants to naturalise while reassuring Australians that immigration is about integration as well as economics. (Indeed since 1999 people who are already citizens can participate in an affirmation ceremony, in which they can restate their loyalty.)⁴² However its low-cost, inclusive approach falls short of meeting these twin goals. It also has practical disadvantages in the present unsettled climate. For example, if potential terrorists or those who sympathise with Australia's enemies can naturalise quickly, and thus insulate themselves from deportation,⁴³ national security can be compromised, public feeling be outraged, and immigration fall into disrepute.

The second strategy could indeed persuade laggards to naturalise but would create a poor impression. Australians could, with some justice, feel that citizenship was being used as a ticket to welfare rights. (It would also expose some migrants, who were not in a position to naturalise, to unwarrantable hardship.)

This leaves the third strategy, that of making citizenship harder to acquire. Here it may well be that fewer permanent residents would naturalise, but the host society could be reassured that those who did do so were more likely to mean it. (Instrumental reasons, such as gaining a passport would, of course, still be a factor but they might look less obvious.) A longer waiting period would also make it easier to conduct security checks before it was too late.

The shift in the trajectory

In 2005 a new Australian Citizenship Bill was introduced to parliament. In many respects this was just an attempt to tidy up the wording of the old 1948 Act and, in one respect, it continued down the easy access pathway. While Section 17 on dual citizenship had already been repealed, Section 18 remained. This provided that people who actively renounced their Australian citizenship should lose it. The new Bill made it easier for such people to resume their Australian citizenship, provided only that they were of good character.⁴⁴ But in an important new step the Bill began a process of raising the barriers to citizenship because it increased the period of residence to three years.⁴⁵ This was later amended to four years,⁴⁶ a step which appeared to delay the presentation of the amended Bill to Parliament until November 2006. This Bill, now known as the Australian Citizenship Bill 2006, also increased the age at which people were exempt from having to pass the English test from 50 to 60 years, and made it easier for the Australian Security and Intelligence Organisation to veto a person's application. It was finally passed by the Senate late in February 2007.⁴⁷ It provides one part of the new change in direction.

The second part is a proposed formal test for applicants for citizenship. At present applicants have to demonstrate their basic English skills and their understanding of Australia at an informal interview. For example they have to be able to answer 'yes' or 'no' to questions about the rights and responsibilities of citizenship.⁴⁸ A more extensive and systematic test would include a written English test that moved beyond basic skills and a test on Australian values, history and law.

The idea of such a test was first mooted in April 2006 by Andrew Robb, then Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs.⁴⁹ The Government intends to introduce the

Australian Citizenship Amendment (Citizenship Testing) Bill in the Autumn sitting of Parliament, 2007, for passage during that sitting.⁵⁰ After a cabinet reshuffle in January 2007 the Department of Immigration and Multicultural Affairs was renamed the Department of Immigration and Citizenship (DIAC), thus emphasising the Government's new stress on citizenship.⁵¹

The language accompanying these changes has been patriotic in tone. The word *multiculturalism* has been banished. The Government's discussion paper on Australian Citizenship which floats the idea of a new citizenship test says that becoming an Australian is about embracing 'the Australian way of life'.⁵² The proposed test will include sections testing migrants on Australian history, culture and traditions, values, and national symbols. These are all aspects of life in Australia dear to patriots. It will also have components proceduralists would endorse, such as questions on Australia's laws and system of democracy.⁵³ The discussion paper goes further and raises the question of whether applicants should demonstrate, not only that they know about Australia's history and culture, but also that they 'are willing to commit to and uphold Australian values and to fully participate in Australian life'.⁵⁴ According to Howard, people who have passed the test 'will be required to sign a commitment, a commitment to Australia's values and to Australia's laws and all the rest, to Australia's way of life'.⁵⁵

Why the change?

The combination of a doubling in the waiting period together with the new, rigorous citizenship test represents a sharp break with recent history. It is possible to imagine at least two different kinds of reasons why the Howard Government has taken these steps.

One possibility is that the citizenship proposals are designed to mollify public

opinion. High levels of permanent immigration are proceeding apace.⁵⁶ The Government justifies this by the skills shortage and by asserting that further substantial migration is required in the face of demographic ageing.⁵⁷ Given its commitment to high immigration it is not surprising that the Government is anxious to assuage public concern about migrant integration. A similar mode of thinking was obvious with the mid-1980s FitzGerald inquiry, commissioned by the Hawke Labor Government. Stephen FitzGerald and his colleagues were keen to see migration levels increased. However their research showed that large sections of the public had lost faith in the program, seeing it as mainly benefiting migrants not Australians. This perception formed a barrier to high immigration and, in order to remove it, the public had to be convinced that migrants were to be encouraged to integrate. Thus FitzGerald recommended making citizenship more meaningful by attaching access to some welfare benefits to it. The committee also floated the idea of requiring a citizenship declaration which would require prospective citizens to declare their support for procedural values.⁵⁸ FitzGerald and his colleagues wrote:

The community perceives citizenship as a symbolic and psychologically significant act of commitment to Australia, of belonging and identification with this nation's destiny. The grant of citizenship appears not to be important to many immigrants. ...

It is a matter of concern that 43%, or one million, of those residentially qualified to take out citizenship have not done so.⁵⁹

Today the Coalition Government is battling a wider range of public worries. Though the economy is booming the Government's electoral prospects are sagging. Ironically, the strength of job creation has muted concerns about the size of the migration program. However the

accompanying policies of economic globalisation—opening Australia's markets to overseas competitors, looking on benevolently as companies go offshore, deregulating the labour market—are unsettling many people. There is a housing boom but an accompanying crisis in housing affordability.⁶⁰ There are complaints that the Government is importing large numbers of permanent workers as well as temporary ones (on 457 visas), at the same time as it neglects the tertiary education of locals and as jobs are being off-shored. The Government is vulnerable to criticism that it is acting in the interests of international capital and those who profit from it.

Stay-at-home national citizens could be a dispensable nuisance for such a government, except, or course, at periodic elections. Thus taking a tougher approach to citizenship may simply be a manoeuvre to appease public opinion. The public, with its patriotic disposition, supports a tough stance on citizenship. Table 1 shows that the proposed test, especially its English language component, is very popular with the public, Labor voters as well as Coalition voters. On the other hand, as we will see, the test is unpopular with many academics, human rights activists, ethnic leaders, and state (Labor) governments, groups that are likely to include committed proceduralists as well as vocal and influential supporters of the Labor Party. The new proposals could be interpreted as driving a wedge between Labor leaders and Labor voters. This cynical view of the Government's stance is shared across the left.⁶¹

An alternative perspective is that the Coalition Government believes that high immigration and free trade enhance the welfare (on balance) of ordinary Australians. Howard seems to understand that if ordinary people are to believe that the traumas of economic globalisation are worth it, they need to be convinced that

these traumas are being suffered in the interests of the wider Australian community. His emphasis that taking out citizenship is akin to entering an exclusive Australian community which he likens to a family may be an instinctive (or perhaps calculated) move to allay the fears Australians have about the impact of globalisation. After all, members of a family are expected to take care of each other.

The Government may have other sincere concerns about citizenship. Since the 2000 citizenship report we have had September 11, the Bali bombings, the bombings in Madrid and London, the rise of global fears about militant Islam, and

even evidence that such militants are active in Australia.⁶² Sensible concern about terrorism, together with the need to try to unite an expanding and diverse population, may mean that the Government believes that tightening access to citizenship is good policy.

Answering an array of questions about Australia is not in itself a valid test of commitment to Australia, nor is signing a commitment to Australian values. The proposed new arrangements are more about deepening the symbolic significance of citizenship. By toughening access and incorporating the language of patriotism into becoming a citizen, citizenship would no

Table 1: Attitudes to the proposed test, all respondents and by political support, Newspolls 2006 (per cent)

	September 2006 Favour or against a 'formal citizenship test'*			December 2006 Favour or against 'English being a requirement'**		
	All	Political support Coalition	Labor	All	Political support Coalition	Labor
Strongly in favour	53	66	48	64	77	55
Partly in favour	24	24	22	21	16	24
Total in favour	77	90	70	85	93	79
Partly against	9	6	11	6	4	7
Strongly against	10	1	14	6	1	11
Total against	19	7	25	12	5	18
Uncommitted	4	3	5	3	2	3
Total	100	100	100	100	100	100
Total N	1200			1200		

Source: <www.newspoll.com.au> accessed 8 February 2007; numbers by political support not published

* The September question read: 'Thinking now about Australian citizenship. The Federal Government is considering the introduction of a formal test for migrants who want to become Australian citizens. The citizenship test could include an English language test and questions about Australia and our way of life. Would you personally be in favour or against the introduction of a formal citizenship test in Australia?' The poll was conducted on 22 to 24 September, 2006, by telephone and the sample drawn from all people aged 18 plus.

** The December question read: 'The Federal Government recently announced plans to introduce a test for migrants who apply for citizenship, which they can do after being in Australia for four years. The citizenship test will include questions about Australia and must be completed in English, making knowledge of English a requirement to become an Australian citizen. Are you in favour or against knowledge of English being a requirement to become an Australian citizen?' The poll was conducted on 15 to 17 December, 2006, by telephone and the sample drawn from all people aged 18 plus.

longer be seen as just a fancy certificate, anxiously pressed onto any chance comer who deigned to accept it. It would be a symbol of a significant step that the migrant was taking in the process of becoming an Australian. The four-year waiting period could also show that both sides were serious about their new relationship.

SUBMISSIONS TO THE AUSTRALIAN GOVERNMENT DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS CITIZENSHIP TASK FORCE

The forthcoming debate about the Coalition Government's proposal for a citizenship test is sure to be intense given the depth of division between proceduralists and patriots. Just how deep can be seen from the following analysis of opinion on the test.

In September 2006 the Government put out its discussion paper on the test,⁶³ inviting submissions from interested members of the public. As we have seen, the paper is suffused with the language of patriotism. It listed five main questions:

1. Should Australia introduce a formal citizenship test?
2. How important is knowledge of Australia for Australian citizenship?
3. What level of English is required to participate as an Australia citizen?
4. How important is a commitment to Australia's way of life and values for prospective Australian citizens?
5. What form should a commitment to Australian values take?⁶⁴

In all 1,644 submissions were received, 1,486 from individuals and 158 from organisations. Table 2 shows the pattern of responses to the first question: Should Australia introduce a formal citizenship test? There is a clear split between the submissions made by individuals, where almost two thirds support the test, and those by organisations, where more than two thirds oppose it. The submissions from

individuals have not been made public, though DIAC has provided a summary of their positions. But those from 116 organisations, where confidentiality had not been requested, have been made available on the web.⁶⁵ (From these it can be deduced that submissions labeled 'unclear' in Table 2 were not confused in their answers. Rather they did not answer the question on the proposed test directly but talked about a range of related matters.)

The submissions from individuals are not as overwhelmingly positive about the test as are the poll responses shown in Table 1, but they are very different from those written by organisations. To gain a better understanding of the ideas expressed by organised groups we downloaded the 116 available submissions for further analysis. As indicated in Table 3, the organisations could be divided into seven main categories, ranging from university-based and civil rights groups, ethnic groups, and governments, to a final catch-all category. (The catch-all category includes two submissions from branches of political parties, 14 from non-ethnically based community groups, and three that were unclassifiable.)

Table 3 shows that the university-based and civil rights organisations were the most opposed to the test. Qualitative analysis of the reasons that organisations gave for their positions show that most were a long way from the support for committed, patriotic citizenship which the Prime Minister and his Government appear to support.

Why were the authors of these submissions so opposed to the introduction of a formal test? A recurring theme was that a test would promote social exclusion,⁶⁶ and also that it would invite discrimination.⁶⁷ Submissions that took up the question of Australian values drew on the initial listing of such values in the discussion paper. These include 'respect for the freedom and dignity of the

individual, support for democracy, our commitment to the rule of law, the equality of men and women, the spirit of the fair go, of mutual respect and compassion for those in need'.⁶⁸ Many argued that these values were not uniquely Australian and often claimed that either the present Government or the Australian people failed to uphold them.⁶⁹

Not only would the test be exclusionary and discriminatory, many thought it reminiscent of the White Australia policy. They worried that it would pander to what they saw as the innate racism of the Australian people.

[T]esting English for citizenship is seen as veering dangerously close to the White Australia policy whereby bureaucratic mechanisms can be constructed to block certain profiles of non-English-speaking people.⁷⁰

Table 2: Should Australia introduce a formal citizenship test? All submissions by origin, organisation or individual (per cent)

	Yes	No	Unclear	Total	Total N
Organisations	18	68	14	100	158
Individuals	64	21	15	100	1486
Total	60	25	15	100	1644

Source: Derived from 'Summary report on the outcomes of the public consultation on the merits of introducing a formal citizenship test', Department of Immigration and Multicultural Affairs (DIMA) 2006. Downloaded from <www.minister.immi.gov.au/media/responses/citizenship-test/index.htm> on 30 January 2007. The date when this document was prepared is unclear but the closing date for submissions was 17 November 2006.

Note: Organisations included state and territory governments and government bodies, political parties, community organisations, religious groups, ethnic groups, business groups, peak bodies and a range of interest groups. See DIMA, 2006, p. 3. For more detail see Table 3 below.

Table 3: Should Australia introduce a formal citizenship test? Submissions from organisations by organisational type (per cent)

	Yes	No	Unclear	Total	Total N
University-based and civil liberties groups	0	91	9	100	11
Refugee advocacy groups	11	89	0	100	9
Ethnic groups	21	79	0	100	24
State, territory and local governments	9	77	14	100	22
Religious groups	18	64	18	100	11
Migrant advocacy groups, migration lawyers and migrant educators	25	60	15	100	20
Political parties, community groups (non-ethnic) and other	32	37	32	100	19
Total	18	69	13	100	116
Total N	21	80	15	116	

Note: Forty two submissions from the 158 organisations shown in Table 2 are missing. Presumably these organisations had requested their submissions remain confidential. But the overall pattern for the subset analysed here is the same as for the total. The submissions shown here have been recoded by the authors.

[S]uch a change [introducing the test] would take Australia many steps backward into the era of the White Australia Policy where assimilation was the end goal.⁷¹

We would like to think we are not racist but there appears to be a frightening degree of xenophobia obvious in the behaviour of many of our citizens. One need only study the graffiti, letters to the press, the reports of arson and stone-throwing and worse, directed against ethnic communities. And it would be difficult to cover up our record with respect to our own indigenous people.⁷²

These opinions follow the common proceduralist view that, if Australia asks more of applicants who want to join the community, this can only be a cover for racially-based exclusion.⁷³ Authors of some submissions feared that the test would not just discriminate against foreigners in general but against Muslims in particular. They said, or implied, that such a tactic was designed to win votes by appealing to the worst in Australian voters.

[This is] appealing to xenophobia and racism in the electorate. It is dog-whistle politics designed to win votes for an increasing nationalistic government ... Though no individual group is singled out for attention in the Discussion paper, it must be read in its social and political context, a context in which Muslim Australians are vilified and cast as a threat to Australia's national security ...⁷⁴

The possibility of discrimination against Muslims had foreign policy implications as well.

We are concerned by the very real danger that the Australian Government or political parties could use the concept of Australian Values in a divisive way and this could lead to exclusivity ...

We believe therefore that it would be less

divisive and more acceptable to the Muslim countries to our North if we chose more inclusive values such as those enshrined in the Universal Declaration of Human Rights.⁷⁵

Others, echoing our first explanation for the Government's policy, were openly cynical about the Government's motives.

Because the agenda behind the introduction of a formal citizenship test is dubious, it should be opposed.⁷⁶

Writers deplored what they saw as a turning away from multiculturalism and doubted that Australian values could or should be offered as an alternative.

Multiculturalism is one of Australia's greatest achievements. Our diversity should be celebrated and our difference valued.⁷⁷

[T]o speak in terms of national, or Australian, 'values' may actually operate to reassert the dominance and hegemony of Anglo-Australian culture over and above others.⁷⁸

Indeed the Equal Opportunity Commission of Victorian (EOCV) considered that it was dangerous to even talk about a test.

The EOCV considers that the current policy discourse in relation to citizenship and 'Australian values' has the potential of itself having a seriously negative impact on community cohesion.⁷⁹

And the Victorian Government was deeply concerned that such a test would deter immigrants and undermine the state's population growth strategy.⁸⁰

Proceduralists often argue that, in a globalising world, the nation state is becoming an anachronism. A number of submissions took up this theme, arguing that the test was inappropriate in such an era, either from a practical point of view, or from

the standpoint of universalistic morality.

Globalisation, trans-national corporations and the interconnectivity that is a by-product of the recent technological explosion are all relatively recent changes which have contributed to the need to redefine the concept of 'citizenship'. National borders are becoming blurred, and the notion of an individual having only one homeland is fast becoming outdated.⁸¹

Organisations that argued in favour of the test made diverse points. In keeping with the patriotic view that national belonging is meaningful and valuable, some argued that increasing the cost of citizenship would increase its value.

Human nature dictates that if we have to try hard for something, we usually value it more.⁸²

Others who also held this view said that the advent of Islamist terrorism had changed the context in which governments acted.

Since the benefits conferred on Australian citizens are substantial, it is appropriate for Australia to introduce a formal citizenship test.

Recent developments in world events, including the current phase of Islamist expansion through terror, invite reflection on the basic requirements for citizenship in Australia.⁸³

But this opinion was far from universal. The proposition that fear of terrorism was unjustified and divisive was more common.

[We are] also concerned that the rhetoric surrounding the 'values debate' in Australia is a knee-jerk reaction to the political climate in the 'war on terror'. Attempts to make Australian citizenship harder to attain and the political rhetoric characterising what is 'Australian' and 'un-Australian' will divide, rather than unite, the community.⁸⁴

Overall most submissions by organisations took a jaundiced view of any policy that was congruent with a sense of national peoplehood. Where their position on the kind of polity they preferred was made clear, most supported proceduralism.

The Discussion Paper's policy impetus unreasonably and inappropriately conflates the concepts of citizenship and community, and assigns certain aspects of community to the legal concept of citizenship. ...

Australian citizenship does not in and of itself unite Australian people, except as it defines Australians in opposition to those who do not possess Australian citizenship. While citizenship confers certain benefits and duties, it does not in itself constitute a force that binds individuals and unifies the nation ...⁸⁵

(And in answer to a further question in the discussion paper: *What form should a commitment to Australian values take?*)

There should not be one beyond respect for law and the rights of others.⁸⁶

Many of the proceduralists' themes are echoed in media commentary by prominent figures identified with the left,⁸⁷ though Kevin Rudd, leader of the Labor opposition, has been careful not to oppose the citizenship test.⁸⁸

CONCLUSION

We have a Government determined to embrace the global economy yet at the same time turning inwards towards a patriotic stance on citizenship. In doing so it is scandalising left-leaning elites who endorse a normative commitment to international human rights and are suspicious of a stance emphasising the exclusive rights of citizens.

The submission that argued there should be no commitment to Australia values 'beyond respect for law and the rights of others' puts the procedural position in its clearest form.

Most of the submissions from organisations support the old citizenship trajectory, where access was continually made easier, and are opposed to the new. They believe in the benign effects of a relaxed attitude to communal boundaries and, in some cases, are hostile to the idea of there being a nation of Australian people with their own history, communal ties and sense of responsibility for a shared future.

Combined with the other evidence analysed here, these submissions reveal a minority climate of opinion. As with the case of the 2000 report, *Australian Citizenship for a New Century*, their views are in conflict with the way most Australians feel about their country. The forthcoming debate about the citizenship test and commitment to Australia will, no doubt,

reveal the depth of division on the issue. Most academic analysts see the drift towards proceduralism as an inevitable consequence of globalisation, with a decline in the autonomy of the nation state as a logical corollary. This view is under challenge. The paradox is that a government with a radical commitment to economic globalisation is leading the charge. Whether the Howard Government can win on this is another matter. It has the support of most ordinary people. But its position is compromised. On its watch it was responsible for giving way on a crucial indicator of patriotic citizenship, that is, the right of Australians to take out another country's citizenship without loss of their Australian citizenship.

References

- ¹ 'The [new Australian] Commonwealth extinguished all colonial legislation dealing with naturalisation and established its own procedures with the Naturalization Act 1903 which came into effect on 1 January 1904. That statute was replaced by the Nationality Act 1920, which was amended six times, before it was replaced with the Nationality and Citizenship Act 1948'. D. Dutton, 'Citizenship in Australia: a guide to Commonwealth Government records', National Archives, Canberra, section on 'naturalisation' <http://www.naa.gov.au/Publications/Research_Guides/guides/ctznship/chapter2.htm> accessed 9/3/07
- ² This was so for non-British subjects, who were then referred to as aliens. After the Nationality and Citizenship Act was passed in 1948 (renamed the Australian Citizenship Act 1948 in 1973), British subjects and Irish citizens could initially obtain Australian citizenship simply by registration. In 1973 they were put on the same footing as aliens. Both are now referred to as 'non-citizens'; the term 'alien' is no longer used.
- ³ K. Rubenstein, *Australian Citizenship Law in Context*, Lawbook Co., Sydney, 2002, p. 54; Dutton, op. cit.
- ⁴ In 1955 the two-year prior notification was reduced to six months and the need to place a newspaper advertisement abolished. Dutton, op. cit.
- ⁵ A. Palmer, R. Bell, A. Martyn, P. O'Neill and P. Prince, *Australian Citizenship Bill 2005*, Parliamentary Library, Canberra, 2005, p. 3; see also A. Davidson, *From Subject to Citizen: Australian Citizenship in the Twentieth Century*, Cambridge University Press, Cambridge, 1997, p. 3.
- ⁶ Australian Citizenship Council, *Australian Citizenship for a New Century: February 2000*, Ausinfo, Canberra, 2000, p. 35
- ⁷ Previously they had had to be over 60 to be exempt from the English language requirement. See 'Citizenship', in T. MacDougall (Ed.), *Australian Encyclopaedia*, Australian Geographic Pty Ltd, Terry Hills, NSW, p. 755.
- ⁸ It had no legal standing unless candidates told their country of previous citizenship that they wished to renounce that citizenship. See K. Betts, 'Democracy and dual citizenship', *People and Place*, vol. 10, no. 1, 2002, p. 63.
- ⁹ For an overview of these changes see Australian Citizenship Council, 2000, op. cit., pp. 34–35.
- ¹⁰ See K. Rubenstein, *Australian Citizenship Law in Context*, Lawbook Co., Sydney, 2002, p. 11.
- ¹¹ See M. Lopez, *The Origins of Multiculturalism in Australian Politics 1945–1975*, Melbourne University Press, Melbourne, 2000.
- ¹² This had been argued by the Immigration Department's Committee on Social Patterns, in 1973, a committee which included the future Labor Prime Minister, Bob Hawke. See report of this quoted in Lopez, 2000, op. cit., p. 237. We are grateful to Mark Lopez for pointing out to us that Hawke was a member. See also the speech written for Al Grassby, then Minister for Immigration, by Jim Houston, which argued that Australia needed mass

- immigration to create and reinforce an ethnically diverse society, quoted in *ibid.*, p. 246.
- ¹³ Quoted in Rubenstein, 2002, *op. cit.*, p. 13
- ¹⁴ Quoted in Australian Citizenship Council, 2000, *op. cit.*, p. 11. See also Palmer et al., 2005, *op. cit.*, p. 3. People may choose whether or not to use the phrase 'under God'. The pledge was written by the poet Les Murray, though redrafted by officials. See Murray at <www.abc.net.au/sundayprofile/stories/s1654645.htm> accessed 26/3/07.
- ¹⁵ Quoted in Joint Standing Committee on Migration, *Australians All: Enhancing Australian Citizenship*, Australian Government Publishing Service, Canberra, 1994, p. 21
- ¹⁶ See <<http://www.citizenship.gov.au/law-and-policy/legislation/changes2002.htm>> accessed 2/2/07. Section 17 had meant that any person who already had Australian citizenship and who then took active steps to take out the citizenship of another country automatically lost their Australian citizenship. An immigrant who acquired Australian citizenship by grant and whose country of former citizenship allowed them to keep their old citizenship was a de facto dual citizen, irrespective of the wording of the Act. See Betts, 2002, *op. cit.*, pp. 62–63.
- ¹⁷ See Davidson, 1997, *op. cit.*, pp. 257, 258.
- ¹⁸ Quoted in J. Jupp, 'Obstacles to making good citizens', *The Australian*, 19 September 2006, p. 14
- ¹⁹ D. Watson, *Recollections of a Bleeding Heart: A Portrait of Paul Keating PM*, Random House, Sydney, 2002, p. 429
- ²⁰ Saskia Sassen provides an up-to-date version of this argument in *Territory Authority Rights: From Medieval to Global Assemblages*, Princeton University Press, Princeton, 2006. See especially pp. 277–321.
- ²¹ The 2003 Australian Survey of Social Attitudes asked people to agree or disagree with the statement: 'Ethnic minorities should be given government assistance to preserve their customs and traditions'. Sixteen per cent agreed and 61 per cent disagreed; among non-English-speaking-background migrants only 31 per cent agreed compared to 42 per cent who disagreed. R. Gibson et al., Australian Survey of Social Attitudes, 2003, computer file, Australian Social Science Data Archives. For earlier data, see I. Saulwick, 'Opinions about multiculturalism', *People and Place*, vol. 4, no. 1, 1996, pp. 65–66.
- ²² See John Howard's address at the Australia Day Citizenship Ceremony, Commonwealth Park, Canberra, 26 January 2007 <<http://www.pm.gov.au/media/Speech/2007/speech2344.cfm>> accessed 17/3/07; and Andrew Robb quoted in J. Masanauskas, 'Multicultural hurdle', *Sunday Times (Perth)*, 2006, 31 December, p. 53 and D. Shanahan and P. Karvelas, 'Tests "to save the national identity"', *The Australian*, 2006, 19 September, p. 4.
- ²³ Howard, 'Address', 2007, *op. cit.*
- ²⁴ See the web site set up by Department of Employment Science and Training <<http://jobguide.thegoodguides.com.au/text/jobDetails.cfm?jobid=1>> accessed 25/2/07.
- ²⁵ In exceptional cases people who are judged to have acquired their citizenship through false pretences may be deprived of their citizenship, and thus would be subsequently liable to deportation. See Australian Citizenship Council, 2000, *op. cit.*, p. 67.
- ²⁶ Quoted in Rubenstein, 2002, *op. cit.*, p. 254
- ²⁷ *ibid.*, p. 16; Rubenstein quotes other scholars, Ruth Rubio-Marín and Joseph Carins, who argue that citizenship should be conferred automatically after a certain period of residence: *ibid.*, pp. 17, 184.
- ²⁸ K. Rubenstein, 'Citizenship in Australia: unscrambling its meaning', *Melbourne University Law Review*, vol. 20, 1995, p. 520
- ²⁹ Australian Citizenship Council, 2000, *op. cit.*, pp. 7–8
- ³⁰ *ibid.*, pp. 4, 10, 77
- ³¹ *ibid.*, p. 25
- ³² *ibid.*, p. 12
- ³³ *ibid.*, p. 27
- ³⁴ *ibid.*, p. 26
- ³⁵ *ibid.* They estimate that there were 940,000 in 1998. See p. 26. In 1991 the number was around 1,105,000. See Joint Standing Committee on Migration, *Australians All*, 1994, *op. cit.*, p. 29.
- ³⁶ Australian Citizenship Council, 2000, *op. cit.*, pp. 16–17
- ³⁷ *ibid.*, pp. 13, 14
- ³⁸ *ibid.*, p. 65
- ³⁹ For Horne's suspicion of national identity and his skepticism about the idea of community see *Looking for Leadership: Australia in the Howard Years*, Viking, Ringwood, 2001, pp. 194–5, 237ff, 252, 111. He is also suspicious of democracy (pp. 73–81), contemptuous of Howard (pp. 2, 7, 65, 97, 260) and fearful of what he sees as the racist proclivities of some of his fellow citizens (pp. 98–99).
- ⁴⁰ Loss of Australian Citizenship on Acquisition of Another Citizenship: Discussion Paper on Section 17 of the

- Australian Citizenship Act 1948, June 2001 <[http://www.immi.gov.au/citizen\(o\)/0601paper/index.htm](http://www.immi.gov.au/citizen(o)/0601paper/index.htm)> accessed 15/1/01
- ⁴¹ See S. FitzGerald, *Immigration: A Commitment to Australia*, Australian Government Publishing Service, Canberra, 1988 p. 68.
- ⁴² See <www.citizenship.gov.au/ceremonies/affirmation/history.htm> accessed 26/3/07.
- ⁴³ See, for example, the controversy provoked by Sheik Taj Din al-Hilali's comments about his compatriots, whom he derides as descendents of convicts with less right to live in Australia than honest Muslims. Quoted in R. Kerbaj, 'Hilali ridicules nation of convicts', *The Australian*, 2007, 12 January, p. 1, 2. Hilali is an Australian citizen and thus, whatever his views about his fellow citizens, has every right to remain in Australia and enjoy the benefits of membership. See Editorial, 'Time to muzzle the outrageous mufti', *The Australian*, 27 October 2006, p. 19. In 2005 Sophie Panopoulos, MP, argued that anyone with dual citizenship found to be a terrorist should be deported. See <<http://www.abc.net.au/news/newsitems/200511/s1502374.htm>> accessed 9/3/07. The Prime Minister was not enthusiastic. See 'No plans to deport terrorists: PM', *The Sydney Morning Herald*, 10 November 2005.
- ⁴⁴ See Palmer et al., 2005, op. cit., pp. 5–6. A significant group affected by section 18 are Maltese. Until 2000, Australian migrants who return to Malta, including their Australian-born children, had to renounce their Australian citizenship in order to enjoy the full benefits of Maltese citizenship. Many were aggrieved by their loss of Australian citizenship and anxious for a remedy.
- ⁴⁵ Clause 22 Residence requirement, Australian Citizenship Bill, 2005, Explanatory Memorandum <http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?ID=2528&TABLE=EMS> accessed 22/2/07
- ⁴⁶ Amendment 34 Australian Citizenship Bill, 2005, Supplementary Explanatory Memorandum <http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?ID=2529&TABLE=EMS> accessed 22/2/07
- ⁴⁷ See 'Parliament approves new citizenship laws', *AAP Bulletins*, 26 February 2007; See also Legal and Constitutional Committee, Provisions of Australian Citizenship Bill 2005; Australian Citizenship (Transitionals and Consequentials) Bill, Commonwealth of Australia, February 2006, <http://www.aph.gov.au/Senate/committee/legcon_ctte/citizenship/report/report.pdf> accessed 22/2/07.
- ⁴⁸ See 'Citizenship', 1996, op. cit., p. 753.
- ⁴⁹ See J. Topsfield, 'Row looms on test for citizenship', *The Age*, 2006, 13 July, p. 3.
- ⁵⁰ See Legislation proposed for introduction in the Autumn 2007 sittings <<http://www.pmc.gov.au/search.cfm>> accessed 24/2/07.
- ⁵¹ In the course of this reshuffle, Senator Amanda Vanstone was dropped as Minister for Immigration and replaced by Kevin Andrews. Teresa Gambaro was appointed Parliamentary Secretary for Immigration and Citizenship, replacing parliamentary secretary for Citizenship and Multicultural affairs, Andrew Robb (who became Minister for Vocational and Further Education). See C. Hart and E. Hannan, 'Citizenship takes centre stage', *The Australian*, 2007, 24 January, p. 5, and <<http://www.aph.gov.au/house/members/biography.asp?id=FU4>> accessed 9/3/07.
- ⁵² Department of Immigration and Multicultural Affairs (DIMA), 'Australian Citizenship: Much more than a ceremony—Discussion paper, consideration of the merits of introducing a formal citizenship test', DIMA, Canberra, 2006 (September), p. 11
- ⁵³ *ibid.*, p. 13
- ⁵⁴ *ibid.*
- ⁵⁵ John Howard, Joint Press conference with Andrew Robb, 11 December 2006, Phillip St, Sydney
- ⁵⁶ See K. Betts and M. Gilding, 'The growth lobby and Australia's immigration policy', *People and Place*, vol. 14, no. 4, 2006, pp. 40–52.
- ⁵⁷ DIMA, 2006, op. cit., p. 12. This is despite evidence that immigration has little effect on the age structure. Researchers including the Productivity Commission and university-based demographers have established some time ago that, though immigration can make a population larger, it can do little to offset demographic ageing. See Productivity Commission, *Economic Implications of an Ageing Australia: Productivity Commission Research Report*, 24 March, Productivity Commission, Melbourne, 2005; R. Kippen, 'A note on ageing, immigration and the birth rate', *People and Place*, vol. 7, no. 2, 1999, pp. 18–22; C. Young and L. Day, 'Australia's demographic future: determinants of our population', in Australian Academy of Science, *Population 2040: Australia's Choice*, Canberra, 1994
- ⁵⁸ FitzGerald, 1988, op. cit., pp. 121–122
- ⁵⁹ *ibid.*, p. 67
- ⁶⁰ M. Denholm, 'Australia's housing "least affordable"', *The Australian*, 2007, 23 January, p. 6
- ⁶¹ See debate in the Senate on the Australian Citizenship Bill 2006, 7 February 2007, Senator Ludwig, Labor (pp. 18, 20), Senator Bartlett, Australian Democrats (pp. 21, 23, 25), Senator Nettle, Australian Greens (pp. 26–30).

- ⁶² Howard's announcement in 2005 that his Government would work on 'visa and citizenship security and character checking processes and move immediately to extend the residency requirement' was made in the context of his announcement of stronger anti-terrorism laws. See <http://www.aph.gov.au/Senate/committee/legcon_ctte/citizenship/report/c01.htm> accessed 13/3/07. Since September 11, 2001, citizenship tests in UK, USA, Canada, the Netherlands and some other European countries have been developed or expanded with a key aim of countering Islamic terrorism.
- ⁶³ DIMA, 2006, op. cit.
- ⁶⁴ ibid. There were 11 further questions (see pp. 15, 19) but most of the submissions which made a systematic attempt to deal with the matters raised in the discussion paper confined themselves to the first five.
- ⁶⁵ These are at <<http://www.minister.immi.gov.au/media/responses/citizenship-test/index.htm>> accessed 9/3/07.
- ⁶⁶ We have numbered the submissions consecutively as they appear on the web site detailed in note 65 (hereafter referred to as *web site*). See submissions numbered 31, 33 p. 2, 38 p. 1, 54 p. 3, 73 p. 3, 78 p. 1.
- ⁶⁷ See *web site*, submissions numbered 38 p. 1, 41 p. 1, 42 p. 1, 43 p. 2, 56 p. 2, 59 p. 4.
- ⁶⁸ See DIMA, 2006, op. cit., p. 5.
- ⁶⁹ See *web site*, submissions numbered 32, p. 12, 43 p. 5, 51 p. 1, 56 p. 6, 57 p. 3, 77 p. 4, 104 p. 5.
- ⁷⁰ *Web site*, 42 Ethnic Communities Council, Queensland, p. 1. See also 48 Federation of Ethnic Communities' Councils of Australia, p. 1; 105 University of Western Sydney (UWS) Students' Association, p. 2.
- ⁷¹ *Web site*, 56 Greek Orthodox Community of Melbourne and Victoria, p. 2.
- ⁷² *Web site*, 11 Augusta Community Development Association, p. 4; see also 38 Darebin City Council, p. 3.
- ⁷³ See S. Castles, 'The racisms of globalisation', in E. Vasta and S. Castles (Eds), *The Teeth are Smiling: The Persistence of Racism in Multicultural Australia*, Allen and Unwin, Sydney, 1996, p. 40; B. Jordan and F. Divell, *Migration: The Boundaries of Equality and Justice, Polity*, Cambridge, 2003, pp. 122, 156; A. Davidson, *From Subject to Citizen: Australian Citizenship in the Twentieth Century*, Cambridge University Press, Cambridge, 1997, p. 185.
- ⁷⁴ *Web site*, 25 Centre for Human Rights Education at Curtin University of Technology, p. 3. See also 40 Ethnic Child Care, Family and Community Services Co-Operative Limited, p. 4; 59 Human Rights and Equal Opportunity Commission, p. 4; 105 UWS Students' Association, p. 7.
- ⁷⁵ *Web site*, 90 Quaker Peace and Justice, p. 1.
- ⁷⁶ *Web site*, 14 Australian Catholic and Migrant Refugee Office, p. 6. See also 23 Canberra Multicultural Community Forum Inc, p. 1.
- ⁷⁷ *Web site*, 54 Good Shepherd Australia New Zealand, p. 3. See also 29 City of Kingston, p. 1; 107 Victorian Government, p. 1; 62 Institute of Legal Studies, Australia Catholic University, p. 5.
- ⁷⁸ *Web site*, 12 Australia Forum, p. 4.
- ⁷⁹ *Web site*, 39 Equal Opportunity Commission Vic (EOCV), p. 12.
- ⁸⁰ *Web site*, see 107 Victorian Government, pp. 1-3.
- ⁸¹ *Web site*, 111 Waverley Council's Multicultural Advisory Committee, p. 3. See also 105 UWS Students' Association, p. 2; 79 MultiLink Inc, p. 1.
- ⁸² *Web site*, 37 Country Women's Association, NSW, p. 3. See also 53 Girton Business Consultants, Immigration and Visa Specialists, p. 1; 93 Returned Serves League, p. 2.
- ⁸³ *Web site*, 49 Festival of Light Australia, p. 3.
- ⁸⁴ *Web site*, 86 NSW Council for Civil Liberties, p. 7.
- ⁸⁵ *Web site*, 104 Uniting Justice Australia (Uniting Church), p. 4. See also 105 UWS Students' Association, p. 2; 108 Victorian Local Government Association, p. 3.
- ⁸⁶ *Web site*, 95 Giancarlo Chiro et al. from the School of International Studies, University of South Australia, p. 3.
- ⁸⁷ See Victorian (Labor) Multicultural Affairs Minister, John Pandazopoulos, quoted in J. Topsfield, 'Row looms on test for citizenship', *The Age*, 13 July 2006, p. 3; X. L. Canna, 'Ethnic groups attack citizenship test', *AAP Bulletins*, 15 September 2006; Voula Messimer, President of the Federation of Ethnic Communities Councils of Australia, and Annette Hurley, Labor's Citizenship spokeswoman, quoted in S. Morris, 'Only fair-dinkum coppers need apply', *Australian Financial Review*, 16 September 2006, p. 5; J. Jupp, 'Obstacles to making good citizens', *The Australian*, 19 September 2006, p. 14; R. Neville, 'Poor, poor pitiful Oz', *The Age*, 23 September 2006, p. 9; Sir William Deane quoted in 'G-G blasts citizen tests', *The Australian*, 9 October 2006, p. 2; H. Irving, 'Defining citizenship', *Australian Financial Review*, 15 December 2006, p. 1; T. Kenecally, 'Flattened by a falafel—US and THEM', *The Australian Literary Review*, 7 February 2007, pp. 3, 6.
- ⁸⁸ See C. Hart and D. Shanahan, 'Rudd changes migration stance to outflank PM', *The Australian*, 14 December 2006, pp. 1, 4.