



## **PETRO GEORGIU MP**

Federal Member for Kooyong

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“Australian Citizenship in the 21<sup>st</sup> Century”

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Media Contact: 0417 055 652



The Australian Parliament passes a great deal of legislation. Much of it does not impact on the future of our nation. Our fundamental citizenship laws do. This year, the Parliament will be asked to reverse the longstanding thrust of our approach to citizenship.

Since Australian citizenship was created in 1949, and our country began its massive immigration programme, successive governments have chosen an inclusive approach to citizenship. Discrimination against non-English speaking migrants was ended; English-language requirements were eased; residency requirements were reduced and then made equal for all; discriminatory voting privileges were addressed; dual citizenship was allowed; and all were required to attend a citizenship ceremony. The belief was that if we encouraged and embraced migrants who wanted to become Australians, we would build a better and stronger nation.

The inclusiveness of our approach to citizenship has been sustained through massive changes in the racial and cultural composition of our migrant intake. We have sometimes felt anxious about the speed and magnitude of this change. But Australia has held fast and not compromised its belief in inclusiveness. And we have been vindicated by history. The society we have produced is not perfect. It is, however, a society which is arguably the most successful, unified and harmonious multicultural nation in the world.

Nonetheless, in 2007, the Parliament will be asked to reverse the historic direction of inclusiveness, and Government and Opposition seem inclined to do so. Our current system requires applicants to demonstrate a basic knowledge of English and an understanding of the responsibilities and privileges of Australian citizenship. These are assessed at a compulsory interview. What is proposed is that these are replaced by a more difficult and complex “formal citizenship test”. New requirements will include English-language comprehension and an understanding of Australian values, institutions, traditions and symbols. These would be assessed via a computer-based, 30-question, multiple-choice test.

Some have described these proposed changes as just “commonsense”. Unfortunately, this is not the case. What is involved – even if it is not intended – is a fundamental political and social regression that will erect unreasonable and unnecessary barriers to citizenship that are unprecedented in this country.

In the course of the debate, six core reasons have been advanced for changing our citizenship laws. I will examine these six rationales in turn. But let me first give you a preview of my conclusions. The reasons for change are not sustainable. Their premises are unsound, their evidence is deficient. Australia’s historic achievements are underestimated and we risk compromising our proven success.

***Reason #1: Increased immigration of people from cultures vastly different from our own***

We are told that we need a tougher citizenship test because, today, Australia faces the unprecedented challenge posed by migrants coming from cultures far removed from our own and from the cultures of earlier waves of European migrants.

The facts do not support this assertion.

There has been a fundamental change in the racial and cultural composition of our migrant intake. It occurred 30 years ago. In the 1960s, 86% of our migrants were European and less than 5% came from Asia. The demise of the White Australia Policy saw Asian immigration rise steadily throughout the 1970s to reach 30% of our total migrant intake in 1980. Asian immigration has exceeded European every year since 1984.

The magnitude of the change from Europe to Asia in the 1980s created a perception that there was an “Asian immigration crisis”. Some believed that the cultural difference between Asians and Australia’s traditional migrant source cultures posed fundamental problems for Australia. There were calls to reduce the intake from Asia. Australia held its nerve. There was no apocalypse. The contribution and commitment of Asian Australians were recognised. Many of the key proponents of restricting Asian immigration subsequently accepted they had been wrong. Even in the depths of those difficult days, however, no one advocated making our citizenship laws more exclusionary.

Apart from the shift from European to Asian sources of immigrants, there have been no other major changes in our migrant intake. The Middle Eastern component of our total migrant intake has remained a steady 5% for the last 30 years. Over that same period, the proportion of New Zealanders has increased by 6%. The proportion of migrants from Africa has also increased by 6%. This has primarily been due to increased numbers from South Africa and Zimbabwe and, over the last decade, 21,000 Sudanese refugees. In the decade following the fall of Saigon, we took in 100,000 Indochinese, constituting 12% of our total migrant intake. By contrast, the Sudanese comprised 2.1% of our intake over the last decade.

The statistics refute the claim that taking in migrants from cultures far removed from our own is a new challenge facing Australia. Australia met that challenge 30 years ago when the centre of gravity of our migrant intake swung from Europe to Asia and stayed there. There have been some difficult and ugly periods: the Asian debate in the 1980s, and the Hansonite outbreak in the following decade. But we have surmounted these challenges, prospered and grown stronger. We did so without resorting to new and higher barriers to citizenship. Quite the opposite, we did so because we maintained our commitment to inclusion.

### ***Reason #2: The present test is too easy, resulting in citizenship not being valued***

Under our present system, the granting of citizenship is likened to scattering confetti. The test is said to be too easy. “Many people” are described as taking out citizenship without commitment, just for the sake of a passport, and without understanding the pledge they are making.

These are significant charges. The only basis for them is a single, unsourced assertion that at one citizenship ceremony a number of people left before the national anthem was sung. It is difficult to imagine a flimsier basis on which to launch a major reversal of a policy direction that has stood the test of time for almost 60 years.

Is there any evidence from the hundreds of MPs of all political persuasions who attend citizenship ceremonies that they doubt the sincerity of the people who take the pledge? There is not. The testimony of MPs, consistently stated on the public record, is that people taking the citizenship pledge do so genuinely, enthusiastically, and after reflection. Why should this be outweighed by a single anecdote?

I think that we all recognise that no test can absolutely demonstrate a person’s motives and commitments. But if it is true that the present test allows people to take out citizenship because it is easy – just for an Australian passport – one would not expect large numbers of people not to take up the opportunity. In fact, that is precisely what happens. Almost a million permanent Australian residents choose not to become citizens, despite the fact that they are eligible to do so, and that they could readily pass the current test. Over half of them have English as their native language. Despite being bombarded by massive government multi-media advertising campaigns seeking to entice them to become citizens, they do not choose to do so. That is entirely their right. Their contribution to Australia is indisputable, and their

reasons for not becoming citizens are no doubt complex. But they do disprove the assertion that people become citizens just for a passport.

If it is true that citizenship is scattered around like confetti, acceptance of those who apply should be a mere formality. It is not. Applicants have to be independently assessed to determine whether they are of good character, have basic English, and understand the responsibilities of citizenship. On average, over three and a half thousand applicants a year are refused citizenship because they do not meet the requirements.

These, however, are just fragments of evidence. A demonstration of what has been in the hearts and minds of the three and a half million people who have become citizens since 1949 can be found in our history. Many of them could not have passed the “formal citizenship test” that is being proposed. But it is unquestionable that they committed to Australia. They have enriched every facet of our nation’s life. They have worked hard and obeyed the law. They have defended Australia. They have been good parents and fine neighbours. Our present citizenship system has overwhelmingly given Australia good citizens. How can we say, against the weight of our history, that they took citizenship out just because it was easy?

### ***Reason #3: A real incentive to learn English***

It is said that imposing a tougher English-language test is necessary because it will provide a “real incentive” for migrants to learn English.

Before going further, one thing needs to be made crystal clear. There is already a requirement that applicants for citizenship must have a basic knowledge of English. This is enshrined in the *Citizenship Act*, and is tested at a compulsory interview. The so-called “formal citizenship test” does not establish a test where none existed before. What it does is significantly increase the barriers to becoming a citizen.

I absolutely believe that it is of the utmost importance that people are encouraged and supported to learn English: it benefits them, their families, and the community. English as the national language and the promotion of its acquisition have always been central tenets of Australian multiculturalism. The community consensus, shared by both migrants and native-born, is that English is important for citizenship. And the greater the proficiency in English, the greater one’s ability to take advantage of the opportunities that Australia has to offer.

The concern I have about this aspect of the proposal is that it assumes – without evidence – that many migrants are unmotivated or resistant to learning English and that the threat of denial of citizenship is an appropriate and effective spur to get them to study harder.

This profoundly misunderstands the migrant experience. Migrants do recognise the centrality of English in Australian society. Migrants of a non-English speaking background do grasp that limited English proficiency blocks many paths in our society.

Before using the stick of the denial of citizenship to penalise people, it is incumbent upon us to establish the nature and extent of limits on English-language fluency. Do certain immigrants not want to learn, or are they stymied by the lack of availability of classes? Are they fully occupied in meeting other demands, such as employment and family responsibilities? Are there simply limits on how much English some people can learn?

Beyond this, however, the assumption that the new test will provide a real incentive to learn English founders on the facts of illiteracy in Australia. Under the new, proposed, “formal” citizenship requirements, applicants will “first need to have successfully completed a test, designed to demonstrate their knowledge of the English language”. This will be assessed via a

30-question, multiple-choice, computer-based test. To answer the questions, applicants will need to study a detailed handbook.

This test represents a fundamental shift away from our current focus on basic English speaking ability to a test of literacy: the ability to read, comprehend and respond to written English.

The clear fact is that thousands of people would fail such a test, even when English is their native language. Scientific studies conducted by the Australian Bureau of Statistics show that two and a half million Australians have very poor literacy skills. They have great difficulties in using many of the printed materials that are encountered in everyday life. One and a half million people who have English as their native language fall into this low skill category. These people for instance cannot “locate information on a medicine label giving the maximum number of days the medicine should be taken”. They cannot “enter the number of theatre tickets required on an order form”. Recently it has been indicated that alternative testing arrangements will be made for people with low literacy skills and that this would involve only a few people. The ABS data show that this is optimistic in the extreme.

The native-born do not have to pass any tests to be citizens. That is as it should be. But for a test of citizenship to be a real incentive for migrants to learn English, it cannot demand a level of proficiency that is beyond the reach of a significant number of Australians who have English as their mother tongue. Rather than an incentive to learn English, the new test will be a punishment for those with low literacy who happen to be born overseas. It will fail to achieve its ostensible objectives and it is totally inconsistent with Australia’s commitment to equal treatment and a fair go.

#### ***Reason #4: We should follow other countries***

Proponents of the test argue that we should follow the UK, Canada, the US and the Netherlands – countries that are “well ahead” in introducing a “formal” citizenship test.

But no evidence has been provided that the tests in these countries have been effective. The British test, which is the preferred model, was introduced just over one year ago. It is certainly too soon to assess its long-term impact.

Moreover, why do we feel that we have to follow other countries? Australia has an unsurpassed record of multicultural harmony and integration. Why should we abandon our history and experience and seek to mimic countries with less distinguished achievements? There is no reason to be culturally submissive to other nations. We long ago got over our cultural cringe. We should not revert to it in an area where our achievements make Australia worthy of emulation by others.

#### ***Reason #5: There is overwhelming public support for the proposed test***

Proponents of the new test claim that opinion polls and responses to a government discussion paper show overwhelming support for the test.

The evidence does not bear this out.

Two opinion polls are cited to demonstrate public support for the new test.

The first is a Newspoll survey which asked, ‘Are you in favour or against knowledge of English being a requirement for becoming an Australian citizen?’ A great majority were in

favour. Knowledge of English, however, is currently a requirement for becoming a citizen. Why this should not be seen as an endorsement of the current arrangements is beyond me. The second is a *Daily Telegraph* telephone poll. There was strong support for the proposition that migrants should have a good understanding of English before becoming citizens. However only 395 people phoned in.

There was a third poll of 3,196 respondents that was somehow overlooked. That was an internet poll conducted by *The Age* asking whether people supported the introduction of a citizenship test – 65% did not.

Regarding the responses to the Discussion Paper, these have been described as demonstrating strong, overwhelming community support for a “formal” citizenship test of English and an understanding of national “values, institutions and traditions”. This is not borne out by an examination of the responses.

There were over 1,600 responses to the Discussion Paper. Only 116 were made publicly available. Of these, 75% opposed the new test. Those in opposition included all the state and territory governments that made a submission, 13 of 15 local governments, and the majority of church groups, ethnic organisations, legal bodies and civil liberties associations. The key reasons advanced for this opposition included: a lack of evidence to justify the change, that current processes worked well, that new migrants already have a strong desire to learn English and integrate, that they would suffer from a more punitive approach, and that further marginalisation and discrimination would occur.

None of the almost 1500 individual submissions were published on the grounds of “protecting people’s privacy” but a statistical summary was provided by DIMA. The results are as follows.

The only question on which a majority agreed was whether Australia should introduce a formal citizenship test. As there is already a test in place, the conclusions one draws from this are quite unclear.

When we turn to the other elements of the test there was absolutely no agreement at all. Of the remaining 15 questions, five were grouped under the heading “the content of the test”. They covered issues including the need for a formal test of the level of English competence, and extending the current requirements to a broad knowledge of Australia including history and symbols. The summary reported that none of the responses to these questions could be analysed in a statistically significant way.

An examination of the responses to the other ten questions, covering such issues as the importance of knowledge of Australia and the level of English required, shows a staggering average non-response rate of 77%.

With respect to the outcomes of the face-to-face consultations attended by 129 invitees, DIMA noted that there was both support and opposition to the test. It did not feel that this should be reported “simply in raw numbers for or against the test”, and did not provide any numbers at all.

One could think of a number of ways to describe the results of the responses to the Discussion Paper. Overwhelming community support is certainly not one of them.

***Reason #6: It will reassure the Australian people***

The final rationale advanced for the new test is that Australians feel insecure and that their identity is threatened. A tougher citizenship test that requires affirmation of a shared Australian identity and values will apparently reassure them. As with the other rationales examined above, this one is similarly unsubstantiated.

Australians are undoubtedly disturbed by the threat of terrorism and by the pace of global change. It is, however, a gargantuan leap from these concerns to the assertion that there is a widespread belief in the community that our identity is under threat and that the proposed new test would be a reasonable and effective way to allay community concerns.

Can we reassure Australians by imposing a uniform identity on people who want to become citizens? Many of us have a notion of what an Australian identity is. The problem is that our concepts are not necessarily the same. The specifics of any elaborated Australian identity have been endlessly contested.

A number of my colleagues have chanced their arms on what it means to be an Australian. One has signalled that knowledge of cricket might be an important element. A second has indicated that strong, physical infrastructure is a fundamental value. A third has put forward Simpson (and his donkey) as “everything that is at the heart of what it means to be Australian”.

I have to say that Simpson was one of my childhood heroes. He was lauded in the Readers imposed on primary school pupils by the Victorian State Education system. He was, however, an Englishman who arrived in Australia as an illegal boatperson, having jumped ship in 1910. He was a republican at the apogee of the British Empire. He was a staunch trade unionist and an advocate for an English workers’ revolution.

Such are the pitfalls of defining what it means to be an Australian. We cannot wish these complexities away. We need to recognise that definitions of national identity and national values are not fixed but are constantly in flux. Indeed, they can sometimes change at breakneck speed.

Let me exemplify. The questions for the proposed new citizenship test would be drawn from “Let’s Participate: A Course in Australian Citizenship”. “Let’s Participate” enshrines multiculturalism, encouraging the use of community languages, expressing diverse cultural beliefs, and rejecting discrimination on the basis of culture. It emphasises that the acceptance of diversity is a vital part of what being an Australian means. I personally endorse all of this wholeheartedly and have always done so.

The problem is that just a few weeks ago multiculturalism was banished from the national political lexicon because it means different things to different people. Okay, some people don’t like the term multiculturalism. But what about the basic theme of diversity? The Preamble to the *Australian Citizenship Act 1948* has this as one of its tenets: “Australian citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians while respecting their diversity”. Unfortunately, the new values to which applicants for citizenship will have to subscribe pointedly omit any reference to the value of diversity that was, just a few short months ago, a pillar of our citizenship.

I do not believe we can reassure people about Australia’s identity by turning our back on our historic achievements. One of these is an inclusive citizenship policy. Another is a belief that we need to respect our cultural diversity and recognise that it has enriched and strengthened our nation. The fact is that, whatever politicians say, Australians overwhelmingly support multiculturalism – even if they might interpret it differently. In any event, more Australians

put tolerance of different religions and cultures at the top of their list of the most important Australian values, well ahead of mateship.

Toughening the laws on citizenship and excluding migrants who want to commit to Australia but who cannot jump the higher hurdle of a literacy test may reassure some people, projecting images of unity and conformity. I do not believe we should make it harder for people to become citizens in order to project an illusory reassurance. Moreover, to do so would flagrantly contradict the spirit of fair play, one of the values the new test is supposed to engender in new citizens.

The anxieties caused by the pace of change, the impact of globalization, and the threat of terrorism are real and substantial. The way to reassure people is not to inflate their anxiety with flawed evidence and defective public policy. The way to reassure people is to reflect accurately what we have achieved through our inclusive citizenship policies and our embrace of cultural diversity. Our nation has a greater proportion of overseas born than any of the countries that the proponents of the new test want us to emulate. And, we have made an enormous success out of this. We have created an admirable, decent and harmonious country. Our success is demonstrable. Our success has been based on the embrace of new citizens, not their exclusion. On respect for cultural diversity, not its dismissal.

### ***Conclusion***

Let there be no misapprehension about the impact of the proposed new test: it will stop many immigrants who are committed to Australia as their home from becoming citizens and thereby full members of our community.

The plain fact is that hundreds of thousands of native-born and immigrant Australians would not be able to pass the test.

Low literacy skills should not make a new migrant unworthy of citizenship, just as it does not and should not debar the native-born from the right to fully participate in the life of the nation.

Applying a harsh new test for citizenship would diminish Australia's real strength and cohesion.

A letter published in *The Age* reflects the experience and the sentiment of hundreds of thousands of migrants to this country. The author wrote:

Older migrants were not subjected to an English-language test and, in many instances, they never did master the language of their new country. Finding work, establishing a home and family and ensuring a secure future for their children took all their energy and resolve. They did not underestimate the importance of developing knowledge of English and there was a sense of regret and sometimes despair that they needed to rely on others to ease their way in an English-speaking environment...they were, however, model Australian citizens and their loyalty to this country was rock solid [Nina Mills, Blairgowrie].

Since Australian citizenship was created, many hundreds of thousands have been accepted as citizens, despite having only basic English proficiency. They have made enormous and universally acknowledged contributions to their new nation. How can it be in the interest of cohesion and integration to impose new barriers to citizenship, barriers that would have prevented its acquisition by so many Australians who have proven to be model citizens?

Would being refused access to citizenship have increased their commitment and identification with Australia? Would it have accelerated their integration in our society? Would it have built their confidence in interaction with others? Would governments have responded to their needs despite the fact that they were denied the vote? Would they have won the respect of other Australians if they had been permanently relegated to the position of guest workers? The only rational answer is no.

Ladies and gentlemen, I believe that we need to constantly seek to improve the English-language skills of our immigrants and to maximise their opportunities in our society. But in order to do this we need a robust analysis of the nature and extent of English-language difficulties and how these can be overcome. Similarly, where there are barriers to migrants being able to participate effectively in Australian society we need to define them and establish how they can best be dismantled.

The usual processes of departmental advice have not served us well in this regard, perhaps understandably given the Department of Immigration's preoccupations in other areas. There is, however, a model that has proven its worth in the past. That is the Galbally *Review of Post-arrival Programs and Services for Migrants* established by Malcolm Fraser, which reported three decades ago. This review had a seminal impact on our society and its ability to respond effectively to Australia's cultural and ethnic diversity.

I believe that there would be strong support for the Government to establish a small group of knowledgeable and experienced people who command the confidence of the general community to investigate the impediments to English-language acquisition and to effective integration and make recommendations on the measures and resources necessary to address them. I would commend this course of action.

Ladies and gentlemen, the fact that Australia's citizenship laws have been made progressively more inclusive has provided a basis of trust, confidence and achievement. The fact that we accepted people with modest English as citizens has broken down barriers, not maintained them. The establishment of a new test that would exclude people who are committed to Australia and could pass the present test will create barriers, restrict opportunities, and impede participation. It would not be apparent immediately but it would happen, and it would diminish Australia.