

Submission

on the

Discussion Paper:

Consideration of the merits of introducing a formal citizenship test

to the

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1. Formal citizenship test

Question: Should Australia introduce a formal citizenship test?

Australian citizenship entails the following privileges:

- to vote in national and State (or Territory) elections and referendums;
- to stand in national elections (subject to s44 of the Constitution);
- to apply to join the Australian defence forces (including the reserves);
- to register children (under 25, born overseas) as citizens by descent;
- to apply for jobs, scholarships, and grants that require citizenship;
- to seek overseas assistance from Australian diplomatic representatives; and
- to apply for an Australian passport and to leave and re-enter Australia without the requirement of a resident return visa.

Australian citizenship also includes the following responsibilities:

- to enrol on the electoral register and vote in elections and referendums;
- to serve on a jury, if required;
- to help defend Australia, if required.

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.

2. Knowledge of Australia

Question: How important is knowledge of Australia for Australian citizenship?

Citizenship confers benefits on successful applicants, including the right not to be repatriated to their country of origin even if they commit serious crimes, as well as the right to vote.

It is reasonable to require applicants for citizenship to demonstrate an understanding of Australia's political system, Australia's heritage and our shared values

3. Proficiency in English

Question: What level of English is required to participate as an Australian citizen?

The responsibilities conferred on Australian citizens, including the legal obligation to vote, require a reasonable proficiency in English. Before citizenship is granted, applicants should be required to demonstrate a level of English sufficient to allow them to understand and participate in the political process.

4. Australia's way of life and values

Question: How important is a commitment to Australia's way of life and values for prospective Australian citizens?

Applicants for citizenship should be required to express a commitment to Australia's way of life and values, particularly respect for the rule of law.

5. Form of commitment to Australian values

Question: What form should a commitment to Australian values take?

Since 1994, the Australian Citizenship Act 1948 has provided for new citizens to make the following pledge (the words *under God* are optional):

*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.*

This is an adequate form of words for expressing such a commitment. However, applicants should be required to pass a formal citizenship test before being invited to take this pledge. In this way the level of understanding of the implications of this pledge can be assessed.

6. Permanent residence in Australia

Question: What level of knowledge and understanding of the Australian way of life and English language skills should people have to be approved for permanent residence in Australia?

Applicants for permanent residence, other than refugee and humanitarian applicants, should be required to demonstrate sufficient English to be able to function independently in Australia in day-to-day life, including the ability to obtain suitable employment.

Applicants should also understand the Australian way of life, especially respect for the rule of law.

7. Requirement for knowledge of Australia

Question: Should they be required to demonstrate this knowledge?

Yes. It would be meaningless to have a knowledge requirement for permanent residency without requiring that an applicant demonstrate that knowledge.

8. Demonstration of knowledge of Australia

Question: If so, how could they demonstrate their knowledge and understanding of Australia and their English language skills?

English language skills could be demonstrated either by sitting a test or by acceptable documentation of the required level.

Knowledge and understanding of Australia could be demonstrated by passing a formal test.

9. Long term temporary residence for business or study

Question: Should the same be required of people to be approved for long term temporary residence in Australia, such as for business or study?

Yes. The reason for advocating such a test for permanent residents is to ensure that they can function in a society in which English is the prime language and in accordance with the Australian way of life, particularly respect for the rule of law. These same requirements apply to long-term as well as permanent residents.

10. Commitment to Australia's way of life and values

Question: How important is a commitment to Australia's way of life and values for permanent residents and long term temporary residents?

Permanent and long-term residents may not necessarily wish to become citizens. They should not be required or invited to take an equivalent pledge as this would devalue Australian citizenship. Any entrant to Australia (including short term visitors) should clearly understand their obligation to obey all Australian law during their residency in Australia.

11. Form of commitment to Australian values

Question: What form should a commitment to Australian values take?

The application form for permanent or long-term residency should include a sworn statement of intention to abide by Australian laws during the period of residency.

12. Prospective citizens

Question: What things do you think are important for prospective citizens to have an understanding of before taking up Australian citizenship?

Australian is a nation with a Christian heritage. Although there is no established religion and people of any religion or none can become Australian citizens, all applicants for citizenship should understand this aspect of Australia's heritage.

Aspects of this heritage include observance of Sunday and Christian festivals (Christmas, Good Friday and Easter Sunday) as holidays, and Christian prayers to open State and Federal parliaments.

Participatory democracy, including compulsory voting in Federal and State elections, is central to our political system. Applicants for citizenship should be able to demonstrate a basic knowledge of this system.

13. Proficiency of prospective citizens in English

Question: Should prospective Australian citizens be formally tested for their level of English? If so, would it be necessary to test oral, written, reading, and listening skills?

A formal test could be set although certification that an applicant has attained the required level could be accepted from approved institutions.

14. Breadth of knowledge of Australia

Question: Should the requirement be expanded beyond needing a knowledge of the responsibilities and privileges of Australian citizenship and an understanding of the nature of the application? Should it instead encompass a broader knowledge of Australia?

The focus of the knowledge test should be on the requirements of citizenship, especially involvement in participatory democracy.

15. Important elements of knowledge of Australia

Question: If knowledge of Australia is considered important for Australian citizenship, what elements do you think are necessary? For example, should people choosing to become Australians know something about our history; our culture and traditions; our common values; national symbols; our laws; and our Australian system of democracy? What other things do you think are important?

Australian citizens should know about Australia's indigenous people, our colonial origins and federation to form the Commonwealth of Australia. They should understand our three tiers of government - federal, state and local – and that power is shared through bicameral parliaments as a protection against tyranny. They should know that the crown is represented by the Governor-General and state Governors and they should recognise Australia's flag and national anthem

16. Exemption for some groups

Question: If a formal citizenship test were to be introduced, should certain groups (for example, older people or long term residents) be exempt?

Only those applicants who could qualify for an exemption from the obligation to vote on the grounds of age, illness or disability should be exempt from the test.