CHAPTER 1

Rethinking Australian Citizenship

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Across the world citizenship is being taken up as a way to rethink questions of political and social justice. Critics of economic rationalism turn to citizenship in order to present ethical social concerns to governments. Conservatives use the rhetoric of citizenship to insist on duties and community service. In the United States there has been a revival of republican and communitarian approaches to citizenship (Goodwin 1995; Dagger 1997). In Canada debates about citizenship have expanded to include multicultural citizenship and the rights of First Nations (Kymlicka 1995). Citizenship is also a contested concept in Africa and the Middle East (Mamdani 1996; Nielsen 1993). In Europe, European citizenship has been construed as a form which is neither cosmopolitan nor national (Hyland 1995; Meehan 1993a; Van Berkel and Roche 1997). At the same time, national citizenship is becoming more difficult to acquire as xenophobic nationalism revives in response to immigration (Barbieri 1998; Brubaker 1992; Einhorn, Kaldor and Kavan 1996; Cesarani and Fulbrook 1996; Jacobson 1997). In Australia citizenship has recently become central to debates about how to reinvent Australian national identity.

There are several reasons for this remarkable burst of interest in citizenship discourse. One is the collapse of the traditional left that occurred with the fall of the iron curtain. Justly or unjustly, the old socialist rhetoric no longer commands the respect and attention, nor incites the fears it once did. In times of waning solidarity, those who still cherish the dream of social justice look for a different rhetoric, one that will bite. Citizenship seems to answer because it is ready-to-hand in our traditions. It is an idea that elicits positive, if vague, response and its developmental possibilities may not yet be exhausted. In much recent work, citizenship discourse is clearly a new vehicle for pressing familiar
demands for egalitarian social and economic goals. Citizenship discourse is also less immediately divisive than socialist discourse. By the same token, however, its neutrality means that it can be deployed for quite different and contradictory political purposes. This may be another reason for its appeal. It all depends on which citizenship values one emphasises – equal rights or equal responsibilities, citizen capacities and empowerment or citizen loyalty and obedience.

A further reason for the current focus on citizenship is simply that the world is changing. Europe provides a pertinent case. As it moves from economic to political union, the relationship of national citizens to the new, larger entity must necessarily be defined. Some reconceptualisation of citizenship needs to be evolved to fit the altered circumstances. Relationships between other nation-states might not be shifting as dramatically, but in the long run the changes may be no less profound. We are repeatedly assured, at least, that the nation-state, the focal point for citizenship discourse for several centuries, is inexorably mutating as a result of globalisation. It is in the context of these changes, both in the world itself and in theoretical perspectives upon it, that Australians are reconsidering their own citizenship traditions. This book is a contribution to that rethinking.

The Australian Context

What most Australians understand by citizenship is a mixture of legal and political citizenship. The history of legal and political citizenship in Australia, however, is problematic. No satisfactory or coherent conception of Australian citizenship was ever formulated in the colonial period, and no adequate debate or core notion of citizenship was ever widely accepted (Chesterman and Galligan 1997; Irving 1997). Instead, Australian citizenship was conceived largely in statist and passive terms. Immigration issues prevailed over any positive notion of citizenship, occluding questions of access to rights or even of the right to vote (Davidson 1996). This was partly the product of a delayed national development. Federation in 1901 did not make Australia a nation-state (this was achieved only retrospectively in 1939 in the passing of the Statute of Westminster Adoption Act of 1942), and there is no substantive mention of citizenship in the Constitution. Until 1948 Australians had the rights of ‘Britons’. Even the Nationality and Citizenship Act of 1948 dealt only with how aliens could become citizens, and the distinction between Australian citizens and non-citizens was not legally enacted until the 1984 amendment to that Act. In the postwar period citizenship was overwhelmingly seen as an ingredient of nation-building, as a matter of turning ‘New Australians’ into real Australians (Jordens 1995).
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On the other hand, from the nineteenth century onwards, citizenship existed as an administrative reality at a range of discrete levels. Often citizenship was associated with attempts to refine and police exclusionary categories.¹ For example, aliens could become British subjects in particular Australian colonies in the nineteenth century, but lost that status if they left the colony. Similarly, specific regulations were designed to exclude Asians, Africans and Pacific populations, while keeping Aborigines as British subjects but not full citizens. For most of our history, Aborigines were ‘citizens without rights’ (Chesterman and Galligan 1997), and the undifferentiated notion of citizenship eventually ascribed to them failed to take account of their diversity.² According to some scholars, all this amounts to an Australian tradition of non-citizenship (Chesterman and Galligan 1997; cf. Rowe 1998).

Over many decades positive government on behalf of disadvantaged individuals and groups was the real basis of Australian citizenship (Beilharz, Considine and Watts 1992; Galligan 1998).³ A more positive notion of citizenship, however, was implicit in the colonial liberalism indebted to the British idealist philosopher T.H. Green, and in the ameliorist pursuit of citizenship through education associated with Meredith Atkinson and other Workers’ Educational Association (WEA) intellectuals. Again, important strands of thought about citizenship can be found among Indigenous peoples (Stokes 1997) and in the work of early Australian feminists (Lake 1994). Substantive conceptions of citizenship were also promoted by Australian churches, both Protestant and Catholic. Nonetheless, our heritage in the area of citizenship leaves much work to be done.

Today there is a widely recognised need to invent new and stronger forms of Australian citizenship. Citizenship needs to be reconstructed, not just at the level of symbols and ideas, but also of practices if civil society is to be revitalised and the prevailing cynicism about politicians, parties and parliaments overcome. There is a lack of extensive training in political citizenship, the effective exercise of which requires the inculcation of appropriate competencies (van Steenbergen 1994, 2; van Gunsteren 1998, 19). This constitutes a civics deficit in Australia. There is also a need to consider contexts in which citizenship has been lost or eroded; for example, in education (Marginson 1997). Likewise, the commonality currently held to be central to Australian citizenship must be questioned. The Australian Citizenship Act (1948) refers to ‘the common bond involving reciprocal rights and obligations uniting all Australians’, and the current oath of loyalty stresses agreement with core attitudes: ‘whose democratic beliefs I share’ (Oath of Australian Citizenship 1994). Commonality assumes that Australian citizens should acquire common skills, knowledges and values. But what exactly is this
commonality? What really follows from citizenship as membership of 'the community of the Commonwealth of Australia'? It will not do simply to appeal to 'the community', without knowing how the status of plural communities in Australia is to be determined. Donald Horne argues that citizenship in a contemporary context is about replacing culturally chauvinist and ethnic views of national identity with a civic definition of what it means to be Australian. It is, he says, a matter of a new civic patriotism – of a more effective way of talking about ourselves (Horne 1994). Others argue that a universal nationalism based on civil society needs to replace the older ethnic Australian nationalism (cf. Castles et al. 1990; Yeatman 1994). Certainly the role of nationalist notions in a postcolonial Australia needs to be clarified.

The federal character of Australian citizenship also needs to be addressed (Galligan 1995, 1998). It can be misleading to apply approaches to citizenship devised in Britain (which has no written constitution and only a nascent federalism) to Australia. Yet federalism is neglected in many discussions of citizenship (see Burgess and Gagnon 1993; Smith 1998; Painter 1998). Australians are citizens of their respective states as well as of the Commonwealth. There is also a major question about how far citizenship questions should be steered in a populist direction. Some Australians are attracted to doctrines of the sovereignty of 'the people'; they support citizen-initiated referenda and other forms of direct democracy, especially at the local government level. Others advocate representative democracy precisely because it excludes the people from political power except at elections, when diversely valued votes, oligarchic media ownership, and inequalities of information operate to minimise their influence. It may be that an explicitly republican approach to governance offers a way forward here (cf. Pettit 1998). In Australia, relatively few links are made between citizenship and republicanism, and in the course of the debate over the republic there has been little discussion of republican citizenship. This will need to change if Australia becomes an explicit republic.

Theoretical Issues

The need to rethink Australian citizenship becomes even more pressing in the light of contemporary international debates that have questioned the theoretical terms in which citizenship has been traditionally understood. In these debates the move away from older conceptions of citizenship has not yet led to the acceptance of a single alternative approach. Instead, a confusing plurality of different perspectives prevail. Feminists, for example, argue that citizenship must be embodied and gendered, republicans urge a stronger conception of civic freedom,
and postmodernists challenge notions of identity and ‘universal’ rights. Controversies have arisen about whether citizenship is a creation of the modern state or derives from civil society, and about whether citizenship can be derived from a theory of human rights or should be understood as specific to particular legal regimes and their technologies. In the process, citizenship itself has become a highly contested concept, defined by different authors in different ways.

As a result, discussions of citizenship are now often makeshift and transitional to a new synthesis which has not yet appeared. In these discussions there are tensions between citizenship as a moral and political philosophical idea, citizenship as a formal legal status, and citizenship as an administrative category. Frequently citizenship is identified with democratic political citizenship (cf. Klusmeyer 1996), to the neglect of other forms of citizenship. There is also a tendency to overstate the distinction between the liberal conception of citizenship, which sees the citizen as a rational agent capable of giving consent to laws and the civic republican conception of citizenship, for which citizenship is a practice or activity that is good in itself. Both characterisations are idealised simplifications of the historical record, and can be misleading in theoretical contexts.

Disagreements have also arisen between internationalists, who emphasise the duty of human beings to be concerned for the whole human race and the situation of the planet, and nationalists, for whom the only realistic account of citizenship remains centred on the nation-state. Internationalists have trouble showing how their idealistic stances translate into enforceable arrangements, while nationalists are often theoretically conservative. Further, most of the literature on citizenship has an urban bias. Citizens seem to live in cities, and little attention is paid to the specific problems of rural citizenship, leaving the life situations of two-thirds of the world’s people unaddressed. Similarly, many discussions of citizenship reveal a secularist bias, as if human beings should regard their civic identities as their most fundamental allegiance.

To understand the contemporary theoretical debates, it is essential to grasp that the account of citizenship which profoundly influenced recent Australian thinking, that of British sociologist T.H. Marshall, is now widely rejected. Marshall interpreted citizenship as a process through which citizens obtained civil, political, and finally social rights. Citizenship was a status allowing members of a nation-state equal access to critical rights and powers that could be used to modify economic, political and social inequalities (Marshall 1965). It was also a set of social relationships between the individual and the state, and between citizens themselves. Citizenship for Marshall is centred on the welfare state (Barbalet 1988, 1996; Twine 1994; Roche 1992). Today his work is widely
criticised as being tied to obsolete notions of ‘society’ and ‘class’, as being characteristically British in construing citizens as passive recipients rather than actors in their own cause (Bulmer and Rees 1996), and as too centred on the nation-state. These criticisms do not reduce the importance of Marshall’s insight into the ways in which changes of economic and social organisation, as well as of particular institutional regimes (for example, schooling), may gradually make possible new forms of civic competence. They do, however, reduce the value of his concept of citizenship as a normative ideal by which contemporary arrangements can be measured and towards which we can aspire (cf. Marshall 1950, 291). With the decline of Keynesianism and the emergence of the contractual state, other conceptions of citizenship are becoming important, including some which emphasise wider clusters of rights. This is important in the context of states which deny their citizens effective rights or which ‘ethnically cleanse’ parts of their populations. Approaches which theorise citizens as reflexive, active beings rather than as passive subjects (Janoski 1998) are of great importance in polities which are not nation-states (such as Taiwan), in Latin America where the state may be oppressive (Jellin and Hershberg 1996), and with respect to Indigenous peoples whose rights have been denied or violated by nation-state regimes.

Marshall’s classic work has not been the only target of criticism. Liberal conceptions of citizenship generally are also now seriously contested. Many question how far liberalism is, or ever was, an adequate approach to citizenship (Bridges 1994; Slawner and Denham 1998). Feminist scholars, influenced by Anglo-Saxon interpretations of postmodernism and poststructuralism, attack liberal citizenship and its alleged universalisity of rights on the grounds that it promotes the subordination of women (Vogel and Moran 1991; Walby 1994). Some argue that we need a gendered citizenship to do justice to the experiences and life paths of women, especially since women practise ‘an ethic of care’ and devote many hours of labour to domestic duties in the private sphere (Pateman 1988, 1992). Feminist scholars have also questioned the formalism of masculinist citizenship, and the extent to which women lack the empowering conditions of citizenship, including basic conditions such as freedom from interference with their bodies. Still other feminist scholars argue for an institutionally embodied account of citizenship which grasps its social reality, pointing to the crucial importance of material circumstances such as the availability of paid work (Pixley 1993), real networks, relationships and access to wealth and property (Cox 1995; Yeatman 1994). Anna Yeatman, for example, claims that citizens are subjects who share a public life and attempts to theorise the sociological individuation of the subject, instead of merely positing a
given community of pre-existent subjects. Her work nicely emphasises the social reality of citizenship against models that treat citizens merely as products of the exercises of state power (Yeatman 1996, 1997, 1998).?

Another theoretical literature, influenced by German discussions, argues that citizenship should be based on mutual recognition, as well as, or instead of, on a shared identity or membership of a single moral community. On this view, citizens may be no less citizens because they differ in their identities and in their traditions. This implies that ethnic nationalism must be no longer crucial to citizenship at a time in which large numbers of people live and work as denizens in countries of which they are not citizens (Bauböck 1994, 1995; Hammar 1990). Some argue that denizens should be given citizen rights no matter where they happen to have been born (Carens in Beiner 1995). There are also fierce debates about the relationship between citizenship and multiculturalism (Gutmann 1992; Singh 1996; Kymlicka 1995; Cardozo and Musto 1997; Dunne and Bonazzi 1995; Glazer 1997). The Canadian theorist of citizenship Will Kymlicka, for example, argues for group as well as individual rights, and further alleges that group rights are consistent with rather than opposed to liberal principles (Kymlicka 1995).

There is also a tension between discussions of citizenship focused on passports granted by nation-states and discussions which do not involve clear exclusion rules; for example, discussions which characterise citizenship as the right to have rights. Here it is important to remember that citizenship was not linked with nationality until comparatively recent times, and did not always imply an association with a fixed territory (Habermas in Beiner 1995). Although the nation-state still provides the enabling conditions for many exercises of citizenship, and remains of overriding importance in the context of immigration and naturalisation, the role of nation-states today is less and less a completely sovereign one. Indeed, many scholars argue that the seventeenth-century western theory of absolute sovereignty should be rejected (Tully 1995; Camilleri and Falk 1992; Ferrajoli 1991). This means that modern notions of citizenship may have to be rethought in principle. Perhaps we should think of citizenship as multiple, complex and relational (Meehan 1993a; Yeatman 1994; Soysal 1994). David Heater (1990, ch. 9), for example, sets out ‘a cube of citizenship’, relating world, continental/regional, nation-state, and provisional/local citizenships.

Some scholars suggest that it would be better to take a more negative view of citizenship as merely a mark in a passport and a conspiracy against the world (Hindess 1993, 1996). Many of these critics dismiss participation as a myth (Minson 1993; Ignatieff in Beiner 1995), and insist that citizens are in fact not self-governing nor members of self-governing communities. They argue that both liberal and civic
republican notions of citizenship are inappropriate to complex contemporary societies. Others question the overemphasis on egalitarianism in recent discussions, as well as the standard distinctions between active and passive citizenship, citizens and consumers, and between social rights and the economy. More technically articulated and domain-specific approaches to citizenship may be needed that take more account of mundane practical and administrative concerns if governmental and administrative regulation are to be effectively managed (Osborne and Gaebler 1993; Burchell 1995; Dean and Hindess 1998). It is also possible, however, to make a case for high ethical approaches to citizenship within some domains without supporting either communalist notions of citizenship (Walzer 1991), or versions of civil republicanism, which imply a form of civic religion (cf. Oldfield 1990a, b; Clarke 1994; Gutmann 1992). To do this, however, it may be necessary to defend forms of religious citizenship which go beyond notions of citizenship as secular solidarity (Turner 1986; Turner and Hamilton 1994).

Given such a wealth of positions, Australians are bound to take account of the new climate in the theory of citizenship and to position themselves in terms of them. The contributions to this volume do exactly that.

The Contributions

All the contributors to this volume agree that there is a need to engage with the new citizenship discourse in the Australian context, and that the standard approaches to Australian citizenship do not take adequate account of contemporary political, social, economic, and cultural conditions. Overall no clear consensus emerges about exactly how to rethink Australian citizenship. They also differ in the theoretical approaches they take and in the objects which they address. In practice, the contributions range over the domain of citizenship, the subject of citizenship, and the object of citizenship. By the domain of citizenship is meant the social, political or other field in which talk about the practice of citizenship makes sense. By the subject of citizenship is meant the person or entity that is the bearer of citizenship in any particular domain. By the object of citizenship is meant the purposes at which citizenship practice aims, the point of its existence, in particular domains. Though these categories are always relevant, they do not always receive the same degree of attention from an individual writer. Depending on the point of theoretical-political interest, the principal focus may be on only one, or two, of them.

Several contributions focus on a particular domain of citizenship, or on the theme of multiple domains. There is general agreement that
citizenship can no longer be limited to legal-political citizenship in a nation-state, even if none on how plural citizenships in diverse domains are to be articulated. Wayne Hudson in particular emphasises this theme with his concept of differential citizenships across different fields of deployment. Peter Beilharz, too, argues that postmodern conditions raise the spectre of multiple identities – urban, local, regional – that do not map easily onto the nation state. Geoff Stokes, on the other hand, focuses on a single domain, albeit one that encompasses the whole world, and discusses the developing institutions that make that domain a real focus of global citizenship practice. Elizabeth van Acker investigates another potential new domain of citizenship in the technological web of communications that are increasingly encompassing the globe. Insofar as she speculates whether new identities may be created in the process of communication, she also enters the field of the subject of citizenship that other contributors take as their main focus.

Individual human beings are not the only possible subjects of citizenship. States themselves, corporations and other collectivities may also be citizens in particular domains (thus states are, as Stokes points out, the principal subjects of international citizenship). Tim Rowse, discussing the citizenship capacities of Indigenous Australians delineates as the real subjects of Indigenous citizenship an ensemble of corporations, councils, land trusts and representative bodies. Eva Cox emphasises the role of civil associations, and the social capital inherent in them, in creating the good society that current definitions of citizenship overlook. Even where individual citizens form the main focus, the question of how this individual subject is to be understood remains in serious question for other contributors. Thus Mary Kalantzis argues for a highly, multiculturally and individually differentiated citizen in her chapter on civic pluralism. Margaret Thornton takes issue with traditional liberal legal approaches to the citizen in Australia, arguing that it has been too masculinist and formalist, and that the subject of citizenship has to be rethought in both pluralist and gendered terms. Barbara Sullivan emphasises sexual heterogeneity among the subjects of citizenship, and argues for richer conceptions of equal citizenship to accommodate this.

Most of the other contributors are primarily concerned with the objects of citizenship, the things at which citizenship aims. Thus Alastair Davidson seeks a citizenship that promotes a more adequate form of democratic practice. Philip Pettit takes a republican approach that aims at a form of liberty he describes as non-domination. Mike Salvaris focuses on connecting citizenship more closely to the exercise of power in society, while Jocelyn Pixley would link it to the means of economic flourishing. David Hogan focuses on educating citizens for liberty and
virtue, while April Carter argues a cogent case for citizen responsibility for bearing arms in defence of the polity. John Kane in a discussion of communitarian citizenship distinguishes two different objects commonly attaching to citizenship, namely a sense of belonging and the exercise of responsibility. Barry Hindess, in pessimistic mood, concludes that citizenship’s only use now is as a rather thin rhetorical defence against powers too large to control. Two other contributions traverse the three categories equally. Thus Peter Christoff is concerned with the domain of ecological citizenship (the whole globe), the subjects (individuals or ecosystems?) and the object (preservation of humankind or preservation of natural systems for their own sake). Winton Higgins and Gaby Ramia encompass all categories when they argue that social citizenship should be conceived as a radically inclusive democratic project systematically linked to grassroots associational life, with less emphasis on statist enterprise and greater on diversity and individual agency.

Clearly many of the issues raised by these contributions will be debated by Australians in the years to come. At this point, what is crucial is that we open our minds to a wider range of possible approaches to citizenship than we have considered in the past, and seek to combine a willingness to make changes with political and economic realism. In the outcome, it is likely that we will find a distinctly Australian way of handling many of the issues raised in this volume.

Notes

1 Children, aliens, criminals, the sick, and the mad, are still excluded from citizenship for certain purposes, although there is now a literature on child citizenship (Meredyth and Tyler 1993; Funder 1996).
2 One possible response, as Mick Dodson (in Davis 1996) argues, would be to take Aboriginal sovereignty seriously (Reynolds 1996) and to recognise that Aborigines have specific group rights. For discussions of new possibilities for constructing Indigenous citizenship, see Peterson and Sanders (1998, pt III).
3 For citizenship in nineteenth-century Australia, see S. Macintyre (1991), Beilharz, Considine and Watts (1992), McKenna (1996) and Skates (1997). There was also a significant tradition of Australian civics education Thomas (1993, 1994). In Australia civics was often heavily historical, which meant that students were taught the history of the British Empire. For the very different American approach to civics education, see Callan (1997).
4 For accounts of civic republican citizenship, see Oldfield (1990a, b); cf. Clarke (1994, 1996). Oldfield refers to participation as ‘the highest form of human living together most individuals can aspire to’ (1990b, 6), a view few would now accept. For discussion of liberal citizenship, see Macedo (1991, ch. 5). Macedo argues that liberalism is morally committed, not neutral.