

Greens senator Scott Ludlam forced to quit because of dual citizenship

Written by Michelle Grattan, Professorial Fellow, University of Canberra



Scott Ludlam has quit as a senator immediately. AAP/Lukas Coch

The Greens are in shock after their co-deputy leader, Scott Ludlam, discovered he is ineligible to sit in federal parliament because he has dual New Zealand citizenship.

Ludlam, 47, who entered the Senate for Western Australia in 2008 after being elected at the 2007 poll, said he had not thought of the possibility he was a NZ citizen. He left the country with his family when he was three, settled in Australia shortly before his ninth birthday, and was naturalised in his mid-teens.

He had “assumed that was the end of my New Zealand citizenship”, but he accepted that it was his error and apologised “unreservedly”. He was “personally devastated” that an avoidable error was forcing him to leave parliament.

He was quitting immediately. “I have no wish to draw out the uncertainty or create a lengthy legal dispute.” The Constitution bans anyone holding dual citizenship being eligible for election to federal parliament. People holding dual citizenship must take active steps to renounce their other allegiance before standing.

The Senate will refer the matter to the Court of Disputed Returns. Fellow Greens senator from Western Australia Rachel Siewert anticipated there would be a recount and the next candidate on the 2016 Greens ticket, Jordon Steele-John, would be elected to replace Ludlam.

But the party faces further uncertainty, with Steele-John indicating on Facebook on Friday that he may then quit, creating a casual vacancy, to allow the party to pick another candidate.

Ludlam said his dual citizenship was brought to his attention only about a week ago. The Greens said their understanding was that the person who raised it was a “very interested

Greens senator Scott Ludlam forced to quit because of dual citizenship

Written by Michelle Grattan, Professorial Fellow, University of Canberra

member of the community” but neither a journalist nor an opponent. It is believed the person was a barrister.

The government is considered certain to confirm there will be no attempt to reclaim Ludlam’s back salary. It recently announced that Bob Day and Rod Culleton, who were both found ineligible, would not be pursued over back pay.

Greens leader Richard Di Natale said Ludlam’s decision to deal with the issue directly and immediately showed “his absolute integrity and character”.

Ludlam did not entirely rule out seeking a later return to parliament but said it was way too soon to think about that. “This is a departure, not an announcement of a potential candidacy some time into the future.”

He pointed to the irony of the constitutional situation. “What it is telling us is that I am owing allegiance to a foreign power, which is the sovereign of New Zealand – which is also the same Queen’s crest that flies over this parliament. It is a bit on the silly side. It is also black-letter law. You can’t wriggle away from that.”

Steele-John, 22, who has mild cerebral palsy, is very active as an advocate on disability issues. He posted on Facebook: “If it comes down to it, I’d be happier putting the choice of candidate back into the hands of our party membership.

“But like everyone else in the party I’m going to be spending the next week in sad shock and/or swearing loudly into a pillow. We can worry about who, and how the hell we try to substitute someone else in for Scott later.”

Among his achievements Ludlam pointed to his work on preventing an internet filter, and in getting “the threat of a radioactive waste dump off the shoulders of some old Aboriginal women in the Northern Territory”. Last week he was at the United Nations, making a speech before the sign-off on a global nuclear weapons ban that was endorsed by 122 countries though not the nuclear powers (and Australia), which boycotted the negotiations.

Greens senator Scott Ludlam forced to quit because of dual citizenship

Written by Michelle Grattan, Professorial Fellow, University of Canberra

“It’s been quite a ride. I will miss that, absolutely,” he said of his time in parliament.

Michelle Grattan does not work for, consult, own shares in or receive funding from any company or organisation that would benefit from this article, and has disclosed no relevant affiliations beyond the academic appointment above.

Authors: Michelle Grattan, Professorial Fellow, University of Canberra

Read more <http://theconversation.com/greens-senator-scott-ludlam-forced-to-quit-because-of-dual-citizenship-81036>