

# ALIEN CITIZEN? LIVING IN A STATE OF CONFUSION

## Professor Kim Rubenstein

Director, Centre for International and Public Law, ANU

Thursday 2 August 2007, 6pm

The Finkel Lecture Theatre,  
The John Curtin School of Medical Research,  
Bldg 131, Garran Road



The lecture is free and open to the public. Refreshments will follow the lecture.  
Registration is essential. Please contact Blake Dawson Waldron at  
E: [canberra.events@bdw.com](mailto:canberra.events@bdw.com) or T: 1300 136 612

### THE LECTURE

This lecture identifies the confused legal framework in which citizenship operates in Australia. While the *Australian Citizenship Act 2007* is an important step towards making citizenship law more accessible and logical, it is merely a legislative instrument with flimsy constitutional support. In addition, it is only concerned with the formal legal aspects of citizenship, not citizenship as an inclusive term creating a truly civil society. Professor Rubenstein takes a broader view. She cautions against emphasising citizenship as mainly of relevance for immigrants and argues that it is important for all Australians - including those who are native born, descendants or adopted by Australians - and indeed for formal non-citizens who are 'Australians in all but law.' Her lecture examines High Court decisions, the new Act, recent policy and legislative changes to the new Act, in particular the new Australian citizenship testing, and makes recommendations about constitutional change.

### THE LECTURER

Kim Rubenstein took up her position as Professor and Director of the Centre for International and Public Law in the ANU College of Law in 2006. She is a graduate of the University of Melbourne and Harvard Law School. Kim's current research projects are at the cutting edge of the intersection between public and international law. She is a Barrister and Solicitor of the Supreme Court of Victoria and the High Court of Australia and a legal practitioner of the ACT Supreme Court. She has appeared as a Barrister in several High Court citizenship matters, the most recent being *Re MIMIA; Ex parte Ame* [2005]. Among her many publications, Kim is the author of *Australian Citizenship Law in Context* (2002, Lawbook Company).

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