**Political Reinvention and the Value of Membership:
Constructing the “Good Citizen” Through Naturalization Policy in Canada**

By

Mira Bachvarova

B.A. Political Science, Trent University

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Abstract

Canadian policy on naturalization, dictated by the *Citizenship Act* and the *Immigration and Refugee Protection Act*, constructs a notion of good citizenship which incorporates key virtues from the neo-liberal and cultural pluralist ideals. The criteria for admission to political membership established through this policy seek to determine self-sufficiency and formal willingness to subscribe to the rules of involvement of liberal, rational choice actors in a multicultural setting. Overall, the process of acquisition of citizenship impresses on newcomers that inclusion is based on desert, measured through participation in the market and representative institutions. The version of democratic values which this model cultivates is primarily procedural, and carries a promise for participation in a social order, the community essence of which remains anonymous. This formalized conception of membership can serve to illustrate the neo-liberal regime's inability to produce a sound vision of Canadian solidarity and citizenship.

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INTRODUCTION

The concept of citizenship is multi-faceted. To most people citizenship signifies their membership in a state, a nation and a community, a membership which bears the right to live and work within a bordered territory and serves as their main identifier once these borders are crossed. For political scientists citizenship denotes a complex set of abstract political relationships, including two fundamental ones between the individual and the state and between the members of the same polity.¹ As far back as the classical Greek polis, the notion of citizenship has served as a tool allowing state institutions or other forms of authority to regulate the conditions of membership, demand certain behaviour from members as “good citizens” and limit the admission of outsiders. Conversely, exploring and challenging the notion of citizenship can be transformed into a tool for non-members to seek inclusion and for members to amend the terms of their social contract. In short, citizenship can be perceived as the key mechanism through which a community can reinvent itself.

The main question this project will attempt to address is: *How is the “good citizen” constructed through official policy on the acquisition of Canadian citizenship?* The scope of this inquiry will be narrowed down to a case study of the relevant provisions and regulations of the current *Citizenship Act*, as well as the official Citizenship Test and the accompanying guide to it entitled *A Look at Canada*, plus any

¹ Jane Jenson and Martin Papillon, The Changing Boundaries of Citizenship: A Review and a Research Agenda, (Canadian Policy Research Network, www.cprn.ca, April 2001) 4

recent developments surrounding these documents that are significant to the topic. In order to capture the context of these documents and of the process of naturalization itself, it will also be necessary to comment on a limited number of regulations concerning the selection of permanent residents (future citizens) from the latest *Immigration and Refugee Protection Act* (IRPA) 2002.

For the purposes of the research question and the thesis, “acquisition of citizenship” will be taken to imply acquisition through naturalization, and within that category the main subject of investigation will be naturalization as a result of voluntary immigration. Also, the nature of the question contains the assumption of existing law and practice that it is legitimate for the Canadian government to select immigrants (in number and characteristics) and consequently restrict citizenship.²

The use of the word “through” (instead of “by” or “in”) in the formulation of the research question is to mean to emphasize that the acquisition of citizenship concerns the state (the “constructor”) and the new members (those who are being “(re)constructed”) equally. The *Citizenship Act* and the Citizenship Test, are not just documents for the internal use of the policy-maker – they are also the first point of communication between the state and new citizens, the primary package of perceptions about citizenship which are delivered to them. As such these documents serve three main functions. They contain a synthesis of ideas about Canadian identity and the meaning of citizenship which are derived from the dominant ideology of the state and from society as a whole. They define

² A significant portion of the literature dedicated to studying the interconnectedness of immigration and citizenship is dedicated to the theme of “open borders” or the question of what limits states can impose on the movement of people and who should be included and excluded from citizenship from the point of view of moral philosophy, justice theory and globalization. While this question is certainly relevant to the construction of the “good citizen”, it alone would constitute a separate, perhaps a much broader project.

the requirements and expectations of new members in the process of naturalization. And finally, by adding these new members to the community they reflect back to it what it means to be a “good citizen”.

Thesis:

The main argument, which will be presented in the three chapters of this thesis, can be summarized as follows:

Canadian policy on naturalization, dictated by the Citizenship Act and IRPA and developed and implemented by Citizenship and Immigration Canada, constructs the “good citizen” first and foremost as an economic agent through immigration, and then reconstructs him again by casting him in a limited, procedural role of political participant through the grant of citizenship. The criteria for admission to political membership established through this policy mostly seek to determine self-sufficiency and formal willingness to subscribe to the rules of involvement of liberal, rational choice actors in a fixed market/institutional setting.

While immigration and naturalization are set up and are treated as two entirely separate processes by government administration, they are experienced as two much less discernible stages of the same process by new citizens. Taken in its entirety, the process of acquisition of citizenship impresses on newcomers the notion that inclusion is based on desert, measured through participation in the market and representative institutions.

The image of the “good citizen” which emerges from policy regulations and the text of the Citizenship Guide is one of a person who is: 1.) responsible, in being self-sufficient, adaptable and rational, following the letter of the law, subjugating other

political concerns to the maintenance of peace and order, respecting the equal rights of others, and participating regularly in elections at all levels of government; 2.) active, in displaying ambition and entrepreneurship, taking initiative in the economy and representative democracy, volunteering time and effort to community needs, and protecting the resources and environment of Canada; 3.) appreciative of diversity, in recognizing and valuing one's presence in a multicultural society and supporting the existing arrangement of mutual and equal accommodation as the basis of compromise and co-existence with 'different' others.

This image cannot be seen to exemplify in full any of the dominant models of citizenship from contemporary political theory, but it does incorporate a mixture of the key elements of the neo-liberal and cultural pluralist ideals. The version of democratic values which this combined model cultivates is primarily procedural, and thus carries a promise for participation in a social order, the community essence of which remains anonymous. This formalized conception of membership can be understood as an illustration of the absence of a vision of Canadian solidarity in the neo-liberal citizenship regime, which has prevailed over the last three decades.

Structure and method:

An examination of the construction of the "good citizen" in any specific case of policy would be meaningless if it lacked the perspective of the political culture and ideologies which capture the state in different periods of development. The first chapter of this thesis is driven by the purpose of providing a philosophical background against which the merits and downfalls of the "good citizen" can be considered. It offers an

account of some of the more recent theoretical approaches to citizenship, as they have evolved from dominant doctrines of government in Western thought. The methodical purpose of this part of the thesis is to lay out the alternative interpretations of citizenship virtues, so that the ideological meaning attached to them in the Canadian context can be more easily revealed.

An adequate understanding of acquisition of citizenship can only be achieved if the process is considered in its two stages, and when these stages are in turn considered from the perspectives of both the state and its new members. This is the task of Chapter Two. This part of the thesis begins to address the research question by examining what kind of citizens Citizenship and Immigration Canada currently aims to recruit by looking at the eligibility criteria prescribed in the Citizenship Act. Within the category of eligible permanent residents, it is interesting to look more closely at the status of “economic class immigrants” and the basis on which such individuals are selected. A brief justification of why this particular category is a suitable indicator for the construction of the “good citizen” is presented in the chapter. This analysis establishes the crucial connection between immigration and citizenship and the lack of continuity between the two policies as symptomatic of the failure of legislation to conceptualize new members as both economic and political agents at the same time

The second part of Chapter Two turns to the other requirements of citizenship applicants and specifically to the Citizenship Test as a measure of sufficient knowledge of Canada and the political rights and responsibilities of individuals. In addition, there are a number of sections in the accompanying Guide which directly or indirectly state the values embodied in the good citizen – these can be evaluated in terms of some of the

theoretical approaches to citizenship from Chapter One so that the ideological genesis of the “good citizen” can be exposed. Lastly, Chapter Two examines some of the recent changes to the *Citizenship Act*, and particularly the provisions aimed at strengthening the commitment of the “good citizen” to certain fundamental constitutional principles.

Finally, Chapter Three supplies a summary of conclusions about Canadian naturalization policy which serves to substantiate the main argument of the thesis. It also creates a composite sketch of the features of the “good citizen” and considers the meanings they carry in the Canadian political context. Pointing to the failure of neo-liberal governance to foster social cohesion and generate a vision of citizenship, this last part of the thesis suggests that in the end, the image of the “good citizen” is neither fully conceptualized in policy, nor particularly valuable to political membership.

CHAPTER ONE:
THEORETICAL APPROACHES TO CITIZENSHIP AND ITS VIRTUES

Introduction

The purpose of this chapter is to illustrate how different approaches to the study of political membership derive the virtues that make a “good citizen” from the dominant theoretical paradigms of late twentieth century politics. The first section summarizes the contribution of author T.H.Marshall to the modern language of citizenship and the agenda of discourse on membership. It provides the basic conceptual building blocks used by modern scholars from all theoretical backgrounds. The second section outlines briefly the citizenship prescriptions of six normative theories, and identifies some of the controversies between them. The rest of the chapter examines in more detail three of the approaches that have had the most ideological impact on Canadian policy. Section three takes a look at neo-liberal challenges to welfare state citizenship, section four returns to the virtues of liberal citizenship and section five explores the value of tolerance in the context of multicultural citizenship. All three of these sections conclude with summaries of the virtues constitutive of good citizenship as they are constructed within each source theory.

Thus the chapter serves to provide the theoretical background, in the context of which Canadian policy’s construction of the “good citizen” can be interpreted. The discussion of citizenship virtues contained in these several sections adds more depth to the language of rights, responsibilities, practices and expectations present in the policy regulations examined in chapter two.

T.H. Marshall and the modern concept of citizenship

Most dominant works on citizenship in the second half of the twentieth century have referred, in criticism or praise, to T.H. Marshall's lectures on "Citizenship and Social Class".³ Perhaps the strongest influence of Marshall's short essay is that it introduced a definition and vocabulary of citizenship in the modern terms of rights and responsibilities. His essay on *Citizenship and Social Class* set the tone of discourse for several decades ahead by maintaining that citizenship is about achieving the democratic goal of *full* and *equal* membership. It established the affirmation of rights and entitlements and their expansion to larger groups of people as the dominant subjects of inquiry in this area.

Marshall undertakes an examination of citizenship as part of a sociological inquiry into the rise of social rights in Great Britain during the first half of the twentieth century, seen as part of the effort to accommodate the democratic thrust towards equality into the capitalist economic system. Marshall identifies citizenship as a bundle of political, civil and social rights distributed equally amongst the full members of a community.⁴ The gradual increase in entitlements carried by citizenship, according to the author, can be traced back through a provisional timeline beginning with the emergence of civil rights in the eighteenth century, the expansion of political rights through the nineteenth and assertion of social rights in the twentieth century.⁵ The development of these rights as three separate strands is determined by the development of the respective

³ T.H. Marshall, *Citizenship and Social Class*, ed. Tom Bottomore (London: Pluto Press, 1992)

⁴ Ibid. 18

⁵ Ibid. 10

institutions which govern them – the judicial, the representative, and the educational and social services - as separate bodies and instruments of state power in Britain.⁶

The term “civil rights” Marshall attributes to the fundamental freedoms enjoyed by the individual, such as free thought, speech, faith, and especially the rights to work and to own property, which have had the most profound effect on social inequality. The progress of civil rights consisted in the recognition at different stages of new rights for those who held the status of free men. The extinction of serfdom not long after Elizabeth’s reign, reaffirmed the rule of law as having equal meaning and extending equal protection to all. The universality (to all men) of civil rights, in Marshall’s view, marked the beginning of the transformation of citizenship into a “national institution”.⁷ Similarly to civil rights, political rights were initially distributed and exercised only on a local level in boroughs and townships where they were granted by those who have them to those who don’t on the basis of land ownership and gender – what Marshall describes as a “closed monopoly”.⁸ In 1832 this practice was abolished, but only to replace the land criterion with the slightly more inclusive requirement of overall economic wealth. Thus, participation in local and state governance was open to all those who could demonstrate a capacity for economic success. This recognition of political rights as something that the resourceful could derive from their civil rights eventually lost both economic and political ground, until 1918 when the franchise was extended to all men, and soon after that to all women. Overall, the right to elect representatives to the governing body and to be elected was certainly not new to nineteenth century England, but what made this

⁶ Ibid. 9-10

⁷ Ibid. 12

⁸ Ibid. 12-13

period notable with regard to Marshall's study is the gradual movement from treating political participation as a privilege to accepting it as a right of membership, and ultimately as a right directly attached to citizenship.

The most substantial part of Marshall's essay is dedicated to a survey of social rights in all their three – political, sociological and economic - dimensions as they intersect in the unique concept of citizenship which he introduces to contemporary studies. Marshall's definition of social rights includes "the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society."⁹ While this definition is inclusive of a wide range of entitlements and covers a broad set of policies, the author focuses his discussion on education, social services and labour relations, a discussion which contains the hope that the emergence of these British policies would lay the groundwork for a much broader set of rights and provisions which satisfy the requirements of the definition.

Marshall traces the origins of a social right mentality as far back as the Poor Law in Elizabethan times. However, this first attempt to regulate wages on a national level was tied to "old" notions of locally administered charity and relief, aiming to maintain the stability of the social structure rather than to recognize any "right". The decline of the Poor Law in the eighteenth and most of the nineteenth century, however, was not due to opposition to the idea of alleviating poverty but to the perceived discord between the element of wage regulation and the established civil right of the individual to enter

⁹ Ibid. 8

contract under conditions of freedom.¹⁰ As Marshall asserts, the idea of social entitlements in that period was seen as incompatible, not only with the rights of citizenship, but with the status itself. Even when the element of wage regulation disappeared completely by 1834 the Poor Law continued to be a measure applying only to the destitute, who by accepting aid were effectively placing themselves outside the community and forfeiting their participation in it, as well as the exercise of economic freedoms.¹¹ The need of state protection (reserved mostly for women, children and the elderly) implied unfitness for full citizenship. Thus the “principle of social rights as an integral part of the status of citizenship”¹² did not find acceptance until the twentieth century.

While it becomes clear from Marshall’s essay that civil, political and social rights have developed alongside movements towards equality in the civil, political and economic aspects of social life in a capitalist system, this does not imply that citizenship as an institution requires or strives for some ultimate end of equality of wealth between individuals through the eradication of social class. One of the central conclusions defended by Marshall is that there are “limits inherent in the egalitarian movement”.¹³ While citizenship is a vehicle for removing illegitimate inequalities, it is subject to principles of social justice which are not identical to those applied to the economic system.¹⁴ To the extent that citizenship has evolved in the context of, and denotes participation in the capitalist tradition, there are inequalities necessary for the functioning

¹⁰ Ibid. 14

¹¹ Ibid. 15

¹² Ibid. 16

¹³ Ibid. 45

¹⁴ Ibid.

of both. In order to maintain internal consistency between the three types of rights, citizenship cannot aim to equalize incomes through the institution of social rights. Instead, the role of this state protection is to equalize opportunity to exercise other rights, by eliminating insecurity and arbitrary inequalities (arising from factors such as age, health, unemployment), and by fostering “a general enrichment of the concrete substance of civilized life.”¹⁵ Marshall’s package of citizenship rights aims to accord everyone in the population equal status, and allows for the establishment of “one class” for the purpose of politics, even if multiple classes are demanded by the economic realm. “Differential status, associated with class, function, and family, was replaced by the single uniform status of citizenship, which provided the foundation of equality on which the structure of inequality could be built.”¹⁶

In summary, Marshall’s historical review reveals several trends particular to his concept of citizenship. Although citizenship can be perceived as a legal/political construct of rights and duties, these are not philosophically reducible to a universal standard. Rather, the legitimacy of citizenship rights in each state depends on the specific outcomes of institutional, social and economic development.¹⁷ The extension of these rights is usually the result of continuous organized pressure from excluded groups. The recognition of entitlements is part of slow (or in some instances swift and radical) changes in the social landscape, driven by claims of equality. The story of citizenship

¹⁵ Ibid. 33

¹⁶ Ibid. 21

¹⁷ Desmond King, The New Right: Politics, Markets and Citizenship (Basingstoke: Macmillan Edition, 1987) 165-167

rights is intertwined with class conflict, challenges to patriarchy, migration, industrialization, secularization, or in other words, all processes which we see as formative of contemporary society, and which allow for the mobilization of various interests striving towards a much wider and slightly closer to equal distribution of power.¹⁸

Theoretical approaches to citizenship since World War II

Marshall's work provoked responses from most dominant normative political theories and several approaches to citizenship emerged from this dialogue. Jane Jenson pinpoints three aspects of examination of citizenship as "rights and responsibilities, access and belonging".¹⁹ Linda Bosniak similarly detects four main categories in citizenship literature: citizenship as legal status, as a set of rights, as a mode of participation, and as an expression of identity and solidarity.²⁰ The paths of development taken by Western liberal democracies at the end of World War II, combined with unprecedented levels of migration, have added particular complexity to citizenship and expanded the field of academic investigation. Canadian political philosopher Will Kymlicka identifies six leading approaches: the new right, the new left, civil society theorists, feminism, liberal virtue theory and civic republicanism.²¹ The concept of citizenship has consequently been studied from several different angles.

¹⁸ Ibid.

¹⁹ Janine Brodie, "Citizenship and Solidarity: Reflections on the Canadian Way," Citizenship Studies, vol. 6 no.4 (2002): 379

²⁰ Linda Bosniak, "Citizenship Denationalized," Indiana Journal of Global Legal Studies, 447 pp.1-67, cited in Brodie, Janine, Citizenship and Solidarity, Citizenship Studies, vol.6, no.4, 2002

²¹ Will Kymlicka, Recent Work in Citizenship Theory (Multiculturalism and Citizenship Canada: Ottawa, 1992) 1

The new right approach to citizenship evolved as part of neo-liberal and neo-conservative attacks on the welfare state in Western liberal democracies. It attacked social programs on both economic and political grounds, maintaining that they exacerbated employment problems instead of solving them and made parts of the citizenry dependent on the state. What the new right doctrine promotes is the downsizing of government institutions and services and an economic strategy of minimum state involvement in the market. Above all, it emphasizes the exclusion of social rights from the political notion of citizenship and argues that self-reliance is one of the key responsibilities of every member of the community. The other virtues citizens should possess according to the new right are adaptability, entrepreneurship, competitiveness and a certain degree of voluntary service by way of assuring networks of support within families and communities and diminishing the need for the welfare state and its rigid oversized bureaucratic machine.

The new left, as the name implies, takes the opposite stand and calls for extending the rights and entitlements of citizenship even further. The “new” in new left refers to an acquired taste for liberal civil and political rights among socialist theorists who have traditionally been concerned largely with social rights.²² This approach is also critical of the welfare state but its critique is aimed at the “paternalistic and disempowering”²³ implementation of social programs, not its philosophy. New left theorists maintain that justice does not allow us to burden with responsibilities citizens who are not able to meet them. The lack of opportunities for self-realization remains at the root of social problems

²² Ibid. 10

²³ Ibid. 11

and, as Marshall suggests, limits access to the exercise of full membership. Suggestions for a remedy have varied among the proponents of this approach, but most have included a call to different terms of delivery of social services which rely on the higher input and public participation of the recipients.²⁴ “The new left strategy is to empower people by dispersing state power through local democratic institutions, regional assemblies, and constitutionally guaranteed rights.”²⁵

A third approach to citizenship identified by Kymlicka is that of civil society theorists, often associated with the work of communitarians like Michael Sandel and Michael Walzer. The main interest of this group of scholars lies with the ties and responsibilities of citizens to the polity. This approach is guided by the conviction that a genuine sense of belonging and mutual obligation among the members of a community can only be “home-grown” within the structure of civil society, through the network of families, schools, churches, charitable organizations, unions, local support groups and associations.²⁶ The free market or the institutions of the state, or even both together, could not cultivate a truly responsible and virtuous citizen. As Gijs van Oenen observes, the communitarian citizen is very much grounded in social and cultural context.²⁷ Leading theorists such as Sandel have argued against the liberal trend of separation of identity and politics.²⁸ The philosophy of this approach to citizenship excludes the possibility that people can (or should) have two sets of behaviour, one for the public and

²⁴ Ibid. 11-12

²⁵ Ibid. 13

²⁶ Ibid. 14

²⁷ Gijs van Oenen, “Turning on the Citizen: Modern Citizenship and Its Cultural Hazards,” Citizenship Studies, vol. 6 no. 2 (2002): 113-115

²⁸ Michael Sandel, “The Procedural Republic and the Unencumbered Self,” Political Theory, vol. 12 no. 1 (1984): 81-96

one for the private sphere. “The good citizen *must* be a good person”²⁹ and superimposing civil, political, and social rights on persons is not sufficient make them good. However, beyond determining community participation and involvement as the primary virtue of citizenship, the civil society approach does not clearly articulate how the diverse, often undemocratic values of individual civic associations can be brought together and transformed into the nation-binding principles of equality and freedom which democratic citizenship supposedly upholds.³⁰

The strongest critique of the new right and civil society theory’s language of responsibility has come from feminist discussions of citizenship. The onus on self-reliance and the suggestion that this notion includes the family as a unit place an unequal burden on women who traditionally bear the responsibility for home care.³¹ While there is a great variety of feminist responses to the obligations of citizenship, many align with the new left’s position that some social provisions are necessary to full citizenship as they relieve women of some of the duties which pose a barrier to their participation in public life.³² A conception of citizenship needs to be constructed in a way that does not translate to increasing women’s dependency on men or replacing it with dependency on the welfare state. Some feminist scholars such as Carol Gilligan, Jean Elshtain and Sara Ruddick develop an alternative theoretical approach to the notion of responsibility that corresponds to women’s concerns and reasoning, and call for a foundational review of

²⁹ van Oenen 113

³⁰ Kymlicka, Recent Work on Citizenship Theory 15-16

³¹ Susan Moller Okin, Justice, Gender and the Family (New York: Basic Books, 1989) and Desmond King cited in Kymlicka, Recent Work on Citizenship Theory 18

³² Kymlicka, Recent Work on Citizenship Theory 17

citizenship on its basis.³³ Overall, however, it is impossible to identify a unified feminist project of citizenship.

Liberal theory, on the other hand, has been remarkably prolific on issues of political membership. As much as other ideologies are preoccupied with endorsing their visions of the good life, liberal literature is notoriously possessed by the procedural side of justice and the treatment of rights. Its chief contribution to the study of citizenship has come through what Kymlicka has designated as liberal virtue theory. This approach revolves around the idea that democratic, equal participation requires that the interactions of people in abstract political space be structured differently from those in the private sphere.³⁴ From this perspective liberal citizenship must include a peculiar set of virtues associated with critical reflection and willingness to take part in public discourse. William Galston names four categories of citizenship virtues, general, social, economic and political, of which the latter are of utmost importance.³⁵ They entail a tolerant disposition and respect for the rights, choices and ideals of others, as well as the capacity to question authority, demand accountability, seek justification and in turn present reasonable moral claims and arguments.³⁶

Gijs van Oenen discusses the link of this liberal model of citizenship with the groundbreaking work of John Rawls. Though not directly concerned with political membership, Rawls' *Theory of Justice* takes on the universalistic philosophical project of demonstrating that all citizens can independently reach the same conclusions about the

³³ Ibid. 19

³⁴ Ibid. 20

³⁵ William Galston, Liberal Purpose: Goods, Virtues and Diversity in the Liberal State (Cambridge: Cambridge University Press, 1991) cited in Kymlicka, Recent Work on Citizenship Theory 20

³⁶ Ibid.

just principles of distributing social goods, if only they considered them impartially.³⁷

Such an impartial point of view can be achieved through a highly abstract analytical device which Rawls terms “the original position”. In this mode of reasoning persons hypothesize about the justice of the social order through a “veil of ignorance” – they imagine away all attributes of their individuality (social class, gender, religion, race, culture, age, system of beliefs, and personal disposition) and especially their ideals of the “good”, and remain purely rational, self-interested actors.³⁸ While Rawls’ enterprise has been met with mixed responses and revised more than once, the idea that members of liberal society can switch between being private persons and being citizens has lingered on.³⁹

Within the field of justice theory the work of Jurgen Habermas has also had significant implications for the liberal perception of citizenship. Habermas’ methodology eases somewhat the tension between liberal demands for impartiality and communitarian insistence on social context by establishing a positive link between the two. Despite his close philosophical kinship to Rawls, Habermas does not see the monological exercise of the original position as sufficient to the democratic process. In his theoretical construct, it is not necessary for citizens to abandon awareness of their identities or conceptions of the good. Habermas defends the idea that impartial principles of justice can only emerge from dialogue with other members of society under the specified conditions of an “ideal

³⁷ John Rawls, *A Theory of Justice* (1971, Cambridge: Harvard University Press, 1999)

³⁸ Rawls 14, 19, 136-140

³⁹ van Oenen 111-112

speech situation”.⁴⁰ This dialogue is open to all categories of claims and to all persons capable of participating in language.⁴¹ While entering the discourse from their different locations in society and carrying full knowledge of their contexts, the participants have pure equality of voice and consideration in their communication with each other. Most importantly, the outcome of discourse is determined by the force of the better argument and must meet a universalization principle – it must represent the absolute consensus of everyone involved, on the grounds of the same reasoning, and with ramifications “acceptable to all”.⁴² Thus, Habermas “proposes a citizen whose identity is anchored in the experience of democratic communication.”⁴³ Among the variety of citizenship virtues this model puts emphasis on a set of communicative and participatory capabilities. Van Oenen labels this approach to the citizen as a discourse participant as “republican” because of the great commitment (in time and effort, as well as enthusiasm) to democracy that it requires of each individual.⁴⁴

The treatment of public and private in liberal and communitarian theory has remained relevant to citizenship discourse throughout the post WWII decades for a number of different reasons. Most recently, however, the public/private dichotomy has been challenged by the “politics of identity” as one of the main conceptual sources of exclusion from full citizenship that marginalized groups have suffered on the basis of culture and identity difference. The theoretical approaches mentioned so far deal almost

⁴⁰ Jurgen Habermas, “Morality and Ethical Life: Does Hegel’s Critique of Kant Apply to Discourse Ethics?” in *Moral Consciousness and Communicative Action*. Cambridge, (MA: MIT Press, 1989)

⁴¹ Shane O’Neil *Impartiality in Context: Grounding Justice in a Pluralist World*. (Albany, N.Y: State University of New York Press, 1997)

⁴² Habermas 197

⁴³ van Oenen 116

⁴⁴ Ibid.

exclusively with citizenship as a bundle of material benefits and constitutional rights. The approaches which consider citizenship as a mode of privileged responsible participation in the democratic order aim to be universally and equally inclusive, but either succeed only partially or inadvertently created more barriers to full membership.

The problem is not that the link between culture, identity and citizenship has been ignored but that its interpretation has often been one-dimensional and short-sighted. Cultural exclusion appears in the landmark essay of T.H. Marshall, but his chief concern was with the exclusion from culture, rather than with exclusion on the basis of culture. Marshall was convinced that the poverty of the working class was the cause of its exclusion from taking part in common British heritage and civilization. He believed that citizenship rights and especially social rights would pave the road to integration – an argument which is still central to citizenship discourse.

However, the logic of Marshall's theory cannot be adequately extended to explain or to solve the problems faced by women, gays and lesbians, ethnic, racial and religious minorities. While improvement in economic status may be beneficial to the cause of these groups, it does not address the source of their exclusion, namely the element of identity "difference".⁴⁵ Traditional theories are even less equipped to handle the complex nature of identity claims and the issues of special accommodation that arise in Western settler societies. The cultural variety which the process of immigration has produced in countries like Canada has posed additional challenges to citizenship theory, especially because claims of recognition and/or self-government are not simply about integration into a dominant national identity but also about its re-definition. In this context the

⁴⁵ Kymlicka, Recent Work in Citizenship Theory 26

question has arisen of why it is necessary to have a universalizing concept of citizenship in the first place, when such a project would by nature be oppressive to “difference”. This has prompted the growth of literature inquiring into the possibility of adding another dimension to the concept of citizenship, namely cultural or group-differentiated rights.

Neo-liberal challenges to social citizenship

Several decades after Marshall’s work the idea of social rights as part of citizenship has suffered a serious assault by the practice and ideology of neo-liberal government. The renunciation of this third set of rights comes hand in hand with a return to the more “classical” liberal conception of civil and political rights adjusted to a new theoretical framework. In this section, I begin by briefly sketching first the economic and then the political arguments that neo-liberals use to reject social rights, after which I attempt to re-formulate the alternative values of citizenship which can be drawn from their main postulates and which would be necessary to their model of governance. The coming into power of neo-liberal and the similar neo-conservative regimes is commonly associated with the governments of Margaret Thatcher in Great Britain and Ronald Reagan in the United States. The supporters of these regimes and their version of economic and political liberalism are also referred to as “the new right”.⁴⁶ The gradual infusion of neo-liberal ideas into the political life of Canada began in the 1970s but did not gain momentum until 1984 when newly elected prime minister Brian Mulroney

⁴⁶ King

headed a systematic shift towards neo-liberal policies at the federal level.⁴⁷ The free trade agreement between the US and Canada, prioritizing deficit reduction over social programs, corporate tax relief and privatization are often interpreted as examples of this shift.⁴⁸

Neo-liberal doctrine developed out of a rejection of the Keynesian welfare state – the dominant model of governance in most post-war Western states. Neo-liberals challenge the logic of Keynesian prescriptions for social and economic policy by drawing primarily on laissez-faire principles, enriched with the influence of monetarism, supply-side economics and public choice theory.⁴⁹ In its neo-conservative version, neo-liberal economic doctrine is tied to a movement to revive traditional social values, emphasizing the importance a usually Christian patriarchal understanding of “family” and “community”, and making room for the regulation of morals in the private sphere.⁵⁰ At the crux of both neo-liberal and neo-conservative theory is the idea of limiting the intervention of government in the economic processes of the free market and downsizing the state to its minimum functions in several key policy areas. Thus, statism, collectivism or any form of centralization of power for the purpose of redistribution are seen as aimed towards some degree of socialism.

Monetarist theory, as the name suggests, focuses on studying the various effects which the management of money supply has on national economies. There are several postulates of monetarism which neo-liberals adopt in defending the conclusion that the

⁴⁷ Stephen McBride and John Shields, Dismantling a Nation: The Transition to Corporate Rule in Canada, (Halifax: Fernwood Publishing, 1998) 22

⁴⁸ McBride and Shields 28

⁴⁹ McBride and Shields 23

⁵⁰ Ibid.

means and goals of the welfare state are bound to fail in the long run. The beginning point of criticism is the assertion that securing social rights through spending on social programs causes one of the most serious damages to the economy – budget deficit. Monetarists contend that government actions to counteract this deficit, such as printing money, launch a chain reaction of economic effects which ultimately lead to increased inflation and recession.⁵¹ Instead of pursuing ostensibly unachievable Keynesian goals like keeping unemployment low, states should commit themselves to controlling debt and inflation by carefully managing money supply and interest rates, in other words protecting the value of currency and letting economic processes play out without intervention.⁵²

Supply-side theorists offer to neo-liberalism the idea that the Keynesian approach is seriously flawed because it lacks due consideration of the supply side of economics. They suggest that the key to market growth lies in creating stimuli for producers more so than for consumers, and that government should adjust its priorities accordingly.⁵³ This approach relies on the premise that if prices, including the price of labour, are left unregulated, supply and demand will naturally equalize in the long term.⁵⁴ Tax cuts are a key tool for supply-side strategists. Tax cuts, it is suggested, need to be addressed to the segment of the population which is most likely to re-invest its capital into the economy and feed the supply side, e.g. the wealthiest entrepreneurs. Tax cuts to the low and middle classes would result only in increased spending and create demand that is not matched,

⁵¹ McBride and Shields 23

⁵² McBride and Shields 24

⁵³ McBride and Shields 24

⁵⁴ McBride and Shields 25

resulting in inflation.⁵⁵ In this line of analysis, supply-side theorists contend that substantial welfare benefits act to discourage work by making unemployment if not an attractive then at least an acceptable alternative. At the same time trade unions maintain an artificial price for labour by imposing minimum pay requirements regardless of the state of the economy. These two factors encouraged by the welfare state disturb the supply of labour and the normal functioning of market forces. Thus the main tenet of supply-side economics dictates that social spending makes citizens dependent on the state and causes an inverse effect to what the policy intends – “welfare payments create welfare claims; unemployment insurance induces unemployment; financial aid to single mothers prompts single women to have children; and subsidizing medical care manufactures more sickness.”⁵⁶ This argument serves to sustain the conclusion that social spending should be a matter of “last resort” reserved for specific groups, rather than universal right.⁵⁷ Instead of upholding equal treatment, government policies should aim to foster self-reliance and sufficiency at the price of undermining or even eliminating notions of social citizenship.⁵⁸

The neo-liberal attack on the welfare state is not limited to tax and social policy. Though the neo-liberal doctrine can be seen as economically justified and driven to a large extent, it also has significant implications for the conduct of politics. Its analysis of the public sector relies significantly on public choice theory. According to this approach, the principle of maximizing self-interest which reigns in the free market can be extended

⁵⁵ Ibid.

⁵⁶ McBride and Shields 26

⁵⁷ Ibid.

⁵⁸ Ibid.

to both elected and unelected public officials.⁵⁹ Because these actors are presumed to be rational, we can expect them to behave like all other individuals and pursue whatever goods their self-interest dictates. By this logic, “politicians seek to maximize votes... and bureaucrats seek to increase the size and power of their departments”, just as private persons seek profit in the marketplace.⁶⁰ If this is the case, then the policy agenda is not organized around the “common good” or even a sound ideology, but is mostly driven by factors internal to the system of institutions and its agents. For example, in order to please the electorate and their supporters politicians commit to policies which the public purse cannot afford. From their end bureaucrats continuously justify the need for state regulation in a vast array of activities in order to secure the growth of their departments, placing more unnecessary burdens on the tax payer. From this point of view, it is justifiable to argue that big government is not only superfluous but also dangerous to the character of democracy.

One of the popular criticisms of the welfare state that neo-liberals have put forward is the “overpoliticization of the mass public”.⁶¹ What this implies is that the dominant place of politics in the media and the growing number of non-traditional political forces, such as interest groups and social movements, have contributed to a tendency to equate political participation with putting expectations, demands and claims on the state – more than it can ever efficiently handle. The pressure that such constituents create provokes politicians to increase spending even further, while at the same time

⁵⁹ King 11-12, 100-104

⁶⁰ McBride and Shields 28

⁶¹ Ibid.

citizens transfer responsibility and initiative to the state and become more dependent on its institutions to act as providers, regulators and arbiters.⁶²

As Lawrence Mead's study on the perceived social obligations of U.S. citizenship suggests, neo-liberalism's accusation of dependency is also driven by its preference for the "participatory ideal". Within new right circles, the passivity of welfare recipients is seen as even more problematic than their poverty and is designated as the key obstacle to their integration.⁶³ Instead of social rights, the value that citizenship needs to uphold is "the participation of all ... in a common web of political and economic activity"⁶⁴. This participatory ideal is often cited in justifications of welfare programs supported by neo-liberally minded politicians. It represents the conviction that through work the employable person fulfils the citizenship obligation of "energetic interaction with others in public"⁶⁵ while at the same time maximizing the other social values of "self-reliance, self-respect and self-esteem."⁶⁶

The vision of democracy which the new right promoted through the eighties and the nineties is one which gives priority to the values of individualism and liberty over notions of equality. Among neo-liberals the most common understanding of freedom is the one developed in the work of Friedrich A. Hayek. Hayek gives a negative, narrow definition of freedom as "the absence of coercion".⁶⁷ It is important to note that "coercion" is meant to imply control exercised over one person by another, not by neutral

⁶² McBride and Shields.29

⁶³ Lawrence Mead, Beyond Entitlement: The Social Obligations of Citizenship (New York: Free Press, 1986) 219-222

⁶⁴ Mead 219

⁶⁵ Mead 220

⁶⁶ Ibid.

⁶⁷ King 29

forces such as the market for example. Hayek asserts that when the individual is only subject to his own will he is free, regardless of whether alternative courses of action are available to him or not.⁶⁸ Through competition and innovation the market generates a great number of meaningful life options and it is up to the free individual to realize his own choices. Along this line of thought, Hayek further develops the idea that some degree of inequality is necessary to the normal function of the market, but that in the end this inequality is beneficial to everyone through the overall prosperity of society.⁶⁹ The attempt to maintain equality through provisions for minimum income is unjust, according to Hayek, because it ignores merit and replaces it with an arbitrary political standard of the worth and value of “good intentions and needs”.⁷⁰ Thus social rights are rejected because they prompt the welfare state to: become paternalistic; burden the taxpayers and infringe on property rights; foster dependency on state institutions; allows the bureaucracy to generate its own growth. Political and civil rights remain as the only legitimate elements of citizenship recognized by the new right.

In summary, in order to secure the values of individualism and freedom in the neo-liberal state, the boundaries between the public and the private sphere must be clearly marked, preferably by constitutional rules which establish firmly the scope of legitimate state activity. The only rightful task of government should be to maintain the supremacy of the law, enforce the rules of peace and order, and protect citizens and their property. The chief concern of neo-liberal democracy is to protect the freedom and rights of the

⁶⁸ Ibid.

⁶⁹ King 38-39

⁷⁰ King 40-45

individual from encroachment by the state and from the whims of concentrated political power. As far as the power of capital is concerned, it is assumed that the principles of the free market will not allow it to go unchecked, with no additional measures required. Indeed, the free market is seen as the absolute pre-requisite for both political and economic freedom.⁷¹

Finally, the values of citizenship which the neo-liberal vision demands can be summarized as: individualism, the ability to revise rationally one's ends and needs, to take initiative in the pursuit of self-interest, entrepreneurship, self-reliance and responsibility for one's fate, love of freedom – freedom to compete⁷² and freedom from intervention, respect for the law, openness to change and adaptability to the conditions of the market. The obligations which arise from civil and political rights demand loyalty to the state expressed by obeying the law, voting or running in elections for all levels of government, being sensitive to the rights of others, serving on juries, and, in some cases, serving in the military, and last but not least, paying taxes. Though social *rights* are rejected by neo-liberalism, the doctrine sustains the notion of social *obligations*, which are partly intended to fill in the gap of social care where entitlements to aid from the state are erased, and which resemble a return to the kind of community membership that Marshall observed as a second-last stage of citizenship. Such social obligations include the duty of every employable person to work; the further duty to provide for the needs of one's family and next of kin who cannot work, so that the family becomes a "self-reliant"

⁷¹ McBride and Shields 30

⁷² Ibid.

unit; and the obligation to pursue literacy and the learning skills necessary to enter the competitive market.

Liberal virtues

In 1859 John Stuart Mill wrote some of the most famous words of political philosophy, generally known as the “no harm principle”:

That principle is ... that the only purpose for which power can be exercised over any member of a civilized community, against his will, is to prevent harm to others. ... He cannot rightfully be compelled to do or forbear ... because in the opinion of others, to do so would be wise, or even right. ... Over himself, over his body and mind, the individual is sovereign.⁷³

In addition to being a landmark in the development of political thought, this principle is perhaps as close as one can get to capturing the gist of liberalism. It contains all of its widely accepted tenets: liberalism is individualist, in that it assumes the autonomous moral person as the building block of society and upholds the individual’s freedom to control her own destiny as primary; it is also egalitarian, in that it acknowledges the supremacy of the rule of law over the rule of man and accords equal human dignity and rights to all persons under the law. Finally, the liberal ideal is a society governed by a principle of universal justice and not by any particular concept of the “common good”. Everyone is free to formulate, revise and pursue her own vision of the good life as long as it does not infringe on the ability of others to do the same.

Beyond these basic tenets, any generalizations about the gist of liberalism in modern day political theory would be weak and highly suspect. The pervasive set of ideas introduced by Mill have since been modified and re-thought to produce a wide variety of

⁷³ John Stuart Mill, On Liberty and Utilitarianism, 1859

liberal theoretical frameworks and constructs. Because contemporary literature on liberalism has been so prolific, diverse and internally critical it is difficult to provide a succinct overview of its core assumptions, let alone extract any sound statements about its prescriptions for citizenship. For the purposes of this section, however, it will suffice to relate in slightly more specific terms the central ideas of the “liberal virtue” (Kymlicka) or “standard liberal” (Van Oenen) approach to citizenship, by relying on the example of Stephen Macedo’s portrait of the idealized liberal citizen, drawn from his analysis of the nature of liberal virtues.⁷⁴

The type of liberal citizen conceptualized by liberal virtue theory is decidedly different from the neo-liberal type of citizen in several crucial aspects. The virtuous liberal is first and foremost a political being, rather than an economic one. Indeed, the most distinctive feature of this citizen is the ability to disassociate from one’s own personal characteristics upon entering the public sphere, and to subordinate not only one’s material and other interest but also one’s way of thinking to the principles of liberal justice and the mode of public reasoning they require. The most fundamental distinction which Macedo points out is between the new right treatment of liberalism in negative terms and the liberal virtue understanding of liberal values as largely positive, and, consequently, a distinction between a concept of the good citizen as someone who obeys the law and votes and a liberal “virtuous” citizen as someone who understands the nature of liberal justice, adopts its values, exercises and positively asserts its principles. In order to understand what kind of citizenship values would secure the flourishing of a distinctly liberal community, according to Macedo, it is first necessary to address the

⁷⁴ Stephen Macedo, Liberal Virtues (New York: Oxford University Press, 1990)

standard criticism that the postulates of liberalism simply do not have enough substance from which value requirements can be derived. After all, if liberalism is about rejecting the supremacy of any particular vision of the good life, then it also rejects the definition of a good citizen as someone who leads the good life. An altogether different, minimalist conception of citizenship would logically follow of the good citizen as one who allows the liberal model of governance to function smoothly - nothing more, nothing less. How could a theory preoccupied with preventing restrictions on individual freedom call for any virtue, without asserting one type of behaviour as intrinsically better than another? It is hardly surprising that liberal theory is usually understood in negative terms. Taking pluralism and perpetual conflict of interest as the two permanent features of society, it fixes its attention on maintaining toleration, avoiding any subjugation to the common good, preventing unjust limits on individual freedom, separating the private and the public, safeguarding the neutrality of the law, keeping the state non-instrumental.⁷⁵ While the negative element in these building blocks appears strong, according to Macedo, the conclusion that liberalism can “stand for nothing more definite than toleration and a ‘spirit of accommodation’”⁷⁶ is a grand misperception.

For example, the much discussed notion of neutrality in liberalism is revealing of its reliance on positive values. In Macedo’s view, it is not realistic to deny that a liberal form of government would bring about more advantages for some ways of life than for others.⁷⁷ In this sense, a liberal regime is not neutral to outcomes. However, this does not mean that a liberal state can attach special value to the prevailing ways of life and treat

⁷⁵ Macedo 254-260

⁷⁶ Macedo 257

⁷⁷ Macedo 261

them as if they were inherently better. The idea of neutrality, as Larmore has suggested, concerns the *procedures* of justice in a society, not their aftermath. That is, neutrality requires that when disagreement occurs a liberal government, and ideally, society as whole, accord equal rights and respect to all the reasonable moral persons concerned and strive to achieve resolution through open, rational dialogue.⁷⁸ More simply said, within the liberal paradigm it is essential that any public act be perceived as impartial if it is to be interpreted as just and legitimate. Discussions of neutrality among theorists such as Larmore, Rawls, Okin, and Habermas centre on the conditions and rules of discourse, on what it means to participate “rationally”, on what kinds of influence are morally admissible, on what reasoning can have validity in the public forum. The sum total of these procedures of neutrality serves to construct an abstract public space of discourse and negotiation where all restrictions on freedom must receive their due justification. What is required of individual and group actors is a commitment to fairness and the rules of interaction.

It is not difficult to discern, according to Macedo, that even principles such as neutrality are not entirely “substance-free” as their existence presupposes that people are “committed at base to values that are by no means neutral”.⁷⁹ For example, it is not immediately obvious why neutrality is necessary in the first place when brute force or the luck of the draw are known to resolve conflict much more swiftly; or why individuals should have equal rights and equal say; or why living in tolerance should be a more important goal than imposing one’s own ideals and beliefs. Liberal philosophy has

⁷⁸ Ibid.

⁷⁹ Ibid.

tackled these questions in a variety of ways but its solutions are never completely morally neutral.⁸⁰ For the liberal model to work, citizens must not just abide by but personally adopt a commitment to individual autonomy, to moral justification, to tolerance and to reasonable conversation. These values are primary and citizens must possess them in order to respect each other in the public realm. As Macedo asserts, “liberalism positively requires that everyone’s scheme of values include certain features: respect for the equal rights of others, a willingness to persuade rather than coerce, the subordination of personal plans, projects, and desires to impersonal rules of law, and a contribution to the provision of public goods.”⁸¹ What distinguishes these as virtues and not just a set of rules is their foundational nature. Virtues are pervasive in both the public and the private sphere – a distinction which Macedo considers a highly suspicious aspect of liberal theory. Using the unlawfulness of domestic violence as an example, he suggests that the liberal doctrine expects citizens to respect individual autonomy as a matter of private moral conviction, just as well as a political one.⁸²

Further on in his analysis Macedo goes on to draw a parallel between the public virtue embodied in liberal institutions and the private virtues that liberal citizens should ideally possess. Thus an individual could exercise the virtues associated with the judicial branch, such as being impartial and being governed by principle rather than impulse.⁸³ The ability to abstract one’s self from one’s personal circumstances and habit of thought and exercise legal reasoning is an essential quality in this category. The capacity to

⁸⁰ Macedo 262

⁸¹ Macedo 259

⁸² Macedo 263-265

⁸³ Macedo 275

sympathize with others' ways of life, to appreciate the diversity of ideals and to evaluate them critically are characteristic of legislative virtues. And of course so are the sense of responsibility, determination to pursue a common ground and openness to compromise.⁸⁴ Finally, executive virtues include: "initiative, independence, resolve, perseverance, diligence, and patience."⁸⁵

The ability to reflect critically on one's own choices as well as those of others is fundamental to all three types of virtues. This ability in turn rests on liberalism's axiomatic concept of individual autonomy. Lying at the core of liberal philosophy, this concept is usually perceived as an absolute prerequisite for a just pluralist society. Autonomy, liberals contend, does not incite the citizen to act in a selfish and detached manner. Rather, it asserts the moral dignity of every person and the common humanity of all – the two elements which allow the citizen to sympathize with others, appreciate the diversity of values and choices and make use of cultural resources. In this sense, autonomy fosters cohesion in the liberal community in a way in which the common good cannot.⁸⁶

In the final account, Macedo formulates the following liberal virtues:

[Liberalism] stands for the supreme worth of certain public values: of individual liberty and responsibility, of tolerance of change and diversity, and of respect for the rights of those who themselves respect liberal virtues⁸⁷ ... broad sympathies, self-critical reflectiveness, a willingness to experiment, to try and to accept new things, self-control and active, autonomous self-development, an appreciation of inherited social ideals, an attachment and even an altruistic regard for one's fellow citizens.⁸⁸

⁸⁴ Macedo 267, 275

⁸⁵ Macedo 269

⁸⁶ Macedo 270-271

⁸⁷ Macedo 258

⁸⁸ Macedo 272

Most liberal societies strive to embody these values in their governing institutions. But it is whether their citizens also possess these virtues that truly distinguishes “flourishing in a distinctively liberal way” from merely adopting a liberal procedural framework of justice.⁸⁹

Multicultural citizenship and the value of tolerance

What exactly does it mean to “flourish in a distinctively liberal way”? Most likely the meaning which Macedo attaches to the phrase refers to a society which is the embodiment of liberal principles, and a citizenry which has internalized liberal virtues and prospers through liberal political culture. Many states have adopted liberal democratic institutions as a means to secure some kind and degree of prosperity, but rarely as an end in themselves. For while scholars like Macedo are right to point out the difference between being liberal “in substance” and being liberal merely “in form”, it is not immediately clear that “flourishing in a distinctively liberal way” is the more meaningful and desirable mode of social existence. For example, the painful growth of liberal democratic institutions in Western Europe has been experienced in the pursuit of flourishing, but flourishing in a distinctly British, or German, or French way. The primacy of national identity as a common good to be advanced has rarely been challenged in the history of these nation-states – government systems have been the temporary frameworks for this prosperity.

⁸⁹ Macedo 266

In settler societies like Canada the concept of national identity and the dominant federal/ multicultural/ liberal way have been intertwined historically, politically and socially. Therefore, the fundamental question which Canadians are faced with as a nation is where to draw the line between the distinctly liberal and the distinctly Canadian, while the essential questions which Canadians need to address along provincial, linguistic, ethnic, cultural and racial cleavages are: can all persons flourish equally in a distinctively liberal way, and how can they as citizens conceive of any form of flourishing as meaningful unless it is related to their real and desired identities?

Government policies on multiculturalism have in this sense presented one attempt to respond to all three questions. While not unique, an elaborate, strong commitment to multiculturalism can certainly be promoted as distinct. Meanwhile, multiculturalism is meant to: bring cultural identity into the public arena in order to make it inclusive; generate solidarity around appreciation for diversity as a primary value; and at the same time appease (though not very successfully) Quebecois and Aboriginal peoples' claims to self-government. Last but not least, multiculturalism is tied to the growth of diverse immigrant populations, arguably providing recognition to settled ethnic minorities and a "Canadian vision" to those who arrive. Ideally, newcomers will integrate into Canadian culture without being assimilated into it, and they will contribute to cultural diversity without becoming part of the ethnic tensions that it usually stirs in other parts of the world.

Multiculturalism certainly does not amount to differentiated citizenship - it might actually be interpreted by some as another way to universalize the meaning of political membership by universalizing the experience of difference. Nor does it add a new set of

rights to the bundle of civil and political ones (social rights being sadly absent in the Canadian case). Multiculturalism, however, still adds a set of practices and ideological nuances that acknowledge the importance of culture as a special dimension to the concept of citizenship and entrench it in policy. Moreover, multiculturalism requires a special place for tolerance as a primary value and establishes diversity as an asset rather than an impediment to citizenship.

The basic questions which multiculturalism in turn poses to political theory and law are about the limits of tolerance to cultural practices and the compatibility between liberal individualism and claims to collective rights and entitlements. Some of the leading work in this field of inquiry has been undertaken by Will Kymlicka and outlined in his *Multicultural Citizenship*. The substance of Kymlicka's argument can be summarized in several key points. He begins by asserting that, contrary to traditional views, the recognition of cultural difference is not merely relevant, it is *essential* to liberalism. This is because, simply put, in the absence of culture, individual choice becomes a hollow concept. The secret ingredient that others have been missing is the recognition of culture as the context in which the fundamental liberal ideas of individual autonomy, choice and tolerance gain substance.⁹⁰ The cultural environment into which any person is born does not only supply the list of alternative life plans, but also develops his/her ability to attach value to them as "good" or "bad". "Freedom involves making choices amongst various

⁹⁰ Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (New York: Oxford University Press, 1995) 75-93

options, and our societal culture not only provides these options but makes them meaningful to us.”⁹¹ In this sense, access to one’s own culture becomes imperative.

Such access is sometimes only possible through the recognition of collective entitlement. Kymlicka differentiates between self-government, polyethnic, and special representation rights, all of which have the overarching purpose of creating equality between groups and protecting identity difference. Self-government rights do not necessarily imply full independence, but rather enough autonomy to secure the cultural distinctiveness of the claimants on an equal footing with the majority. Such partial autonomy could require some differentiation in citizenship status and it is typically achieved through changes in the federalism formula which delegates powers over a number of policies crucial to nationhood, such as language, education, family law, immigration, resource development.⁹² Polyethnic rights are probably the ones most commonly associated with multiculturalism and they tend to concern mostly ethnic and religious minorities.⁹³ The purpose of polyethnic rights, according to Kymlicka, is largely to ensure that minorities are not systemically disadvantaged or altogether precluded from full citizenship because of their “difference”. Examples of polyethnic rights have included case by case measures to recognize and enable the expression of identity, such as exemptions from dress codes or from Sunday closing laws, funding for ethnic art and change to education programs to reflect more cultural experiences. Finally, there have been strong arguments for special representation rights. Instead of relying on the state to take protective and sometimes paternalistic measures, it may be wiser in the long term to

⁹¹ Kymlicka, *Multicultural Citizenship* 83

⁹² Kymlicka, *Multicultural Citizenship* 29-30

⁹³ Kymlicka, *Multicultural Citizenship* 31

refurbish state institutions to reflect accurately the character of a highly diverse population. A guarantee of seats in the legislative as well as strong presence in the other branches of government would ensure that minorities have access and can provide input on state policies. Special representation rights would extend to women, gays and lesbians, the poor and other marginalized groups in addition to ethnic minorities, thus providing recognition of identity beyond the traditional definition of culture.⁹⁴

Clearly, not all three of these types of rights are entrenched in settler societies' policies and where they are present they are partial and controversial. However, multiculturalism does crack open the heavy door to the de-homogenization of the concept of liberal citizenship. The lasting commitment to a multicultural vision of Canada establishes its compatibility with the liberal state and individual rights, and at the same time tests the limits of this compatibility through the principle of tolerance. While these limits are unclear and highly contested, Kymlicka's philosophical conclusion is probably closer to the currently dominant perception that:

Liberal justice cannot accept any such rights which enable one group to oppress or exploit other groups. ... A liberal view requires *freedom within* the minority group, and *equality between* the minority and majority groups.⁹⁵

Finally, multiculturalism adds a distinctive flavour to the liberal value of tolerance. In a sense, the dictionary meaning of tolerance as "lack of opposition to beliefs or practices differing from one's own"⁹⁶ becomes the "minimal requirement" meaning. A truly tolerant multicultural citizen possesses a peculiar positive outlook on diversity that

⁹⁴ Ibid.

⁹⁵ Kymlicka, *Multicultural Citizenship* 152

⁹⁶ Merriam Webster: Language Master Dictionary

goes beyond that minimum. For in its minimal meaning tolerance is not sufficient to justify why one should not be tolerant of the lack of tolerance among all else. If tolerance is to be designated as the primary value, an additional ingredient is necessary. For the multicultural experience to be politically meaningful and collectively rewarding, the citizen must be able not just to sympathize with others, but to appreciate mutual respect for difference (as well as common bonds) as foundational to their relationship. Tolerance cannot be primary without a degree of appreciation for diversity as a context of choice. This does not mean that one must stop promoting her own idea of the good life – people, as individuals and groups, naturally lead the ways of life they consider superior in their circumstances. They might not even desire to live in a diverse environment or attach special value to such an environment – but if they are to share society with others multicultural tolerance would require that they do attach special value to the reciprocal availability of various life options for others. To remain tolerant and to demand tolerance this citizen must be able to relate to the rest of society in three ways – from the point of view of individual identity, from the point of view of an individual within his/her own culture, and from the point of view of a member of one culture among members of many other cultures. The multicultural citizen does not simply meet others as abstract individuals who happen to be rooted in any given culture (as the classical liberal citizen would). A citizen who carries tolerance as a multicultural virtue perceives others through this three-dimensional relationship and expects to be perceived the same way. When this perception is mutual citizens can meet each other within a grid of multiple relationships, where individuals can be understood from their ‘standpoints’ and groups can be understood in the context of their historical and social crossroads. To return to Macedo’s

phrase, this would distinguish a society which adopts tolerance as a procedural value in a multicultural framework, from a society where diversity is understood, accepted and justly treated, one which flourishes in a distinctly multicultural way.

CHAPTER TWO:
NATURALIZATION AND THE CONSTRUCTION OF THE “GOOD CITIZEN” IN CANADA

Introduction

This chapter moves on to address the specific subject of inquiry, namely “how is the “good citizen” constructed through official policy on the acquisition of Canadian citizenship”. Answering this question adequately requires breaking it down to the two stages of acquisition of citizenship (and hence of the construction of the “good citizen”). The first stage can be perceived either as a process of recruitment or as a process of acquisition of immigrant status, depending on whether it is considered from the point of view of the state or the point of view of the individuals and families seeking membership. Similarly, the second stage refers to the administrative process of granting or gaining citizenship status under the regulations of the Citizenship Act. Thus, the first part of the chapter tests whether we can uncover what characteristics are desirable in a Canadian citizen from knowing what persons the state has opened membership to. The second part then turns to a more specific analysis of what image of the “good citizen” emerges from the texts of the Citizenship Act, the Citizenship Test and its preparation Guide “A Look at Canada”.

It has to be noted, before going any further, that this definition of the process of acquiring Canadian citizenship as a matter of two administrative stages of legal procedure, is simplified and instrumental. It would perhaps even be fair to say that the analysis offered here is somewhat “cold” and detached from human experience, as many inquiries into issues of law and policy are. Indeed, this analysis of acquiring a legal status is not to be mistaken with the much more engaging and infinitely complex phenomenon

of becoming Canadian, as acquiring a mindset (if one could ever be identified, for better or worse), a feeling of belonging and a patriotic affiliation to the land, institutions and society of the country. The latter subject matter is more suited to analyses composite of sociology, social psychology and cultural studies. This chapter, however, cuts a very thin slice of this very large phenomenon, and aims to give a critical review of the procedures set in policy on naturalization, in view of the political lessons they carry about the meaning of being a “good citizen” of Canada. It also aims to problematize the very lack of connection of these procedures to the human experiences they create, as an element which can and should be accommodated in policy. As this chapter suggests, the movement from processing paper to processing people can make the difference between creating citizens on paper and creating full members of a political community.

PART I : RECRUITING NEW MEMBERS/ACQUIRING ACCESS TO CITIZENSHIP

The Citizenship Act⁹⁷ of Canada recognizes three conceptually different ways of “acquiring” citizenship. In its strictly legal meaning, Canadian citizenship can be granted on the principles of *jus soli* (by birth on Canadian territory), *jus sanguinis* (by birth to Canadian parents) and by naturalization.⁹⁸ In the instances of *jus soli* and *jus sanguinis* it is more appropriate to say that citizenship is assigned as a matter of right, rather than acquired as a matter of desert. Obviously, citizenship as a right under these two categories is conferred equally upon qualifying individuals regardless of whether they are “good citizens”, or even good persons. The subject of the research question is thus

⁹⁷ Canada. Citizenship Act, 1985, R.S.C., ch. C-29

⁹⁸ Canada. Citizenship Act, R.S.C 1985, sections 3-6

narrowed down to the acquisition of citizenship through naturalization. The conditions of eligibility for naturalization are outlined in section 5 of the *Citizenship Act*. With some exceptions for children, humanitarian and special cases, the Act allows the Minister to grant citizenship only to persons of age who hold the status of permanent resident of Canada and are able to satisfy several conditions, among which are: to have resided in Canada as permanent residents for a period of at least three years; to have adequate knowledge of one of the official languages of Canada; to have adequate knowledge of the privileges and responsibilities of citizenship. Together these criteria define the prerequisites for political membership. *The exclusiveness of this membership implies that the eligible group possesses characteristics relevant to citizenship which other temporarily present "outsiders" - for example foreign students, au pairs or tourists - do not.*⁹⁹ This part of chapter two begins the investigation into these characteristics with the first and most serious limitation prescribed by the Act - the status requirement. This requirement translates the restrictions on obtaining permanent residence through the immigration process into restrictions on access to citizenship. In this sense, the recruitment of permanent residents can be perceived as de facto recruitment of future

⁹⁹ In fact, it is possible for such persons classified as visitors to remain in Canada for extended periods without ever becoming eligible to apply for citizenship. For instance, a person who enters Canada as a permanent resident becomes eligible to apply for citizenship three full years after residing here under this status. A foreign student, on the other hand, would typically spend at least four years living in Canada without gaining that option. In the cases of temporary workers, such periods may last decades. While this situation is of questionable justice, it also raises the question of why eligibility for citizenship is not contingent on ties to Canada as much as it is on administrative status. The only possible logical explanation here is that the state attaches great importance to its ability to put individuals through the selection process of immigrants. This reinforces the expectation to find the distinctive characteristics of permanent residents, which other long-term residents on different terms of admission are lacking. These characteristics, however, remain greatly elusive.

citizens, even though there is no direct or explicit link between the two as a matter of policy.

Despite the fact that immigration and naturalization are treated as two entirely separate processes by government administration, the social and historical ties between the two are well known, as a foundational experience of settler societies. Immigration as state policy has developed out of immigration as historical tradition, and while the framework and goals of policy have changed with the passage of governments the tradition itself has always outlived them. Unlike most other policies, immigration policy regulates not just distributions and processes within society, but its composition. In order to do that it has become necessary for policy makers to develop and continuously update a conception of what defines a prosperous individual, of what the political and economic realities in Canada are and what they demand. While immigrants arrive to act as a solution to economic problems that exist currently, their membership and influence in Canadian society remains permanent. These two roles of immigrants are inseparable, and while they are only selected for one, they inevitably act in both.

The economic class and the point system as an indicator

Under the newly adopted Immigration and Refugee Protection Act 2002 permanent residence is a status accorded to those foreign nationals who arrive in Canada as immigrants in one of the three general categories that have existed traditionally to regulate admission: family class, economic class (previously known as “independent immigrants”), and refugee class.¹⁰⁰ The objective of family class immigration, as the term

¹⁰⁰ Canada. Immigration and Refugee Protection Act. 2002, Part I, Division 1

suggests, is the reunification of close family members with persons who are already Canadian, and in this sense serves the immediate interest of citizens to extend that privilege to their relations. The selection of any particular individual under this class is thus predetermined by close kinship and requires only administrative and organizational wisdom on behalf of the state in order to be efficient. The objectives of the refugee class are motivated by Canada's foreign policy, humanitarian obligations under the 1951 Geneva Convention and international image. Its purpose is to provide asylum and protection for persons in life-threatening circumstances and for those suffering inhumane treatment in other parts of the world. The admission and accommodation of refugees is, at least presumably, based on moral and compassionate grounds. While there is a special, often controversial, mechanism for processing refugees, its focus is on establishing the validity and truth of the claims put forward, rather than the personal merits of the claimants. In this sense, these two categories of immigration do not contain clear or significant indications as to what qualities of immigrants and potential citizens the state might be seeking.

The last class to be considered in this respect is the economic class, consisting of the federal skilled worker class, the Quebec skilled worker class, the investor class, the entrepreneur class and the self-employed persons class.¹⁰¹ The existence of this class under IRPA is related to immigration's ongoing objective "to support the development of a strong and prosperous Canadian economy, in which the benefits of immigration are shared across all regions of Canada."¹⁰² The inclusion of investors, entrepreneurs and

¹⁰¹ Ibid.

¹⁰² IRPA, s. 3 (c)

self-employed persons under this mandate is self-evident. The ability to attract and accommodate capital of all scales, as well as to establish trade connections, is decisive to all economies in the global community and it is hardly surprising that a variety of means, including the opportunity of immigration, are often utilized by governments to this end. The contribution of members of this class is measured directly in monetary benefit, and so is their eligibility of admission. The possibility of acquiring citizenship in these cases has a somewhat different meaning, both for the business immigrants as individuals and for the state. Apart from signifying full political and social membership, citizenship can also be considered as a source of security and “insurance” with legal and financial implications, which tie the interests of businessmen to Canada and vice versa. While these classes of immigration raise questions about the nature and value of citizenship, they do not speak directly to the main subject of inquiry.

The last set of economic immigrants to be considered here are federal skilled workers and Quebec skilled workers. Apart from the legal distinction, the main significant difference between the two classes is the requirement that immigrants interested in settling in Quebec under this category be fluent in the French language. The principle and conditions of recruitment, however, are the same for all skilled workers. Over the last two decades these two classes have made up close to half of all newcomers to Canada. In addition to that, this category allows the state the most flexibility in the process of selection of immigrants. Indeed, its very existence is one of the most distinct features of the Canadian immigration system. It would be fair to say that most “developed” democratic states accept refugees, allow family reunification and have some provisions to accommodate investors. There are only few such states, however, which

still recruit new permanent settlers on a large scale. Presumably, part of the rationale for keeping borders open to independent arrivals lies in the historical ties of Canadian identity to the immigration process. Another part may lie in demographic concerns. There are, however, no apparent legal, moral or international obligations to structure this inflow in any particular way. Hypothetically, the state would be in its right to admit newcomers through a “green card” lottery or some other random method. Therefore, the fact that a highly organized selection system is employed to govern the admission of independent individuals and families signals that some notion exists within the state apparatus about what makes some immigrants “preferable” to others. Since these immigrants automatically constitute a big portion of future citizens, this selection system becomes relevant to the research question discussed here. Besides, the existence of skilled workers *as a class of permanent residents* cannot be justified in purely economic terms. If the demands of the labour market were the single concern behind recruiting skilled workers, these demands could just as well be satisfied by the “temporary worker” class of visitors, as is the case in many countries. Thus, while the law dictates that skilled worker immigrants are defined by their “ability to become economically established in Canada”, the promise of residence and consequently of citizenship, as well as the lack of any control or follow up on where these “workers” settle and work, indicates that the qualification of “skilled worker” loses meaning as soon as the admissions process is complete. From that point on permanent residents admitted in this category are not much more than economically defined “citizens to be”.

The following section provides a historical perspective in brief on the recruitment of independent immigrants outside the family and refugee class, focusing on the

conceptualization of these immigrants as economic actors and especially on more recent developments in the point system of selecting skilled workers.

Short story of unnatural selection

The development of the selection system for independent immigrants is the most telling tool of immigration policy, but the most often neglected in research literature, as it fails to attract attention to itself.¹⁰³ Selecting skilled workers is naturally not nearly as controversial and emotionally engaging as the policies affecting refugees and relatives of Canadians. As its history suggests, however, the process of selection can be just as significant politically to the state and issues of citizenship, as it is economically to the market.

Up to World War I there existed a strong and obvious need for expanding labour resources to match the land and capital resources of a fast growing economy. The only way to ensure population growth at the level that a developing industry demanded was to bring in a supply of foreign workers. As Green and Green point out, the goals of immigration were thus purely economical and very specific.¹⁰⁴ New settlers came to work on transcontinental railways and to occupy less populated territories of the West. Official policy stated the need for farm workers and "female domestics". Another issue that was not a matter of debate was where such human resources were to be found. Selection of

¹⁰³ Gerald E. Dirks Controversy and Complexity: Canadian Immigration Policy During the 1980s, (McGill: Queen's University Press, 1995)

¹⁰⁴ Alan G. Green and David A. Green The Economic Goals of Canada's Immigration Policy, Past and Present, (Kingston: Queens University, 1999) 4

immigrants was openly discriminatory and based entirely on country of origin.¹⁰⁵ Britain, France and North-western Europe were the traditional source countries for immigration and ties with them were strong in every aspect, especially because the majority of Canadian settlers at the time could trace their origins to this part of the world. It was only "common sense" that the state should maintain the ethnic, cultural and religious composition of existing settler society. Even though this composition was already diverse, there existed a notion of certain identity as a prerequisite for Canadian citizenship, and this notion was to be reinforced through immigration regulation (and a number of other policies as well).

Significant changes in the selection of immigrants started in 1919 when a literacy test was introduced to ensure some level of reading and writing skills. Limits were set on the number of people admitted to allow for control of the inflow and the word "nationality" appeared next to "race" in selection criteria.¹⁰⁶ The ability of traditional source countries to supply the necessary number of immigrants declined in this period, but the demand for labour in the Canadian economy did not. Policy makers were faced with the need to recruit settlers from other regions and albeit reluctantly they expanded the pool of acceptable applicants to include Central and Eastern Europeans. Still, satisfactory source countries were divided into "preferred" and "non-preferred" groups and country of origin remained the detrimental factor for admission. It also dictated how limited the rights of immigrants from those countries were to sponsor their relatives.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid. 5

The commitment to preserving the perceived ethnic and cultural identity of Canadian society remained strong after World War II and throughout most of the 60s. In a speech in 1947 Prime Minister Mackenzie King expressed the fear that removing restrictions on large-scale immigration from non-preferred countries, and from Asia in particular, "would change the fundamental composition of the Canadian population".¹⁰⁷ In order to meet economic demand policy makers expanded sponsorship rights for relatives of European immigrants in the hope to stimulate inflow from this region and avoid the necessity to include others. For a while this strategy worked as it was intended, but eventually created new problems. Those who arrived as family members of immigrants increased the proportion of unskilled inflow, while the booming resource sector and the labour market were becoming more specialized. As Green and Green observe, this created a great contradiction between short term and long-term economic goals, and between economic goals and commitment to cultural profile.¹⁰⁸

By 1962, however, the need for skilled labour prevailed. Along with the social and political changes that accompanied it, this need caused a shift in policy which divorced immigration (at least legally) from the preservation of dominant identity and redefined the process in purely economic terms. Race requirements were consequently removed as irrelevant to the market oriented goals of this period and selection criteria moved on to other personal characteristics. The policy shift dictated placing more value on the individual's ability for economic contribution than on ethnic and cultural belonging. As neo-liberal thought began to emerge, the idea that Canada should recruit

¹⁰⁷ Tom Kent "Immigration Now: How to Regain Control and Use it Well", *Policy Insights* (School of Policy Studies: Queen's University, 2001) <http://policy.queensu.ca/spspi/docs/tk1001.shtml>

¹⁰⁸ Green and Green *The Economic Goals of Canada's Immigration Policy, Past and Present* 8

self-reliant, productive, competitive individuals took hold. This, however, meant more complex administration and new policy instruments. While nationality is easy to determine on its own, measuring individual merit requires a more sophisticated policy tool. In 1967 a point system was introduced for this purpose and it has been modified ever since.¹⁰⁹

The point system is an assessment tool for economic class immigrants, which is meant to predict the applicant's chances of success in finding employment in his/her vocation and adapting to the Canadian environment. Applicants are evaluated on a scale of 100 points, accumulated under a number of criteria which have traditionally included: age, education, occupation, arranged employment, work experience, language ability (in Canada's official languages), close relatives in Canada and personal suitability. Over the last four decades there has been some variation in the categorization of these criteria and the distribution of points among them, but the intent and principle of the system have remained the same.

Under the point system an administrative mechanism was set up to study and measure the need for professionals in specific occupations in the Canadian economy and the selection process was turned into a large-scale recruitment program for "skilled workers". Current levels of immigration and the distribution of point values were determined solely by the fluctuations in the market. The "preferred individual" under this system would be a young professional with several years of experience in his field, good command of Canada's official languages and strong ambition and initiative. Ideally,

¹⁰⁹ Alan G. Green and David A. Green "Canadian Immigration Policy: the Effectiveness of the Point System and Other Instruments", *Canadian Journal of Economics*, No.4b, November (1995): 1007

Canada would be gaining a law abiding, economically competitive individual without having to pay the cost of raising and educating such a person. As long as a productive and peaceful disposition was evident, everything else in an applicant's cultural profile was officially irrelevant and focus was placed entirely on the ability of the future citizen to do well in the market economy.

In the first few years after the point system was put into effect, 50 out of 100 points were required to ensure an applicant's success, most of which were based on his/her specific occupation. According to Green and Green, this initial period marked "the ultimate victory of the belief that immigration policy could be micro-managed."¹¹⁰ Implementation of this system meant that independent immigration no longer had just a direction – it had concrete targets, and these targets were particular occupational niches. Conversely, from a social and political perspective the point system signalled that immigration policy no longer had a cultural and ethnic target, but a direction towards liberal/market individualism in recruiting future citizens. It is hardly surprising that this transformation of policy goals coincided with the gradual infusion of neo-liberal ideas into federal governance.

As the Canadian economy experienced changes from the mid 70s to the late 80s, so did levels of immigration. Concerns grew about the absorptive capacity of the economy for new labour, especially in periods of recession and higher unemployment, and this led to stricter requirements for independent immigrants under the point system. In 1982 the number of immigrants dropped drastically as policy makers limited selection only to applicants who had pre-arranged employment in Canada. This policy lasted till

¹¹⁰ Green and Green, The Economic Goals of Canada's Immigration Policy, Past and Present, 10

1986, when concerns about low Canadian birth rates created pressure to increase the inflow of immigrants.¹¹¹ While demographic goals lost priority only several years later, the point system returned to full scale and the minimum requirement of points increased to 70. However, if an applicant's profession was not on the list of demanded occupations, or if he or she had no experience in it, refusal followed automatically, regardless of any other qualities that may have been evident and relevant.¹¹² In other words, there was little doubt about the neo-liberal character of the priorities of immigrant selection. Throughout the 1990s this selection system remained stable and dedicated to filling occupational gaps.

While the introduction of the point system as a policy instrument was a very significant step towards the elimination of ethnic and racial profile from the list of selection criteria, its implementation has not been entirely successful in fulfilling this purpose of the design. For example, the importance of country of origin has not disappeared to date because the practical obstacles that potential immigrants face in the application process can vary greatly according to geographical location. Immigrant applications are processed outside Canada by commissions and embassies. The budget for these application centres, however, is not distributed evenly and the resources available to each visa office put a limit on how many applicants can be processed in different locations.¹¹³ While in most cases one application centre is responsible for an entire region of states, the volume of applications can differ significantly between

¹¹¹ Green, Alan G. and Green, David A. "Canadian Immigration Policy: the Effectiveness of the Point System and Other Instruments", Canadian Journal of Economics, No.4b, November (1995): 1015

¹¹² Citizenship and Immigration Canada, "Processing Independent Immigrants", Operating Procedures: Chapter 5, effective May 1, 1997

¹¹³ Green, Alan G. and Green, David A. "Canadian Immigration Policy: the Effectiveness of the Point System and Other Instruments," Canadian Journal of Economics, XXVIII Nov. 1995, p.1010

regions. This renders such centres much less accessible and delays processing times for those who manage to apply, sometimes to a length of several years.¹¹⁴ Apart from discouraging and distressing the applicant, such delays also defeat the dominant economic goal of the point system - from the time applicants are assigned points for occupational demand to the time they actually enter Canada the labour demand in their field has changed.

In addition to that, the most apparent barrier to applying for permanent residence as an independent immigrant are the fees associated with processing of documents and funds required to settle in Canada. For example, under current fee schedules a family of two adults and two dependent children can expect to pay \$3,275 CDN¹¹⁵ in processing fees to the respective visa office, and if successful, present proof of another \$17,727 CDN upon landing if the principal applicant has no arranged employment.¹¹⁶ While by Canadian standards these amounts may appear conservative, even low estimates of the price of resettlement¹¹⁷, they can be insurmountable from the perspective of workers in countries with low standard of life, no matter how experienced or educated they are. The expectation of newcomers to provide for themselves from the outset may or may not be perceived as fair and reasonable – with strong moral arguments on both sides this is a

¹¹⁴ For example, the volume of applications to the Canadian High Commission in Singapore, responsible for immigrant applications from Bangladesh, Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Saba, Sarawak, Singapore, Thailand and Vietnam, is presumably far much higher than the volume of applications to the Canadian Embassy in Berlin, responsible for immigrant applications from Germany and the Netherlands.

¹¹⁵ Canada. Fee Schedule for Citizenship and Immigration Services. Citizenship and Immigration. <http://www.cic.gc.ca/english/applications/fees.html#swpf>, February 2003

¹¹⁶ Canada. Funds Required to Settle in Canada, Citizenship and Immigration Canada, <http://www.cic.gc.ca/english/skilled/qual-4.html>, updated July 2002

¹¹⁷ Required funds are calculated as 50% of Statistics Canada's low income cut off for major urban areas. (Overseas Processing Manual 6, "Federal Skilled Workers", Citizenship and Immigration Canada, 2002)

separate path of inquiry. However, what is worth noting here is the paramount importance placed on self-sufficiency. The lack of settlement funds, i.e. the means to be self-sufficient from day one, effectively suspends the immigration process for the individual and thus overrides the sum of all other attributes which he or she has displayed under the point system, as well as any long-term benefits that Canada might derive from such a person as an economic agent and citizen.

These last two points serve to ascertain that the replacement of a cultural ethnic profile with an economically based point system for selection of immigrants may reduce discrimination but does not necessarily eliminate it. In a sense, any act of selection favours some individuals over others. However, what makes Canadian selection of immigrants inherently discriminatory is that by design it is not concerned with favouring and disfavouring justly, but with favouring and disfavouring efficiently according to its goals. It is particularly unfortunate that, as experience shows, some of the populations who were excluded in principle by ethnic criteria tend to be the same ones excluded in effect by economic selection.

Recent developments in the point system and changes under IRPA

While the point system remained stable throughout the 1990s, its malfunctions and rigidity had gained enough attention to establish the need for reform in the face of a changing Canadian and global economy. Economic policy reviews suggested overwhelmingly that the selection system needed to move away from targeting specific occupational gaps and in the same direction as labour markets – towards more general qualifications and qualities. One of the more significant policy documents which tabled

proposals for changes to the point system, priority of processing, and administration of immigration policy is Citizenship and Immigration Canada's *Building on a Strong Foundation for the 21st Century*.¹¹⁸ The report contained a synthesis of the political outlook and rationalization behind the proposed new approach to the point system, which can be summarized as follows.

The global economy is changing quickly, resources in the world are limited, and demand for them is high. In a new knowledge-based economy, the human resources are the most valuable for coming up with new solutions in a complex and competitive environment.¹¹⁹ Only countries which have those resources will prosper in the new century. If Canada is to meet the new global challenges, according to the report, it needs a more flexible and adaptable society. Organizations and jobs change and narrowly specialized skills are only valuable for a short time. Filling in occupational gaps cannot remain the focus of the selection system for immigrants because those gaps are changing rapidly. Monitoring those gaps administratively is becoming an impossible task. The new emphasis, therefore, has to be on the flexible and transferable skills of immigrants.

Perhaps most importantly, the report's recommendations recognize that "economics... is only part of the story."¹²⁰ Immigrants cannot be seen just as economic agents. The economy cannot change on its own – it is accompanied by social and political processes and immigrants need to participate in them. For this reason, it has been recommended that language skills of newcomers be emphasized as crucial not only to

¹¹⁸ Canada. *Building on a Stronger Foundation for the 21st Century: New Directions for Immigration and Refugee Policy and Legislation*, Citizenship and Immigration. 1998, http://www.ci.gc.ca/english/about/policy/lr/e_lr.html

¹¹⁹ Ibid. 1-3

¹²⁰ Ibid. 28

employment, but to integration in general. Testing of competence in English and French should be optional, but encouraged and rewarded. Under personal suitability the "flexibility, adaptability, motivation and knowledge of Canada"¹²¹ have to be stressed.

Changes under IRPA 2002

Almost all of the proposals made in *Building on a Strong Foundation for the 21st Century* have been integrated into CIC's Final Regulations accompanying the Immigration and Refugee Protection Act from June 2002.¹²² The most significant change to the point system under IRPA is the elimination of the "occupational demand" and "special vocational preparation" categories, which used to assign fluctuating point value to different professions based on current labour market demands. The removal of these two factors from the selection process indicates a shift in how the role of the skilled worker category of admission is conceptualized. Most notably, the recruitment of economic class immigrants is no longer about targeting occupational niches in high demand, but serving a much more general role of securing a flexible and adaptable labour force which can face the challenges of a globalized marketplace. What IRPA prescribes to that effect is the existence of only one category of "work experience" which encompasses the consideration of both the occupation in question and the applicant's experience in it. Thus all occupations carry equal point value, as long as they correspond to the ones enumerated in the *National Occupational Classification* matrix produced by Human Resources Canada. While the Regulations leave the possibility for some

¹²¹Ibid. 30

¹²²Canada. Immigration and Refugee Protection Act Regulations, Canada Gazette, June 14, 2002, vol.136 No.9

occupations to be restricted for the purposes of immigration due to high supply on the Canadian labour market, there are currently no such “forbidden” vocations listed. The net effect of these changes is that applicants no longer hold any advantage or disadvantage in the selection process because of their occupation. On the other hand, having at least one year experience in one’s profession still remains a minimum requirement for approval.

While in the previous assessment system occupation-related points amount to 43 out of 100 possible points¹²³, under IRPA 2002 Regulations the “work experience” factor carries only 21 possible points. This has allowed for a shift in weight to the education factor, which used to be worth only 12 but currently carries the most points in the system – a maximum of 25.¹²⁴ Within the education factor IRPA has brought a more detailed differentiation of levels of education, with the maximum accorded to master’s or doctoral degree holders. This change signifies the primary importance placed on learning skills and qualifications as central to adaptability. The next most crucial factor under the new point system is not surprisingly language ability, which has gone up from 15 to 24 points in weight. A significant development in the assessment of this factor is that applicants are now required to provide proof of their ability, usually by taking an internationally recognized test in English or French. Apart from its practical utility, this requirement expresses the recognition of language skills as detrimental to both survival in the labour market and to integration. Finally, with the factors of “age” and “arranged employment” remaining with the same value, the last new factor created under IRPA Regulations is “adaptability”. The appearance of this factor is somewhat surprising. While the report on

¹²³ Green, Alan G. and Green, David A. “Canadian Immigration Policy: the Effectiveness of the Point System and Other Instruments,” *Canadian Journal of Economics*, XXVIII Nov. (1995) 1009

¹²⁴ IRPA Regulations, s.78 (2)

Building on a Strong Foundation for the 21st Century had recommended that the system should “emphasize flexibility, adaptability, motivation and knowledge of Canada, under personal suitability”¹²⁵, the new system eliminates the factor of “personal suitability” altogether. The factor of “adaptability”, however, does not act in any way as a replacement to “personal suitability”. Under “adaptability” IRPA Regulations list five possible circumstances which carry bonus points for the applicant. Two of these are additional points awarded for arranged employment and for being related to a person living in Canada. Another two are designated for the principal applicant or his/her spouse’s work experience or study in Canada, and the final one is based on the educational level of the applicant’s accompanying spouse.¹²⁶ Clearly, then, the factor of “adaptability” does not refer to adaptability as a personal trait, but to the economic viability of the applicant as an individual or family unit. “Motivation” and “knowledge of Canada” are entirely absent from the system, and, with the removal of the “personal suitability” factor assessed through interviews, there is no possibility for these two criteria to be formally evaluated at any point in the selection process.

Overall, the changes to the point system introduced by IRPA have the two-fold impact of making the selection of skilled workers both more general in language and more restrictive in effect. On the one hand, there is a major shift in policy objectives and philosophy in response to a changed economic reality, from rewarding professionals able to fill in specific occupational gaps, to rewarding more generally adaptable individuals

¹²⁵ Canada. *Building on a Stronger Foundation for the 21st Century: New Directions for Immigration and Refugee Policy and Legislation*. Citizenship and Immigration 1998 :30
http://www.ci.gc.ca/english/about/policy/lr/e_lr.html

¹²⁶ IRPA Regulations, s.83

with strong learning, and consequently, transferable skills. On the other hand, the bar of admission is raised from a minimum “pass mark” of 70 to 75 out of 100 points, where 49 points are contingent on education (since language training is essentially a matter of education, the points value of the two factors can be considered together.) Still, even if one were to be sufficiently schooled to obtain the full 49 points, a lack of pre-arranged employment and favourable personal circumstances under “adaptability”, carrying 20 points together, would significantly lower one’s chances of obtaining the minimum score.

Conclusions from the first stage of acquisition of citizenship

Conclusions drawn from state recruitment policy

The process of recruiting new permanent residents reveals little about what characteristics are construed as more or less desirable in future citizens. Furthermore, this process leaves no logical explanation as to why eligibility for citizenship is restricted to permanent residents as a privileged status. As is well known, there are large numbers of temporary residents and visitors who have resided in Canada for long periods of time, and who seek to acquire Canadian citizenship, but remain ineligible. The distinction between these individuals and permanent residents is administrative status and processing under the immigrant selection system. However, this distinction does not serve as an explanation for why the state might give priority to those who declare intent to establish themselves in Canada over those who already have (as in the numerous examples of foreign students, domestic and temporary workers with long term association to Canada). The only possible logical distinction is that the selection system for immigrants tests some characteristics relevant to good citizenship, which temporary status cannot

establish. The brief examination of this system above, however, fails to uncover any such testing.

While the categories of family member and refugee immigrants impose significant practical limitations to exploring such characteristics of good citizenship, the policy and tradition of maintaining borders open to persons who are not fleeing persecution and who arrive independently from family and business circumstances, leaves the government sufficient legal and ethical room to consider such newcomers as future citizens. Under existing immigration regulations, however, the opportunity for such consideration is completely ignored. Out of a variety of possible ways to select independently arriving persons and families, state policy in the last few decades has intentionally limited itself to defining and assessing such immigrants as purely economic agents.

The development of the federal skilled worker point system of selection serves to reinforce this observation. Its chief concern is to assess “the ability [of potential immigrants] to become economically established in Canada”.¹²⁷ While the law, its regulations and policy documents have continuously recognized the value of immigration as a social tradition, and repeatedly mentioned the cultural, social and political contributions associated with the long term presence of immigrants, the declared importance of these contributions is in no way reflected in the selection system. Moreover, the most recent changes to the point system introduced by new legislation completely remove the consideration of knowledge of Canada as a relevant factor in selection. (To return to the previous point, this makes it even more puzzling why people

¹²⁷ IRPA, Part I, Division 1, 12(2)

who have lived in Canada for a number of years as temporary residents, who are obviously adaptable to the Canadian environment, who are already economically established and already possess knowledge of Canada, remain ineligible for Canadian citizenship.)

The final question which remains is: can the state's choice of recruiting immigrants as economic agents, without vision of their future political membership, speak about the construction of "good citizens"? The answer to this question becomes meaningful when one factors in the neo-liberal philosophy of government which has dominated Canadian institutions of federal power over the last several decades. Returning to the neo-liberal doctrine outlined in Chapter One, it is possible to understand why it has been the "common sense" of this aspect of immigration to consider persons in light of their participation in and contribution to the market. Furthermore, it explains the philosophy of tying changes to immigration policy to changes in local and global economy, and most unfortunately, the emphasis on efficiency over (perceivably irrelevant) issues of justice. The image of the "citizen to be" which emerges from the point selection system is congruent with neo-liberalism's conceptualization of positive citizenship attributes: self-sufficiency (in demonstrating employability and having the required funds to resettle), adaptability to market fluctuation (reliant on learning and language skills), individualism (in the very act of "support-free" immigration) and responsibility (at least in acting as a rational actor economic terms).

Conclusions from the perspective of those seeking to acquire citizenship

State policy on acquiring citizenship constructs a notion of what makes “good citizens” not only in the laws, documents and concerns of policy makers, but also in the minds of future citizens themselves. Indeed, if it were not two-sided the entire process would be meaningless. It is, therefore, equally, if not more, important to consider the impact of each step of the process of naturalization on the immigrants who go through it.

There are perhaps two discernable sets of persons seeking to acquire citizenship – those who intend to resettle from abroad, and those who have already made homes in Canada on short term plans and who wish to remain permanently. For the latter, the ineligibility to apply for citizenship based on ties to Canada (other than family ones) most likely conveys the message that their contributions are unworthy of full membership, at least until they are measured against the hypothetical contributions of new arrivals. Since the vast majority of such persons would need to apply to re-enter Canada as federal skilled workers, this part of the process carries the suggestion that personal, emotional and small-scale financial attachments to Canada, as well as any cultural or political solidarity to its society, are factors which taken together do not outweigh economic viability. It is in a sense, a bitterly ironic failure of the selection system, that many persons who have worked and studied in Canada as newcomers would not be able to gain “minimum points” for permanent residence.

Individuals and families seeking to resettle from abroad would most likely draw conclusions from the admissions process which will bear negatively on any substantive notion of citizenship. As has been implied earlier, members of the refugee and family class will have personal experiences very different from those of federal skilled workers.

Indeed, it is quite possible that the private motives, plans and hopes of many newcomers in these classes have little to do with a desire to obtain citizenship. For independently arriving immigrants, however, full membership in the social, economic and political aspects of a new society is the attractive end goal of resettlement. They arrive with the fair expectation to be able to participate in all aspects of society relevant to their lives.

The first and strongest message, which the selection system conveys from the perspective of applicants for permanent residence, is that the road to full membership in Canadian society goes through economic contribution. Physical and cultural identity, belief system, or political sympathies have no bearing on the decision of how “acceptable” one is. What guards the key to access and inclusion is the ability to demonstrate self-sufficiency. In order to show that one deserves to live in Canada, and eventually become a citizen, one must be, first and foremost, educated, experienced, flexible and adaptable. Emphasizing these qualities above all others, one must present oneself as a “skilled worker” to the government of Canada, almost in the same way that one would to an employer who needs to be convinced that he or she is fit for a job. However, (and perhaps surprisingly to many applicants) one need not display any knowledge of the different aspects of life in Canada as one would of a workplace.

Thus, permanent residence is granted to an immigrant only and exclusively in his or her capacity as a skilled worker. Other than access to residence, this status denotes access to participation in a legal and economic environment, and not to “membership” in the cultural and political meaning of the term. This status, however, bestows almost all the rights and responsibilities guaranteed by citizenship, with the exception of political participation, limited employability in government and a number of administrative

restrictions surrounding travel. The status of citizenship, then, presents a small, second step of inclusion in a process where political membership is not only second in line but secondary to economic contribution.

PART II: GRANTING AND ACQUIRING CITIZENSHIP UNDER THE *CITIZENSHIP ACT*

Most of the conclusions drawn from the first step towards acquiring Canadian citizenship remain unchallenged, and in some cases are reinforced, by the second stage of the process. The current Citizenship Act of Canada contains ostensibly simple and concise provisions governing this status, but is remarkably modest when it comes to conceptualizing national membership.¹²⁸ The Act supplies the rules for assigning and renouncing citizenship status, lists the conditions under which citizenship can be obtained through naturalization, outlines in general terms the procedures for administering the status, enumerates exceptional cases and provides the oath of citizenship which new members are required to take. There is, however, insufficient reference to the rights and obligations of citizenship, or any indication of its political meaning as a source of social cohesion.¹²⁹ There are a number of political and historical reasons why the Canadian Citizenship Act has been ill suited to define and foster “good citizenship” in terms as substantial as those of the Charter of Rights and Freedoms or other elements of the Constitution.

¹²⁸ Donald Galloway, “The Dilemmas of Canadian Citizenship Law”, *From Migrants to Citizens: Membership in a Changing World*, T.Alexander Aleinikoff and Douglas Klusemeyer, eds. (Carnegie Endowment for International Peace: Washington DC, 2000)

¹²⁹ Ibid. 18

The Citizenship Act in Retrospect

In addition to regulating the formalities of status, laws defining and governing citizenship serve several social and political functions. Citizenship is first of all fundamental to the understanding of the modern concepts of sovereignty and legitimacy, in both abstract and concrete terms. Any autonomous system of governing institutions exists on the claim of authority over a certain population, usually but not always defined by the territory it inhabits. In the case of democratic governance, furthermore, this claim is extended to the idea that such autonomous rule is derived from and enacted on behalf of the citizenry concerned. The authority contained in sovereignty and legitimacy thus rests on a notion of identifiable limited membership. Laws of citizenship are fundamental to all politics – they answer the basic questions about the principles of belonging, differentiating between the rights and obligations of those included and those excluded from the status.¹³⁰ While a government may have a moral obligation to deal with foreigners in a manner that is just and preserves their human rights, it does not necessarily represent their interests or give top priority to their welfare.¹³¹ Similarly, the rule of law may impose more obligations on those who are members of its jurisdiction than on those who are located in it as visitors at any given time. Finally, citizenship law serves the pivotal task of securing the terms on which the community reproduces itself as a social entity with a certain political identity. This last function is particularly difficult to

¹³⁰ William Kaplan, "Who Belongs? Changing Concepts of Citizenship and Nationality," Belonging: Essays on the Meaning and Future of Canadian Citizenship (McGill: Queen's University Press, 1993) 245-265

¹³¹ Galloway 89

fulfill in the Canadian case, where the concept of citizenship is used to “identify as subjects a group of people who do not self-identify as a single cohesive group.”¹³²

Contesting the terms of citizenship is in fact a fundamental element of the struggles led by numerous groups in the Canadian population to prevent the regeneration of political and legal structures which they deem oppressive.

In the years of its inception, the goals of the Citizenship Act were much more closely tied to asserting sovereignty than to any unifying, nationalizing project.¹³³ Up until 1947 Canadians fell under the status of British subjects, accorded to all persons born within the boundaries of the Empire. Under section 91 of the Constitution Act of 1867 federal authorities were entitled to regulate immigration and naturalization independently but the responsibility for matters affecting British nationality remained with the Imperial Parliament until 1931.¹³⁴ Within that time period restrictions on acquiring citizenship in Canada were introduced through the Immigration Act, which allowed governments to devise the composition of newcomers and indirectly, of future citizens. The ability to limit membership sent the message to the international community that Canada is autonomous enough to exercise control over its own racial and cultural design as a sovereign society. In 1914 the Empire made a last effort to unify naturalization laws across all colonies, but the endeavour was unsuccessful. Thus, to the extent that a need for a separate Citizenship Act existed in Canada at the beginning of the twentieth century, it was a part of a thrust towards greater independence and divorce from the country's

¹³² Ibid.

¹³³ Robert Bothwell, “Something of Value? Subjects and Citizens in Canadian History,” Belonging: Essays on the Meaning and Future of Canadian Citizenship (McGill – Queen's University Press, 1993) 25-36

¹³⁴ Galloway 93-99

colonial past.¹³⁵ Galloway cites two statutes which confirm this legislative intent. The Immigration Act of 1910, providing a definition of “citizen” specific to Canada, and the Canadian Nationals Act of 1921. The ultimate goal of the latter was to satisfy the International Court of Justice that Canada was independent enough to nominate its own members to the Court and that it was worthy of self- representation and political recognition on the global stage. Not surprisingly, as soon as the Statute of Westminster was enacted a decade later the first Canadian bill on citizenship was proposed, and even though it did not survive the legislative process, this first attempt reinforced the understanding of citizenship as a symptom of sovereignty.¹³⁶

Breaking ties with British subjecthood signified breaking away from colonial status legally, symbolically and institutionally. The transition to citizenship, however, was associated with an even deeper political conversion, one that presented a deliberate “shift from constitutional monarchism to liberal republicanism, implicating both governance of the state and rights held against the state.”¹³⁷ While subjecthood stood for allegiance to the person of the Monarch, citizenship required allegiance to the institutions of the state, to the Canadian people as the true sovereign, and above all, to the connections binding citizens together. If Canadians were eager to pledge allegiance to a state of their own, they needed to find a consensus on what their binding connections were and what their sovereignty protects. Thus the quest for independence was phased out and replaced by a quest for strong nationhood, bringing matters of self-definition and identity to the forefront of political life. A new set of issues emerged from the sidelines of

¹³⁵ Bothwell 25-36

¹³⁶ Galloway 94, 96

¹³⁷ Galloway 97

public agenda. For one, in the final stages of gaining independence “being a citizen” could no longer be conceptualized as simply “not being a subject” – it became necessary to attach some kind of particularly Canadian substance to being a “good citizen”, which was as radically different from being “a good subject” as the liberal republican model was from “dominion”. Such a concept, however, was hardly available and when Canadian citizenship was finally established as a legal status it served as a conduit to political changes whose impact it could not itself absorb.

It would not be news to say that the Canadian quest for nationhood has evolved outside of the realm of citizenship law. Instead, the political meaning of Canadian identity and citizenship has been invested in the development of other state documents, such as the Constitution Act and the Charter of Rights and Freedoms. Within the framework of the citizenship debate at least three visions of Canada have emerged – the dualist vision, of a union between the French and the English nations; a vision of three founding nations, acknowledging the historical role and independence of Aboriginal peoples; and of course the multicultural vision (outlined in chapter one). If it is difficult to read any of these visions into federal and constitutional documents, it is nearly impossible to find reference to them in the texts of the Citizenship Act in its 1947 and 1977 versions.

When it came into effect on January 1st, 1947, the Canadian Citizenship Act managed to remedy some of the most problematic issues inherited from previous incongruent naturalization laws (the Immigration Act of 1919, the Naturalization Act of

1914, and the Canadian Nationals Act of 1921).¹³⁸ Apart from finally bringing into being the “Canadian citizen”, the 1947 Act’s most notable provisions included: assigning citizenship status to all Canadians regardless of place of birth; granting mobility rights to all citizens; granting married women sole authority over their nationality status; introducing an oath of allegiance; excluding the possibility of holding dual citizenship. With regard to naturalization, the 1947 Act prescribed a five year residency requirement of newcomers, and a reduced one year requirement of newcomers who were already British subjects. Most significantly perhaps, the 1947 Act made Canadians the first people of the Commonwealth to redefine their political membership on their own terms. Needless to say, the introduction of the Citizenship Act 1947 caused significant political excitement, brought on by discussions over “who belongs” on the one hand and by the great symbolic weight attached to the ceremony of its adoption on the other. The promotional effect of the Act, however, was generated entirely by its context. Its legal text was resigned to supplying a still crude concept of citizenship accompanied by the procedural scheme needed to regulate the distribution of the new privilege. Taken out of its context, in other words, the Act would hardly be classified as a patriotic document. This situation had both its pros and cons. On the one hand, by writing a “blank cheque” on the meaning of Canadian citizenship, the Act surrendered dominant perceptions of this status to the inconstant trends of public discourse, directed by the passions of each historical moment. In terms of the acquisition of citizenship, this attaches to the process much more administrative than political significance. On the other hand, this “blank

¹³⁸ Canada. *Forging Our Legacy: Canadian Citizenship and Immigration, 1900-1977*. Citizenship and Immigration. 2000. <http://www.cic.gc.ca/english/departement/legacy/chap-5.html#chap5-2>

cheque” is also void of the risks associated with fixating in time any concept of citizenship that has not been arrived at through consensus and matured politically. Promoting such a concept would most likely make the Act less inclusive and create the appearance that it serves one or another nationalistic agenda. Whether these pros and cons can be balanced out in favour of reforming citizenship law in either direction is part of a much bigger question about Canadian civic nationhood, which it is perhaps still too early to attempt to resolve. What can be more readily observable, however, are the effects which the current Act and regulations have on the process of acquisition of citizenship and on the image of the “good citizen” which emerges from it.

Qualifying for membership

The philosophy of caution prevailed in the revised Citizenship Act 1977 and its subsequent amendments, which supply the set of regulations still in force today. Although this version of the Act is not drastically different from its predecessor, it does contain some fairly significant changes. Among other points, the Citizenship Act 1977 allows for dual citizenship by restoring the possibility of maintaining or gaining a second nationality, without threat of losing status in Canada. The Act also evens out the conditions of naturalization for all landed immigrants, regardless of whether they are classified as British subjects or “aliens”: it imposes an equal length of residency requirement, at the same time reducing it from five to three years; and it removes differences in the processing of the two categories of immigrants, most notably by introducing the demand that British subjects take an oath of allegiance in formal

ceremony with everyone else. The composite requirements for naturalization are enumerated in Section five of Part I of the Act:

5. (1) The Minister shall grant citizenship to any person who:
 - (a) makes application for citizenship
 - (b) is 18 years of age
 - (c) is a permanent resident within the meaning of subsection (2)1 of the *Immigration and Refugee Protection Act*, and has, within the four years immediately preceding the date of his or her application, accumulated at least three years of residence in the following manner:
 - (i) for every day for which the person was resident in Canada before his lawful admission to Canada for permanent residence the person shall be deemed to have accumulated one-half of a day of residence, and
 - (ii) for every day for which the person was resident in Canada after his lawful admission to Canada for permanent residence the person shall be deemed to have accumulated one day of residence;
 - (d) has an adequate knowledge of one of the official languages of Canada
 - (e) has an adequate knowledge of Canada and the responsibilities and privileges of citizenship, and
 - (f) is not under a removal order and is not the subject of a declaration by the Governor in Council made pursuant to section 20.¹³⁹

Since the requirements of (a), (b) and (f) are clearly administrative in purpose, the intent of the law can only be interpreted from the remaining three subsections. Part I of this chapter has already examined some of the implications of the using the status of permanent resident as a qualifier. Before moving further, however, it is useful to consider the meaning of the residency requirement in (c).

It is difficult to establish with clarity and certainty what message about the needs of citizenship the lawmaker has attempted to send by demanding presence for a total length of three years. This period of time may appear either too excessive or too insufficient depending on its purpose. It is possible, for example that the requirement of

¹³⁹ Canada. Citizenship Act, R.S.C. 1985 ch. C-29, Part I, s.5 (1)

three years was set simply in keeping with the similar naturalization provisions of other Commonwealth states such as Australia and New Zealand. It would also be likely that the number carries some expectations of an acceptable level of integration of potential citizens. Galloway cites two different readings of (c) from Canadian case law. In *Hassan v. Canada*, 1993, Mr. Justice Cullen presents his understanding of the residency requirement as a “probationary period”¹⁴⁰, exemplifying the idea that “citizenship is due when a positive contribution has been given”¹⁴¹ by virtue of presence in Canadian society “without running afoul of Canadian law.”¹⁴² As Galloway infers, “from this perspective, the minimal requirements of knowledge of language, of Canada, and of the rights and responsibilities of citizenship are more formal than substantive, a token of the individual’s good faith, as it were.”¹⁴³ Mr. Justice Muldoon, however, also offers a different perspective when he interprets the three year requirement as a testimony of “acculturation” and “Canadianization”, which take place only when one is immersed into the Canadian social environment.¹⁴⁴ This is not necessarily meant to imply that Canadian ways and norms are homogenous, but that they are at least distinct from those of other societies and essential to functioning in it.

There are concerns which arise in both perspectives. If Mr. Justice Cullen’s interpretation is accepted as valid two main questions arise: one, if the law is seen to expect some substantive contribution as a prerequisite of citizenship, how would such a contribution be measured; two, if under contribution it is sufficient to demonstrate

¹⁴⁰ Galloway 102

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid. 101-103

presence as a formality, how can limits on eligibility for citizenship be justified in terms of both the length of stay in Canada and the status of those who are staying. Likewise, the perspective of Mr. Justice Muldoon raises concerns such as the one expressed by Joseph Carens, who fears that the expectation of integration is parlance for assimilation, and that in turn using the law to “link the moral claim of citizenship to cultural assimilation would be to suggest that ... minority citizens are not true members of society, that their moral claim to the citizenship they possess rests on weaker foundations than the claim of citizens who share the majority culture.”¹⁴⁵ Finally, the plausibility of both interpretations of the residency requirement is seriously challenged by the text of (c) (i), which decrees that days spent in Canada before entering it as a permanent resident count as half-days towards the total length of residence. This provision is, indeed, puzzling. If we assume that Mr. Justice Muldoon is correct, and the purpose of spending time in Canada is acculturation, then it is not clear why some days would carry less value than others. In this case (c) (i) would contain the bizarre suggestion that persons are somehow less capable of mental adjustment to the Canadian physical and social environment until they are formally granted permanent resident status by the government. On the other hand, if Mr. Justice Cullen’s reading is more accurate, and the bulk of requirements under 5(1) are purely “probationary”, then the logic of the law would still fail in inventing such a concept as “half-days” in which to demonstrate compliance with Canadian law.

In the end, the residency requirement could have been a serious and meaningful indicator of how the “good citizen” is constructed through naturalization law, had it not

¹⁴⁵ Joseph Carens, “Membership and Morality: Admission to Citizenship in Liberal Democratic States,” Immigration and the Politics of Citizenship in Europe and North America, ed. William Rogers Brubaker. (Lanham: University Press of America, 1989) 40

been so sadly unclear in its intent, and so difficult to derive logically from other provisions and regulations. Still, the fact that such a crucial procedural element in the acquisition of citizenship is left open to speculation speaks for itself.

With this issue aside, it remains to explore the implications of (d) and (e). Out of the six qualifying criteria for citizenship these two are the most intriguing to this investigation since they affect the expectations and perceptions of both newcomers and host institutions. The conditions of (a), (b), (c) and (e) refer to the procedural circumstances of applicants and their status, and as such they entail nothing more than establishment of fact. The conditions of (d) and (e), however, demand active interest and effort on behalf of those seeking citizenship, and therefore speak, albeit in a very limited way, to their determination for full membership. In addition, for most of these applicants, demonstrating two kinds of knowledge pertaining to life in Canada is the second point of evaluation by the state after becoming permanent residents, and the first and point of communication with the state as prospective citizens. Likewise, subsections (d) and (e), though they may appear deceptively simple, present a serious and unique challenge to policy makers. In terms of naturalizing immigrants, testing knowledge of Canada is the final point of assessment, the only opportunity provided in the entire process to consider immigrants as citizens. It is, in a manner of speaking, the gateway to citizenship, in that it presents the final procedural step to granting full status (excluding the formality of taking oath). As the Act leaves the assessment of (d) and (e) entirely to the imagination of policy makers, it makes them face the cumbersome task of inventing an evaluation tool that will measure whether one is sufficiently knowledgeable, and by implication suitable, to be a good Canadian citizen.

The prescription for this tool is contained in the *Citizenship Regulations*, 1993.

Section 15 of the Regulations provides that:

15. The criteria for determining whether a person has an adequate knowledge of Canada and of the responsibilities and privileges of citizenship are that, based on questions prepared by the Minister, the person has a general understanding of
- (a) the right to vote in federal, provincial and municipal elections and the right to run for elected office
 - (b) enumerating and voting procedures related to elections; and
 - (c) **one of the following topics to be included at random** [emphasis added] in the questions prepared by the Minister, namely,
 - (i) the chief characteristics of Canadian social and cultural history,
 - (ii) the chief characteristics of Canadian political history,
 - (iii) the chief characteristics of Canadian physical and political geography, or
 - (iv) the responsibilities and privileges of citizenship, other than those referred to in paragraphs (a) and (b)¹⁴⁶

In response to these regulations, Citizenship and Immigration Canada has devised a Citizenship Test¹⁴⁷, which is administered after all other requirements under s.5(1) of the Act have been satisfied through the application process. Since adequate knowledge of one of Canada's official languages can also be measured by one's ability to take and pass the Citizenship Test, this tool of assessment in effect serves a double function.¹⁴⁸ The Test is published annually in a booklet entitled *A Look at Canada*¹⁴⁹, which serves as a study guide and contains all the information necessary to answer "the questions prepared

¹⁴⁶ Canada. *Citizenship Act Regulations*. 1993 (SOR/93-246)

¹⁴⁷ From here on reference to "the Test" will imply the Citizenship Test

¹⁴⁸ S. 14 of the *Citizenship Regulations* provides that the criteria for adequate knowledge of one of the official languages are satisfied when a person can demonstrate basic language skills, or more specifically basic listening comprehension, oral and writing abilities in English or French.

¹⁴⁹ Also referred from here on as "the Guide"

by the Minister". Its contents, therefore, represents the official standard for "adequate knowledge of Canada" as required from new citizens by law.

There are three telling aspects of s.15 regulations which stand out at first read. First is the notion conveyed through both s. 5(1) of the Act and s.15 of the Regulations that when it comes to citizenship to be worthy is to be knowledgeable. Second is the transformation of the word "adequate" from the text of the law into "general understanding" and "basic" in the Regulations, thus establishing the policy maker's acceptance of minimum sufficient knowledge as satisfactory. Finally, perhaps the most striking element in the text of s.15 is the ranking of the types of knowledge to be tested. According to its provisions, a "general understanding" of the procedure of elections as well as the right to vote and run for office are designated as compulsory minimum knowledge, whereas the topics of social history, political history, geography and even the very rights and responsibilities of citizenship are of secondary importance, so that a "general understanding" of either one will do. The possibility that the last topic of (iv), "the responsibilities and privileges of citizenship" other than voting, might not appear at all on a citizenship test is, to say the least, bizarre. This deliberate design of the law sends a loud and clear signal that the state seeks to prioritize electoral rights and responsibilities over all others, so that a "good citizen" would be concerned primarily with voting as the key element of political membership. It is logical to assume that this strong emphasis on participation in elections is due to the fact that the right to vote and run for office is the one notable right among very few which separates citizens from permanent residents. This line of thought, however, does not lead to a sufficient explanation of why the rest of citizenship rights available to Canadians are not to be considered a matter of "adequate

knowledge” on a citizenship test. It only raises the question of why the right to vote is the highest attainable right in the first place.

Furthermore, one need not be a political scientist to wonder how any person can vote without some minimal awareness of political history, social and rights issues. The ranking of topics in s.15 suggests that the Regulations do not conceptualize the capacity to formulate an informed opinion on public matters as integral to the process of voting, or running for office for that matter. This leads to the conclusion that the primary concern of policy lies with **the act of participating** in elections, and not with its meaningful manner. More value is attached to procedure than to understanding the processes which this procedure governs. In fact, the broad requirement of s.5(1) of the Act to ascertain “adequate knowledge of Canada and the responsibilities and privileges of citizenship” is de facto narrowed down to very limited knowledge of selected aspects of Canada and to one particular privilege of citizenship. This focus of the Regulations is perfectly reflected in the structure and text of the Guide, where the same messages are perpetuated. The following section explores this document in greater detail.

How to become a good citizen

Measure of Canadianness – prelude to the Guide.

On the 40th anniversary of the Canadian Citizenship Act 1947 the Department of the Secretary of State released a special report accompanying proposed amendments to the Citizenship Act 1977, the Official Languages Act, and a newly developed Multiculturalism Act. Entitled *Being Canadian*, this publication was prepared for an audience of new and old citizens and contained a synthesis of the ideas about nationhood

which prevailed in government policy and legislative initiative at the time.¹⁵⁰ This report is significant to the current inquiry in that it presents an open effort to construct an image of the “good citizen” through one interpretation of the norms and expectations of Canadian political membership, and then to connect this construct to the Citizenship Act in order to promote this status as meaningful and unique. It is also particularly interesting because much of the tone, language and conceptual framework of the report are carried over to the Citizenship Guide and Test, where they are used much more conservatively and with considerably less enthusiasm.

According to Department’s report, the essence of the unique blend of values, attitudes and traditions which constitute Canadian identity can be formulated as the fusion of three “bedrock principles: equality, diversity and community”.¹⁵¹ A reading of the report informed by a consideration of the citizenship virtues outlined in chapter one would lead to the inference that “equality” here is used to imply equal respect under the law for the civil and political rights of individuals; the principle of “diversity” is associated with the dominant vision of a multicultural society where multiple persons of diverse origins and social status pursue diverse individual ends and culturally specific notions of the good life; and the virtue of “community” more generally signifies a commitment to both a pan-Canadian community of individuals and to smaller, local geographically or culturally defined communities, as well as an attempt to counteract the

¹⁵⁰ Considering the complexity of the issue of nationhood evident today, this 1987 report is remarkably confident in its analysis and declarations, and above all in its own significance. It states that “no one can say any longer that we don’t know who we are, or that there is no Canadian identity for the Secretary of State to reinforce. The Canadian identity is the Canadian people themselves, as represented by the faces throughout these pages, and if some cynics persist in refusing to grasp this obvious truth, it is neither the people’s fault, nor the country’s.” *Being Canadian*. Department of the Secretary of State. 1988. p.16

¹⁵¹ Canada. *Being Canadian*. Department of the Secretary of State. 1988: 6, 14

possible dangers of the combination of individualism and diversity by emphasizing the values of solidarity in common bonds, cooperation and tolerance.

Interestingly enough, *Being Canadian* begins its presentation of Canadian citizenship virtues by bringing forward adaptability, initiative and mobility as the first examples of highly regarded individual qualities. The value of adaptability and initiative in the Canadian context is illustrated, not surprisingly, through the historical perspective of the common narratives of settlement and endurance. As the authors reminisce about the act of immigration as an idealized experience of bravery, adventure and exploration, old and new Canadians are praised for proving their abilities to “put down roots again and again,”¹⁵² for being “accustomed to switching jobs, revising our goals, changing our home addresses”¹⁵³ and moving “in response to a challenge, in pursuit of an opportunity or in surrender to curiosity,”¹⁵⁴ driven by the circumstances of “history, economics, technology and a continuing sense of adventure.”¹⁵⁵ A second aspect of adaptability is derived from the experiences of overcoming the hardships of the land and the obstacles of distance, and developing a deep attachment to the vastness and beauty of Canadian territory as symbolic of limitless opportunity and abundance for those willing to earn access to it. The message is received that to perpetuate “Canadianness”, good citizens hold sentimental ties to the myth which inspired their ancestors, of “a land with infinite possibilities, a place where men and women can convert big dreams into reality, where there is room to grow. That has always been the land’s promise to the people, and the

¹⁵² Ibid. 6

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

promise has been kept.”¹⁵⁶ As a context for promoting individual initiative and adaptability, this romanticized narrative of settlement obviously excludes the fact of conquest from the story of *Being Canadian*, and perpetuates the disturbing perception that there existed such land that was unoccupied and practically infinite, and yet somehow designated Canadian and promising away its resources to dreamers. While “good citizens” everywhere understandably form political culture by identifying with the foundational myths of their societies, especially those of bravery and endurance, this aspect of good citizenship ceases to be positive when it overshadows other even more essential responsibilities of citizenship, such as pursuing truthful knowledge of events, keeping a realistic perspective on public affairs and drawing wisdom from the lessons of history.

Nevertheless, the story of survival and hardship, according to the report, is the source of a common experience of prosperity, which “enables us to be generous, to be understanding of others, to celebrate rather than resent our differences.”¹⁵⁷ Furthermore, the document continues to associate this tolerance with the classically liberal philosophy “to live and let live [which] is at the heart of what it means to be Canadian.”¹⁵⁸ As the liberal tradition dictates, freedom is then recognized as the “most precious national characteristic,”¹⁵⁹ which in turn is immediately associated with the Charter of Rights and Freedoms as the expression and guarantor of society’s commitment to not only protect but champion individual liberties and even some collective entitlements. As much as the

¹⁵⁶ Ibid. 16

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid. 18

report upholds the Charter as a guideline to being Canadian, it also puts forward the suggestion that even before the entrenchment of this document the principles of liberty were part of an underlying silent agreement between Canadians, so deeply rooted into attitudes and perceptions that they “accepted it as given, to the point where they felt it was too obvious to bother mentioning.”¹⁶⁰ This position is more concisely formulated in the claim that “Canadians have honoured their freedom more by practice than by preaching,” implying again that the Charter is not so much the source but rather the mere statement of shared liberal conviction. Such a suggestion might be considered somewhat strong, considering that even at the time it was published enough Charter litigation had been generated to raise the suspicion that not all Canadians were as “confident of their rights as free men and women” as the report would have it. Whatever the case, the message remains that a good citizen upholds freedom as part of his or her concept of the good life, and does not interfere with the freedom of others, not just because it is required by the rule of law but because it is a principle of political membership.

Finally, perhaps the biggest underlying theme of *Being Canadian* is that of the virtue of multiculturalism. Entrenched in law, this multiculturalism is as much a part of the distinctly Canadian concept of citizenship as civil and political rights. The value which “good citizens” possess under this rubric is that of recognizing each other’s “equal contributions” and holding a special appreciation for diversity as a source of unity in difference. As the report puts it, “if citizenship serves as the great bonding agent of

¹⁶⁰ Ibid.

Canadian unity and also provides the key to our national identity, then multiculturalism rests at the very heart of citizenship.”¹⁶¹

Altogether, *Being Canadian* testifies to the reversal of citizenship’s role in politics – from its inception as a tool of independence, to a blurry concept contingent on Canadian identity, to its latest role as a source of Canadian unity.

The Guide to being adequate

While multiple publications resembling *Being Canadian* exist to provide some direction to public perceptions of citizenship and promote its value, *A Look at Canada* is also tied to the unique assignment of formulating the minimum sufficient knowledge of Canada which a new citizen should have according to the criteria set out in the Citizenship Regulations. In this sense, the Guide serves several functions on behalf of the state – it puts forward the values, desirable characteristics and behaviours which are expected from good citizens, it isolates the knowledge that is essential to the function of individuals in their capacity as citizens, and it conveys the kind of image of Canada and its political culture that it would like citizens to carry on to their participation in the public sphere. The text of the Guide can thus be considered from these three perspectives.

What distinguishes a good citizen

Going straight to the heart of the matter, the first section of the Guide provides a one page summary of the pivotal question to the entire process of naturalization: “what does Canadian citizenship mean?” If in 1987 the three pillars of Canadianness were

¹⁶¹ Ibid. 28

identified as “equality, diversity and community,”¹⁶² a decade and a half later this formulation evolved to the more classically liberal terms of “freedom, respect for cultural differences and a commitment to social justice.”¹⁶³ Most of all, it is claimed, Canadians pride themselves on their conduct of things in a peaceful and orderly manner, both at home and abroad. The current Guide recognizes five political values shared in Canadian society, which are derived from its democratic form of government and which maintain the existence of its peaceful nature. These are equality, respect for cultural differences, freedom, peace, and law and order.

“Freedom” appeared only recently in the 2002 edition of the Guide, where it was inserted in the place of “tolerance” in the opening statement¹⁶⁴ and then added on to the list of core values. On the other hand, while having consistently been present in the formulation of guiding principles, “commitment to social justice” has not made it to the spotlight of Canadians’ values, and is in fact never mentioned again in the Guide, either directly or indirectly. The term “respect for cultural differences” was also borrowed from the main formulation to replace “tolerance” on the list of values, thus completely eliminating it from the section. The definition of “respect for cultural values”, however, remains very close to the one of tolerance. While the old heading read “we try to understand and appreciate the cultures, customs and traditions of our neighbours”¹⁶⁵, the new one expanded its scope and emphasis only slightly to “we try to understand and appreciate the cultures, customs, and traditions of all Canadians, whether they were born

¹⁶² Canada. Being Canadian. Department of the Secretary of State. 1988: 6

¹⁶³ Canada. A Look At Canada. Citizenship and Immigration. 2002 edition, 7

¹⁶⁴ The statement previously read “tolerance and respect for cultural differences, and a commitment to social justice.” A Look At Canada, 2001 edition.

¹⁶⁵ Canada. A Look At Canada. Citizenship and Immigration. 2001 edition.

in Canada or came here from another country.”¹⁶⁶ It can be inferred, however, that it was the word *tolerance* that lost favour, rather than the principle. Since *tolerance* can be understood to carry the negative connotation of endurance or bearing of some deviation, it was most likely no longer deemed appropriate to convey the kind of attitude that a “good citizen” needs to possess in the multicultural vision presented in chapter one. The word *respect* on the other hand denotes a clearly positive outlook and sense of acknowledgement of other persons. The last segment of the definition, which requires that respect be accorded to all Canadians, “whether they were born in Canada or came here from another country”, also carries the notion that respect for cultural differences is not considered consistent with the expectation that those who were not born in Canada, by virtue of that fact, should assimilate to the ways of those who were.

The rest of the core democratic values ascribed to Canadians have not undergone significant changes in the Guide. They are very much in tune with the general principles of liberal virtues discussed earlier on in this study. In its debut “freedom” is taken to stand for the enjoyment of “basic freedoms, such as freedom of thought, freedom of speech, freedom of religion...”¹⁶⁷ which are understood as civil rights fundamental to any liberal democratic state as Marshall theorized them (though the word liberal is of course avoided in the document). “Equality” is also defined in terms of equal rights for all citizens. Even though this value is said to entail an obligation on behalf of the government to “treat everyone with equal dignity and respect”, it does not signal an expectation that the state should provide everyone with equal circumstances of dignity,

¹⁶⁶ Canada. *A Look At Canada*. Citizenship and Immigration. 2002 edition, p.7

¹⁶⁷ Ibid.

and is therefore not related to any substantive interpretation of the “commitment to social justice” mentioned earlier. The use of equal access to free speech as an example confirms this reading of “equality”.

The final two values are perhaps the most commonly associated with traditional Canadian management of affairs. The reference to “peace”, albeit short, is meant to emphasize the avoidance of confrontation as a means of resolution as a principle of both individual and collective behaviour. “Law and order” naturally refers to the fundamental principle of the rule of law, with stress added to “due process so that the courts and the police treat everyone fairly and reasonably”¹⁶⁸ and “governments remain accountable to Canadians”.¹⁶⁹ Taken together, then, these values speak to the procedural guarantees of democracy and the rules of engagement with the state and with other individuals. Finally, the short exposition on Canadian citizenship ends with an invitation to “reflect on these values, [and] ask yourself which responsibilities you will take on when you become a Canadian citizen.” The answer that a “good citizen” would provide is easily derived – a good citizen would aim to understand and uphold the existing structure of interactions in the public sphere by following the letter of the law and expecting to be subjected to the same procedures as everyone else; put the maintenance of this peaceful order above all other concerns; and respect the equal rights of everyone else and appreciate cultural diversity as a matter of freedom. In more colloquial terms, a good citizen should be compliant and friendly, in tune with the established Canadian image.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

What a good citizen knows...

Aside from introducing the values and meaning of citizenship, the main function of the Guide is to prepare prospective citizens to respond successfully to what is asked of them on the Citizenship Test. There are 114 possible test questions listed at the end of the Guide, out of which nine pertain to specific current information about the applicant's local region. The rest of the questions seek to establish "adequate knowledge" of information relevant to Canada. All questions listed pertain to matters of fact and almost all are presented at the Test in multiple choice format – usually beginning with "what", "who", "when" and "where". There are no questions which require interpretation or require the applicant to formulate a position on a public matter. The largest group of questions are those related to federal elections. The themes of the other groups of questions include: history, Aboriginal peoples, Confederation/government, rights and responsibilities, languages, symbols, geography, economy and federal government. (Curiously enough, seven out of the nine questions under "history" require answers related to economic agents and events, for example "what three industries helped the early settlers build communities in the Atlantic region?"¹⁷⁰). The sections relating to the facts of government structure and function are the most rigorous, to the extent that their questions might puzzle many ordinary "old" Canadians, such as "how many electoral districts are there in Canada"¹⁷¹, "how are senators chosen"¹⁷², "what should you do if you do not receive a voter information card telling you when and where to vote"¹⁷³ or

¹⁷⁰ Canada. A Look At Canada. Citizenship and Immigration. 2002 edition, 42

¹⁷¹ Ibid. 45

¹⁷² Ibid. 46

¹⁷³ Ibid.

“who is your city councillor, alderperson, reeve or regional councillor.”¹⁷⁴ While the rest of the questions about the history, symbols and economics of Canada might be easier for those educated in Canada, they test knowledge of English and French settlement which is not relevant to newcomers’ experiences (for example, “who were the United Empire Loyalists?”¹⁷⁵, “from whom were the Metis descended?”¹⁷⁶ or “what important trade did the Hudson’s Bay Company control?”¹⁷⁷) and therefore most likely require as much as learning as those related to the nuts and bolts of government.

In order to accommodate the information required of all Test questions, the sections of the citizenship Guide follow three general themes – a first part, taking a comprehensive look at Canada, including the more common social and geographic facts and statistics; a second part introducing Canada’s provinces and territory, and a final substantial part explaining in detail the works of government and the electoral procedure of the state.

The first two themes of the Guide are very clearly designed to ensure that economic development is the most substantially covered topic of information. The summaries provided for every region of Canada, for example, are organized under two subjects – “the people” and “the economy”. If information about “the people” can only be accompanied by one other topic, it is not immediately obvious why “the economy” is by default of highest priority, and not, for example, the politics, the history, the culture or even the climate. Furthermore, within each section the amount of information presented

¹⁷⁴ Ibid.

¹⁷⁵ Ibid. 42

¹⁷⁶ Ibid.

¹⁷⁷ Ibid. 43

about “the economy” is consistently of equal or larger amount to that concerning “the people”. To complement this scheme, in the opening sentences of every summary Canada’s regions are introduced with their most notable economic features, with the exception of the West Coast, which is apparently “known for its majestic mountains”.¹⁷⁸ Likewise, one can find examples in the text of the Guide where people and events with historical and cultural significance are presented in terms of their economic contribution, such as: “in the late 1800s, thousands of Chinese came to British Columbia to help build the final section of the Canadian Pacific Railway.”¹⁷⁹

This tendency of the Guide is especially alarming in the case of Aboriginal peoples. There are at least six instances in the texts regarding “the people”, in which native populations have been introduced and identified through their economic activities, which in turn are most commonly perceived with respect to those of European settlers.¹⁸⁰ This observation is illustrated in statements such as these: “The Aboriginal peoples who lived near the St. Lawrence River were fur traders who taught the early settlers how to survive”¹⁸¹; “The First Nations People, the earliest inhabitants of the Prairies, were skilled buffalo hunters. Their descendants and the Metis people became important suppliers, traders, guides and interpreters for the fur trade”¹⁸², and perhaps most distastefully, “Inuit prints and soapstone carvings are sold throughout Canada and around

¹⁷⁸ Canada. A Look At Canada. Citizenship and Immigration. 2002 edition, 25.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid. 14, 15, 20, 23, 27, 28

¹⁸¹ Ibid. 20

¹⁸² Ibid. 23

the world. In the Yukon, the Northwest Territories and Nunavut, many Aboriginal people work in cooperative businesses to produce Aboriginal arts and crafts.”¹⁸³

There are two additional concepts significant to the Canadian way of life, which are also conceptualized in neo-liberal undertones. “The importance of working together and helping one another” is regarded in several points of the Guide as one of the key features of Canadian society. In all instances, however, it is related to the promotion of volunteerism as a virtue of citizenship and a means of fulfilling one’s responsibility to the community. Since the encouragement to “help friends and neighbours in need”, through “local projects”, within the community is not associated with the idea of any state-wide project of assistance, this presentation of volunteer effort also carries the notion that providing support for those in need is a matter of individual initiative, delegated to the private sphere of social life.¹⁸⁴ Finally, the description of Canadians’ relationship to the environment (with the exception of Aboriginal peoples’) is dominated by the notion of sustainable development as a long-term investment and insurance. The albeit sentimental attachment to Canada’s geography which *Being Canadian* elaborated on is practically absent in *A Look at Canada*. Instead, the prevailing message is that “good environmental citizenship”¹⁸⁵ calls for an awareness that “economic growth ... must be managed carefully so that it does not harm the environment”¹⁸⁶, accompanied by responsible behaviour and active efforts to protect Canada’s resources for future generations.

¹⁸³ Ibid 28

¹⁸⁴ Ibid. 8

¹⁸⁵ Ibid. 11

¹⁸⁶ Ibid. 10

The third theme of the Guide, and the most crucial one in terms of passing the Test and satisfying the *Citizenship Regulations*, is knowledge of the machinery of governments, the rights and responsibilities of citizenship, and the set up of the electoral process (federal and provincial) in Canada. There is little to say about the text of these sections, for it is purely descriptive – it contains detailed explanations about the key institutional actors of Canadian government, their roles and functions, and the terms of their interaction with each other and with the citizens of the state. The section dedicated to Federal elections is particularly thorough and goes to great length to inform applicants of all the technicalities entailed in holding elections, including communicating with members of parliament and becoming part of the National Register of Electors. Page 36 of the Guide even supplies a colour cartoon of step-by-step instructions of the actual act of voting, including the minutiae of how to mark an “X” on the voting ballot. The final illustration depicts a family of two parents and two children, smiling in front of their TV, awaiting election results.

What is more interesting in this section is the information that it does not contain. Amongst all its instructions, there is no mention of examples of the kinds of political, social, and economic issues which voters and politicians are faced with during election time, nor is there any sign of encouraging applicants to make sure that they have familiarized themselves with the platforms of their candidates, with Canada’s history, political culture, or key policies before they make their vote. As it was noted earlier, the emphasis on understanding the procedural side of voting at the expense of understanding its substantive significance to democracy carries the suggestion that the responsibility of

citizenship is first and foremost to the process, rather than to the ideological meaning and consequence of political action.

The last section of the Guide shows some measure of remedy to this omission, by attempting to convey with more substance the meaning of citizenship rights and responsibilities. For example, in addition to enumerating the rights of citizenship under the Charter, the section elaborates that “individual Canadians and all levels of Canadian government have the responsibility to respect the rights and freedoms of all Canadians. However, it is important to realize that the rights of a single Canadian or a group of Canadians cannot interfere with the rights of any other.”¹⁸⁷ This principle bears remarkable resemblance, in the way it is formulated, to the classical liberal “no harm” principle, as well as to some elements in the theoretical justification of multiculturalism explored in chapter one. It also signals the anticipation that a “good citizen” would be at least somewhat liberally inclined in attitude and behaviour. Finally, the very last message sent out by the Guide to new members is a clear formulation of the responsibilities of citizenship and the expectations of “good citizenship”: “vote in elections, help others in the community, care for and protect our heritage and environment, obey Canada’s laws, express opinions freely while respecting the rights and freedoms of others, and eliminate discrimination and injustice.”¹⁸⁸

¹⁸⁷ Ibid. 38

¹⁸⁸ Ibid., 39

How to understand Canada

The final function which the Guide serves is to convey the kind of image of Canada and its political culture that it would like citizens to carry on to their participation in the public sphere. Among the three visions of Canada which currently dominate discourse on citizenship and federalism, the perception of Canada which the Guide comes closest to imparting is that of a pan-Canadian multicultural society. In its 2001 version the Guide boasted that part of the meaning of Canadian citizenship has its source in the assurance that “Canadians have developed a kind of genius for compromise and co-existence which lie at the heart of our federal system of government.”¹⁸⁹ Interestingly enough, the 2002 edition has lost this confidence in the genius of the system and more modestly claims “a unique federal style of government that is based on compromise and co-existence.”¹⁹⁰ This far less enthusiastic assessment of the state of federal affairs contains the implication that Canada has, in a manner of speaking, a negative basis of unity. What the political language of “compromise” and “co-existence” serves to encode, is the complex reality of Canada’s constitutional impasse and the lack of consensus on positive binding elements of nationhood. While government documents have more readily resorted to the language of values to remedy or at least mask over Canada’s political mishap, this strategy easily meets its limits. There is no explanation in the Guide as to what exactly is unique about the style of Canadian federalism, nor is there any mention of the constitutional predicament which future generations of citizens will be faced with.

¹⁸⁹ Canada. *A Look At Canada*. Citizenship and Immigration. 2001 edition.

¹⁹⁰ Canada. *A Look At Canada*. Citizenship and Immigration. 2002 edition.

Thus, the vision of a multicultural state is the only one which a *Look at Canada*, or *Being Canadian* can relay with some degree of confidence and enthusiasm. The premises of multiculturalism are explained in simplistic terms through the attractive notion of equality in diversity, through the expectation of respect for cultural difference, the stance against assimilation and the reminders of the various and irreplaceable contributions of immigrants. Since all of these notions have been considered in a number of points, it is more essential here to raise the question: can potential full members of the Canadian polity be seen to have an adequate knowledge of Canada without awareness, even “general understanding”, of the claims of Francophone and Aboriginal peoples?

To the extent that the Francophone part of Canada is discussed at all, it is only in the context of a multicultural society (inclusive of all minorities on equal footing), which recognizes both the English and the French language. There is no mention or even hint of the special place of Quebec in the federation, and the existence of claims to “distinct society” or Quebecois nationhood are completely ignored from the contents of the document. Instead, prospective citizens are informed that “English- and French- speaking people have lived together in Canada for more than 300 years. This is an important part of Canadian identity ...”¹⁹¹ and in addition to that “The province [of Quebec] preserves and promotes the historic language and culture of its French-speaking citizens.”¹⁹² Admittedly, it would be a delicate task to introduce the presence of a dualist vision of Canada into a document such as the Guide. However, the idea that in the eyes of the state one can become a “good citizen” without displaying any awareness of the distinctiveness

¹⁹¹ Canada. *A Look At Canada*. Citizenship and Immigration, 2002 edition. 8

¹⁹² Ibid. 21

of the people of Quebec is politically daring, if not arrogant, and perhaps in the eyes of many Canadian citizens, unpardonable.

With two pages exclusively devoted to them, the Aboriginal peoples of Canada have received comparatively much better treatment, but the representation of the nature of their status and claims are again obscured. As an earlier example suggested, the history and culture of Aboriginal peoples are introduced almost entirely in relation to the experiences of settlers and the exchanges which took place between the two groups. Their previous and independent existence is acknowledged and at the same time dismissed as of no particular relevance. Despite the predominance of this approach, however, the history of confrontation and conquest as part of the relationship between the two groups is carefully avoided and only the examples of (mostly economic) co-operation have secured a place in the document. The deliberate omission of the issues of conflict between natives and settlers is evident in the Guide's attempt to explain the treaties between the two sides and the issue of self-government:

The British and Canadian governments made many agreements, or treaties, with the Aboriginal peoples between 1701 and 1923. These treaties granted the Aboriginal peoples certain rights and benefits in exchange for giving up their title to the land. ... The Canadian government continues to negotiate with Aboriginal peoples so that they can regain control over decisions that affect them and manage their own affairs. This is known as self-government. Canada is also working with them to improve their economic situation and general quality of life.¹⁹³

If one has little or no prior knowledge of Canadian history or the issues and claims raised by Aboriginal nations, this passage of the Guide is especially puzzling. Taken out of its historical context, this explanation leaves a number of question marks. First, it is not clear

¹⁹³ Ibid. 15

why First Nations, as such, were seeking to exchange their land for rights and benefits from the settlers. Second, under the impression that for a period of over two hundred years these nations made friendly and peaceful agreements with their partners in trade, it is even more baffling why they have in modern days decided to seek self-government.

This fact becomes even more mysterious in the light of multiculturalism. Considering that the Canadian state promises equality and respect for cultural difference without threat of assimilation, and that Aboriginal peoples specifically have secured groups rights under the Constitution, it begs to be explained why these peoples are not in sufficient “control over decisions that affect them” and why they need to seek management of “their own affairs” in the first place. Finally, since the Guide describes only customary sources of livelihood and does not mention the nature of social problems experienced by First Nations in modern days, the statement that their “general quality of life” needs improving carries the chilling implication that their traditional ways are somehow the cause of current misfortune. Thus, the essence of the claims of Aboriginals is severely distorted by the allegedly “adequate” knowledge provided to new citizens.

Overall, the marginalization of issues surrounding Quebecois and Aboriginal nationhood in the Guide serves to convey the perception that: 1.) Canada’s “unique style of federalism based on compromise and co-existence” is maintained through the philosophy of multiculturalism; 2.) that minorities are sufficiently well accommodated within the federal framework and satisfied with their Canadian citizenship; and 3.) that “good citizens” must therefore perpetuate the values and arrangements inherent in multiculturalism if they are to be good Canadians.

Proposed changes under the new Citizenship Bill

On October 31, 2002 a new Citizenship Bill C-18 was tabled in the House of Commons. The declared intent of this legislative proposal is to implement changes to the law which will allow it better to reflect the needs of modern day citizenship. One of these needs acknowledged by the Minister of Citizenship and Immigration is the political and social demand for a clearer notion of what Canadian citizenship stands for and for strengthening its significance to political membership.¹⁹⁴ The expressed readiness of government to introduce the language of values to citizenship legislation marks a key moment in its development. The passing of Bill C-18 will present a major step towards attaching renewed political significance to a citizenship law which is now largely associated with the mere regulation of status. Among the number of serious changes to improve the administration of efficiency and fairness of current provisions, there are three which pertain to the process of acquisition of citizenship. These are also the most politically charged and publicized sections of the bill.

The first of these proposals is an amendment to the residency requirement of permanent residents. Under 5(1) (c) of the current Act, in order to be eligible for citizenship status a permanent resident must have accumulated at least three full years of residence out of the four years preceding the submission of a citizenship application. Should Bill C-18 be passed, clause 7(1) will require that the applicant has resided physically in Canada for three years (1,095 days) out of a period of six years prior to application. The rationale behind the extension of this period is driven by the need to

¹⁹⁴ Canada. New Citizenship Bill Tabled Today. News Release. Citizenship and Immigration Canada. October 31st 2002. <http://www.cic.gc.ca/english/press/02/0238-pre.html>

acknowledge the need of immigrants to travel and the global trend towards an increase in the movement of people in pursuit of employment opportunities abroad. On the other hand, the accumulation of three years of residence, even if stretched over a period of six, still remains sufficient in the eyes of the law.

Perhaps even more meaningful than the change to the Act is the policy-maker's expressed notion that the purpose of the residency requirement is to be associated with demonstrating "an individual attachment to Canada" and the "opportunity to ... become familiar with Canadian society and to experience and discover its values, language, culture and physical environment."¹⁹⁵ Returning to the previous debate of the correct interpretation of the residency condition, it would appear that Mr. Justice Muldoon may have been closer to the truth in reading into the requirement an expectation of integration. Such a development would signal a movement to a stronger demand to exhibit individual loyalty to the state. The implication for the "good citizen" would be an increased motivation to identify with the dominant ways of "Canadianness", whatever they are understood to be. This interpretation, however, still cannot be considered conclusive. The fact that the concept of counting "half-days" of presence for temporary residents (up to a maximum of one year at that) will remain a provision still signals that status carries more weight than attachment to Canada.

The second proposal put forward by Bill C-18 is an entirely novel provision under the catchy heading of "Principles of a Free and Democratic Society" in Clause 21(1) of Part 4. This clause would serve the unprecedented function of providing the Minister with

¹⁹⁵ Canada. 1998, Citizenship and Immigration. Citizenship of Canada Act, p.5. Explanatory report cited in Galloway, 103

discretion to prevent the grant of citizenship to any person who “has demonstrated a flagrant and serious disregard for the principles and values underlying a free and democratic society.”¹⁹⁶ If accepted by Parliament this will undoubtedly present one of the boldest and most consequential additions to citizenship law since its inception, which will link the notion of worthiness or desert of citizenship directly to a Constitutional principle, in this case s. 1 of the Charter of Rights and Freedoms. As the stated rationale for this legislative move asserts, this new provision would be used only in exceptional cases and then only with great caution. The prohibition will be “reserved for exceptional situations where granting citizenship to a person, who otherwise meets the requirements, would offend ordinary Canadians and tarnish Canada’s international reputation.”¹⁹⁷ The examples cited of such a hypothetical case would include the commitment of egregious crimes abroad or the public promotion of ethnic hatred.¹⁹⁸ Even if this clause of prohibition is never used, however, the principle which it stands for remains with the law as, so to speak, a politically combustible item. The phrase “principles of a free and democratic society” has been chosen specifically in mind with its interpretation in the Oakes decision of the Supreme Court, and thus presents the first piece to bring substance to the citizenship puzzle.¹⁹⁹

The final change planned for Bill C-18 which is pertinent to naturalization is the long overdue revision of the text of the citizenship oath taken during the ceremony of granting status. The new oath is composed to read: “

¹⁹⁶ Canada. Citizenship of Canada Act. House of Commons. 1998

¹⁹⁷ Canada. Citizenship of Canada Act. Clause by Clause Analysis. Citizenship and Immigration. 1998

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

From this day forward, I pledge my loyalty and allegiance to Canada and Her Majesty Elizabeth the Second, Queen of Canada. I promise to respect our country's rights and freedoms, to uphold our democratic values, to faithfully observe our laws and fulfill my duties and obligations as a Canadian citizen.²⁰⁰

This new text contains at least two changes which carry heavy symbolic meaning. First, and most notably, allegiance to Canada comes before allegiance to Her Majesty in the order of the pledge. This reverses the order of the current oath inherited from British rule and unchallenged since 1947, and testifies to the increased expectation of demonstrating loyalty to the liberal republic. This point is of course reinforced by the second substantial change. While the oath under the 1977 Act demands the conservative promise “to observe the laws” and “fulfil the duties” of citizenship, the new text goes beyond the expectation of compliance and requires new citizens to actively “uphold” democratic values, in addition to the first pledge to respect rights and freedoms. Because the text of the oath does not bear directly on the meaning of other provisions of the law, and is even more unlikely to be the subject of judicial interpretation, it becomes more tempting for legislators to introduce the kind of language which expresses political commitments to the pillars of liberal democratic government. This move is a particularly important step on behalf of the government because it shows a consideration of citizenship as political membership in addition to status. It seeks to establish more than the peaceful and acceptable character of new citizens but certain characteristics and mode of behaviour in the public sphere. Finally, the text of the oath holds the most excitement for citizens themselves, because it signifies the beginning of a relationship with the state which can potentially foster their sense of belonging. The changes and trends under Bill C-18 can

²⁰⁰ Canada. 1998. Citizenship of Canada Act. Schedule (Section 34)

perhaps even be understood as the first steps in a testing ground for a thicker concept of civic nationhood.

Conclusions from the second stage of acquisition of citizenship

Conclusions drawn from state policy on granting citizenship

The second stage of acquisition of citizenship is conceptualized and conducted as an entirely separate process from the first. This process is currently governed by the Citizenship Act 1977. For a number of reasons related to its inception and development, the Act has very insufficient reference to the rights and obligations of citizenship, and very little indication of its political meaning as a source of social cohesion. Traditionally the Act has shown no ambition in conceptualizing national membership. Instead, it has been focused on managing status. Its political significance is tied to past claims of independence and the right to self-definition, rather than to any substantive vision of what that definition might be for the future. Dominant perceptions of citizenship in Canada have varied according to the ideological environment and trends of public discourse from one historical moment to another, from place to place and from group to group. The text of the Act has thus been restrained from formulating explicitly what attributes are attached to the notion of the “good citizen”. This is not to imply, however, that such a notion is absent from the second stage of policy – a set of preferred characteristics of new members becomes evident from the conditions they need to fulfil under Citizenship Regulations and the tools employed to measure them.

It is only recently that the first attempt was launched to add more substance to the Act through legislative proposals to adopt a new oath of citizenship and to indirectly link the conditional grant of status to respect for the “principles of a free and democratic society”, as they are invested in the Canadian Charter of Rights and Freedoms. These two modifications to current law would cast symbolic and political meaning on the citizen’s declaration of commitment to the state which goes beyond the current promise of residence and obedience. Even then, however, the chief instrument through which law and policy evaluate applicants’ capacity and fitness for citizenship will remain the Citizenship Test.

The most significant qualifying criteria for the acquisition of citizenship at the second stage are the requirements to maintain residency for at least three years and to demonstrate adequate knowledge of Canada and one of its two official languages. The residency requirement has been understood both as an expectation of integration, and as a purely probationary period of adjustment. Neither interpretation, however, can be said to be fully consistent with other provisions of the Act and the Regulations. This ambiguity presents yet another illustration of the lack of a coherent philosophy about the value and desert of citizenship – a deficiency which works to the advantage of a formalistic, minimalist procedural approach to the process of naturalization. Such an approach is also evident in the determination of what knowledge of Canada is adequate and the expectations of political membership conveyed in the Citizenship Test and Citizenship Guide. The administration of the Test presents the final point of assessment by the state and the only opportunity in the entire process of naturalization to consider immigrants as citizens.

The Citizenship Guide serves three functions on behalf of the state -- it puts forward the values, desirable characteristics and behaviours which are expected from good citizens, it isolates the knowledge that is essential to the function of individuals in their capacity as citizens, and it conveys the kind of image of Canada and its political culture that it would like citizens to carry on to their participation in the public sphere.

The image of the “good citizen” which emerges from the pages of the Guide is of someone who: upholds the existing structure of interactions in the public sphere by following the letter of the law and expecting to be subjected to the same treatment as everyone else; puts the maintenance of this peaceful order above all other concerns; as well as respects the equal rights of others and appreciates cultural diversity as a matter of freedom. While these “democratic values” are undoubtedly crucial, they are also primarily procedural. They aim to cultivate concern for the fairness of rules of engagement with institutions in the public sphere, and thus carry a promise for participation in a social order, the community essence of which remains anonymous. This interpretation of the Guide’s message is most clearly exemplified in the strong emphasis it puts on knowledge of the political mechanism and arrangements for participation, while completely ignoring to promote the far more profound responsibility of political membership, namely to strive to understand the processes, actors and relationships constitutive of Canada’s complex political reality.

Among the three visions of Canada which currently dominate discourse on citizenship and federalism, the perception of Canada which the Guide comes closest to imparting is that of a pan-Canadian multicultural society. The marginalization of issues surrounding Quebecois and Aboriginal nationhood in the Guide serves to convey the

perception that: 1.) Canada's "unique style of federalism based on compromise and co-existence" is maintained through the philosophy of multiculturalism; 2.) that minorities are sufficiently well accommodated within the federal framework and satisfied with their Canadian citizenship; and 3.) that "good citizens" must therefore perpetuate the values and arrangements inherent in multiculturalism if they are to be good Canadians.

Conclusions from the perspective of those seeking to gain citizenship

In terms of individual experience, the second stage of acquisition of citizenship entails far less dramatic change, carries less personal burden and holds out fewer promises. As an "extension pack" to permanent residence, the status of citizenship has limited potential for impact on an individual's affairs, and where this impact is felt it has been of more administrative than political consequence. Instead of compensating for this practical reality, the second stage of naturalization serves to devalue citizenship even more before it is received. It would be reasonable to suggest that for the majority of immigrants the acquisition of citizenship is about ensuring some form of access and security as the main benefits of the status, whether it is access *to* security for refugees, access to relatives and security of relationships for family members, or access to the secure conditions for the realization of personal life projects for "skilled workers". The existence of the investor class immigrants serves a particularly negative function from this perspective, since it signifies to members of other categories that monetary contributions can also effectively be exchanged for access and security, and thus sends the message that these two privileges inherent to citizenship can be transformed into assets.

For most of applicants, demonstrating two kinds of knowledge pertaining to life in Canada is the second point of evaluation by the state after becoming permanent residents, and the first point of communication with the state as prospective citizens. For immigrants who are not educated in Canada, the lessons learned from the Citizenship Test and Guide could only signal three things: one, that the contributions of immigrants have always been chiefly measured on an economic scale; two, that the other most important aspect of citizenship is formal participation in elections, knowing and following the rules of the system; and three, that their identity differences are welcome and at the same time irrelevant to a multicultural state, where they should appreciate and reciprocate respect for cultural differences.

Overall, the impression is formed that Canadian naturalization policy does not offer newcomers political membership in a community, but political participation in a social order. The difference between membership and participation is crucial to the meaning that new settlers are prompted to attach to Canadian citizenship. Membership is essentially a matter of belonging and unity. It pertains to how one identifies oneself and implies being part of a whole by sharing into a social construct. It would not be possible for legislation to work with a notion of membership, as it would require more specific criteria of inclusion. Participation, on the other hand, is largely about how one is related to others with respect to the maintenance of the social construct. Participation can be put in terms of rights, roles and institutions, which is perfectly reflected in the language of current policy. Individuals are, therefore, selected and later rewarded with citizenship based on their subscription to normative values of social conduct and ability to perform and "contribute", and do "their share".

CHAPTER THREE: THE “GOOD CITIZEN” AND CANADIAN SOLIDARITY

“Not until something is formed and conceptualized can it be given away; and unless it is something valuable, its gift is not significant.”¹

This chapter begins by generalizing the conclusions derived from the case study in Chapter Two, in view of the thesis argument presented in the beginning of this inquiry. It then moves on to sketch a more detailed portrait of the “good citizen”, and considers the nature of her virtues in terms of the neo-liberal, liberal virtue and multicultural notions of desirable traits, as well as in her Canadian context. With this analysis in mind, the implications of the construction of the “good citizens” are examined, with respect to the strength of social cohesion in Canada. A brief assessment of the capabilities of the current neo-liberal citizenship regime suggests that the “good citizen” is neither fully conceptualized, nor a particularly valuable construct to new citizens. Several proposals for amending the naturalization process are listed in the conclusion of the chapter.

As Chapter Two has shown the process of acquiring Canadian citizenship is governed by the *Immigration and Refugee Protection Act*, the *Citizenship Act* and their accompanying regulations, put in effect through Citizenship and Immigration Canada policies. The official mandate of this process is conceived in the broad terms of strengthening the economic and social fabric of Canada, without bringing forward any substantive vision of nationhood that needs to be upheld and perpetuated. Therefore there

¹ Philip Brook Manville, *The Origins of Citizenship in Ancient Athens* (Princeton, NJ: Princeton University Press, 1990), quoted in Bothwell,

are no explicit references in the law to any qualities of Canadianness sought from new members of society. However, the text and structure of the legislative provisions, along with the design of the tools used to implement them, serve to convey a preference for certain features of the “good citizen” suitable to the maintenance of a neo-liberal multicultural state.

Acquisition of citizenship can only be adequately understood when it is considered in its two stages, and when these stages are in turn considered from the perspectives of both the state and its new members. An analysis of the state’s approach to the process reveals that it constructs the “good citizen” first and foremost as an economic agent through immigration, and then reconstructs him again by casting him in the limited procedural role of political participant through the grant of membership. This conclusion is supported by the intent of some legislative provisions and by the key policy choices made in the process.

The first such highly consequential choice is the strategy to recruit independent immigrants only through the class of skilled workers, investors and entrepreneurs. Since short-term labour demands could be satisfied through the admission of temporary skilled workers, the existence of this class as a category of permanent residents signals both a promise and an expectation of commitment on behalf of the state, and in this sense shows acknowledgement of these immigrants as potential citizens. The decision to evaluate new settlers exclusively on their potential for economic contribution and adjustment is consistent with the neo-liberal philosophy of government, chiefly concerned with maintaining a populace of rational, self-interested, liberally minded individuals who can compete in the free market setting. These principles of selection are incorporated into the

point system through which applicants are assessed. This system awards evidence of adaptability, initiative, learning skills, and responsibility through self-sufficiency, while declaring irrelevant any factors which speak to the identity of an applicant, such as cultural attachment, belief system or political conviction. The fact that under the most recent IRPA the point system has been modified to reflect trends in global and local economy also attests to its neo-liberal rationale. The importance which the state places on considering immigrants as economic agents is further reinforced by the policy choice to deny eligibility for citizenship to persons and families who are otherwise established in and prepared to make a commitment to Canada, but who have not been processed under the selection system and evaluated in its terms. Finally, the existence of the investor and entrepreneur class serves to institute a direct and overt link between monetary contribution and the privileges of Canadian residency, and subsequently attaches a symbolic "price tag" to the status citizenship.

After being meticulously processed as an economic agent, the independent newcomer ceases to be of much interest to policy makers at the immigration end of the process. Since skilled workers are admitted on their *potential* for employability, the level of their success in that regard remains of merely statistical significance. Thus, the economic agency of newcomers loses all relevance from the point of their entry into Canada to the time of their preparation for the Citizenship Test, when the connection between settlement and economic prosperity is again impressed on them as future citizens. For the purposes of naturalization the policy process re-constructs immigrants as potential participants and stakeholders in the system.

The state's approach to the second stage of acquisition of citizenship can be characterized as minimalist and formalistic. The image of the "good citizen" which is constructed through the components of this stage can also be described in similar terms. The criteria of inclusion into political membership mostly seek to establish willingness to subscribe to the rules of involvement of liberal, rational choice actors in a fixed market/institutional setting. Thus, in its final opportunity to consider immigrants in their capacity as citizens the state is less rigorous than it is at the stage of their evaluation as economic agents. This conclusion about the state's approach is derived from an analysis of the pillars of its policy at the second stage.

One of the major factors contributing to this minimalistic conception of citizenship is the nature of the Citizenship Act as it is revealed in its historical development. In terms of the main functions of citizenship law (mentioned in the beginning of chapter two), the Citizenship Act has played a most basic and limited role. In its inception the Act served to legitimize the rule of an essentially liberal republican regime and to embody the gradual attainment of sovereignty from Britain in all but symbolic aspects. The relationship between the citizen and the state as it is outlined in existing law, on the other hand, is only rudimentary. The commitment of the citizen is interpreted in minimalist terms as a matter of residence and obedience, some level of integration to the official languages and basic knowledge of Canada and its system of governance. At the same time no obligations on behalf of the state are implied beyond equal treatment. The first attempt to add more substance to the commitment of both sides is yet to be made through the proposed new oath and clause 21(1) under Bill C-18, which will invoke a duty to democracy as a form of government and recognition of liberal rights

as fundamental. This will also be the first step towards fulfilment of the third common function of citizenship law - to set the terms on which society will reproduce itself.

One possible vision of these terms can be discerned from the values and principles of Canadian society embedded in the design of the Citizenship Test and the Citizenship Guide. The way in which these two documents have been developed reflects the minimalism of the state's approach. The law's requirement that applicants for citizenship demonstrate "adequate" knowledge of Canada and its official languages is interpreted by Citizenship Regulations to imply "general understanding" and basic knowledge as sufficient to the needs of citizenship. Furthermore, among the various types of knowledge of Canada the Regulations give explicit priority to familiarity with the electoral system and the right to vote, thus classifying "general understanding" of all other rights and responsibilities of citizenship as secondary. This prioritization is perpetuated in the text of the Citizenship Guide, which places emphasis on knowledge of the political order and on promoting the act of participation in elections, but remains silent on the deeper political problems which citizens in the Canadian reality are faced with. The other function which the Guide performs on behalf of the state is to send out to new members a package of perceptions about citizenship and about Canada's political culture. The policy maker's response to this opportunity is again to emphasize the procedural values of liberal citizenship and the historical and social characteristics of Canadian society which are relevant to participating in its economy. By neglecting to familiarize applicants with the constitutional dilemmas and claims of Aboriginal nations and the Quebecois, the Guide conveys a vision of Canada as a multicultural society which caters seamlessly to both individual and collective identities and accommodates

diversity through an ingenious federal arrangement (and not for instance on the basis of common bonds).

While immigration and naturalization are set up and are treated as two entirely separate processes by government administration, they are experienced as two much less discernible stages of the same process by new citizens. The lack of continuity between the two policies prevents the state from fully conceptualizing immigrants as citizens, while at the same time their connectedness in reality is the most powerful factor in how immigrants conceptualize their inclusion into the community. Taken in its entirety, the process of acquisition of citizenship impresses on newcomers the notion that inclusion is based on desert, measured through participation in the market and representative institutions.

Portrait of a “good citizen”:

The combined effect of all main aspects of the naturalization process is to project onto new citizens and reflect back onto Canadian society in general a notion of what is entailed in being a “good citizen”. A consistent philosophy behind the state’s approach to recruitment of citizens is not explicitly stated in law or policy. Nevertheless, the implicit image of a “good citizen” can be drawn together from the different individual features emphasized in each major step of the process of acquiring full membership. Until only too recently in Canadian immigration history the image of the more desirable newcomer was sketched according to racial, ethnic and cultural features.²⁰² The formal elimination

²⁰² Green, Alan and Green, David. The Economic Goals of Canada’s Immigration Policy, Past and Present. Queen’s University. 1999, 4

of such attributes from the list of preferences, however, does not mean that their replacement with other perceptions of merit is entirely neutral politically. The ideas about responsibility, commitment to the state, political interaction, rights, freedom and the nature of participation, which are encoded in documents and regulations, are predominantly informed by the doctrines of neo-liberalism and multiculturalism, drawing little on other available philosophical conceptions of Canadian citizenship and political culture than from any other dominant components of Canadian political culture.

Based on the analysis of Chapter Two, it is possible to compose a portrait of the “good citizen” as an individual political agent who is:

- 1.) responsible, in being self-sufficient, adaptable and rational, following the letter of the law, subjugating other political concerns to the maintenance of peace and order, respecting the equal rights of others, and participating regularly in elections at all levels of government;
- 2.) active, in displaying ambition and entrepreneurship, taking initiative in the economy and representative democracy, volunteering time and effort to community needs, and protecting the resources and environment of Canada;
- 3.) appreciative of diversity, in recognizing and valuing one’s presence in a multicultural society and supporting the existing arrangement of mutual and equal accommodation as the basis of “compromise and co-existence” with ‘different’ others.

While none of these citizenship characteristics are unique in themselves, it is this particular blend of values that is said to distinguish the Canadian from all other “good citizens”.²⁰³

The neo-liberal palette

Analysis of this portrait reveals the “good citizen’s” neo-liberal lineage. The story of immigrant selection suggests that the inception of the “good citizen” in her current image coincides with the stages of introducing neo-liberal philosophy of governance to the Canadian state. To begin with, the shift away from maintenance of cultural profile as an objective of government policy and its substitution with the point system signals two things. First, it exposes the premise that economic criteria of selection are inherently neutral, and that as such they can serve as a just and uncontroversial replacement for previous practices of racial discrimination. As McBride and Shields observed²⁰⁴, this assumption that economic viability is impartially determined in the marketplace and all the state needs to do is establish its lack or presence, is typically neo-liberal. Second, this policy shift was largely driven, not by a vision of equality or inclusive nationhood, but by the prioritization of market needs for expansion, new labour and new consumers. The series of modifications to the point system over several decades reflect this primacy of economic goals and concerns. The most recent changes to the selection system under IRPA 2002 reaffirm the predominance of an essentially neo-liberal rationale for the continued existence of naturalization, so that the admission of immigrants can be

²⁰³ Canada. Being Canadian Department of the Secretary of State. 1988:14

²⁰⁴ McBride and Shields 25-30

perceived as a way to: partially remove the artificial obstacle of borders (created by states), which interrupts the free flow of labour supply and demand on the global stage; as well as position Canada well and increase its competitiveness in the knowledge based world economy.²⁰⁵

Thus, the qualities of adaptability, self-reliance, initiative and professionalism, which are projected onto the “good citizen” through the point system, have a double utility – they function as a testimony of employability and at the same time ingrain the neo-liberal notion of individual responsibility. The classification of independent immigrants as “skilled workers” defines the state’s expectations with regard to this responsibility and communicates to newcomers that it is these qualities which earn them admission and which are valuable to the rest of Canadian society. This direct link between the notion of recognition in the public sphere and the notion of desert through economic contribution strongly resembles the neo-liberal “participatory ideal” identified by Lawrence Mead.²⁰⁶ Even if this contribution does not turn out to be significant, the above mentioned qualities will at least secure some degree of self-sufficiency, thus satisfying the minimum expectation that the newcomer will not commit the cardinal neo-liberal sin of burdening taxpayers by becoming reliant on the support of the state’s already diminished social services.

The underlying importance of this brand of responsibility, self-sufficiency and initiative is also conveyed, albeit more indirectly, in the images of Canada as a land of vast resources and almost limitless possibilities emerging from publications addressed to

²⁰⁵ Canada. Building on a Stronger Foundation for the 21st century: New Directions for Immigration and Refugee Policy and Legislation. Citizenship and Immigration. 1998

²⁰⁶ See page 26, Chapter One

immigrants, such as *Being Canadian* and the Citizenship Guide. Such images carry the standard neo-liberal proposition that opportunities for self-realization are abundant and equally available. The historical narrative of immigration and settlement which follows this assertion presents “success stories” of individualism and acts of co-operation as entrepreneurial initiative. The tendency of such texts to present both territories and peoples in terms of their economic contributions cannot be entirely attributed to, but is certainly consistent with, the “rational choice” habit of mind to attach value and consider things in terms of their utility to maximizing some interest or other. While it is not realistic to assume that most prospective citizens would adopt identical perceptions, the implication of their presence in such publications is the anticipation that a “good new citizen” would know, appreciate and be able to reiterate their meaning.

There are two other types of behaviour ascribed to the active, responsible “good citizen” by the same documents, which add to the neo-liberal overtones of his construction. The first one is the contribution of volunteer effort in the context of the private sphere. While the concept, as well as the term, of “social rights,” or even “entitlements” is completely absent from the two publications, there have been multiple references in the texts to community involvement and volunteerism as expressions of civic responsibility. Since commitment to social services has not qualified as an important, positive, or at least politically distinctive element of Canadian citizenship, it can only be inferred that “good citizens” do not need to channel this type of mutual obligation through the state. Thus, while the emphasis on volunteering and showing responsibility is fairly strong, it is also “localized” by its association with “neighbours” and “family” and those “in need”. Security and support, then, are to be perceived by the

“good citizen” as something which one should give and expect to receive at the community level, from other individuals and private institutions. This message, although subtle, is clearly suggestive of the core neo-liberal ideas of limited government and a sharp public/private distinction.

Likewise, the Citizenship Guide’s fixation on participation in elections and the right to vote may not be directly linked to neo-liberal governance, but it is suitable to its ends. The extent of the Guide’s promotion of the act of voting and/or running in elections at all levels is such that it completely overshadows all other kinds of political awareness, involvement and expression. The “good citizen’s” spirit of public participation is, therefore, tied to its most structured, regulated and pre-scheduled form. Furthermore, an expectation is placed on this citizen to identify her own interests and beliefs with the agenda of one of the registered political parties and communicate with his representatives as the only ones who have political voice. To put it differently, the “good citizen’s” exercise of the rights and duties of political membership is to be conducted in the way that is most convenient to the institutions of power, in a manner that is predictable and through an agency that is controlled. Such form of participation, while no doubt preferable to most regimes, would be of particular relief to neo-liberal governments. As McBride and Shields have observed, the neo-liberal doctrine has been especially intolerant to forms of political expression and activism which seek to place demands and expectations on the state to act as a provider, regulator or arbiter.²⁰⁷ In this sense, participating in public debates, rallies and symbolic protests, subscribing to interest groups, organizing around non-traditional issues or voicing claims through the media,

²⁰⁷ McBride and Shields 29

would be characterized as “overpoliticization” and absent from the “good citizen’s” concept of encouraged or publicly valuable behaviour. In the end, while the Guide includes grand objectives on the citizen’s responsibility list, such as “eliminate discrimination and injustice” and “protect our heritage and environment”²⁰⁸, it gives very limited license to the political means to fulfil them.

The liberal framework

Even though the “good citizen” is clearly constructed as a member of a democratic polity built on liberal principles, it would be inaccurate to classify him as possessing “liberal virtue” in the “thicker” sense of the term defended by theorists from this approach.²⁰⁹ The classical liberal traits of citizenship are present in all examined elements of the policy process and directly enumerated in the Citizenship Guide – respect for the autonomous individual, the fundamental notion of equality under the rule of law, and especially the entrenchment of basic civil rights under the Charter, guarantees of political and personal freedom, concern for fair treatment, and most obviously perhaps, absence of declarations or allusions to concepts of the “common good”.²¹⁰ Commitment to values such as peaceful resolution and respect for the rights of others is required for the normal function of any society, and especially a liberal one. Beyond these tenets, however, the liberal features of the “good citizen” become blurred and fall short of the model’s expectations. Overall, there are two reasons for this divergence: first, the “good citizen” is conceived first and foremost as an economic rather than a political agent, and

²⁰⁸ Canada. *A Look at Canada*. Citizenship and Immigration. 2002 p.39

²⁰⁹ Macedo; Galston; Amy Gutman. *Democratic Education*. (Princeton: Princeton University Press, 1987)

²¹⁰ Ibid. 7

second, when he is later reconstructed as a participant in democracy he is merely adjusted to a hollow liberal framework without having to understand or absorb its fundamental principles. And while this may be enough for the healthy functioning of the political system, the doctrine of liberal virtues does not recognize such principles as “virtues” until they are internalized.²¹¹

The mode of political participation ascribed to the “good citizen” is the most meaningful feature of citizenship from this perspective, and the source of his shortfall. The most fundamental liberal characteristic omitted from the act of participation as it is promoted in the Guide, is that of critical reflection on current political affairs, on one’s own position and on alternative points of view. Sitting at the crux of the liberal approach, critical reflection is in itself more valuable politically than the casting of an election ballot.²¹² For, if it is assumed that the citizen is not to be encouraged to engage in, and not capable of critical reflection, then it would follow that he would not attempt to abstract himself from personal circumstance, prejudice and impulse, and in turn not attempt to reason as impartially as possible about the claims and issues at hand. Ultimately, the lack of critical reflection would indicate an automatic failure to separate public from private, a failure to consider matters beyond one’s concept of the “good”, and finally, a failure to construct and take part in the abstract public space where issues of justice are considered.²¹³ Therefore, the instigation to vote, without highest regard for informed deliberation on the issues at stake, is not only a misrepresentation of civic responsibility

²¹¹ See discussion of liberal citizenship virtue, pp.26-27

²¹² Rawls, 1971; Habermas, 1989

²¹³ The particular design of this abstract public space is under constant review in liberal theory, but in all its versions, including the leading ones of Rawls and Habermas (Rawls, 1971; Habermas, 1989), it is recognized as the true venue of political participation and interaction (independent of the mundane function of representative democracy).

but practically equal to sabotaging the democratic process and defeating the end goal of liberal discourse. A citizen who associates the value of her political membership with the formality of being counted in, instead of with the justice of public decision-making, could not be a “good” liberal citizen, let alone a virtuous one.

To sum up, the “good citizen” in his current construction can be perceived as someone who is equipped to maintain the conditions of constrained democratic public dialogue with others but is not disposed to engaging in it actively and critically. In order to be considered to have liberal virtue, this citizen would have to take on the full weight of political membership. Furthermore, he would need to commit to the values of individual autonomy, critical reflection, equal rights and reasonable conversation as a matter of personal moral conviction, in addition to upholding them in public space. Finally, he would readily prioritize the advancement of impartial justice over that of other personal beliefs and ideas about the good life. As Macedo insists, only if the commitment of the “good citizen” reaches such an extent could he be accepted as liberally virtuous and distinguish himself from other citizens who are simply following a (neo)liberal procedural framework.²¹⁴ The process of naturalization examined here, however, does not build such a distinction into the notion of good citizenship.

The multicultural overtone:

While the “good citizen” may not be the finest example of liberal virtue, he is certainly much better constructed to justify the claim that “multiculturalism rests at the

²¹⁴ Macedo

very heart of [Canadian] citizenship.”²¹⁵ In the absence of social rights, life in a tolerant and diverse society has taken over the part of the most cherished entitlement and the most distinctive feature of membership in the Canadian community. Multiculturalism, however, is not present just as a footnote addition to civil and political rights, but as an independent element of citizenship, which signifies a vision of Canadian society on one hand, and confers a certain political disposition on the “good citizen” on the other.

This disposition can perhaps be most adequately understood as the possession of a special appreciation for diversity in the context of cultural choice and the ability to sympathize with the positions of others both as individuals and as members of cultures. The presence and emphasis on “respect for cultural differences” in the list of declared Canadian values serves to indicate that there is more to this “respect” than what is simply implicit in the liberal values of freedom and equality. The recent abandonment of “tolerance” in favour of this more positive term in the Citizenship Guide also supports this observation. Through the frequent mention of stories of immigration and “successful” accommodation of peoples from various ethnic and religious backgrounds the message is carried that “difference” is not frowned upon by the Canadian state as a source of disunity.²¹⁶ The continued reassurance of respect and even “appreciation” of everyone’s customs and traditions provided to newcomers establishes the understanding that this respect is exchanged primarily between citizens, and not just between citizens and the state. Thus, “good citizens” are aware of the “safety” of their cultural identity

²¹⁵ Canada. *Being Canadian*. Department of the Secretary of State. 1988 :28

²¹⁶ Though historical accuracy is obviously sacrificed to the purpose of the message for new arrivals.

which widespread appreciation for diversity provides and are expected to extend such appreciation to others in return.

At the same time, it is also implicit that the political conviction of the “good citizen” must be adjusted to multiculturalism if necessary, and that he must recognize and perpetuate this arrangement as an ingenious way to co-exist and a bonding principle with others. Thus, the multicultural overtones in the portrait of the “good citizen” suggest that he must possess a Kymlickean recognition of culture as essential to the meaningful choices and the well-being of himself and others in the liberal state. When all “good citizens” reach such recognition, the unifying goal of multiculturalism can be achieved by the establishment of diversity as an asset and culture as a special dimension of Canadian citizenship.

Portrait of a Gentleman

Before proceeding to consider the larger issues surrounding this construction of the “good citizen”, it is important to insert a brief note and mention that the portrait which has emerged of this abstract political agent might in reality appear much closer to a portrait of a male than a female citizen. For the more fundamental characteristics of this portrait are ones which are traditionally associated with male roles and capabilities. Self-sufficiency, adaptability and entrepreneurship per se are commonly associated with the role of the breadwinner, which for most families still mainly implies men.

Implications of the construct and the issue of solidarity

In a recent article Janine Brodie reflects on the state of Canadian solidarity and collective identity through an analysis of the framing of citizenship discourse in selected Speeches from the Throne of the Federal Parliament since WWII.²¹⁷ The gist of her findings suggests that the last two decades of neo-liberal governance in Canada have failed to restore the sense of belonging to a national community which citizens enjoyed prior to the dissolution of social citizenship rights and policies. The burden of this insecurity has been particularly heavy on “English” Canadians’ search for a shared identity within their own group and with their partners in Canadian society. Attempts to rebuild solidarity in this segment of the country under a neo-liberal vision have not succeeded even partially, according to Brodie. Very similar conclusions have been reached through another critique from the left by Jane Jenson, who also diagnoses the current period, from the late 1990s until today, as a time of “redefinition of citizenship.”²¹⁸ Jenson approaches the study of citizenship as the embodiment of a set of relationships between the three generalized societal actors of the state, the market, and the community.²¹⁹ She further identifies the historical evolution of different citizenship “regimes” in Canada, which consist of the latter institutional triangle, the discourse of citizenship which accompanies it, state policies and agenda setting, as well as “the range of claims recognized as legitimate” over a period of political history.²²⁰

²¹⁷ Brodie 377

²¹⁸ Jane Jenson. “Fated to Live in Interesting Times: Canada’s Changing Citizenship Regimes”, Canadian Journal of Political Science, December 1997, XXX:4

²¹⁹ Jenson, “Fated to Live in Interesting Times: Canada’s Changing Citizenship Regimes” 631

²²⁰ Ibid.

Both Jenson and Brodie distinguish a post-war citizenship regime, dominated by the project of building solidarity through a commitment to social rights as the third component of full citizenship (as conceptualized by Marshall). The entrenchment of universally available services in this period provided “social Canadians”²²¹ with a common way of relating to the state and a basis for social cohesion. In this regime the state exercised undisputed leadership as the main distributor of social justice. The span of its initiatives, however, was also broad and bold with regards to a yet indistinguishable national identity. As Brodie puts it, “the very idea of social citizenship soon became fused with a state-orchestrated vision of an inclusive pan-Canadian nationalism.”²²² At the core of this vision was the idea that all Canadians should be able to identify with one national community, to which they would belong as individuals. In its pursuit of such a community the state produced the policy of official bilingualism in 1969, which, strangely enough, treated linguistic difference as a personal attribute.²²³ This was soon followed by the introduction of multiculturalism in 1971.²²⁴ The overarching idea of these policies was to provoke citizens to think of themselves first and foremost as Canadian, rather than prioritize other aspects of their fragmented identities. The inherent weakness of this liberal individualist model is the appreciation of group demands only in terms of their sum total of individual interests, and consequently the inability to credit collective claims and needs.²²⁵ Not surprisingly, this pan-Canadian project of state engineering was challenged by Aboriginal peoples’ and Quebecois’ claims to

²²¹ Brodie 382-387; Jenson, 634-637

²²² Brodie 382

²²³ Jenson, “Fated to Live in Interesting Times: Canada’s Changing Citizenship Regimes” 636

²²⁴ Jenson, “Fated to Live in Interesting Times: Canada’s Changing Citizenship Regimes” 634

²²⁵ Jenson, “Fated to Live in Interesting Times: Canada’s Changing Citizenship Regimes” 637

differentiated citizenship. Within the rest of Canada, however, the social aspects of the nationalistic vision did manage to take some root. The image of the “social Canadian” inscribed itself in collective imagination and the virtues and responsibilities of Canadianness became associated with the package of social policies which that image stood for.

The infusion of neo-liberal ideas of governance from the late 1970s on denoted the inception of a new citizenship regime, the chief objective of which was to dismantle the policies of its predecessor and demonstrate the faultiness of its principles. Under their economic mandate, discussed earlier, neo-liberal governments proceeded gradually to shrink social programs into virtual disappearance and redefine the relationship between the state and the citizen in terms of the relationship between the state and the market. This trend, according to Brodie, had a terminally damaging effect on the sense of solidarity cultivated by the previous regime. The central assertion behind neo-liberal attacks on social rights was that “the Social Canadian, as it turns out, was just another member of the aging baby-boomer generation and not, as postwar discourse would have it, the essence of Canadianness.”²²⁶

The piecemeal downsizing of government apparatus and services, withdrawal from market regulation and reduction of spending, typical of the neo-liberal regime, limit the possible replacement visions of Canada down to those which cast the state only in secondary supportive roles.²²⁷ Also, such a vision would logically only be able to support the individual as a unit of community and reject yet again the legitimacy of collective

²²⁶ Brodie 393

²²⁷ Brodie 389

claims and forms of participation and representation. Most of all, a neo-liberal alternative would have to sustain an explanation of social inequalities and systemic disadvantages as privately generated problems which do not authorize state involvement, and therefore are not matters of citizenship. As Brodie points out, however, while social cleavages are growing, no such coherent new visions have been put forward, there has been “no commanding national project upon which to build a collective sense of identity, unity and belonging.”²²⁸

The results of the present inquiry into the construction of the “good citizen” in the process of acquisition of Canadian citizenship can be seen to concur with the findings of Brodie’s analysis. The composite sketch of the “good citizen” presented earlier reveals a patchwork of citizenship virtues, instilled in him throughout the policy process, with some direction but without general vision and philosophy. The construction of the “good citizen” might as well be an example of two sets of policy makers, “muddling through” the task of turning immigrants into citizens, trying to accommodate as much as possible the values of dominant state doctrine but limited to cautious improvisation by its lack of vision of the citizenship that is to be granted and solidarity that is to be fostered. The decisive simplicity with which immigrants are assessed as economic agents, and the subsequent minimalist, procedural clumsiness with which they are reconstructed as citizens, seems to confirm Brodie’s and Jenson’s observations that those who are already citizens of Canada are in a similar situation – easily perceived as consumers, workers and taxpayers, and yet still unclear on the purpose and values of their common political membership.

²²⁸ Ibid.

In her analysis of speeches from the throne in the last two decades, Brodie detects “two distinct alternatives to the postwar conception of the Social Canadian.”²²⁹ The first of these, the conception of the Entrepreneurial Canadian, presents an attempt to place the citizen in the context of globalization and perceive him in relation to its economic implications. Social cohesion is to be strengthened, implicitly, through the common “entrepreneurial” experience. Needless to say, this image of the Entrepreneurial Canadian is remarkably similar, if not directly entrenched in the first stage of constructing the “good citizen.” The language which Brodie finds in the speeches from the throne could almost literally have been transferred onto the process of immigrant selection. The most notable examples to cite are phrases such as “citizens in a global economy”²³⁰, “Canada’s ability to prosper [will be determined by] our attitudes to work and to change”²³¹, and “people with advanced skills and entrepreneurial spirit.”²³² Furthermore, according to the author, the state’s determination to promote this vision of the citizen was so great that “transcripts advanced the myth that the requisite qualities of the entrepreneurial citizen are embedded in Canada’s national tradition and value structure”²³³ and that these are especially evident in “Canada’s history [as] the history of builders and achievers.”²³⁴ As has been shown, the process of naturalization has been a particularly convenient testing ground for the retelling of Canadian history with ideological nuances to those who would be most susceptible to taking its messages at face value.

²²⁹ Brodie 390

²³⁰ Canada. Speech from the Throne. House of Commons, 23 May 1997, p.9. cited in Brodie 390

²³¹ Canada. Speech from the Throne. House of Commons 3 May, 1991, p.2, cited in Brodie 390

²³² Canada. Speech from the Throne. House of Commons 30 January, 2001, p.7, cited in Brodie.390

²³³ Brodie 390

²³⁴ Canada. Speech from the Throne. House of Commons 3 May, 1991, p.3, cited in Brodie 390

The second alternative conception detected by Brodie is that of the Volunteer Canadian. This version of the citizen is designed by the neo-liberal state as part of the attempt to restore, albeit on different terms, the social cohesion which the previous regime had managed to nurture. To this end, “neo-liberal regimes have embraced the idea of community to stand in for the social and the volunteer to stand in for the public of previous eras.”²³⁵ This conception of the Volunteer Canadian would be the most convenient to the purposes of the regime, for if successfully imposed, it would serve two goals – it would foster solidarity through the experience and notion of mutual help, while at the same time performing the kind of function which used to be associated with social citizenship. While the conception of the Volunteer Canadian is identical to the one embedded as a virtue of the “good citizen”, the presence of this conception is interestingly subjugated to that of the Entrepreneurial Canadian who holds centre stage.

Overall, Brodie’s generalized conclusion is that “although old ideas about Canadian society have been eroded, they have yet to be replaced with an alternative vision that has captured the collective imagination.”²³⁶ This statement would also be valid, though with different connotations, for the process of naturalization, which for the past two and a half decades has been void of a modern, inclusive, conceptually sound vision of citizenship. There are no apparent obstacles embedded in the nature of the process that are of enough magnitude to preclude the existence of such a vision. Even though there are structural impediments, such as the discontinuity between immigration and naturalization, these are the product of the state’s design and, arguably, under its control.

²³⁵ Brodie 391

²³⁶ Brodie 388

Unless the admission of newcomers and the conferral of citizenship status are to be conducted randomly, or unless borders become completely open or completely closed, the terms of selection and qualification for full membership will inevitably convey ideas about the meaning of citizenship. Whether the state can manage these ideas to the benefit of social cohesion depends on the ability of its citizenship regime to generate a just and meaningful vision.

Thus, the image of the “good citizen” which emerges from current policies governing naturalization speaks to the inability of the neo-liberal regime to come to such a vision. The mixture of neo-liberal values with those of multiculturalism in a liberal procedural framework produces, at best, an “instant citizen” as a temporary multi-purpose tool for the use of policy until the bigger and better alternative is found. This construct can serve to foster some traits, behaviours and ideological perceptions which are valuable to the state and its current doctrine, but it is not a sufficient basis through which to form a philosophically sound conception of the political agent as a citizen and carrier of Canadian identity.

Even though it has been established that the construct of the “good citizen” is not conceptually complete, the last question remains of whether this construct could still be valuable to those on whom it is projected. As was mentioned before, the legal status of citizenship bestows a package of rights (the right to vote and run in elections, the right to be educated in either official language, and the right to hold a passport and enter Canada freely) which has little practical impact on the lives of permanent residents. This shortfall of the process, however, is arguably remedied by the enrichment they experience by becoming Canadian. This enrichment is meant to further extend to all of society, as by

entering the community the new members reflect back to it the notions of good citizenship into which they were initiated.

The usefulness of these notions to new members and to the community at large is greatly diminished by their lack of vision. The virtues and knowledge which the “good citizen” possesses do not equip him sufficiently well to face the complex challenges of Canadian citizenship. Arriving as a member of the multicultural mosaic, this citizen is prone to the misperception that he stands as an individual in *one* large and inclusive Canadian (mostly economic) community, with a number of exotic native peoples located on the edge of it and a large number of French speakers contained on the inside. Upon establishing the reality of at least three distinctive political/national communities, further divided by regional differences, the “good citizen” has no attributes and predispositions on his list of qualities which can allow him to relate to those outside his own. Having no knowledge of Canada’s federal system, other than that it is unique and compromising, he is by default unable to grasp the depth of the disparities between the three communities and the kind of solutions that could be needed to accommodate them.

As a new member of the “rest of Canada”, the “good citizen” must rely on her neo-liberal and multicultural mentality to develop a sense of belonging to the diverse “Anglo” community by reaching across deep cleavages of nation, race, ethnicity, religion and social status. Carrying deep respect for cultural differences, this citizen “tries to understand and appreciate the cultures, customs and traditions of all Canadians”²³⁷ as well as to maintain her own without surrendering to assimilation. But, like the multicultural doctrine itself, this citizen would be ill prepared to encounter fundamental

²³⁷ Canda. A Look at Canada. Citizenship and Immigration. 2002: 7

and irreconcilable differences in belief and moral conviction. And while he knows that “the rights of a single Canadian or a group of Canadians cannot interfere with the rights of any other”²³⁸, he, as most others, would not be sure what this principle really dictates in such a situation.

In addition to being present as a liberally minded individual in the mosaic, the “good citizen” would also be compelled to ground himself in his local community, most likely a culturally distinguishable one. The need to associate with a community is imperative, since for a neo-liberal citizen this is the only source of support and assistance in times of need. In order to do his share, the “good citizen” would in turn donate his own time and effort to others. Thus, the primary relationship which he develops would not be with the state, but with the community as a main source of security. The main dilemma which the citizen will then face is how to reconcile her need to be firmly rooted in a community and her equally, if not more, pressing duty to be self-sufficient, and take advantage of her adaptability, flexibility and mobility. Making choices between breaking social commitments and missing economic opportunities would leave the “good citizen” disabled.

In the end, it is difficult not to return to the point that the most significant challenge which the “good citizen” will face is how to differentiate himself from all other entrepreneurial global citizens. In this respect, the construct of the “good citizen” is unfortunately too similar to other failed constructs of citizenship. Provided that immigrants derive the meaning of their newly acquired citizenship from the way it is

²³⁸ Ibid. 38

constructed in the process of their naturalization, new members of Canadian society are receiving a privilege which is only partially conceptualized and of diminishing value.

Conclusions about the path of improvement:

In conclusion, it is important to list some of the changes which could bear a positive effect on future constructions of the “good citizen”. On the assumption that a coherent, viable vision of citizenship and solidarity becomes available in Canadian political discourse, the state could consider several directions of reform to naturalization policy. The objective of such changes should be to make the naturalization process more conducive to social cohesion, and to ensure that it offers new Canadians full membership in the polity, rather than terms of participation. A good starting point of reform would be the reestablishment of policy links between immigration and grant of citizenship, so that the overall process is treated and regulated by the state in view of the way it is experienced by people. A second step could be to reconsider the basis of recruitment and selection of immigrants so as to make it more realistic and open. The current method of measuring adaptability and flexibility with a very rigid point system is obviously counter productive. While personal interviews and evaluations are sometimes perceived as an opportunity to arbitrarily exclude persons from admission, they could also be used by conscientious officials to extend real consideration and be more inclusive of persons (and especially women) who do not “score” high on the traditional point system but who may still have exceptional qualities and ways to contribute and belong to Canada. In this regard, it would not be completely exotic to consider testing the knowledge of Canada of

those who apply to settle here as independent immigrants, and to attach value to such knowledge *prior to their arrival*.

The classification of newcomers under different categories of admission could also benefit administratively and symbolically from referring to the currently “economic class” of immigrants in their real capacity as independent or unsponsored settlers, instead of framing them narrowly as “skilled workers”. The most important thing to re-evaluate in terms of the granting of citizenship is eligibility, and especially the justice of refusing to accept applications for citizenship from persons who have demonstrated long-term associations to Canada without holding the status of permanent residents. Finally, there are numerous aspects of the Citizenship Test and Citizenship Guide to be reconsidered. Most notable perhaps is the prioritization of the procedural side of participation, when new (and old) citizens should be encouraged to approach political issues critically, to seek accountability, discuss their positions with others and keep themselves informed. The importance of the right to vote must not overshadow the necessity to understand other citizenship rights, and representations of Canada should be more extensive and more true to fact.

No changes to the naturalization process, however, could mask or compensate for a lack of social cohesion, weak bonds of identity, and state disregard for the importance of a citizenship regime. The main effort of policy, government doctrine and political theory should lie with the conceptualization of a just, inclusive and reasonable model of citizenship best suited for the unique character of Canadian political configuration. The subject of how the state does and should construct the “good citizen” in its laws and policies may appear obscure amongst the more pressing and more popular issues

dominating Canadian politics. However, this subject has far reaching implications in a political culture where the distinction between being a “good citizen” and being a “good Canadian” is barely noticeable.

GENERAL CONCLUSION

This thesis has attempted to achieve two main things. The first is to draw attention to its subject as worthy of inquiry and relevant to the study of Canadian citizenship. The quest for a basis of cohesion and unity, and in “multicultural Canada”, for the sense of common identity, is perhaps the most deep-seated predicament of Canadian political culture. In the academic realm, this quest for togetherness has been led largely under the rubrics of federalism, constitutionalism, multiculturalism and shared values. The widespread conviction that the status of citizenship may serve not only as a reflection, but also as a source of a political solution to the conundrum has led many theorists and researchers to look in its direction as well. The search for the meaning of Canadian citizenship, however, seems to end up in the same thematic destination.

Could there be other indicators about how Canadian citizenship is conceived, that are still within the legitimate scope of political science, but outside of its habitual area of inquiry? This thesis has hopefully made the case for one such indicator – the process of naturalization. Political scientists, like most people, forget to look for things in the obvious places. The acquisition of citizenship, though shrouded in administrative obscurity, is a process that offers great testimony to the ways in which the state and individuals construct the meaning and expectations they hold of citizenship and of each other. As was said at the beginning of this project, by regulating the privilege and terms of membership, the process of naturalization is one of the mechanisms through which society reinvents itself as a cultural and political community. In that sense, this process has perpetual relevance for the future of politics.

The second general objective of this inquiry has been to question the existence of immigration and grant of citizenship as two entirely separate policies, governed by separate laws and proclaiming diverging goals, and at the same time reassert their connectedness in every other way pertaining to human experience and to the meaning of citizenship. This thesis has shown that is possible and useful to study these as one process, even though the bulk of relevant literature approaches them in a piecemeal way. Within the theoretical branch of political science immigration and citizenship have been studied together usually with respect to rejecting the legitimacy of closed borders and limited membership. Within the policy branch, analyses of the admission of newcomers and their naturalization have studied isolated aspects of each as in terms of the interests of public administration, economics and sociology. The point system for selection of immigrants and the Citizenship Guide especially have been the most under-researched policy tools. The present study has hopefully made one small step further towards bridging the gap.

The limited scope of this thesis has dictated that several paths of inquiry be left out, that are otherwise relevant to the research question. These, however, could and should constitute separate projects in themselves. For example, the study of the image of the “good citizen” is admittedly not complete without an analysis of the gender, racial and class biases in the process of its construction. Such an analysis would undoubtedly present strong challenges to the conception and administration of the selection system of immigrants, the status requirements of the *Citizenship Act* and the very gist of the neo-liberal model of the ideal citizen. It could also reveal deficiencies in the multicultural vision and practice. The recent addition of references to the “principles of a free and

democratic society” in the *Charter of Rights and Freedoms* also provokes the question whether the principles and values espoused in this part of the Constitution can serve as a basis for a new construct of the “good citizen”, and if so, what implications such a construct might have for the process of naturalization and for social cohesion in general. Another path of research that would be particularly useful is the more empirical study of new Canadians’ perceptions of the naturalization process, of their roles as citizens and of the meaning they attach to their citizenship status. Lastly, a most intriguing project would be to undertake a cross-disciplinary investigation of the plausibility of impartial historical knowledge in documents such as the Citizenship Guide, and of the most appropriate way to introduce controversial issues to newcomers.

Finally, the “good citizen” of this thesis is a political abstraction that can hold no danger unless it is reinforced in the real experiences of new (and old) citizens. While current policy on naturalization may pave the way to the reproduction of a neo-liberal/procedural political agent, what is of ultimate importance is how citizens construct the meaning of their own membership through the complex perceptual network of their standpoints. And even though citizenship may be granted as a hollow concept at the start, it inevitably derives substance from the daily, re-constructive interactions of citizens with each other. In the end, if we are willing to accept that we are the architects of our social realities, then we have no choice but to believe that positive changes can be made.

BIBLIOGRAPHY

Primary Sources:

Canada. Citizenship Act, R.S. 1985 c.C-29

Canada. Citizenship Act Regulations. 1993 (SOR/93-246)

Canada. Citizenship of Canada Act. House of Commons. 1998

Canada. Immigration and Refugee Protection Act. R.S. 2002 c. C-27

Canada. Immigration and Refugee Protection Act Regulations. Canada Gazette, June 14, 2002, vol.136 No.9

Canada. Citizenship of Canada Act. Clause by Clause Analysis. Citizenship and Immigration. 1998

Canada. "Processing Independent Immigrants", Operating Procedures: Chapter 5. Citizenship and Immigration. 1997

Canada. Fee Schedule for Citizenship and Immigration Services. Citizenship and Immigration. <http://www.cic.gc.ca/english/applications/fees.html#swpf> , February 2003

Canada. Funds Required to Settle in Canada, Citizenship and Immigration Canada, <http://www.cic.gc.ca/english/skilled/qual-4.html> , July 2002

Canada. Building on a Stronger Foundation for the 21st Century: New Directions for Immigration and Refugee Policy and Legislation, Citizenship and Immigration. 1998
http://www.ci.gc.ca/english/about/policy/lr/e_lr.html

Canada. Being Canadian. Department of the Secretary of State. 1988

Canada. A Look At Canada. Citizenship and Immigration. 2002

Canada. A Look At Canada. Citizenship and Immigration. 2001

Canada. New Citizenship Bill Tabled Today. News Release. Citizenship and Immigration. October 31st 2002. <http://www.cic.gc.ca/english/press/02/0238-pre.html>

Secondary Sources:

Bothwell, Robert. "Something of Value? Subjects and Citizens in Canadian History,"
Belonging: Essays on the Meaning and Future of Canadian Citizenship McGill
– Queen's University Press, 1993

- Brodie, Janine. "Citizenship and Solidarity: Reflections on the Canadian Way," Citizenship Studies, vol. 6 no.4 2002
- Carens, Joseph. "Membership and Morality: Admission to Citizenship in Liberal Democratic States," Immigration and the Politics of Citizenship in Europe and North America, ed. William Rogers Brubaker. Lanham: University Press of America, 1989
- Dirks, Gerald E. Controversy and Complexity: Canadian Immigration Policy During the 1980s, McGill: Queen's University Press, 1995
- Galloway, Donald. "The Dilemmas of Canadian Citizenship Law", From Migrants to Citizens: Membership in a Changing World, T.Alexander Aleinikoff and Douglas Klusemeyer, eds. Carnegie Endowment for International Peace: Washington DC, 2000
- Green, Alan G. and David A. Green The Economic Goals of Canada's Immigration Policy, Past and Present, (Kingston: Queens University, 1999)
- Green, Alan G. and David A. Green "Canadian Immigration Policy: the Effectiveness of the Point System and Other Instruments", Canadian Journal of Economics, No.4b, November 1995
- Habermas, Jurgen. Moral Consciousness and Communicative Action. Cambridge, MA: MIT Press, 1989
- Jenson, Jane and Martin Papillon, The Changing Boundaries of Citizenship: A Review and a Research Agenda, Canadian Policy Research Network, www.cprn.ca, April 2001
- Jenson, Jane. "Fated to Live in Interesting Times: Canada's Changing Citizenship Regimes", Canadian Journal of Political Science, December 1997, XXX:4
- Kaplan, William. "Who Belongs? Changing Concepts of Citizenship and Nationality," Belonging: Essays on the Meaning and Future of Canadian Citizenship McGill: Queen's University Press, 1993
- King, Desmond. The New Right: Politics, Markets and Citizenship. Basingstoke: Macmillan Edition, 1987
- Kent, Tom. "Immigration Now: How to Regain Control and Use it Well", Policy Insights (School of Policy Studies: Queen's University, 2001)
<http://policy.queensu.ca/spspi/docs/tk1001.shtml>

- Kymlicka, Will. Recent Work in Citizenship Theory. Report prepared for Multiculturalism and Citizenship Canada. Ottawa, 1992
- Kymlicka, Will. Multicultural Citizenship: A Liberal Theory of Minority Rights (New York: Oxford University Press, 1995
- Macedo, Stephen. Liberal Virtues New York: Oxford University Press, 1990
- Marshall, T.H. Citizenship and Social Class, ed. Tom Bottomore. London: Pluto Press, 1992
- McBride, Stephen and John Sheilds, Dismantling a Nation: The Transition to Corporate Rule in Canada, Halifax: Fernwood Publishing, 1998
- Mead, Lawrence. Beyond Entitlement: The Social Obligations of Citizenship. New York: Free Press, 1986
- Mill, John Stuart On Liberty and Utilitarianism, 1859
- van Oenen, Gijs. "Turning on the Citizen: Modern Citizenship and Its Cultural Hazards," Citizenship Studies, vol.6 no.2 2002
- O'Neil, Shane. Impartiality in Context: Grounding Justice in a Pluralist World. Albany, N.Y: State University of New York Press, 1997
- Rawls, John. A Theory of Justice 1971, Cambridge: Harvard Univeristy Press, 1999
- Sandel, Michael. "The Procedural Republic and the Unencumbered Self," Political Theory, vol. 12 no.1 1984

Six Selection Factors and Pass Mark

These charts show how points are awarded in the six selection factors.

Factor One: Education	Maximum 25
You have a Master's Degree or Ph.D. and at least 17 years of full-time or full-time equivalent study.	25
You have two or more university degrees at the bachelor's level and at least 15 years of full-time or full-time equivalent study.	22
You have a three-year diploma, trade certificate or apprenticeship and at least 15 years of full-time or full-time equivalent study.	22
You have a university degree of two years or more at the bachelor's level and at least 14 years of full-time or full-time equivalent study.	20
You have a two-year diploma, trade certificate or apprenticeship and at least 14 years of full-time or full-time equivalent study.	20
You have a one-year university degree at the bachelor's level and at least 13 years of full-time or full-time equivalent study.	15
You have a one-year diploma, trade certificate or apprenticeship and at least 13 years of full-time or full-time equivalent study.	15
You have a one-year diploma, trade certificate or apprenticeship and at least 12 years of full-time or full-	12

time equivalent study.	
You completed high school.	5
Learn more about the <u>specific requirements and definitions of terms.</u>	
Factor Two: Official Languages	Maximum 24
1st Official Language	
High proficiency (per ability)	4
Moderate proficiency (per ability)	2
Basic proficiency (per ability)	1 to maximum of 2
No proficiency	0
Possible maximum (all 4 abilities)	16
2nd Official Language	
High proficiency (per ability)	2
Moderate proficiency (per ability)	2
Basic proficiency (per ability)	1 to maximum of 2
No proficiency	0
Possible maximum (all 4 abilities)	8
Learn more about the <u>specific requirements and the documents you need.</u>	
Factor Three: Experience	Maximum 21
1 year	15
2 years	17
3 years	19
4 years	21
Learn more about <u>specific requirements</u> for earning work experience points.	
Factor Four: Age	Maximum 10
21 to 49 years at time of application	10
Less 2 points for each year over 49 or under 21	

View the full [age chart](#) to determine your points.

Factor Five: Arranged Employment In Canada	Maximum 10
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You have a Human Resources Development Canada (HRDC) confirmed offer of permanent employment.

10

You are applying from within Canada and have a temporary work permit that is:

HRDC confirmed, including sectoral confirmations; or

10

HRDC confirmation exempt under NAFTA, GATS, CCFTA, or significant economic benefit (i.e. intra-company transferee.)

10

Learn more about [specific requirements and conditions](#).

Factor Six: Adaptability	Maximum 10
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Spouse's or common-law partner's education

3 - 5

Minimum one year full-time authorized work in Canada

5

Minimum two years full-time authorized post-secondary study in Canada

5

Have received points under the Arranged Employment in Canada factor

5

Family relationship in Canada

5

Learn more about [specific requirements and conditions](#).

Total	Maximum 100
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Pass Mark

75

What Does Canadian Citizenship Mean?

Canadian values include freedom, respect for cultural differences and a commitment to social justice. We are proud of the fact that we are a peaceful nation. In fact, Canadians act as peacekeepers in many countries around the world.

Canada is a large country with a small population. We have developed a unique federal style of government that is based on compromise and co-existence. We value our **democracy**, and every citizen is encouraged to do his or her share. Our laws are based on our **democratic values**. Canadian values include:

Equality--We respect everyone's rights. Everyone has the right to speak out and express ideas that others might disagree with. Governments must treat everyone with equal dignity and respect--two other fundamental Canadian values.

Respect for cultural differences--We try to understand and appreciate the cultures, customs and traditions of all Canadians, whether they were born in Canada or came here from another country.

Freedom--As Canadians, we enjoy basic freedoms, such as freedom of thought, freedom of speech, freedom of religion and freedom of peaceful assembly.

Peace--We are proud of our non-violent society and our international role as peacekeepers.

Law and order--We respect democratic decision making and the "rule of law." We promote due process so that the courts and the police treat everyone fairly and reasonably. We ensure that our elected governments remain accountable to Canadians.

As you reflect on these values, ask yourself which **responsibilities** you will take on when you become a Canadian citizen.

Citizenship Test: Questions

The questions in the citizenship test are based on information provided in this booklet. The test includes questions about

- the right to vote in elections in Canada;
- the right to run for elected office;
- voting procedures in Canada and how to register yourself as a voter;
- Canada's main historical and geographical features;
- the rights and responsibilities of a citizen;
- the structure of Canadian government; and
- Confederation.

You should also be ready to answer more specific questions about your region's economy, geography and history. Use the questions below to prepare for your test. All the answers to the questions in Section I can be found in this booklet.

Section II contains questions about your region. You will have to find the answers to these questions yourself.

Section I: Questions about Canada**Aboriginal Peoples**

1. Who are the Aboriginal peoples of Canada?
2. What are the three main groups of Aboriginal peoples?
3. From whom are the Métis descended?
4. Which group of Aboriginal peoples make up more than half the population of the Northwest Territories and Nunavut?
5. Why are the Aboriginal peoples of Canada working toward self-government?

History (answers can be found in the sections on regions of Canada)

1. Where did the first European settlers in Canada come from?

2. Why did the early explorers first come to Atlantic Canada?
3. What three industries helped the early settlers build communities in the Atlantic region?
4. Who were the United Empire Loyalists?
5. When did settlers from France first establish communities on the St. Lawrence River?
6. Which trade spread across Canada, making it important to the economy for over 300 years?
7. What form of transportation did Aboriginal peoples and fur traders use to create trading networks in North America?
8. What important trade did the Hudson's Bay Company control?
9. What did the government do to make immigration to western Canada much easier?

Confederation/Government

1. What does Confederation mean?
2. What is the Canadian Constitution?
3. What year was Confederation?
4. When did the *British North America Act* come into effect?
5. Why is the *British North America Act* important in Canadian history?
6. Which four provinces first formed Confederation?
7. Which was the last province to join Canada?
8. When is Canada Day and what does it celebrate?
9. Who was the first Prime Minister of Canada?
10. Why is the *Constitution Act, 1982* important in Canadian history?

Rights and Responsibilities

1. What part of the Constitution legally protects the basic rights and freedoms of all Canadians?
2. When did the *Canadian Charter of Rights and Freedoms* become part of the Canadian Constitution?
3. Name two fundamental freedoms protected by the *Canadian Charter of Rights and Freedoms*.
4. Name three legal rights protected by the *Canadian Charter of Rights and Freedoms*.
5. List three ways in which you can protect the environment.
6. Who has the right to apply for a Canadian passport?
7. What does equality under the law mean?
8. Name six responsibilities of citizenship.
9. Give an example of how you can show responsibility by participating in your community.
10. List four rights Canadian citizens have.
11. What will you promise when you take the Oath of Citizenship?

Languages

1. What are the two official languages of Canada?
2. Give an example of where English and French have equal status in Canada.
3. Where do most French-speaking Canadians live?
4. Which province has the most bilingual Canadians?
5. Which province is the only officially bilingual province?

Symbols

1. What does the Canadian flag look like?
2. What song is Canada's national anthem?

3. Give the first two lines of Canada's national anthem.
4. Where does the name "Canada" come from?
5. Which animal is an official symbol of Canada?
6. What is the tower in the centre of the Parliament buildings called?

Geography

1. What is the population of Canada?
2. What three oceans border on Canada?
3. What is the capital city of Canada?
4. Name all the provinces and territories and their capital cities.
5. Name the five regions of Canada.
6. Which region covers more than one-third of Canada?
7. In which region do more than half the people in Canada live?
8. One-third of all Canadians live in which province?
9. Where are the Canadian Rockies?
10. Where are the Great Lakes?
11. Which mountain range is on the border between Alberta and British Columbia?
12. Where are the Parliament buildings located?
13. Which country borders Canada on the south?
14. What are the Prairie provinces?
15. Which province in Canada is the smallest in land size?
16. What is a major river in Quebec?
17. On what date did Nunavut become a territory?

Economy

Canada. A Look At Canada. Citizenship and Immigration. 2002

1. What are the three main types of industries in Canada?
2. In what industry do most Canadians work?
3. What country is Canada's largest trading partner?
4. Which region is known as the industrial and manufacturing heartland of Canada?
5. Which region of Canada is known for both its fertile agricultural land and valuable energy resources?

Federal Government

1. Who is Canada's Head of State?
2. Who is the Queen's representative in Canada?
3. What is the name of the Governor General?
4. What do you call the Queen's representative in the provinces?
5. What is Canada's system of government called?
6. What are the three parts of Parliament?
7. Explain how the levels of government are different.
8. What do you call a law before it is passed?
9. How are members of Parliament chosen?
10. Who do members of Parliament represent?
11. How does a bill become law?
12. What are the three levels of government in Canada?
13. Name two responsibilities for each level of government.
14. What is the government of all of Canada called?

Federal Elections

1. How many electoral districts are there in Canada?

2. In what electoral district do you live?
3. Who has the right to vote in federal elections?
4. What three requirements must you meet in order to vote in a federal election?
5. What is written on a federal election ballot?
6. What do you mark on a federal election ballot?
7. How is the government formed after an election?
8. How is the Prime Minister chosen?
9. When does an election have to be held according to the Constitution?
10. Name all the federal political parties in the House of Commons and their leaders.
11. Which party becomes the official opposition?
12. What is the role of the opposition parties?
13. Which party is the official opposition at the federal level?
14. Name the Prime Minister of Canada and his party.
15. Name your member of Parliament and the party he or she belongs to.
16. What is a voter information card?
17. Who has the right to run as a candidate in federal elections?
18. Who do Canadians vote for in a federal election?
19. What do political parties do?
20. Which federal political party is in power?
21. How are senators chosen?
22. What should you do if you do not receive a voter information card telling you when and where to vote?
23. After a federal election, which party forms the new government?

Section II. Questions about your region

1. What is the capital city of the province or territory in which you live?
 2. List three natural resources important to your region's economy today.
 3. Who is your city councillor, alderperson, reeve or regional councillor?
 4. What is the name of your mayor?
 5. What is the name of your provincial representative (member of the Legislative Assembly, member of the provincial Parliament, member of the National Assembly or member of the House of Assembly)?
 6. What is the name of the premier of your province or territory?
 7. Which political party is in power in your province or territory?
 8. What is the name of the leader of the opposition in your province?
 9. What is the name of your lieutenant governor or commissioner?
-

These questions have been developed as a study guide. Your citizenship test is made up of similar questions.

Sample Question

Answer this question. Draw a circle around the letter beside the correct answer.

What colour is the Canadian flag?

- a) red, white and blue
- b) red and white
- c) blue and white
- d) red, orange and green

The answer to this question is (b). You should have put a circle around the (b) like this:

- a) red, white and blue

- ☒ b) red and white
- c) blue and white
- d) red, orange and green

There is only one correct answer to each question.