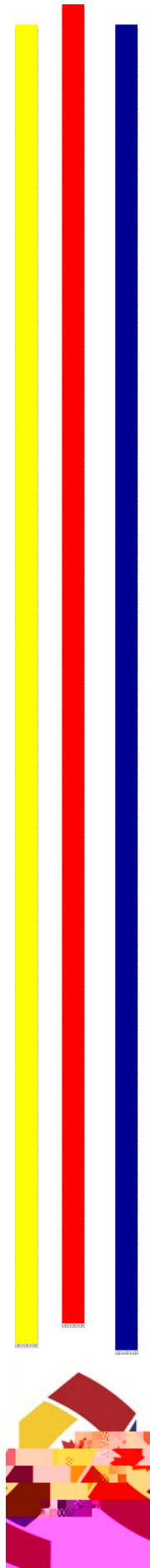


# 2008 WORKING PAPERS

## *How to Give Meaning to Canadian Citizenship*

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## *How to Give Meaning to Canadian Citizenship*

It was in 1947 that “Canadian citizen” replaced “British subject” as the legal description of a voting participant in this democratic society. One might think that by now the transition would be complete, the concept of our citizenship mature. It is not. It has not kept up with changes in the world around us. Canadian law on citizenship and immigration is in need of another radical revision. The need has two parts.

First, we now select immigrants to live in Canada; whether they become citizens is, subject to some minimal conditions, their choice. Instead, we should select immigrants with the purpose of their becoming, within a few years, citi

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In the beginning, in the 1867 escape from colonies to nation, what it meant to be Canadian was plain. It was to be different from American. As the United States emerged from its bloody civil war, and found purpose in the manifest destiny of rolling west and potentially north, determination to have no part of it was equally strong in the British and the French.

The BNA Act was soon supported by the Macdonald National Policy of tariffs and the railroad. That was not enough, however, to build an economy from sea to sea. Farmers from a cold climate were needed to break the Prairie sod. It was immigration from central Europe that made it possible for Quebec and the old British colonies to grow into a nation state.

The peopling of the West also created, however, a society more like the United States than Toronto and Quebec had been. Canada started soon on the path of diminishing economic differences that technology has since so greatly accelerated. And we remained a dynamic economy. In the mid-twentieth century, particularly, remarkable and diversified growth called for many new workers. At first they came from Britain, north-western Europe, the Mediterranean, but trans-Atlantic prosperity soon diminished those sources of entrepreneurial and managerial talents as well as of professional and skilled workers. The temper of the 1960s in any case called for openness to all peoples, who have since come especially from south and east Asia.

It is, however, a new imperative that drives their numbers. Canadians have become much less productive of offspring. Our fertility rate is barely two-thirds of the population replacement level. It is economic stability, not growth, that now calls for a lot of immigrants.

Canadians are, of course, far from unique in their low fertility. But our population is already slight in relation to our resources. Smaller numbers would damagingly increase the burden of infrastructure overheads imposed by our geography. They would reduce the economies of scale possible for an economy whose manufacturing and service sectors are already challenged by the development of countries such as Brazil, China, India. Much as the world as a whole will eventually benefit from lower birth rates, it will be a long time before both economic and social pressures cease to call for migration to Canada, migration substantial in relation to our otherwise declining population.

Our problem is that economic need now brings an internal social strain. It does not have to

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contribution to world affairs. We want immigrants who will in their diversity contribute to the

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The terms of entry would be clearly stated and acknowledged by the immigrant's signature. The permit would spell out the modest language and knowledge requirements for citizenship, and require the immigrant to recognise that a review panel would have final authority to determine whether he or she satisfied the requirements. There would be no provision either for making exceptions by ministerial permit or for appeals. The rare immigrant who after three years could not meet the requirements must leave Canada, or otherwise be deported.

In the unlikely event that this procedure were to be challenged before the Supreme Court, Parliament should use the "notwithstanding" provision of the Constitution to uphold its law against the arrogance of lawyers. A free and equitable society needs rules that deal fairly both with all the people who can enter the country and with those who cannot. That is possible only if government provides the direction, organisation and personnel necessary for firmly prompt deportation of the few who enter, or attempt to stay, illegally. They would be many fewer than now, if the terms of entry and of citizenship were properly defined.

True, deportation is almost always regrettable and controversial. Some public sympathy is naturally enlisted on behalf of anyone who has built associations here. But a sense of proportion is necessary. Humanitarians should know that there are countless people, including tragic victims of conflict and deprivation, on whom we do not confer the opportunity, or who lack the means, to come here. People who have enjoyed that opportunity, but are nevertheless offenders against Canadian law they have explicitly acknowledged in the terms of their entry, do not rank more highly among our responsibilities than those who could not come.

There is indeed neglected humanitarianism that citizenship reform should underline. We should be doing more to help the people we admit to settle here amicably and successfully. A good deal of money is now spent in the name of multiculturalism. Some of it is constructive recognition of our diversity, but a good deal amounts to little more than the buying of political favour with organisations that promote delineation, not mingling, of cultures. Yet the federal government does sadly little to help immigrants improve their language skills, to learn more about their new country, about its history and its public affairs. Ottawa could and should do more to assist the voluntary agencies that are ready and willing to do such work, as well as to fund citizenship classes, both day and evening, in public schools.

If and when that effort is yielding significant results, it may be possible to raise the standards of literacy and knowledge required for citizenship. But that is for a future fairer society, not for today. What should be done immediately is to modernise the citizenship oath. It is well over forty years since we gave ourselves our own flag. Surely we can now do the same with words to express the essence of citizenship for all Canadians.

There could be other changes later, and they might well include an important exception to the three-year period for immigrant residence. We may move to a less short-sighted immigration policy. Internationally, it will be increasingly hard to defend an immigrant selection process devoted to taking mature, well-qualified people away from the countries that have educated them. And in our own national interest it is young people we most need. They, not the middle-aged and older, will sustain not just our total population but the size and creative quality of our active work force. The change will be gradual, no doubt, but surely we will in time make the rational move to admitting more minors, best of all orphan refugees of conflict and disaster. Some will be adopted by individual Canadians, others may be the wards of services such as SOS

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Children's Villages. They should all be welcome

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will of course reflect an appropriate allocation of tax between jurisdictions. But if it is a haven or country of uncertain tax administration, then the liability will be for the full amount of Canadian tax.

How effectively the tax can be collected will vary with the country involved as well as with the citizen's assets in Canada and need or wish to return here. An immediate penalty for tax delinquency would be international notice that the offender's pass