RECONSIDERING CANADIAN CITIZENSHIP POLICY IN AN ERA OF GLOBALIZATION: DUAL CITIZENS, NON-RESIDENT CANADIANS AND THE COST OF COSMOPOLITANISM

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ABSTRACT

Over the last half of the 20th century, forces of globalization have lead to a significant growth in the number of international migrants, and influenced the national governments of emigrant and immigrant countries to implement dual citizenship policies. This paper will argue that global forces have intensified the extraordinary growth of dual citizenship in Canada, changing the social meaning attributed to dual citizenship and placing internal and external pressures on the government to re-evaluate existing citizenship policies and the rights afforded to non-resident Canadians. The first section of this paper will address the theoretical framework of citizenship policy in Canada, as well as its historical foundations. The second section will discuss the forces of globalization, exploring the reasons behind the dramatic increase in dual citizenship. To conclude, the final section will examine the impact of these pressures on Canadian domestic policy as seen through the public debate surrounding the Lebanon evacuation, and the recent revision of policies granting citizenship to third generation non-resident Canadians. The final thoughts section will speak to recommended policy considerations for government.

INTRODUCTION

Canada was among the first nations to allow dual citizenship. In recent years, the widespread implications of this policy have led the state to call into question this approach to domestic citizenship policies. Although dual citizenship was established in Canada by the *Citizenship Act, 1977* before the expedient nature of globalization took effect, current global forces have begun to challenge not only the unitary citizenship polices held by some states, but also the rights and obligations states hold towards their citizens of multiple nationalities.

As stated by Rubenstein, "[g]lobalization emphasizes different identities of membership as the norm, according less reason to utilize a singular notion of citizenship, or a single legal status linking directly to the nation-state.[1]" This is readily seen through the influx of dual citizenship claimants within Canada, and the policy options the government has chosen to pursue in light of this growth. This outlook is also demonstrated in Canada's exploratory approach toward the very nature of citizenship with respect to state-building, revisiting dual citizenship polices and the rights of non-resident Canadians.

Canada's *Citizenship Act 1977* outlines the qualifications for acquiring citizenship, while the *Charter of Rights and Freedoms* outlines the social and civic rights guaranteed to all citizens (and residents) by law. Canadian citizenship can currently be acquired in three ways: being born in the country (unless the child is of a foreign diplomat), acquiring citizenship through immigration and subsequent naturalization, or through parental linage or "derivative citizenship."[2] The *Charter of Rights and Freedoms* guarantees that all Canadian citizens received the same rights regardless if they are resident or non-resident Canadians.[3]

As described by Renson, dual citizenship means that:

a person can have each or many of the rights and responsibilities that adhere to a citizen in all of the several countries in which he or she is a citizen, regardless of the length of time of actual residence in a country, … or the nature of his or her economic, cultural, or political ties.[4]

This is an important operational definition as it calls to attention not only the political affiliations that dual citizens are bounded by, but also the economic and cultural ties that may have led to a dual citizenship accreditation in the first place and the notion of a citizen not residing in a country of their citizenship. The point of interest for this paper is how the forces of globalisation have impacted this.

This paper will argue that global forces have intensified the extraordinary growth of dual citizenship in Canada, changing the social meaning attributed to dual citizenship and placing internal and external pressures on the government to re-evaluate existing citizenship policies and the rights afforded to non-resident Canadians. This will be accomplished by exploring the conception, growth and scope of Canada's citizenship policies, the global forces leading to the dramatic rise in dual citizenship, and the repercussions of such growth for Canadian citizenship policy.

The first section will address the theoretical framework and historical foundations of citizenship policy in Canada. The second section will discuss the forces of globalization, exploring the reasons behind the dramatic increase in dual citizenship. To conclude, the final section will examine the impact of these pressures on Canadian domestic policy, drawing examples from the public debate surrounding the Lebanon evacuation and the recent revision of policies regarding citizenship of second generation Canadians born abroad. In order to understand how globalization has impacted Canadian citizenship policies, it is first important to outline basic models describing the scope of citizenship.

PART I: CITIZENSHIP

Citizenship frameworks

A)   Political and social conceptions of citizenship

Depending on the focus of analysis, varying social and political conceptions of citizenship necessitate different interpretations of policy-making and the forces that influence it. Citizenship as a 'political' term delineates the rights and requirements a person has with a state. Vested in the individual by birth, parental linage or naturalization, citizenship rights are protected through laws and legislation unique to each country.[5] These rights and responsibilities form a relationship of obligation between the state and the individual, granting certain social, civic and cultural benefits. As a result, "the concept of citizenship has become a central device by which the law distinguishes those subject to it and served by it from strangers."[6]

Citizenship as a 'social' conception pertains to the link between the development of an individual's identity and the relationship of the individual to the state. Scholars such as Brodie argue that social citizenship developed with the expansion of the welfare state, and is expressed through policies such as universal education, welfare, and in the case of Canada, health care.[7] Social policies were deemed necessary for enabling citizens to associate and identify with the state, as the legal perception of citizenship failed to promote loyalty and social cohesion. This became an integral component of Canada's citizenship regime, influencing the establishment and evolution of subsequent citizenship policies. Originally, international law sought to uphold principles of national sovereignty over access to international mobility. A brief comment by the League of Nations in 1930 suggesting that, "all persons are entitled to possess one nationality, but one nationality only" best summarizes the international norm of public opinion throughout the 20th century.[8]

In 1963, for example, *The European Convention on the Reduction of Cases of Dual Nationality and Military Obligations* sought to limit the instances of dual citizenship and maintain the sovereignty of nations in enforcing military conscription.[9] Policies such as this were seen to be very important for maintaining citizen loyalty and preventing competing conscription claims of other countries.[10] Near the end of the 20th century, the enhanced economic and political cooperation among democratic states, coupled with the end of the Cold War and the decreasing probability of interstate wars between democracies, greatly diminished the need for legal measures that attempted to secure citizens' loyalty.[11] This prompted a political reorientation towards dual citizenship policies.

The history of Canada's citizenship laws

The manner in which polices emerge directly influences the development of the country's cultural and social understanding of citizenship. Additionally, this lineage serves to establish a precedent for understanding the state's approach to the evolution of competing conceptions of citizenship and their associated rights and responsibilities.

A)   Early Canadian citizenship policy

Before the *Canadian Citizenship Act* was enacted in 1946, naturalization laws existed but remained bounded under English common law.[12] Early government policies such as the *Immigration Act* of 1910, the *Naturalization Act* of 1914 and the *Canadian Nationals Act* of 1921 were fragmented and ambiguous, resulting in confusion regarding the status of nationals.[13] These early policies however set the framework for what would become a pervasive citizenship act at the end of Second World War.[14]

Following World War II, new citizenship laws were enacted to develop social cohesion. Politicians such as Paul Martin Sr., sought to create a policy which bound people together as a community and promoted a distinct character and nationality.[15] To accomplish these goals, the *Citizenship Act* was established on January 1st, 1947 and with this came the promise that all groups in Canada would be treated equally regardless of nationality, religion, or place of birth.[16]

B)   Formulating social citizenship

From the inception of Canada's citizenship policies in 1946, the legislature did not require its new citizens to renounce their previous citizenship. The law did however stipulate that people could lose their status if they sought out additional citizenships.

The *Citizenship Act* 1947 also maintained that Canadian-born and foreign-born naturalized citizens were to be treated equally before the law regardless of "… heritage, religion, national origin; and irrespective of any proprietorial claim that any group might make to being more Canadian than any other."[17] Although these policies still barred multiple segments of society from exercising full citizenship rights (including women, aboriginals, and some racial minorities), the precedent was set for allowing the existence of multiple identities within a single state.

From 1946 until the next phase of citizenship policy reform in 1977, many of the social and cultural rights of Canadian citizens became further entrenched. Ideas of social citizenship began to develop in the 1960s with the expansion of the welfare state. Of significance was the *Canadian Bill of Rights* in 1960 which afforded a basic set of human rights to all individuals within Canada[18] and the extension of education, health care and social security benefits to all Canadians.[19] National policies deemed to enforce a multicultural cohesive Canadian culture set trends for the social integration of marginalized groups and later became a function of social citizenship.[20]

C)   Recognizing dual citizenship

The forces of social citizenship culminated in the development of the *Citizenship Act* 1977, "when citizenship became a right for qualified applicants rather than a privilege as it had been in the past."[21] The *Citizenship Act* 1977 also removed barriers preventing citizens from acquiring (or sustaining) multiple citizenships. The reasons why dual citizenship was fully recognized remain speculative, given that it was not explicitly discussed during parliamentary debates.[22] The policy, however, highlights the trend in social interpretations of Canadian citizenship rights and regulations to move beyond the homogeneous citizenship identity traditionally associated with citizenship. Since the establishment of this act, Canada's multicultural citizenship policies have been legally entrenched through the *Charter of Rights and Freedoms* in 1982 and the *Multiculturalism Act* 1988.

To understand the relevance of these policies, one must analyze their continuing influence on Canadian society. Although dual citizenship policies have existed since 1977, an analysis of 1981 census data reveals that only a small number of citizens actually identified themselves as dual citizens. It was not until the era of globalization that the number of dual citizens in Canada started to substantially increase.[23]

PART II: GLOBALIZATION

Globalization and evidence of mass migration

A)   Globalization: an operational definition

Globalization as a driving force of change has been especially relevant in research analyzing states' approaches toward dual citizenship.[24] Held and McGrew have defined globalization as "a historical process which transforms the spatial organization of social relations and transactions, generating transcontinental or interregional networks of interaction and the exercise of power."[25] Although cross border interaction is not unique to the 20th century, Held and McGrew stress that this new age of contemporary globalization "is distinguished by unique spatio-temporal and organizational features, creating a world in which the extensive reach of global relations and networks is matched by their relative high intensity, high velocity and high impact propensity across many facets of social life."[26] Globalization therefore, is creating an interconnected, interdependent world where among other things, people, goods, services, currencies, cultures and ideas flow across national boundaries with speed and ease never before witnessed.[27] The mass movement of 'migrants', a term used generally in this paper to identify people who have left their country of origin to pursue employment opportunities abroad, is a primary result of contemporary globalization.[28]

While some argue that high intensity transnational connections diminish the relevance of sovereign state borders, scholars such as Rubenstein maintain the state has a sustained role in an age of globalization.[29] States have been faced with intense global pressures, altering their scope of authority and sovereignty, forcing them to adapt their domestic policy spheres.[30] It is through this framework of analysis that the study of globalization informs the transformation of Canada's domestic citizenship arena.

B)   Mass migration and dual citizenship around the world

In examining the mass movement of people, it becomes clear that in the last two decades, migrants have been leaving the developing world in search of higher living standards.[31] Although the international migration of people is not a new phenomenon, this accelerated, exponential, and circulatory 21st century migration is leading to rapid increases in the number of people living outside their country of birth.[32]

Due to a lack of reporting, exact measures of international migration remain impossible to obtain. The International Organization for Migration (IOM) however, has indicated that the number of global migrants has more than doubled from 75 million in 1965, to over 200 million in 2008.[33] Increasing dramatically, migrants now comprise 3% of the world's population[34] and constitute one out of every ten individuals in developed countries,[35] and one in 35 individuals around the world.[36] Global trends indicate that South-North migration is accelerating[37] and that the flow of migratory persons is increasingly directed towards North America.[38] According to the International Migration Report 2006 issued by the U.N. Department of Economic and Social Affairs Population Division, the number of international migrants in North America grew by 17 million from 1990 to 2005.[39] The record numbers of migrants travelling internationally, and the dramatic influx of migrants to North America, have had a significant impact on domestic governance. In the highly multicultural context of Canada for example, as of 2001 5.4 million people, or 18.4% of the total population, were born outside the country.[40]

C)   Mass migration and dual citizenship in Canada

The migratory trend towards North America[41] implies an influx of foreign-born residents and international migrants in Canada.[42] Using Bloemraad's case study on Canadian citizenship models as a reference, it is evident that the aggregate level of Canadian dual citizenship has rapidly increased. In 1981, for example, (4 years after dual citizenship was legalized in Canada), 5.5% of naturalized immigrants claimed dual citizenship according to the Canadian Census. By 1991, dual citizenship claims had nearly doubled to 10.7%, and by 1996, had increased by half again to 16.6%. By 2001, 691,000 Canadians had declared themselves as dual citizens.[43] This estimate is deemed to be low, partly because only one in five households contacted is requested to complete the long form survey which includes questions regarding citizenship and naturalization.[44]

Additionally, declaring dual citizenship status is voluntary; not all persons responding to the long survey who hold dual citizenship will complete this information. Individuals whose country of origin does not allow citizens to renounce their citizenship may also not automatically recognize their dual citizenship, failing to divulge this information.

Estimates of the rapidly increasing number of dual citizens in Canada necessitate a consideration of the environmental conditions under which this has occurred. A growing scholarly consensus indicates that globalizing forces are the main determinant of this trend.[45]

Five globalizing forces can be identified in the research:

1. the creation and dispersion of powerful technologies,

2. the emergence of a global economy,

3. the securitization of migration,

4. the emergence of a universal human rights regime, and

5. the global spread of democratic values.

This section will address each of these global forces and their corresponding influence on the increasing levels of dual citizenship in Canada.

International forces driving increase of dual citizenship in Canada

A)   The creation and transmission of powerful technologies

Throughout the last 30 years the world has seen rapid advances in technology. Increases in affordable communication and transportation technology are most relevant to elevating levels of dual citizenship. Both a cause and effect of globalization, advances in these kinds of technology have allowed migrants to maintain close connections with their countries of origin.

Communications technology, particularly the Internet, now enable migrants to communicate cheaply and instantaneously with family and friends around the world. Facilitating the global transmission of culture and identity, these instantaneous connections allow migrants to continue to form ties and build social networks within their communities of origin, promoting a sense of sustained belongingness.[46] Advances in transportation technology, allowing for faster travel times and less expensive airfare, have worked to "increase the volume of temporary, repeated and circulatory migration."[47] More frequent returns to countries of origin allow migrants to continue identifying with these societies even though they permanently or temporarily reside in another nation-state.

By allowing migrants to maintain psychological and physical connections to their country of origin, advances in technology have inadvertently increased the number of dual citizens in Canada. According to Schuck, "modern transportation and communication technology makes residence and effective participation in two polities easier than ever, converting many 'technical' dual nationals into functional ones."[48] Having a strong sense of belonging to more than one national community, migrants are now demanding citizenship options that reflect their fragmented identities.[49]

In Canada, this is reflected by the rapid increase in the number of citizens claiming dual citizenship since 1981. It is through the fragmentation of identities therefore, that advances in technology have changed the context of domestic policy, increasing the number of Canadians who hold dual citizenship.

B)   The emergence of a global economy

The emergence of a global economy has been one of the most significant facets of globalization. Characterized as spanning across national boundaries, the newly emerged global economy manifests itself through liberalized trade, free movement of financial capital, and the international expansion of multinational corporations.[50] Fundamentally changing the economic structure in which states operate, economic globalization has further moved to 'internationalize' the domestic policy sphere, contributing to the increased number of Canadians holding multiple citizenships.

The global economy has facilitated the mass movement of financial capital throughout the international system. Aided by bilateral, multilateral and regional free trade agreements and the spread of multinational corporations, financial capital has tended to leave poorly developed areas of the world, congregating in geographic regions with high levels of human capital and technological innovation.[51] According to the research of the IMF, this free flow of financial capital has worked to increase income inequality in the world. By condensing most economic opportunities in the developed world, financial globalization has increased the earning power of those in certain geographic areas over others.[52] By increasing the earnings gap, economic openness has consequently promoted the movement of migrants towards geographic regions with higher earning potentials. Bloemraad best describes this process, along with its consequences for national identity:

> *Due to the core-periphery structure of the international economic system, migrants from developing countries are forced to find employment in the developed world. Once there, they frequently hold jobs in secondary markets, either in low skilled or manufacturing or poorly paid service positions. As the peripheries of the labour market, these immigrants feels marginalized from the host society, and they simultaneously retain links to the sending country through remittances or entrepreneurial activities.*[53]

Castles supports this description stating that, for migrants, "[t]he income gap between poor and rich countries should be sufficient reason to make a 'rational choice' to migrate" and to expect higher earnings and better economic conditions in the host country.[54] On the periphery of the labour market, these migrants are often alienated from their host nation, preventing naturalization and assimilation with the host nation's identity.[55]

Still identifying strongly with their sending nations, these migrants are unwilling to forfeit the citizenship of their country of origin. Having no better economic opportunities in their home nation however, migrants aspire to also hold the citizenship of their host nation in order to increase the ease with which they can participate in the foreign labour force. In Canada, this trend is shown by the increasing number of immigrants choosing to hold multiple citizenships.

C)   'Migration securitization' and heightened policing of borders

Migrants seek citizenship of Western states as a means of ensuring security beyond the borders of their country of residence. Affording migrants increased mobility in a globally interconnected labour market that is increasingly policed at the borders.[56] Western citizenship proves itself to be very valuable in providing unhindered global mobility. It is for this reason that migrants to Canada are increasingly taking up Canadian citizenship (a popular Western citizenship) in additional to that of their country of origin.

Despite the increased flow of labour and economic interconnectedness, international borders still serve to maintain patterns of inequality and constrict low-skilled migrants. The widening of the global earnings gap has further divided the world,[57] strengthening the need for protective borders. As proposed by Castles, the borders differentiating states are no longer the crucial barriers; under globalization the importance has shifted to borders demarcating the impoverished developing South from the highly developed North.[58] In response to patterns of mass migration, Northern countries have implemented 'migration securitization' measures aimed at restricting the transnational movement of undesirable individuals or groups.[59] Western citizenship remains a privilege that greatly enhances the holder's economic and social opportunities in light of these restrictions.[60]

This contributes to the value of maintaining dual citizenship with Canada. Infrequently employed under the auspices of nation-building and multicultural recognition, dual citizenship policies are now being widely utilized by a vast and exponentially increasing population of Canadian dual citizens looking for increased mobility.[61]

D)   International transmission of human rights norms

In the 20th century, the widespread acceptance of human rights norms became a driving force of change in citizenship policy. Reduced interstate conflict, widespread recognition of human rights, and a more democratic relationship between the state and its citizens have resulted in liberalized international norms regarding dual citizenship.[62]

Dramatically higher numbers of dual citizens appeared as a result of the international movement to recognize gender equity in citizenship policies. Whereas women formerly had to acquire the citizenship status of their husband and renounce the citizenship of their original state, women are now frequently able to obtain dual citizenship.[63] These bi-national couples are having children, who under the new recognition of gender equity, are characteristically given the citizenship of both parents, further contributing to the tremendous growth in dual citizenship in Canada.

International treaties are increasingly used as a basis for national legislation and international legal norms are being employed in the development of common law, the interpretation of statutes and the international scrutiny of human rights.[64] As international treaties come to attribute human rights as those intrinsic to the individual and differentiated from the rights bestowed upon them by the state, the states' authority in determining the treatment of migrants and the rights of citizens is undermined by the vast increase in power and reach of the judiciary in the international community.[65] Further, the trend of incorporating international human rights norms into the national constitutions of developed nations has established a strong basis for rights-claims by international migrants, and facilitated the acceptance of dual citizenship as a right. Accordingly, countries that previously had implemented restrictive policies towards migrants and immigrants have largely adjusted national policies to comply with international standards, often including the recognition of dual citizenship rights. Examples of this policy convergence abound.

The 1997 *European Convention on Nationality* encouraged individual states to exercise their discretion and tolerate dual citizenship, and explicitly required acceptance of dual citizenship for children of bi-national parents and for those individuals whose citizenship cannot reasonably be lost.[66]

These changes are indicative of a larger trend to recognize citizenship rights as a component of human rights; according to Rubenstein, "citizenship is no longer legitimately the major foundation on which rights are restricted and determined, even within the nation-state."[67] As more countries recognize gender equity claims, children of binational parents, and the rights of minorities in claiming dual citizenship, naturalized Canadians and those newly immigrating to Canada are more likely to seek dual citizenship.

E)   Global patterns of democratization

Global processes of democratization have heightened governments' awareness of democratic accountability and legitimacy, not only for citizens, but also for the growing number of international migrants within the borders of democratic countries. This has become a key driver in increasing the number of Canadian dual citizens.

In an effort to ensure compliance with human rights regulations, and uphold their domestic laws governments are compelled to increase the democratic participation of the people within their borders, granting full dual citizenship recognition for all naturalized immigrants should they seek it. The desires for higher rates of political participation and higher rates of naturalization have rendered dual citizenship policies crucial to successful integration and multiculturalism in the eyes of many governments,[68] Canada included. Canada's strong multicultural emphasis and desire for a continual stream of immigration to address its ageing population relates directly to the positive association with dual citizenship. As recent evidence in the United States has demonstrated, new immigrants given dual citizenship status naturalize more quickly and effectively than immigrants who are not given dual status.[69] For this reason, the government has a strong incentive to support the expansion of dual citizenship. By fostering social and cultural rights entrenched legislation like the *Multiculturalism Act* and the *Charter of Rights and Freedoms*, Canada has made an informal invitation to its migrants, encouraging them to become citizens and participate in Canada's democratic system of government. Eager to participate,[70] migrants have increasingly accepted this invitation by taking up dual citizenship, consequently increasing the number of dual citizen Canadians.

PART III: CANADIAN APPLICATIONS

Domestic pressures

The increasingly intense flows of people, communications, foreign direct investment, and international norms and values are contributing to ever-expanding numbers of dual citizen Canadians, effectively imparting new costs and placing pressures on the Canadian government. As significantly higher numbers of Canadian dual citizens travel and live abroad, responsibilities are levied on the government to incur the expanding costs of cosmopolitan responsibilities for these non-resident Canadians.[71]

No longer solely responsible for the citizens within its territorial boundaries, the government must respond to the needs of its citizens across the globe, negotiating with the governments of other countries, and using taxpayer dollars to address international concerns and crises. The resulting pressures of mounting public opinion and unforeseen budgetary expenses are provoking a domestic debate regarding the viability of Canadian dual citizenship policies, and the rights afforded to non-resident Canadians.[72] This ongoing debate is changing the way Canadian citizenship is considered. Two case studies will examine aspects of this public debate.

A)   Rights and social benefits of non-resident Canadians: the Lebanon crisis

The rights and social benefits that accompany Canadian citizenship are widely valued by numerous diasporas partly due to the wide array of social benefits specifically developed for the benefit of non-resident citizens or citizens travelling internationally. As discussed in the C.D. Howe Institutes' report on passport packages, these non-resident citizen rights include "the ability to enter Canada at any time, ... consular services including protection for citizens charged with criminal offences and assistance with other legal matters, ...and evacuation from countries suffering war or internal strife."[73] Rarely used in the past due to the insignificant number of Canadians living abroad, the extent of these non-resident rights were largely unknown to the general population.

The rising number of Canadian dual citizens and international rights-claims has brought the issue of non-resident rights to the forefront of public opinion. The collective demands of the growing number of Canadian non-residents have evoked a challenging response from Canadians living in Canada, as seen through increased media attention.[74]

As a result, the public has increasingly put pressure on the Canadian government to re-evaluate its position on the social rights of non-resident Canadians.[75] The public outcry in response to the evacuation of Canadian citizens from Lebanon in July of 2006 demonstrates this pressure for change.

In response to the rapid destabilization of security in Lebanon, the Canadian government evacuated approximately 15,000 Canadian citizens from Lebanon in July of 2006.[76] Providing transportation, refuge and primary healthcare, the mission cost the Canadian government $94 million dollars.[77] Shocked to discover that some of the evacuees had never resided in Canada, resident Canadians called on the government to re-evaluate policies regarding non-resident citizens.[78]

Arguing for limited non-resident rights, opposition parties challenged the appropriateness of spending large amounts of tax dollars on evacuating 'citizens' who had never paid into that tax fund, and who arguably had no true affiliation to the state as a whole.[79] Numerous think tanks such as the C.D. Howe Institute issued formal reports evaluating the situation and calling on the government to revise citizenship policy. Recommendations included limiting the social benefits of non resident citizens or taxing citizens living abroad to ensure their contribution to the costs of providing rights and benefits in times of need.[80] The Government of Canada ordered a formal review of the evacuation from the Standing Senate Committee on Foreign Affairs and International Trade. As part of their evaluation, the committee addressed the fundamental underpinnings of citizenship, revisiting what it means to be Canadian and what rights should be attached to citizenship. Although formal policy change was not advocated as part of the report's recommendations, the report does acknowledge that in regard to the social benefits of citizenship, "the debate has been launched and the discussion will take place."[81]

Attracting substantial media attention, the public outrage weighed heavily on the federal government. Pressured to address the perceived inequalities in the allocation of social benefits of citizenship, the Government of Canada has taken steps to redefine current citizenship policy. The evacuation of Lebanon has proven that by increasing the aggregate level of dual citizen Canadians, globalization has indeed put pressures on domestic citizenship policy, urging the reconsiderations of its very foundation.

Limiting derivational citizenship rights

The increase in Canadian dual citizens, coupled with the change in global migration patterns, has placed pressures on citizenship acquisition polices. An example can be found in polices related to genealogical transmission of citizenship for children born abroad to Canadian parents born abroad. As noted, Canadian citizenship may be acquired through parental lineage.[82] Currently, second and third generation Canadians born outside Canada have until their 28th birthday to affirm their right to Canadian citizenship, under certain conditions.[83] Granted royal assent on April 17th 2008, Bill C-37 section 3(3) will change current derivational citizenship polices that allowed citizenship to pass directly to a child born to a Canadian citizen, regardless if the child was born outside the country.[84]

Effective April 17th, 2009:

Individuals born outside Canada to a parent who was a Canadian citizen at the time of their birth will only be Canadians at birth if the parent was born in Canada; or the parent immigrated to Canada and became a Canadian citizen. This means that a child born in another country after the new law comes into effect will not be a Canadian citizen by birth if he/she was born outside Canada to a Canadian parent who was also born outside Canada to a Canadian parent.[85]

The government's justification was that the policy sought to promote "…citizenship stability, simplicity and consistency while also protecting the value of citizenship by ensuring that future Canadians have a real connection with Canada."[86]

This change may also reflect a citizenship regime that seeks to foster loyalty and identification with the state by both Canadian born and immigrant citizens. Indeed, a key component in the fabric of Canadian society is the perpetuation of Canadian values, and central to this is a citizen's ability to identify with the state.[87] Canada's multicultural policy has encouraged ethnic and cultural diversity. To a degree, this represents Canadian social values that reflect many "separate identities, while sharing common values and experiences."[88] Denying automatic citizenship to first generation children born outside of Canada to a Canadian parent also born outside Canada is an effort to maintain the social cohesion and loyalty that citizenship regimes have traditionally entailed.

This example illustrates the Canadian government's awareness of the increasingly transnational behaviour of dual citizens, and Canadians alike. Seeking to prevent the devaluation of Canadian citizenship and unnecessary expansion of cosmopolitan responsibilities, this recent policy change shows that globalization has impacted domestic conceptions of citizenship and subsequent policies.

Policy considerations

Forces of globalization have had an effect on the migratory patterns of Canadian citizens, increasing the number of citizens who remain 'globally mobile' and who seek to maintain multiple citizenships.[89] Government polices that seek to protect and promote Canadian values must also address the growth of transnational relationships between people, flows of ideas, ideologies and goods.[90]

Given that globalization has increased the number of dual citizens in Canada, a trend which is likely to continue, policymakers must begin to consider options which would manage the rising pressures on government. The Lebanon case brought to light the questionable extension of social benefits to non-resident citizens. A possible means of addressing public concerns regarding the inappropriate use of taxpayer funds would be the creation of a pool of funds designated for international crises affecting Canadian citizens. This pool could act as an insurance rather than a tax and be funded by increasing passport consular services fees for non-residents.[91]

In addition, it is unclear how recent changes to derivational citizenship policies will be received by Canadians. An evaluation programme that monitors the impact of this policy change on the domestic arena would be one possible means of monitoring the impact of this change. This may include using focus groups made up of resident Canadians as well as Canadian non-resident communities abroad. This would encourage engagement with public opinion and help evaluate public perceptions of the usefulness and effectiveness of this policy. Lastly, in order to address the lack of accurate statistical data, the government could consider adding dual citizenship as a non-voluntary component of the Canadian Census for both short and long form surveys. This would increase transparency and allow for better analysis of future policies and programmes.

LOOKING FORWARD

Technological innovation in communication and travel, the emergence of a global economy, the change in referents of securitization, international transmission of human rights norms and increased global democratization are all forces of globalization which have fundamentally changed the manner in which people interact throughout the world. Promoting transnational identities, these pressures have led to a dramatic increase in the number of persons acquiring multiple citizenships. This paper sought to explore the pressures that these globalizing forces have placed on Canadian citizenship policy, arguing that a primary outcome has been the increase of Canadian dual citizens. Challenging the traditional assumptions of citizenship, this increase has called into question current policy regarding the rights afforded to citizens. This can be seen through proposed government policies that seek to remove the right to dual citizenship, limit benefits of non-resident citizens, and challenge automatic citizenship rights for second and third generation Canadians born abroad.

It is reasonable to expect that globalization will continue to exert pressures on citizenship policy well into the future. Taking this into consideration, the Canadian government must move forward in creating a long-term approach to the increasing number of Canadian dual citizens and the policy challenges that accompany them. Reflecting on past proposals, which aimed to restrict the scope of dual citizenship policy, one is left questioning their political feasibility in response to these challenges. Past proposals for the elimination of dual citizenship in Canada have not survived parliamentary debates, nor have they been favourable among the public.

For this reason, among others, the federal government might look to endorse options that encourage integration and promotion of Canadian values, including the creation of measures that would aid in the development and sustenance of a culture of Canadian identity and state loyalty for immigrants and dual citizens alike.

Putting pressures on domestic citizenship policies, globalization has also challenged what citizenship means in the 21st century. At an extreme end of the spectrum, some have argued that we are moving into a post-national world where citizenship is no longer connected to a single state.[92] This however, is an extreme example of world polity decentralization and fragmentation, failing to explain why migrants continue to seek out citizenship rights from states.

As Cairns stipulates:

> *Globalization presents people with an unending stream of products, ideas, values, and new identities that threatens to destabilize links between citizen and state unless they are constrained by the positive identification with the polity that an enriched practice of citizenship can generate.*[93]

In order for Canada to sustain a rich and proud citizenship regime, it must be cognizant of, and adaptable to, the pressures associated with a transnational world, while still upholding the national identity, beliefs and values associated with Canadian citizenship.

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ENDNOTES

[1] Rubinstein, Kim. "Citizenship in an Age of Globalization: The Cosmopolitan Citizen?" *Law in Context*, *25*(1), 2007: 90; In the interest of preserving the terminology used by the authors we have referenced in this text we have used the word nation-state to represent the state as described by Weber.

[2] "Citizenship Act." Department of Justice, Government of Canada. (1985). Retrieved on March 15, 2009 from <http://laws.justice.gc.ca/en/C-29/index.html>. Part I.

[3] "Charter of Rights and Freedoms." Department of Justice, Government of Canada, (1982). Retrieved on March 15, 2009 from <http://laws.justice.gc.ca/en/charter/*Charter*>. Section VI.

[4] Renson, Stanley. "Dual Citizens in America: An issue of Vast Proportions and Broad Significance." Center for Immigration Studies - Backgrounders and Reports, 2000. Retrieved on March 15th, 2009 from: <http://www.cis.org/articles/2000/back700.html>.

[5] Renson, *op cit*.

[6] Galloway, Donald. "The Dilemmas of Canadian Citizenship Law". In Douglas B. Klusmeyer, Thomas Alexander Aleinikoff (eds.). *From Migrants to Citizens: Membership in a Changing World*, Washington: Carnegie Endowment, (2000): 88.

[7] Brodie, Janine. "Citizenship and Solidarity: Reflections on the Canadian Way."*Citizenship Studies*, *6*(4). (2002): 378.

[8] As cited in Faist, Thomas and Jurgen Gerdes. *Dual Citizenship in an Age of Mobility.* Washington, DC: Migration Policy Institute, 2008: 5.

[9] *Ibid*, 7.

[10] *Ibid*, 7.

[11] *Ibid*, 8.

[12] Knowles, Valerie. *Forging our legacy: Canadian citizenship and immigration, 1900-1977.* Ottawa: Citizenship and Immigration Canada: Public Works and Government Services Canada, 2000: 65; Galloway, *op cit*, 93.

[13] *Ibid*, 64, 65.

[14] *Ibid*, 65.

[15] Smith, David. "Indices of Citizenship". In Pierre Boyer, Linda Cardinal, David John Headon (eds.). *From subjects to citizens: a hundred years of citizenship in Australia and Canada*. Ottawa: University of Ottawa Press, 2004: 22, 23; Galloway, *op cit*, 96.

[16] Knowles, *op cit*, 66; Troper, Harold. "Citizenship Education in Urban Canada." In Yvonne M. Hebert (ed.). *Citizenship Transformation in Canada.* Toronto: University of Toronto Press, 150-161, 2002: 158.

[17] Troper, *op cit*, 157, 158.

[18] *Canadian Bill of Rights*. Department of Justice, Government of Canada. (1960). Retrieved on March 15, 2009 from <http://laws.justice.gc.ca/en/C-12.3/index.html>. Part I.

[19] Smith, *op cit*, 23, 24.

[20] *Ibid*, 24.

[21] Young, M. Canadian Citizenship Act and Current Issues. Law and Government Division. BP-445E. *Depository Services Program Parliament of Canada*, (1998). Retrieved on March 15th from <http://dsp-psd.tpsgc.gc.ca/Collection-R/LoPBdP/BP/bp445-e.htm#(39)>.

[22] Galloway, *op cit*, 99.

[23] Bloemraad, Irene. "Who Claims Dual Citizenship? The Limits of Postnationalism, the Possibilities of Transnationalism, and the Persistence of Traditional Citizenship." *International Migration Review*, *38*(2), (2004): 389.

[24] See *ibid,* and Faist, *op cit*.

[25] Held, David, and McGrew, Anthony. "Introduction" in David Held and Anthony McGrew (eds.), *Governing Globalization: Power, Authority and Global Governance*. Malden: Blackwell Publishing Ltd, (2002): 1, 2.

[26] *Ibid*, 2.

[27] Castles, Stephen, and Mark J. Miller. The Age of Migration: International Population Movements in the Modern World. New York: Guilford, 1993: 8.

[28] *Ibid.*

[29] Rubenstein, *op cit*, 91.

[30] *Ibid*, 92.

[31] Castles, Stephen. (2002). "Migration and Community Formation under Conditions of Globalization." *International Migration Review*, *36*(4): 1149.

[32] Castles & Miller, *op cit*, 4.

[33] International Organization for Migration. *World Migration 2008: Managing Labour Mobility in the Evolving Global Economy*. (2008). Retrieved on March 15th, 2009 from <http://www.iom.int/jahia/Jahia/about-migration/facts-and-figures/global-estimates-and-trends>: 2; Castles, Stephen. "Factors that Make and Unmake Migration Policies." The *International Migration Review*, *38*(3), (2004): 861.

[34] United Nations, Department of Economic and Social Affairs, Population Division World Migrant Stock: The 2005 Revision Population Database. (2006). Retrieved on March 15th, 2009 from, <http://esa.un.org/migration>.

[35] Castles, "Factors…," *op cit*, 861.

[36] International Organization for Migration. "Section 3: International Migration Data and Statistics." *World Migration 2005: Costs and Benefits of International Migration. (2005).* Retrieved on March 15th, 2009 from <http://www.iom.int/jahia/Jahia/cache/offonce/pid/1674?entryId=932>: 379.

[37] Castles, "Factors…," *op cit*, 861.

[38] IOM, "Section 3," *op cit*, 380.

[39] United Nations, "World Migrant Stock…," *op cit*, 37.

[40] Statistics Canada. "Canada's Ethnocultural Portrait: The Changing Mosaic." 2001 Census Data. (2001). Retrieved on March 15, 2009 from, <http://www12.statcan.ca/english/census01/products/analytic/companion/etoimm/canada.cfm#proportion_foreign_born_highest>.

[41] IOM, "Section 3," *op cit*, 380.

[42] Statistics Canada, "Canada's Ethnopolitical…," *op cit*; United Nations, "World Migrant Stock…," *op cit*, 37.

[43] Bloemraad, "Who Claims…," *op cit*, 405.

[44] Statistics Canada, *op cit*.

[45] Bloemraad, "Who Claims…," *op cit*; Faist, Thomas. *The Volume and Dynamics of International Migration and Transnational Social Spaces.* Oxford: Claredon Press, 2000.

[46] Schuck, Peter. 'Plural Citizenships.' In R. Hansen and P. Weil (eds.) *Dual Nationality, Social Rights, and Federal Citizenship in the U.S. and Europe: The Reinvention of Citizenship.* New York, NY: Berghahn Books, 2002: 539.

[47] Castles, "Migration and Community…," *op cit,* 1146.

[48] Schuck, *op cit*, 65.

[49] Labelle, Micheline. "Re-reading Citizenship and the Transnational Practices of Immigrants". (2002) Retrieved on March 1, 2009 from <http://www.ceri-sciencespo.com/archive/mai02/artml.pdf>: 1.

[50] Omotola, J. Sholma. "Political Globalization and Citizenship: New Sources of Security Threats in Africa." *Journal of African Law*, *52*(2), (2008): 269.

[51] International Monetary Fund (IMF). "Globalization and Inequality". *World Economic Outlook 2007*. Chapter 4, 2007. Retrieved on February 18, 2009 from <http://www.imf.org/external/pubs/ft/weo/2007/02/pdf/c4.pdf>: 45.

[52] *Ibid*, 42.

[53] Bloemraad, "Who Claims…," *op cit*, 394.

[54] Castles, "Migration and Community…," *op cit,* 1149.

[55] Bloemraad, "Who Claims…," *op cit,* 394.

[56] Andreas, Peter. "Redrawing the Line: Borders and Security in the 21st Century." *International Security*, *28*(2), 2003: 78.

[57] IMF, *op cit,* 45.

[58] Castles, "Factors…," *op cit*, 862.

[59] *Ibid*, 857.

[60] Bloemraad, "Who Claims…," *op cit*, 390.

[61] *Ibid*, 405.

[62] Faist and Gerdes, *op cit,* 8.

[63] *Ibid*, 5.

[64] Rubenstein, *op cit,* 96.

[65] *Ibid*, 96.

[66] Faist and Gerdes, *op cit*, 7.

[67] Rubenstein, *op cit*, 96.

[68] Faist and Gerdes, *op cit,* 9.

[69] Mazzolari, Francesca. "Dual Citizenship Rights: Do they Make More and Richer Citizens?" *Demography, 46(1)*, (2009): 169.

[70] Black, Jerome. "Immigrants and Ethnoracial Minorities in Canada: A review of their participation in federal electoral politics." *Electoral Insight* Elections Canada,. 2001 Retrieved on March 17th, 2009 from <http://www.elections.ca/eca/eim/article_search/article.asp?id=85&lang=e&frmPageSize=&textonly=false>.

[71] C.D. Howe Institute. "The Passport Package: Rethinking the Citizen Benefits of Non-Resident Canadians." *C.D. Howe Institute Backgrounder.* (2006). Retrieved on March 12, 2009 at <http://www.cdhowe.org/pdf/backgrounder_99.pdf>: 2.

[72] See for example Baltrusaitis, Vic. "My Canada includes dual citizens." *The Globe and Mail*. Toronto: March 10, 2009: 16.

[73] C.D. Howe Institute, *op cit*, 2.

[74] "What it means to be a Canadian." *Macleans*.14 August 2006.Accessed on March 15, 2009 at <http://www.macleans.ca/columnists/article.jsp?content=20060814_131821_131821>.

[75] C.D. Howe Institute, *op cit,* 3.

[76] *Ibid*, 1.

[77] *Ibid*.

[78] *Ibid*.

[79] "What It Means to be Canadian," *op cit*.

[80] C.D. Howe Institute, *op cit,* 6.

[81] The Standing Senate Committee on Foreign Affairs and International Trade (CFAIT). *The Evacuation of Canadians From Lebanon in July 2006: Implications for the Government of Canada*. (2006). Retrieved on March 11, 2009 at <http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/fore-e/rep-e/rep12may07-e.pdf>: 21.

[82] Young, *op cit,* Appendix A.

[83] See "Citizenship Act," op cit, R.S., 1985, c. C-29 Part I Section 3(b).

[84] In the event that a change in policy renders a child stateless, Canada will grant citizenship to that child even if they are born of a citizen who was born abroad. See "Amendments not in Force", <http://laws.justice.gc.ca/en/CmdNev/cs/C-29>, Section 5.

[85] *Canadian Gazette*. "Regulations Amending The Citizenship Regulations, 1993." *Government of Canada,142*(50), December 13, 2008, Retrieved on March 15th, 2008 from <http://canadagazette.gc.ca/rp-pr/p1/2008/2008-12-13/html/reg1-eng.html>.

[86] *Ibid*.

[87] Frideres, James. "Creating an Inclusive Society: Promoting Social Integration in Canada." In John Biles, Meye Burstein and James Frideres (eds.), *Immigration and Integration in Canada in the Twenty-first Century*. Kingston: School of Policy Studies, Queen's University, (2008): 77; Jenson, Jane and Susan Phillips. "Redesigning the Canadian Citizenship Regime: Remaking the Institutions of Representation". In Colin Crouch, Klaus Eder, Damian Tambini (eds.) *Citizenship, Markets, and the State*. Oxford: Oxford University Press, (2001): 73.

[88] Cairns, Alan. "The Fragmentation of Canadian citizenship". In Douglas E. Williams (ed.) *Reconfigurations: Canadian Citizenship and Constitutional Change*. Toronto: McClelland and Stewart Inc, 1995: 107.

[89] Frideres, *op cit,* 78; Bloemraad, "Who Claims…," *op cit,* 405.

[90] Faist, *op cit*, 2.

[91] Currently, a portion of Canadian Passport fees are allocated to consular services for Canadians when travelling abroad (see "Consular Fees" <http://www.voyage.gc.ca/about_a-propos/fees_frais-eng.asp>)

[92] Bloemraad, "Who Claims…," *op cit,* 396.

[93] Cairns, *op cit*, 158.