Citizenship and   Citoyenneté et
Immigration Canada Immigration Canada

Constitutional State as Framework for Integration Policy

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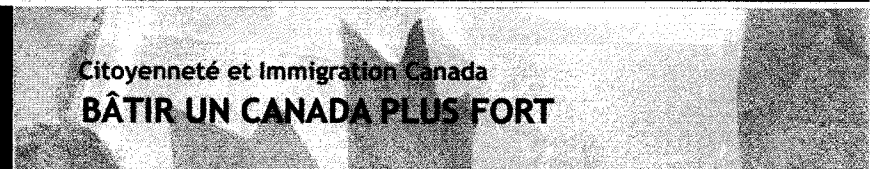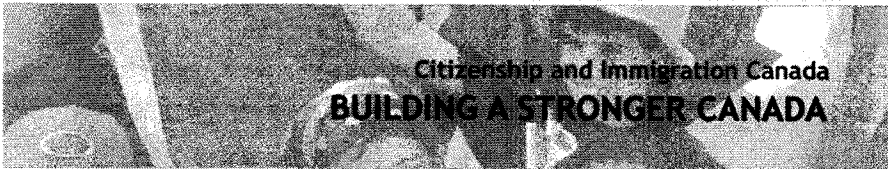Citizenship and Immigration Canada   Citoyenneté et Immigration Canada
BUILDING A STRONGER CANADA   BÂTIR UN CANADA PLUS FORT

Canada

Agenda

- ## Constitutional and Legislative Framework
    - History of Accommodation and Integration
    - Demographic Change
    - Federal Legislative Framework

- ## Modern Integration Policies
    - Royal Commission on Bilingualism and Biculturalism
    - Multiculturalism Policy and Act
    - Individual and Collective Rights

- ## Current Programs

- ## Challenges

- ## Policy Responses
    - Citizenship Action Plan
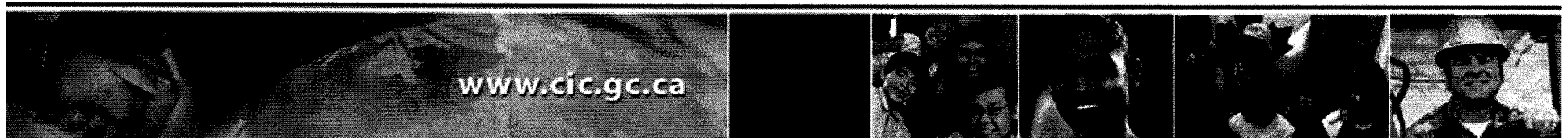   - Multiculturalism Objectives

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Current Context

- **Three pillars of diversity:**
  - Aboriginal population (3.8% of total population in 2006)
  - Linguistic duality: French (22%) and English (67%)
  - Increasing ethno-cultural and religious diversity

- **Increasing diversity:**
  - 16.2% (5 million) are visible minorities, of whom 67% were born outside Canada
  - 215 ethnic origins and increased multiple origins
    - 47% of Canadians self-identify at least partial origins other than British, French or Canadian
  - One-fifth of Canadians are foreign-born
  - Growth of non-Christian religions
    - Numbers of people in Canada affiliated with Islam, Buddhism, Hinduism and Sikhism doubled or nearly doubled from 1991 to 2001

- **2031 Projections**
  - Between 25% and 28% of population foreign born
  - Between 29% and 32% belong to visible minority group
  - 14% of population expected to belong to a non-Christian religion
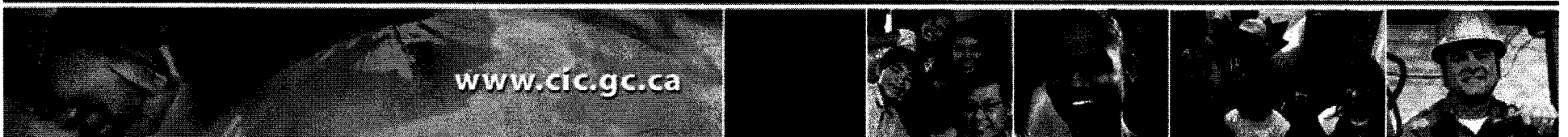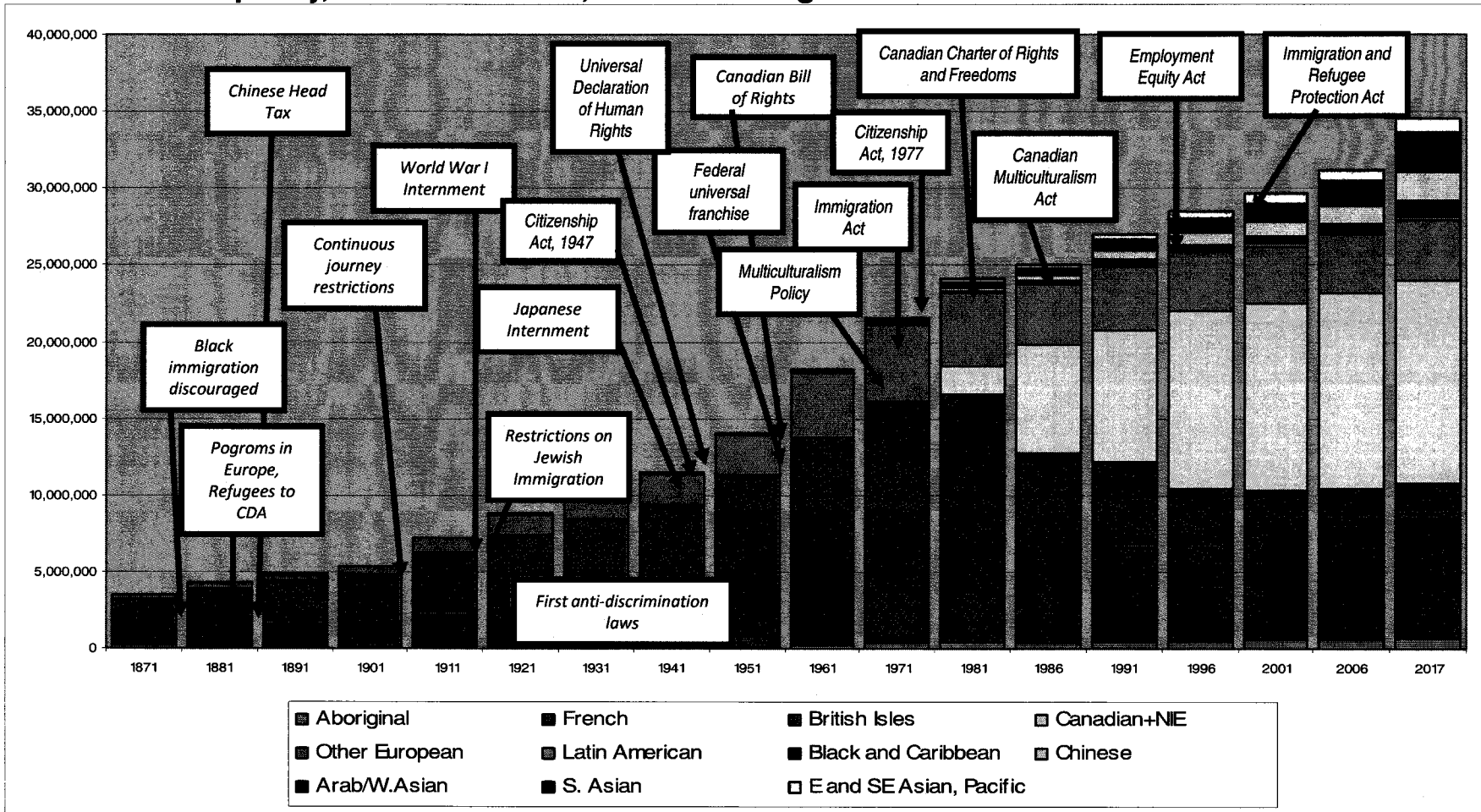
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History of Accommodation and Integration

- Canada always been a diverse country with Aboriginal, French and British cultures

- As part of our diversity, long tradition of balance between integration and accommodation

- Examples include:

  - Aboriginal treaties: Treaties, while not always observed, illustrate history of recognition and accommodation not present in all countries

  - Quebec Act (1774): Guaranteed free practice of Catholic faith and restoration of French civil law for private matters illustrate effort to accommodate French traditions - rights Catholics in England did not enjoy at the time

- This practice of accommodation has helped frame how Canada integrated newcomers in the past and today

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Demographic Change 1867-2017

Legislative change concurrent with population shifts, historical events, increased equality, democratization, and human rights – 1867 to 2017

Chinese Head Tax

World War I Internment

Continuous journey restrictions

Black immigration discouraged

Pogroms in Europe, Refugees to CDA

Citizenship Act, 1947

Japanese Internment

Restrictions on Jewish Immigration

First anti-discrimination laws

Universal Declaration of Human Rights

Federal universal franchise

Multiculturalism Policy

Canadian Bill of Rights

Immigration Act

Citizenship Act, 1977

Canadian Charter of Rights and Freedoms

Canadian Multiculturalism Act

Employment Equity Act

Immigration and Refugee Protection Act

Y-axis: 40,000,000 / 35,000,000 / 30,000,000 / 25,000,000 / 20,000,000 / 15,000,000 / 10,000,000 / 5,000,000 / 0

X-axis: 1871 1881 1891 1901 1911 1921 1931 1941 1951 1961 1971 1981 1986 1991 1996 2001 2006 2017

Legend:

- ▨ Aboriginal
- ▨ French
- ▨ British Isles
- ▨ Canadian+NIE
- ▨ Other European
- ▨ Latin American
- ■ Black and Caribbean
- ▨ Chinese
- ■ Arab/W.Asian
- ■ S. Asian
- ☐ E and SE Asian, Pacific

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Federal Legislative Framework

Overall Framework

1960: *Canadian Bill of Rights*

1962: First immigration regulations to eliminate racial discrimination

1971: Multiculturalism policy

1976: *Immigration Act - Non-discrimination*

1977: *Citizenship Act*

1982: *Canadian Charter of Rights and Freedoms* recognizes multicultural character of Canada

1988: *The Official Languages Act*

1988: *Canadian Multiculturalism Act*

Canadian Constitution Act (1867, 1982)

- Responsibility for immigration, including integration, is shared among the federal government and the provinces and territories.
- In the event of a conflict between federal and provincial legislation, federal legislation will prevail

Immigration and Refugee Protection Act (IRPA) *(2002)*

- IRPA affirms the fundamental principles of non-discrimination and universality in immigration (contained in the *Immigration Act (1976)* & provides authority for settlement programs.

Canadian Multiculturalism Act (1988):

- Recognizes the diversity of Canadians as a fundamental characteristic of Canadian society and makes a commitment to:
    - Promote the full and equitable participation of all individuals and communities of all origins;
    - Eliminate barriers to that participation;
    - Encourage and assist all Canadian institutions to be both respectful and inclusive of Canada's multicultural character; and also

Citizenship Act (1977):

   - Lays out inclusive, welcoming requirements for citizenship;
   - Affirms all citizens have the same rights and obligations, regardless of whether citizens by birth or naturalisation
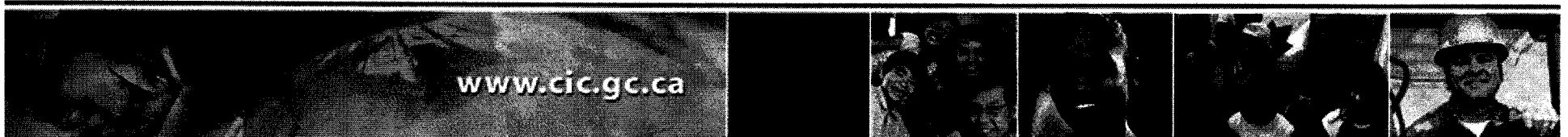
Royal Commission on Bilingualism and Biculturalism

- Modern integration policies developed initially as response to Royal Commission on Bilingualism and Biculturalism (1963-1969)

- Royal Commission responded to rising nationalist feelings in Quebec with mandate to examine state of bilingualism and cultural relations – continuation of French/English practice of accommodation

- However, during hearings, there was promotion of third pillar of diversity led by immigrants from Europe who were neither British or French:

  - Canadians of Ukrainian heritage, among others, did not see themselves in bicultural framework
  - Viewed themselves as pioneers in development of western Canada comparable to French and British pioneers
  - Argued for creation of multicultural framework

- Addressed in final report of Commission which acknowledged contributions of non British or French cultures and recommended "integration" of these groups into Canadian society
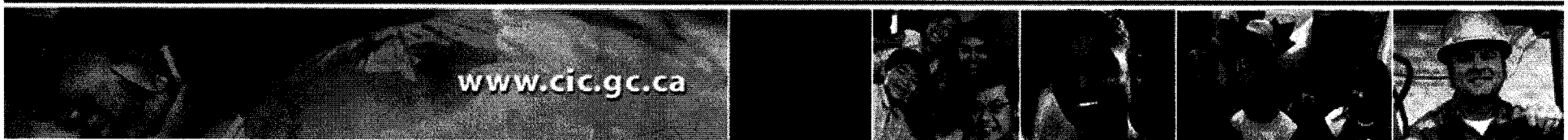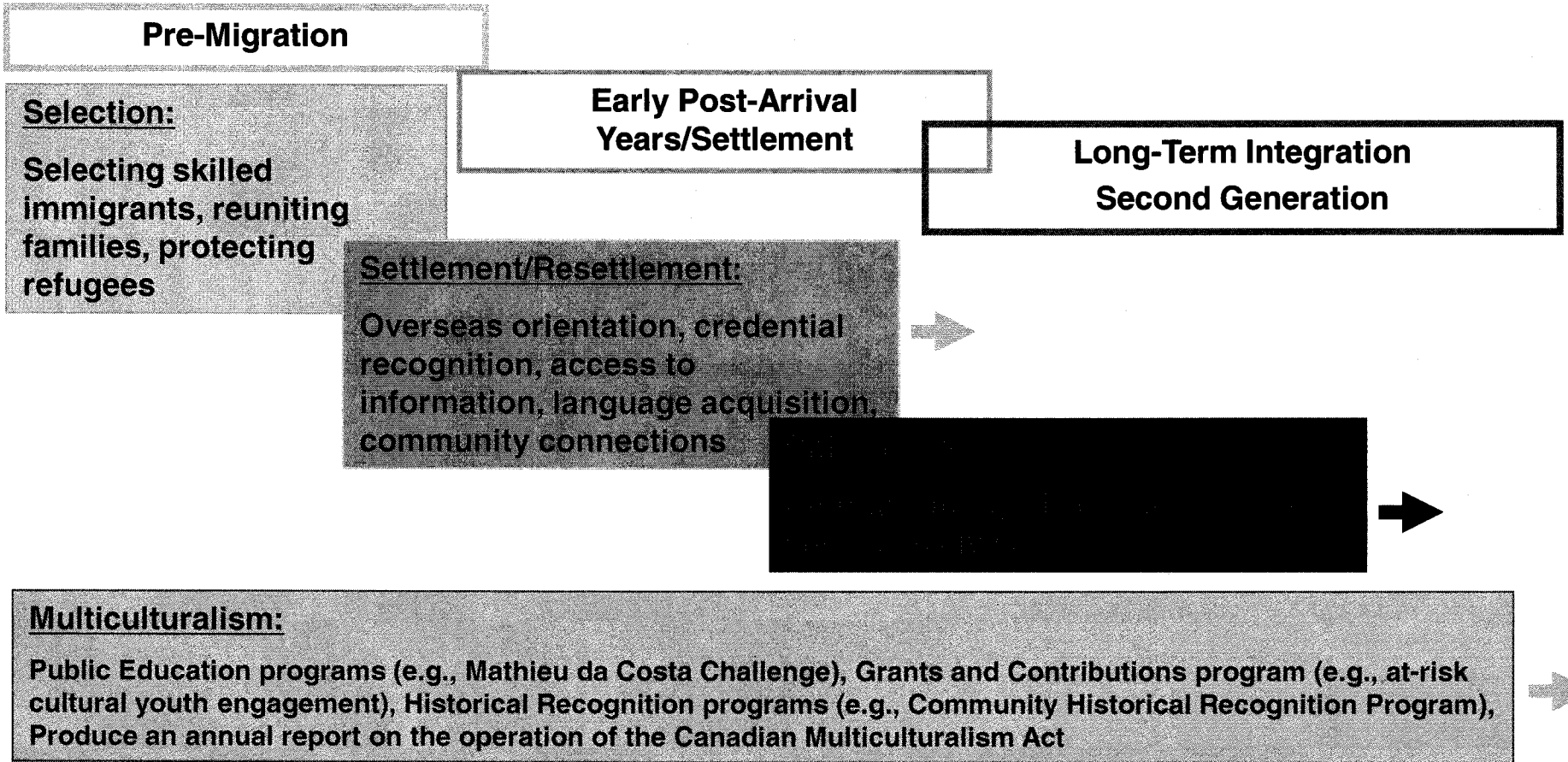
Multiculturalism Policy and Act

- Royal Commission led to adoption of multicultural framework (Multiculturalism Policy 1971) – later reaffirmed in legislation with adoption of *Canadian Multiculturalism Act* in 1988

- Integration always been central to Multiculturalism policy – retention and fostering ethno-cultural identity was means to encourage full participation in Canadian society

- History of how early integration policies developed – as response to concerns of mainly European immigrants – important factor in high acceptance of multiculturalism

- As immigration patterns have shifted, having solid legislative framework in place (and accepted by most Canadians) has helped Canada deal with new levels and types of diversity

- Within this legislative framework, Canada's suite of programs that facilitate integration have also shifted to be more responsive to new realities

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Individual and Collective Rights in Canada

- Canadian framework provides combination of individual rights for all and collective rights for certain groups

- Individual rights are set out in Canadian Charter of Rights and Freedoms

- In addition, certain groups have collective rights:
  - Aboriginal groups have special rights based on negotiated treaties
  - English and French have official language rights confirmed in *Official Languages Act*

- Collective rights in Canada are historically based – new Canadians have individual rights but are not accorded new group rights

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10

CIC Programs Along the Immigration Continuum

Pre-Migration

Selection:

Selecting skilled immigrants, reuniting families, protecting refugees

Early Post-Arrival Years/Settlement

Long-Term Integration

Second Generation

Settlement/Resettlement:

Overseas orientation, credential recognition, access to information, language acquisition, community connections

Multiculturalism:

Public Education programs (e.g., Mathieu da Costa Challenge), Grants and Contributions program (e.g., at-risk cultural youth engagement), Historical Recognition programs (e.g., Community Historical Recognition Program), Produce an annual report on the operation of the Canadian Multiculturalism Act

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Overview of Settlement Programming

1870-1980s	• Pre – 1950s: **community and private sector assistance**
• European descent • Mostly low-skilled labourers • Low settlement and integration needs	• 1950-1967: **The Settlement Service** – reception and advice; funding for not-for-profits • 1967: The Department of Manpower and Immigration – focus on needs of employers and employees • Precursors to current settlement programming: **ISAP (1974), RAP (1978), Host (1984)**

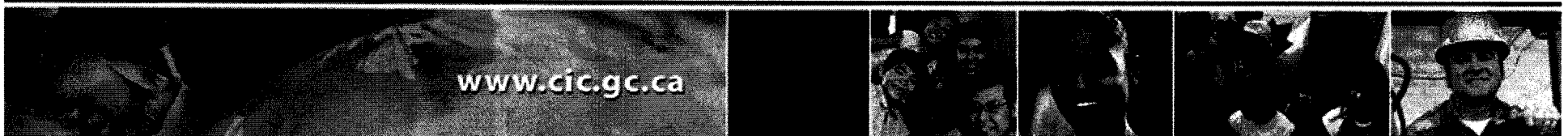| **1990s - Present**	• Early 1990s: Federal Immigrant Integration Strategy (1990), **LINC** (1992), Settlement Renewal Consultations (1994-95)

• Shifting demographics
 	
• Higher skilled workers
 	
• Complex settlement and integration needs
	• Greater federal willingness to devolve responsibility and **growing Provincial-Territorial interest** in integration leads to a **mixture of settlement delivery models**, including an explicit role for **municipalities** under the Canada Ontario Immigration Agreement
	
	• Immigration agreements Quebec (1991), Manitoba (1996), B.C. (1998), Ontario (2005), Alberta (2007)
	
	• From 2008:The **modernized approach** to settlement programming
	  – Focus on improved newcomer outcomes
	  – New policy frameworks, performance measurement strategy

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Citizenship and Multiculturalism Approaches Over Time

- Since *Canadian Citizenship Act* in 1947, citizenship policy has balanced two objectives:
  - encourage and facilitate naturalization; and
  - enhance meaning of citizenship as unifying bond for Canadians

- Similarly, Canadian multiculturalism policy has balanced two objectives:
  - encourage newcomers to integrate into broader society; and
  - ensure broader society is welcoming and accommodates newcomers

"I first of all think immigrants come to this country to belong to this country. I also think that the Canadian approach to this, which is a mixture of integration and accommodation, for lack of a better term, is the right approach."
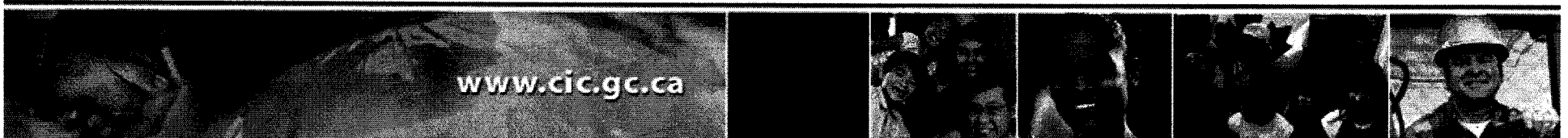
Prime Minister
Stephen Harper
December 2007

Multiculturalism in Evolution

	Ethnicity Multiculturalism (1970s)	Equity Multiculturalism (1980s)	Civic Multiculturalism (1990s)	Integrative Multiculturalism (2000s)
Focus	Celebrating differences	Managing diversity	Constructive engagement	Inclusive citizenship
Reference Point	Culture	Structure	Society building	Canadian identity
Mandate	Ethnicity	Race relations	Citizenship	Integration
Magnitude	Individual adjustment	Accommodation	Participation	Rights and Responsibilities
Problem Source	Prejudice	Systemic discrimination	Exclusion	Unequal access, "clash" of cultures
Solution	Cultural sensitivity	Employment equity	Inclusiveness	Dialogue/Mutual Understanding
Key Metaphor	"Mosaic"	"Level playing field"	"Belonging"	"Harmony/Jazz"

Kunz and Fleras (2001)

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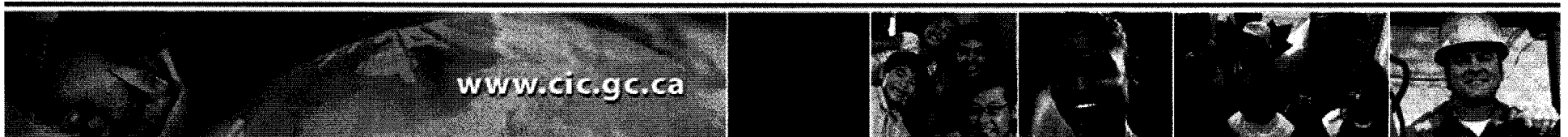
Current Challenges

Social/Cultural

- Challenges regarding religious diversity - lack of intercultural/faith understanding

- Persistence of racism and hate crimes

- Radicalization, though not widespread, potentially impacts social cohesion

- Perceived vulnerability to flashpoints/international conflicts

- Integration challenges faced by specific groups (e.g. youth, 2nd generation, women)

- Concerns about ethnic neighbourhood concentration (including virtual enclaves)

Economic

- Recent immigrants facing underemployment and limited upward mobility

- Earnings gap between recent immigrants and Canadian-born widening

- Some visible minorities doing worse than others (e.g. from Caribbean, West Africa)

Civic/Political

- Declining civic participation

- Lack of knowledge of Canadian history and political institutions amongst all Canadians

- Perceptions of citizenship of convenience

- Elected bodies at all levels do not yet reflect Canada's diversity

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Policy Responses:
Focusing on Our Commonalities

- Shift in emphasis amongst policy makers and some academics:
  - Traditional balance between integration and accommodation still important
  - However, greater focus on commonalities

- Need to distinguish between ad-hoc issues (e.g. multi-faith rooms) and broader issues (e.g. sharia law, funding of separate schools)

- Current emphasis on common narrative, focusing on what unites us as a country and citizens

Canadian citizens have rights and responsibilities. These come to us from our history, are secured by Canadian law, and reflect our shared traditions, identity and values.

Discover Canada: The Rights and Responsibilities of Citizenship

Recent Policy Shift

Citizenship	Multiculturalism

• Meaningful citizenship
 	
   – Citizenship Futures
   – Adoption (C-14)
   – First generation limit (C-37)
   – *Discover Canada* and test
   – New approach on language
   – Revocation, residence, and consultants
	• Integrated society
	
	   – New program objectives
	   – Links to civic values
	   – New approach to racism and discrimination with focus on unique experiences
	   – Faith-related issues
	   – Interculturalism and multiculturalism blurring

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Citizenship Action Plan (CAP)

Strengthening Canadian Citizenship is a key step to having all Canadians understand, value and practice their citizenship – an important pillar of an integrated society.
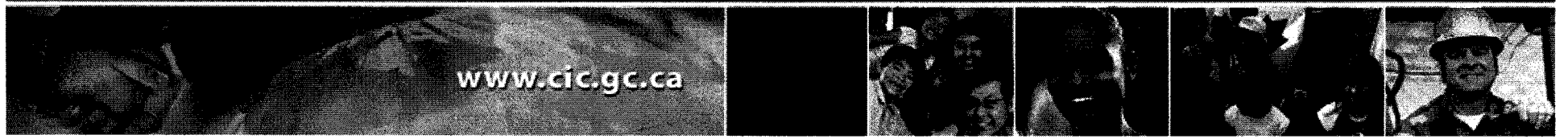
Objectives

> Provide access to essential knowledge base for citizenship

> Enhance respect for democratic values and status of citizen

> Ensure integrity of naturalization process and promote civic responsibility
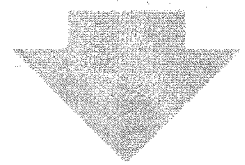
Key Initiatives

- New citizenship study guide – Discover Canada
- Changed citizenship test
- Changes to language testing
- Making citizenship ceremonies more meaningful
- Improving tools for citizenship education and promotion
- Improving client service via improved processing times
- Measures to address fraud
- Streamlined revocation process

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18

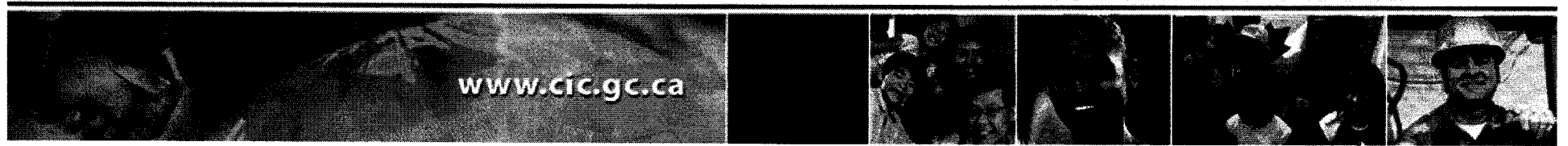# Recent Legislative Changes to Strengthen Citizenship

Amendments to the Citizenship Act (Implemented April 2009)

- Restored citizenship retroactively to those who lost or never had it (lost Canadians)

- Limited citizenship by descent to first generation born abroad

Bill C-37 – *Strengthening the Value of Canadian Citizenship Act* (Tabled June 2010)

- Streamline citizenship revocation

- Increase offences and penalties for citizenship fraud

- Require 3 years physical presence out of previous 4 years

- Provide authority to regulate citizenship consultants

- Improve ability to bar foreign criminals from citizenship

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Multiculturalism New Objectives

- **Build An Integrated, Socially Cohesive Society by:**

  - Building bridges to promote intercultural understanding;
  - Fostering citizenship, civic memory, civic pride, and respect for core democratic values grounded in our history;
  - Promoting equal opportunity for individuals of all origins.

- **Improve the Responsiveness of Institutions to the Needs of a Diverse Population by:**

  - Assisting federal and public institutions to become more responsive to diversity by integrating multiculturalism into their policy and program development and service delivery.

- **Actively Engage in Discussions on Multiculturalism and Diversity at the International Level by:**

  - Promoting Canadian approaches to diversity as a successful model while contributing to an international policy dialogue on issues related to multiculturalism.

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Citizenship and Multiculturalism Instruments

Citizenship

Celebrating Citizenship
- Citizenship ceremonies where oath is administered to new Canadians (2,225 ceremonies in 2009)

- Reaffirmation ceremonies

- Canada's Citizenship Award honouring individuals for outstanding contributions in helping newcomers integrate

- Citizenship Week (October)

Educating Citizens
- New citizenship guide (Discover Canada) and revised test

- Community outreach by citizenship judges

- Teachers and Youth Corner

Multiculturalism

Building An Integrated Society:
- Ministerial outreach to communities
- Public Education programs (e.g., Mathieu da Costa Challenge)
- Multiculturalism Grants and Contributions Program
- Historical Recognition Programs
- Canada's Action Plan Against Racism
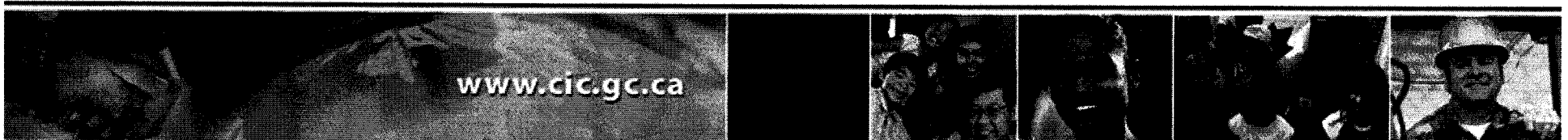- Metropolis

Working with Public Institutions:
- Annual Report on the Operation of the *Canadian Multiculturalism Act*
- Multiculturalism Champions Network
- Federal-Provincial-Territorial meetings
- Canadian Race Relations Foundation

Canada and the World:
- International Task Force on Holocaust Education, Remembrance, and Research
- Positioning in Global forums (e.g., UN, OSCE)
- Global Centre for Pluralism

Conclusion

- Canada not only country dealing with these issues - debate occurring in most other liberal democratic countries

- While Canada's constitutional framework important factor, cannot be separated from our history, values and culture

- Historical tradition of balance (accommodation with integration and facilitation with meaningfulness) still important, but current focus on enhancing commonalities

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Questions?

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