

Canada's Dual Citizenship Problem

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The crisis in Lebanon and the evacuation of more than ten thousand Canadians from that ravaged country suggests strongly that Canada's citizenship act needs serious review. In 1993, a parliamentary committee examined a variety of questions around citizenship and produced a report; the Chrétien and Martin governments, however, took no action. It is long past time for a new Citizenship Act to replace the legislation that came into effect in 1977. And it may be that the government should establish a Royal Commission on the Rights and Obligations of Canadian Citizenship as a precursor to new legislation.

Such an impartial examination must look at Canada's practice of permitting dual or triple or quadruple citizenship or more—there is effectively no limit on the number of different passports a Canadian can hold. Before 1977, Canadians who acquired another nation's citizenship, except by marriage, lost their Canadian status. Until 1973, Canada required those who wanted its citizenship to renounce their former citizenship. The 1993 House of Commons committee questioned the meaning of loyalty and allegiance where people held dual or multiple citizenships and suggested that permitting a Canadian to hold more than one nation's passport devalued the meaning of Canadian citizenship. The committee, in fact, recommended that an adult Canadian who voluntarily acquired another country's citizenship should cease to be a Canadian citizen.

Was the committee correct? There are obvious advantages to Canada in dual citizenship in a globalized economy where millions of people travel each year, live and work abroad, or carry on business in different parts of the world on a daily basis. We benefit from having Canadians who can understand the customs of another nation and move smoothly through the bureaucracy in China, India, France, or Britain. But is there still a downside to this practice, as the committee suggested? Michaëlle Jean, the present Governor-General, held French and Canadian citizenship and only gave up her French identity on being named to her post. When that was revealed after her nomination, it created a few rough moments for her in the media and with the public. A Royal Commission might well consider if Canadians should be permitted—or perhaps encouraged—to hold two or more passports.

But there still may be problems in dual citizenship. Should Italian-Canadians, for example, be allowed as Canadian citizens to vote for and elect representatives in the Italian parliament, as occurred in 2006? There are more onerous obligations that can fall on dual citizens abroad. China and Iran, to cite only two examples, flatly reject the idea of dual citizenship and consider those born in their countries as theirs. Their citizens can be conscripted for military service, for example, if they return “home.” What is Canada's position on this? Do we expect our embassies and consulates to make representations on behalf of dual citizens who get into legal difficulties in the country of their birth? As Jeffrey Simpson pointed out in the *Globe and Mail* (July 25), “it's not clear what Canada could do if the Chinese made matters difficult” for such dual nationals. In fact, it is perfectly clear: Canada could do nothing except make the usual ineffectual representations that Beijing would reject. For its part, would Ottawa listen to Chinese representations if a dual citizen of China and Canada broke Canadian law?

In a world full of choices, should those living here or abroad be made to decide on their nationality? The Chretien government forced Conrad Black to choose between his Canadian citizenship and his place in the British House of Lords. Lord Black chose the House of Lords. The Supreme Court has held that there are some government jobs that are open only to Canadian citizens. That seems reasonable, but how do dual or triple citizens fit into this categorization? If an Italian-Canadian can vote in an Italian election, why can a British-Canadian not sit in the House of Lords and still be Canadian? Why could an American-Canadian not fill a sensitive government position? These things too need to be studied.

And what are the obligations of citizenship? Should these not be described and accepted by those to whom we grant citizenship? At the moment, the only requirements are that an applicant for Canadian citizenship be reasonably fluent in English or French and be able to answer a few simple questions about Canadian history, geography and the country's political system. Is this sufficient (especially as we all know Canadian citizens who can neither speak nor understand either of the official languages and many, including the native-born, who could answer none of the general knowledge questions)? We expect Canadians to be willing to serve in the military in wartime to defend our territory and our freedoms, for example, and Canada imposed conscription in the two world wars to enforce this. Is that still a reasonable expectation?

Should Canadian citizens be able to serve in foreign militaries? Many Canadians of Israeli origin return to Israel to do military service there. Others volunteer for the U.S. forces, and there are Canadians serving in the British, Australian, and French forces. Should their Canadian citizenship permit this or might it forbid participation in combat? And what do we do when someone returns "home", as some Canadians of Serb and Croat origin did during the wars that tore Yugoslavia apart in the 1990s, and takes the field in action against Canadian soldiers trying to stop ethnic cleansing and restore peace? If one of those militiamen killed a Canadian soldier, is this murder or simply an accident of war? Do Canadians turn a blind eye to such behaviour? In an age of increasing ethnic violence and terrorism, such questions too need to be closely examined by a Royal Commission.

Then, what are the obligations of government to citizens abroad? The Israeli-Hezbollah conflict of July 2006 brought this question to the fore when more than 40,000 Canadian citizens in Lebanon registered with the Embassy in Beirut and became eligible for evacuation by Canada. The government, a half-world away and with scant diplomatic and no military assets at all in the area, struggled to improvise a response and, in fact, did so with substantial success. Almost 12,000 Canadians were evacuated to safety in Turkey and Cyprus and then to Canada.

It turned out, however, that many of these putative Canadians had lived in Lebanon for decades, their only link to this country being their passport. Consider Rasha Solti who wrote in the Globe and Mail (July 22) that "I hold a Canadian passport, I was born in Toronto when my parents were students there. I have never gone back. I left at age 2." Ms Solti's passport was clearly her bolt-hole, renewed every five years only to let her come to Canada if she ever needed to do so. Because she registered at the Embassy in Beirut, she was offered a chance at evacuation. Should she have been? Did Canada owe her anything?

Obviously, the government has some responsibility to assist tourists and visitors who are caught up in a conflict. But those holding this country's passport for convenience sake? Those who renew every five years without ever visiting, let alone living, in Canada? This too needs careful study, and the Harper government has indicated that this question is one that concerns it. When the Prime Minister suggested such an examination, however, he was predictably attacked by Opposition politicians. The representative of one Lebanese-Canadian association, however, did suggest that once the present crisis was resolved, it might be worth debating Canada's responsibilities abroad. The Royal Commission I suggested should examine this too.

No Canadian wants to create categories of citizenship, but perhaps there is another way to handle the matter and to limit the use of our passports as a public convenience. In the United States, all Americans no matter where they live or how many passports they carry must file an income tax return as a fundamental continuing obligation of citizenship. Essentially, the United States says that those who want to be part of the U.S. must help to pay for it. Canada imposes no such requirement. The Royal Commission I suggest might want to examine this approach because all who writes a cheque to the Canada Revenue Agency on April 30 each year are unlikely to forget their Canadian citizenship, no matter where they live. Moreover, should the filing of annual tax returns not be a requirement for adults at home or abroad seeking renewal of a Canadian passport?

Such questions are not simply technical matters. Instead, they go to the heart of national identity. Does Canadian citizenship mean something? Or is Canada just a hotel into which the peoples of the world can check in when it suits them, as novelist Yann Martel famously put it, and check out when their own interests so require? To me, citizenship matters. It is in Canada's national interests that its people understand this and know and accept that there are rights and obligations that come from being Canadian.

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