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Immigration, neoconservatism and neoliberalism: The new Canadian citizenship regime in the light of European trajectories

Mathieu Forcier[1]* and Frédérick Guillaume Dufour[2]

*Corresponding author: Mathieu Forcier, Department of Sociology, Université de Montréal, 3150, rue Jean-Brillant, Montréal, Québec, Canada H3T 1N85474
E-mail: mathieu.forcier@umontreal.ca

Abstract: A vast range of recent academic scholarships seek to theorize the recent convergence of neoliberal, anti-immigration, xenophobic and populist measures and practices since the Crisis of 2008. This paper analyses recent changes to the Canadian citizenship regime and it compares this changes to neoliberal and neo-conservative trends in Europe. The authors argue that although it did not explicitly renounce its pluralistic orientation, the Canadian Conservative Party had already started its neoliberal and neoconservative reorientation of the Citizenship in Canada prior to the Crisis of 2008. Despite several similarities with European trajectories, the Conservative Party needs to deal with structural factors that are specific to the Canadian context: the electoral system; demographic trends; and a public opinion which, unlike in Europe, remains optimistic with regards to the economic contribution of immigration.

Subjects: Asylum & Immigration Law; Canadian Studies; Citizenship—Political Sociology; Citizenship—Social Policy; Governance; Migration; Political Parties; Political Sociology; Power; Race & Ethnic Studies

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ABOUT THE AUTHORS

Mathieu Forcier is a PhD candidate in Sociology at the Université de Montréal. His research interests are in the field of the sociology of nationalism, immigration and racism. He has worked on multiculturalism, islamophobia and labour market inequality in Canada. His thesis investigates the reproduction of national symbolic boundaries in Québec and Canada through social discourses related to immigration debates on social media.

Frédérick Guillaume Dufour is a professor at the Department of Sociology in the Université du Québec à Montréal. His main research interests are in the fields of political sociology, historical sociology and the sociology of nationalism. He is interested in the politics of memory and the politics of nationalist practices in Canada, Quebec and Germany. He has also published on the relations between neoliberalism and the transformations of citizenship. In 2015, he has published *La sociologie historique. Traditions, trajectoires et débats* at Les Presses de l'Université du Québec.

PUBLIC INTEREST STATEMENT

This paper is of interest to scholars, students, deciders and the general public since it concerns the transformation of immigration and citizenship politics in Canada under the Conservative government of Stephen Harper. With Canada being seen as a global leader regarding immigrant's selection and integration, it is necessary to analyse how its citizenship regime has recently undergone dramatic changes under neoliberal and neoconservative reorientations. It is also of interest for readers abroad because it dresses parallels with other international experiences and particularly European ones.

1. Introduction

The impact of the 2007–2008 financial crisis and ensuing economic crisis was more important in Europe than in Canada. Under crisis-induced and popular pressure, many EU states have sought to limit immigrant arrivals and some have encouraged repatriation (Koehler, Frank, Christine, & Julia, 2010). Since then, leaving aside states most affected by the economic slowdown, the decrease in migrations has globally come to a halt (OECD, 2013). Already in the early 2000s, many European states had added restrictions to their immigration policies concerning family reunification on grounds of "cultural integration", and had imposed integration contracts as well as pre-immigration examinations (Ruffer, 2011). In Europe, these restrictive measures are inscribed in a context of budget austerity and significant electoral gains by the far-right.

In Canada, no cuts were made neither to admission levels nor funds allocated to integration, which has led some to speak of a "Canadian exceptionalism" (Bloemraad, 2012). However, major changes have been made to Canadian immigration policies by the Conservative government since 2008. Even though this government reasserted the importance of immigration and restated its support for multiculturalism, it increased the proportion of economic immigration to the detriment of family reunification and humanitarian immigration, hardened the selection criteria and made access to citizenship more arduous and limited the possibilities for asylum seeking in Canada. All of this occurred in the midst of a steep rise in low-skilled temporary workers migration (Ramos, 2012). We must not exaggerate the differences between Canada and Europe with regards to the imposition of citizenship examinations, since this would create a false opposition between multiculturalism and integration and have us adopt a monolithic view of the EU that does not do justice to the diversity of integration policies, some of these sharing much in common with the Canadian model, while others are oriented towards non-liberal models (Banting, 2014).

An important scientific literature has sought to conceptualize this convergence between neoliberal, anti-immigration, xenophobic and populist measures and practices that would have been favoured by the crisis according to some, or accelerated according to others. Brubaker was already speaking in 2001 of an "assimilationist turn" in Europe where integration policies participate in a Schmittian liberalism that constructs immigrants as an anti-liberal threat to Western civilization (Triadafilopoulos, 2011). Many have sought to establish a correlation between the diffusion of a form of differentialist racism (Balibar, 1991) and the neoliberal era (Lentin & Titley, 2011), or to situate these measures in the context of a passage from neoliberalism to austerity (Abu-Laban, 2013). In the Canadian context, Ryan (2010) termed this form of populism which is hostile to multiculturalism, "multicultiphobia".

This paper analyses the recent changes made to the Canadian citizenship regime by comparing these with neoliberal and neoconservative influences in Europe. We ask to what extent the 2008 crisis is the originator of this new regime in Canada. By *citizenship regime*, we mean the ensemble of laws, practices and norms defining social closures relating to the access to, and exercise of citizenship.[1] We will use the term *neoliberalism* when referring to the "internationalisation of the power of dominant classes in advanced capitalist states, [the] consolidation of capital's structural power, market liberalisation and [the] bringing about of favorable conditions for private investors". We will call *neoconservatism* "a conservative movement in favour of strong security measures in a state where the executive power is based on an anti-liberal nationalism that denounces the 'paralysis' brought about by the legislative power and the 'political rectitude imposed' by post-WWII charters of rights implemented in liberal states". In its extreme version, conservative sovereignty:

> is deployed through securitarian measures that shape a new postcolonial alchemy of friend-enemy relations. Disciplinary practices exerted through these relations structure a state of constant social tension. It has as a background the expansion of competitive austerity measures, but this expansion is experienced in modes of life favoring a neoracialisation of social solidarity which is translated most notably by militancy against policies of affirmative action, cultural diversity, religious tolerance and politics of recognition directed towards non-hegemonic and subaltern social categories. (Dufour & Robitaille, 2011, pp. 66–67)

We will argue that without explicitly denying its pluralist orientation, the Conservative Party of Canada (CPC), more than the 2008 crisis, has since 2006 elaborated the foundations of a citizenship regime with important neoliberal and neoconservative components, which tie up immigration to the short-term needs of the labour market. In spite of many similarities with European trajectories, the CPC is dealing with, among other things, structural factors tied to the Canadian electoral system and Canadian demography, as well as a public opinion which is, unlike in Europe, optimistic about the economic benefits of immigration (Environics Institute, 2012; Transatlantic Trends, 2010).

2. Overview of European trajectories

The 2007–2008 financial crisis affected Europe more severely than Canada. The economic effects of the crisis were still being felt in the Euro zone by 2013. Unemployment rates are higher now than they were in 2007 everywhere in Europe except for Germany, and the situation is especially dire in the South (OECD, 2013, p. 76). Immigrant populations have seen their socio-economic conditions deteriorate in an important way (Collett, 2011; OECD, 2013; Picot & Sweetman, 2012, p. 36). The situation is at its most critical in Spain, where in 2010 unemployment among immigrants was close to 30%, more than 10 percentage points higher than in the native population (OECD, 2011, p. 85). Notable differences can be seen between states in how they politically administer the relation between recession, budgetary austerity and immigration. Between 2010 and 2011, European migration policies have become on the whole more selective in the case of economic immigration, and more restrictive in the case of family and humanitarian migrations, notably so in the UK and the Netherlands (OECD, 2012a, pp. 103–104; Tilly, 2011; Koehler et al., 2010, p. 26). These political responses to the crisis are of four types: (1) make immigration more difficult, (2) adopt protectionist measures that favour native workers, (3) intensify the fight against irregular immigrants, (4) encourage repatriation (Kuptsch, 2012). Adopted measures vary according to the recent flux of immigration, the scale of the crisis, the history of integration policies and their embedment in social policies concerning natives (Collett, 2011).

In 2009, the majority of the population in EU's five biggest states—Germany, France, the UK, Italy and Spain—was in favour of unemployed immigrants leaving their countries (Barber, 2009). Two states, Spain and the Czech Republic, put programmes in place that encouraged repatriation for unemployed immigrants (OECD, 2009, p. 30). Most other states did not pass new legislation, but they adapted pre-existing rules and hardened their application. This can be explained by the existence of many limitations, most notably commercial deals, bilateral accords, national and international law and the delays implied in adopting new legislation. The new Italian law criminalizing immigrants in irregular situations actually dates from a pre-crisis project of the Berlusconi government. Many states had already reoriented their migration policies in order to privilege skilled immigrants to the detriment of family reunification (Koehler et al., 2010).

Many states have adopted measures limiting the arrival of low-skilled migrants, by lowering quotas and modifying rules for obtaining visas, by making restrictive changes to the list of in-demand professions and by increasing the required minimum wage and minimum skill level (Koehler et al., 2010, p. 28). In order to lower the number of non-European immigrants, the UK has hardened its point system (Castles & Vezzoli, 2009, p. 70; Schmidtke, 2013). France has intensified its repression of irregular immigration, shutting down immigrant camps and increasing the deportation rate, notably among Romani people (Papademetriou et al., 2010, p. 15). Integration policies have also undergone budget cuts. Some countries in which the recession was less severe, such as Germany, Switzerland and Nordic countries, have maintained their efforts, while others such as Greece, Spain and Portugal made significant cuts (OECD, 2013, p. 101). These austerity measures are not necessarily correlated to the magnitude of GDP contraction. Portugal has maintained its commitment to the integration of immigrants, while less affected states such as the Netherlands or the UK have put more robust austerity measures in place. In these two countries, we are witnessing a retreat from the state in terms of integration (Collett, 2011). While important, the scale of the recession and economic factors explain only in part the hardening of immigration and integration policies, and the rise of anti-immigration sentiments. While the economic crisis has set off rollbacks everywhere, debates

have been livelier in Germany than in Spain, even though the effects of the crisis were significantly greater in the latter (Godenau, Vogel, Kovacheva, & Yan, 2012).

European and Canadian trajectories are distinct because of their respective economic context, but also because of their respective political context. In Europe, the rise of far-right parties has materialized during the 2014 European elections. It is the case that this rise also preceded the crisis, noticeably in the construction of immigrant minorities, especially Muslims, as potential threats (Yilmaz, 2012), however, the far-right has taken advantage of the crisis to promote its Eurosceptic and Identitarian agenda. Criticisms of immigration and of real or imagined versions of multiculturalism are nowadays not confined to the openly xenophobic far-right, but are also voiced by the conservative right and some social-democratic formations (Lesińska, 2014; Ozkirimli, 2012). Restrictive measures adopted since 2008 occur in a context where the rhetorical formulas about the "failings of multiculturalism" have been riding high. Such rhetoric has encouraged anti-immigration sentiments, mobilizing and articulating economic and identitarian anxiety, all of this despite the fact that immigration's (positive or negative) fiscal impact does not normally exceed 0.5% of the GDP, and that its effect on native employment is modest (Card, 2005, 2012; Kerr & Kerr, 2011; OECD, 2013).

The European context, already relatively hostile to immigration prior to the crisis, can explain the adoption of restrictive measures. More than half (55%) of Europeans support a reduction of immigration in their countries and regard immigrants as an economic burden, taking jobs away from natives and taking advantage of the social system (52%) (Pew Research Center, 2014). However, the view that immigrants are detrimental to native jobs varies a lot. It is shared by 62% of Britons, 41% of French and 23% of Swedes (Duffy & Frere-Smith, 2014). For some, this evolution of anti-immigrant sentiments would be tied to the severity of crisis-induced GDP contraction (Polavieja, 2013). Anti-immigrant sentiments would therefore be influenced by the macroeconomic context (Ruist, 2014). These sentiments, however, are not conditioned solely by the perceived impact of immigrants on the economy. Studies show that extra-economic factors such as national culture, natives' social status and the desirability of mixing with minorities, would hold more importance (Card, Dustmann, & Preston, 2005; Manevska & Achterberg, 2013; Schneider, 2008). Incidentally, the perception of economic and cultural threats is a key factor in the success of the far-right (Lucassen & Lubbers, 2012). Since 2008, we can see a growth in the number of people that reckons that immigration is more a problem than an opportunity also in states where the crisis had less of an impact, notably in France (46%) and the UK (68%) (2011 figures) (Transatlantic Trends, 2011).

3. Canada and immigrants: from future citizens to human resource

The Canadian immigration policy is one of mass immigration. In the last two decades, around 250,000 permanent residents have been admitted on an annual basis. The 0.7% ratio of immigrants per capita is one of the highest in the world. In spite of the economic crisis, the 2008–2009 recession, and austerity budgets, there has been no decline in the number of annual admissions (Posadzki, 2011; Reitz, 2012b, p. 17). In 2010, Canada welcomed a record number of 280,000 immigrants, before returning to 250,000 the next year (OECD, 2013, p. 258). This does not mean that the country's immigration policy has not changed. In fact, changes made are unprecedented since the point system was introduced in 1967.

Let us focus on the changes that go in the direction of tying up immigration to the labour market. It is worth recalling that the point system, a distinctive element of the Canadian model introduced five years after the abolition of the racial discrimination system, is meant as an effort to downplay the importance of family reunification, leading to the arrival of what is deemed too many low-skilled individuals, and to orient the selection towards economically skilled immigration (Kelley & Trebilcock, 2010, p. 354). Immigrants are attributed points according, among other things, to their skills, their linguistic proficiency and having been offered a job. The economic orientation of Canadian immigration is therefore not a recent development and the point system has already put high selection standards in place (Walsh, 2011). However, changes made since 2008 participate in a neoliberal

reorientation where immigrants' economic contribution is now evaluated on the short term, and where private employers are now acting as immigration officers.

The Canadian immigration system comprises three main categories: family reunification, humanitarian immigration and economic immigration. This last category comprises subcategories of skilled worker, provincial nominees, business people, Canadian experience class and caregivers. Measures implemented by the CPC favour economic immigration to the detriment of other categories (Reitz, 2012c). Let us look at the changes made to family reunifications. Claiming to be addressing fraud, the government now imposes on sponsored spouses to reside for two years with their sponsors. In 2011, the processing of applications for family reunification was frozen for two years and the government launched its "Super visa", a visa for parents and grandparents lasting for a maximum of two years, requiring a medical and a private health coverage since these migrants, being denied access to permanent residency, do not have access to public healthcare services either. While the government claims that this programme shows how it cares about parents and grandparents' desire to spend time with their families, it is in fact part of a push to put an end to what Minister Kenney considered an "abuse of Canada's generosity", i.e. it aims at a reduction of family reunifications, since parents and grandparents in these cases are perceived as a fiscal burden on Canadian taxpayers (Fitzpatrick, 2013). Taking into account the intersections of gender, "race", class and age shows that, on the one hand, this programme makes family reunification depend on financial situations—which puts racialized minorities and women at a disadvantage given their situation on the job market—and on the other hand that elderly women are more exposed to risks of abuse, since they often come to perform unrecognized domestic labour and childcare (Matsuoka, Sepali, Koehn, Beaulieu, & Ploeg, 2013; Neborak, 2013; Root, Gates-Gasse, Shields, & Bauder, 2014). In 2013, important reforms were made to the family reunification category: the required minimum earning for sponsoring a parent or a grandparent was increased by 30% above the low-income mark, the length of sponsorship went from 10 to 20 years and the sponsorship of children was restricted to a maximum of 18 years. According to the CPC, these changes are meant to reduce the fiscal impact of these immigrants who allegedly abuse of the social protection system (Citizenship and Immigration Canada (CIC), 2013a).

The Canadian experience class was created in 2008 in order to favour access to permanent residency for international students and highly skilled temporary workers, while access to permanent residency remains extremely limited for low-skilled temporary workers. With regards to the Federal Skilled Worker Programme, the minister informed immigration officers that applications from only about twenty or so professions would now be evaluated (Boyd, 2013, p. 50). In 2012, through a budget measure, the government eliminated about 280,000 pre-2008 applications and declared a pause, rejecting any new application to the Federal Skilled Worker Programme, unless accompanied by a job offer. On 4 May 2013, the moratorium on new applications was lifted and the new point system came into effect. This system favours candidates between 18 and 35 years old, and it requires taking a language test and providing an evaluation of academic degrees. It only processes demands made by candidates meeting at least one of the following criteria: a minimum of one year of experience in one of the 24 listed professions, an admissible job offer, or at least two years completed in a PhD programme at a Canadian university Citizenship and Immigration Canada (CIC, 2013b). These modifications were inspired by those made in Australia in 1999 (Reitz, 2012a, p. 526).

Drawing from models in place in New Zealand and Australia, the results of which do not justify abandoning the current model (Reitz, 2010), the CPC announced a major recasting of the immigration system in 2013. This new "declaration of interest" model was scheduled to come into effect in January 2015. Although it is presented as a reform of the system for evaluating applications meant to speed up the immigration process, it signifies in fact the end of the Canadian model. It will transfer powers to recruit immigrants from the state to private employers. Candidates to economic immigration will from now on have to fill an online form for which they will receive a grade, and their declaration of interest will be added to a pool employers can recruit from.

These legislations take Canada further away from its post-1967 vision of immigration articulated on citizenship, and tend to reduce immigration to a job offer (Beiser & Bauder, 2014). The speed with which these modifications to immigration policies were made can be explained by the fact that amendments to the 2002 Immigration and Refugee Protection Act were integrated by the CPC in its 2008 C-50 Budget Bill. Following the Canadian parliamentary procedures, where a majority vote against a budget leads to the dissolution of Parliament and new elections, Bill C-50 was adopted without any public debate. However, this amendment, condemned by the Canadian Council for Refugees (McWeeny, 2008), is of crucial importance. It centralizes powers into the hands of the executive and the Minister of Immigration to give out instructions to immigration officers and to make changes to the immigration application evaluation system without consulting or needing approval from Parliament. The minister's discretionary powers are increased, giving him or her the possibility of creating entirely new immigration categories (Boyd, 2013, p. 49). The neoliberal stamp on immigration is not confined to recruitment. It also extends to integration services, privatized in order to increase their flexibility and competitiveness (Flynn & Bauder, 2013).

Finally, pressures coming from private employers demanding a structuring of immigration according to supply and demand have brought about a radical transformation of the immigration regime by allowing a dazzling growth of temporary worker programmes (Piché, 2012; Valiani, 2013). A turning point was reached in 2008 when the number of annual admissions of temporary workers exceeded that of permanent residents for the first time. On the rise by about 70% over a period of 5 years, the number of admissions in 2012 was at 338,189 for temporary workers and 257,515 for permanent residents (Canadian Council for Refugees (CCR), 2012). These migrants have very diversified statuses, including skilled and low-skilled temporary workers, but also foreign students and humanitarian visa holders. Initially conceived to fill temporary labour shortages in skilled sectors, the temporary foreign worker programme (TFWP) is used more and more as a recruitment tool for a low-skilled and precarious work force. Precarious and disadvantageous working conditions, as well as inequitable legal restrictions, characterize jobs in programmes such as live-in caregivers, seasonal agricultural workers and low-skilled workers, who are treated as second-class workers (Fudge, 2012; Noiseux, 2012).

Over a decade, the number of foreign workers in Canada has gone from 181,794 to 491,547, an increase of 170% (Citizenship and Immigration Canada (CIC) 2013c). The TFWP comprises four broad categories: seasonal agricultural workers, in-home caregivers, skilled workers and low-skilled workers. The category of low-skilled workers was introduced by the Liberals in 2002. Since then, it is the category who saw the largest increase. In 2013, to total of low-skilled workers made up two-thirds of the program (Employment and Social Development Canada, 2015). This category of low-skilled workers creates extreme casualization of labour for foreign workers (Fudge & MacPhail, 2009). It illustrates the discriminatory character of citizenship and social closures regulating every aspect of these workers' lives in Canada (Sharma, 2006). Their presence on Canadian soil is in the hands of their employer; the latter has the power to initiate deportation procedures against them. In sum, once in Canada, they are not free workers on the labour market anymore (Alboim & Cohl, 2012, pp. 51–52; Piché, 2012, p. 131).

Under the Conservatives, the precarious conditions of temporary immigrants have been worsened by the imposition of a maximum of four years for work permits, which prior to this were renewable indefinitely (Marsden, 2012). Migrants reaching this four years limit have to wait four more years to renew their application. Some formal measures have been adopted to avoid abuse from employers, but their implementation in real contexts remains difficult to assess (Alboim & Cohl, 2012).

The growth of temporary immigration is a gendered and racialized phenomenon. Both the seasonal agricultural workers and in-home caregivers programmes have been denounced for their discriminatory nature. The former recruits mainly Mexican or Caribbean men, while the latter recruits essentially Filipina women. The former are condemned to a status of "temporary workers", despite the fact that the labour demand in this sector is permanent and not temporary. They do not have

access to permanent residency, nor can they reach that status through immigration programmes for skilled workers or the Canadian experience class, because their occupation is deemed "not in demand". In-home caregivers do, however, have access to permanent residency after two years of work, and 90% of them apply for it. For these women, temporary status is often tied to exploitative work conditions, bordering on quasi-enslavement (Depatie-Pelletier, 2008). Despite having access to permanent residency, they face systemic obstacles given their entry status in the country that considerably limit their prospects for long-term improvement of their work conditions. Also worth mentioning is that about two-thirds of these women hold university degrees (Atanackovic & Bourgeault, 2014).

Growing recourse to the TFWP participates in the "implementation of a migratory regime centered on a refusal of citizen integration" (Piché, 2009, p. 41). In 2008, the government created the Canadian experience class category, making access to permanent residency easier for some temporary workers. However, only skilled foreign workers can qualify. Low-skilled temporary workers do not have access to permanent residency. Given the growth of this category of migrants, a gap is created between worker status and citizen status, and this gap is widening. In fact, this low-skilled temporary migration is in rupture with a conception of immigration that goes in the direction of nation-building (Canadian Council for Refugees, 2010). Immigrants, even when they were selected according to their human capital, were conceived of as future citizens. In the new citizenship regime, skilled/low-skilled categories extend into citizen/non-citizen ones (Nakache & Kinoshita, 2010, p. 41). Faraday (2012, pp. 105–106) underlines that categories such as *temporary, low-skilled* and *foreign* have created a social order in which the role played by work in community-building is devalued and dissociated from active citizenship. In sum, the growing use of low-skilled workers contributes to the privatization of immigration in Canada (Trumper & Wong, 2010; Macklin, 2012). It favours de-unionizing and the casualization of the labour market (Noiseux, 2012), and it produces a class of economically and politically subordinated racialized workers (Marsden, 2011).

Until recently, the growth of temporary immigration did not arouse much interest in the public. However, in 2013 and 2014, the temporary workers programme created considerable controversy when it was revealed that RBC Bank and McDonald's restaurants had replaced Canadian workers with temporary workers. Then again, it was the fate of Canadian workers, rather than testimonies of migrants claiming to be feeling "like slaves" (ICI Radio-Canada, 2014), that became a volatile electoral issue. The CPC was forced to announce reforms, notably putting an end to the possibility for employers to pay these workers below the Canadian minimum wage. Some analysts cast doubt on the idea that these measures will improve the protection of these workers' rights: "Under the pretence of inciting employers to hire Canadians prior to having recourse to migrant workers, the Conservative government rather plays, all things considered, two ideological cards. On the one hand, by opposing Canadians workers to 'strangers', they transform the later into scapegoats responsible for unemployment affecting Canadians. On the other hand, "translated form french" (Provencher & Depatie-Pelletier, 2013).

The subordination of immigration policies to short-term needs of employers affects immigrants as much as temporary workers, who become respectively "permanent residents" and "temporary residents that profit the economy". With the attribution to private employers of this unprecedented role in shaping immigration according to the logic of a labour contract, immigration and citizenship policies are submitted to neoliberalism more than ever before.

4. Canada and its refugees: from the land of refuge to the land of suspicion[2]

Inscribed in the overarching tendency of the securitisation of immigration in the West (Crépeau & Nakache, 2006), one axis around which the new citizenship regime is deployed since 2009 is the adoption of more severe and suspicious practices towards refugees and asylum seekers in Canada. At the centre of this new regime is Bill C-31, implemented in December 2012. It is meant as a response to a crisis of the Canadian model in matters of refugees. To alleviate the crisis, an appeal is made to the Canadian public to be more vigilant, subjecting from now on asylum seekers to a

hermeneutic of suspicion. This rhetoric engages in a polemical use of concepts of crisis and integrity devoid of any scientific basis; they are rather inscribed in a long tradition of conservative theories of so-called "crises of governmentality" (Offe, 1985). This regime constitutes a rupture from the one that from the 1970s onward had contributed to define Canada as a welcoming country. Moving away from the Canadian humanitarian tradition participates in two ideological representations of asylum seekers. The first is of the "fraudulent immigrant" that would be seeking refuge in Canada in order to take advantage of the social protection system. The second evokes the figure of the false refugee threatening national security. The new regime is then inscribed in a logic of securitization of immigration, a "process through which migrations are integrated in a security system that emphasizes defense and control" (Bourbeau, 2013a, p. 22).

In the same vein, Canada adopted measures aimed at so-called accelerating the processing of refugee status demands. Central to this new policy is a list of "designated countries of origin". This list falls under the Minister of Immigration, and no expert committee participates in its elaboration. Countries figuring on the list are considered safe. Files from applicants living in these countries would not necessitate being processed with the same urgency, since it is presumed that they are already protected by institutions that abide by the rule of law. Their processing is therefore made more expedient, and can't be appealed.[3] When the list was first made public, many organizations for the defence of refugees' rights condemned the fact that countries known for their precarious situation in terms of human rights, such as Hungary and Mexico, figured on the list. When Bill C-31, which allows the minister to designate which countries are safe, was first read in the House of Commons, Minister Kenney put forward the security and financial concerns: "We have been spending precious time, as well as taxpayer money, for way too long for people that do not need our protection" (ICI Radio-Canada, 2012).

In Canada, as in Europe, an important part of neoconservative sovereignty's show of force targeted Roma populations. Roma populations in Hungary and in the Czech Republic were dissuaded, through different means, from applying for refugee status in the country (Westhead, 2013; Levine-Rasky, Beaudoin, & St-Clair, 2014). When he was Minister of Immigration, Jason Kenney depicted Roma people as delinquents seeking to take advantage of Canadian institutions.

These recent legislative changes also draw attention because they take part in a criminalization of immigration in Canada. C-31 indeed allows for an increase in the detention of asylum seekers, many of them are detained with criminals without having been trialled or convicted of any crime. In 2012, 289 immigrant children were thus detained (CBC, 2012). In Canada, one out of three asylum seekers is detained in a penitentiary institution, such that the latter "exerts, in a way reminiscent of 'internment camps', a function of spatial, legal and social segregation that aims at marking asylum seekers as an undesirable population" (Nakache, 2013, p. 83). Indeed, the concept of criminalization not only refers to the imposition of penal sanctions, but also speaks to the development of a culture of suspicion towards asylum seekers, who are discursively tied to fraud, human trafficking, crime and terrorism; in short, they are portrayed as posing a threat to society (Atak & Crépeau, 2013, p. 231).

Minister Kenney justified passing Bill C-31 by evoking events that had drawn a lot of attention and stimulated a feeling of insecurity among the population: the arrival of two ships filled with irregular immigrants seeking asylum off the coast of Vancouver in 2009 and 2010. The Canadian Navy intercepted the *Ocean Lady* and the *Sun Sea* with, respectively, 76 and 492 Tamil migrants on board. Media coverage of the arrival of these migrants, who were put in detention centres, triggered a xenophobic wave among the population. Minister of Security Vic Toews had done his part to encourage suspicion towards these "illegal" migrants by entertaining doubts about their connections with Tamil Tigers terrorism and intimating that this was a case of human trafficking (Campbell, 2010). Prime Minister Harper claimed that this arrival of migrants created a "significant security concern", and went on to announce that his government would not hesitate to strengthen immigration control and laws.

Government ministers had already securitized their discourses on immigration before the Harper government took office. However, we do observe a growth in the association between immigration, terrorism and national security after 2001 (Bourbeau, 2013a). The Immigration and Refugee Protection Act adopted by the Liberal government in 2002 was a practice of securitization. It facilitates the detention and deportation of asylum seekers. Comparing recent cases with a similar case from 1999 is interesting. Five hundred and fifty-nine Chinese immigrants on board 4 different ships had made it into the Port of Vancouver, and hoped to stay in Canada. At the time, dominant discourses in the media represented these events as a crisis, a threat to the security and sovereignty of the Canadian state (Bradimore & Bauder, 2011, pp. 639–641). While the Citizenship and Immigration Minister at that time, Elinor Caplan, adopted a securitization discourse, then Prime Minister Chrétien, unlike Harper, did not replicate it. He instead defended a positive representation of immigration and called to mind its contributions to Canadian society (Bourbeau, 2013b, p. 142).

Some of the new measures put in place by the CPC were contested in court (Galloway, 2013; Secher, 2014; Zambelli, 2014). One was the authorization of preventive detention for periods up to one year in cases of arrivals deemed "irregular" by the Minister of Public Safety. Another of these measures would deny "irregular" refugees and applicants from designated countries of origin, adults and children alike, access to healthcare during their detention in Canada. This measure jeopardizes the Interim Federal Health Program, which guaranteed access to healthcare for asylum seekers waiting for refugee status. In July 2014, the Federal Court declared that the new policy for refugees violated the Canadian Charter of Rights and Freedoms, especially Article 12 on the protection against cruel and unusual treatment, and Article 15 against discrimination.

The consequences of these measures were rapidly felt. While the number of asylum seekers and refugees reached a global high in 2012, the number of resettled refugees went down, and the number of asylum seekers dropped from 60% at the start of 2013 (Thibodeau, 2013). As the number of asylum seekers increased by 10% in 2012 in the US, it went down 19% in Canada (Westhead, 2013). Compared with 2011, and therefore prior to the passing of Protecting Canada's Immigration System Act, there are two times less asylum seekers today, while the number of detained seekers remains stable (ICI Radio-Canada, 2014). While the CPC self-congratulates over this reduction, the capacity of Hungary's legal institutions to protect its Jewish and Roma minorities has been seriously put in doubt (Dalos, Miklós, György, & László, 2012).

The recent Syrian refugee crisis has somewhat revealed the importance of the ideological stance of the PCC. In Geneva on 9 December 2014, Canada rejected the idea of adding places for Syrian refugees. When the picture of the young Aylan Kurdi made the front page of every newspaper, shocking the public opinion and forcing head of western states to acknowledge their responsibility and to respond, Immigration Canada had already a backlog of 7,500 applications from Syrian refugees—of these 2,000 were classified as the most vulnerable by the UNHCR. Nonetheless, the PM's office has urged Citizenship and Immigration Canada to stop the processing of these Syrian refugees listed by the UN. It was later revealed that the family of the young boy had made an unsuccessful attempt to come to Canada—her aunt lives in Canada and tried to resettle her kin.[4] The crisis forced the Conservative government to react in the middle of the federal election.

Contrary to the Canadian Government, the UNHCR considers only vulnerability, regardless of the refugees' confession. Harper publicly expressed that those from religious minorities and particularly targeted by ISIS, read Christian Syrians, should be treated with priority. In fact, the PM never hid that Canada should be privileging refugee claimants of Christian faith and other minorities at the expense of Sunni Muslims. The government thereby bluntly neglects the fact that the Assad regime is making civilian victims mostly in Sunni areas and that the vast majority of refugees who fled in neighbouring states are, therefore, Sunni Muslims (Lund, 2014). The government promised to welcome 10,000 Syrian refugees and, by counting on private sponsorships mainly supported by Christian churches, Sunni Muslims are disproportionately underprivileged. Such private sponsorships is in line with the conservative ideology of self-responsibility. That crisis happened during the federal election

during fall 2015. The PCC campaigned on economy, but also another topic which took more and more importance in their discourse as the days went by security. When the minister Alexander announced in September 2015 that the Conservative government would speed up Syrian refugee settlement he declared "security screening will remain the top priority" (cited CBC, 2015a). Furthermore, while opposition leaders called for welcoming more refugees, Harper qualified the settlement of refugees as "just one small aspect" of the crisis, privileging an intensified military solution against ISIS overseas (cited CBC, 2015b). The subtext of such an ideological management of a humanitarian crisis couldn't be clearer: Christians aren't a security risk, while Muslims are.

The Conservatives also tried to divert the public opinion of their record with the proposal to forbid face-covering at the Canadian citizenship oath. It is obvious that the Muslim women wearing the niqab were the real target since a woman from Pakistan contested the ministerial directive by which the niqab ban was first enacted. It's in 2011 that the then Minister Kenney introduced this ban on veils, supporting that taking oath with a niqab undermines the value of Canadian citizenship. The tribunals gave reason to the claimant and invalided the ban. The government made appeal of the judgement issued by the Federal Court in February 2015. In September, the Federal Court of Appeal rejected the appeal and reiterated the right to take oath while wearing a niqab. The Conservatives built on the argument of gender equality, an argument that proves its power in debates around the veil in many western European states, but also in Quebec. Harper has said that the niqab is "rooted in a culture that is anti-woman" (cited Chase, 2015). They added to it an argument of security, a topic particularly sensible in Canada since the murders of two military on Canadian soil by two individuals motivated by ISIS Islamic propaganda. The niqab was then related to an Islamic threat, nurturing a climate of suspicion linking migrants, Islam and insecurity.

5. From citizen-worker to worker at the margins

Citizenship is at the same time an instrument and an object of social closure. It establishes a discriminatory boundary between citizens and non-citizens categorized as foreign (Brubaker, 1992). The degree of openness of this closure reflects national trajectories and different conjunctures. In 2007, Canada's naturalization rate was one of the highest among OECD countries at 90% (Liebig & Von Haaren, 2011). According to the data available in the 2010 *Migrant Integration Policy Index*, Canada's access to citizenship score was at 74%, while European countries' scores were at 44% on average (Huddleston et al., 2011). Access to citizenship has become more and more complicated for immigrants in the last few years. While many Canadian commentators show growing concern over these recent transformations, the government justifies them as reflections of the high value of Canadian citizenship. These modifications are rightly interpreted as a neoconservative reorientation of the Canadian citizenship regime.

Modifications made by Parliament to the Citizenship Act in 2009 went in the direction of an ethnicization and a securitization of citizenship, notably in limiting the attribution of citizenship by filiation for individuals born outside Canada (Winter, 2014b; Harder & Zhyznomirska, 2012; Marwah & Triadafilopoulos, 2009). Regarding immigration more specifically, the OECD noted in 2012 a drop of the naturalization rate in Canada since 2008, and attributed it to a hardening of the rules for accessing citizenship (OECD, 2012b, p. 140). In 2009, the government issued a new citizenship guide and later modified the citizenship examination in 2010. Access to citizenship for immigrants is conditional to passing an exam on Canadian rights and freedoms, history, values and institutions. While native Canadians failed the previous version of the exam two times more than immigrants (Banting, 2014, p. 77), the government made the exam even more difficult and raised the passing grade. In 2010, the failing rate went from between 4 and 8 to 30%, forcing a revision of the exam to bring that rate back down around 20% (La Presse canadienne, 2010). A similar scenario occurred in 2012 (ICI Radio-Canada, 2013).

The new citizenship guide is symptomatic of what the government means by "revaluing citizenship". It lays out a representation of the Canadian nation in which civic values and traditions are marginalized in favour of the military component (Marwah, Triadafilopoulos, & White, 2013, p. 109; Raney & Nieguth, 2012, p. 6; Tonon and Raney, 2013). The militarization of procedures surrounding

access to citizenship extends to modifications made to naturalization ceremonies. Since 2011, an active member or a veteran of the Canadian Army has to be present for each ceremony, he or she is to be thanked by the judge for his or her services to Canada, and can even preside the ceremony (Winter, 2014a, p. 11).

Aiming at securitizing citizenship, the Ministry launched a campaign against fraud, appealing to citizen vigilance and setting up a phone line for members of the public to report any fraudulent behaviour with regards to citizenship (Alboim & Cohl, 2012, p. 43). Minister Kenney had suggested that this type of fraud was widespread, but the number of citizenship revocations after enquiry is negligible (Winter, 2014b, p. 10).

In 2012, norms concerning linguistic proficiency in at least one official language have been hardened. Until then linguistic competence was evaluated informally, but now applicants must produce an objective proof of comprehension and oral expression certified by a third party. In Europe, by contrast, knowledge of language and culture are not tested only for gaining citizenship. The imposition of language tests in order to obtain a residence permit has been on the rise between 2007 and 2009, and in some countries such as Germany and the Netherlands, they have been made mandatory in order to obtain a visa (Winter, 2014b, p. 10).

In 2014, the new Minister of Citizenship and Immigration, Christopher Alexander, announced a modification to the Citizenship Act, Bill C-24, which received royal sanction on 19 June. This Bill is very controversial. In June, a letter signed by 60 professors from Canadian universities was sent to the Minister. It claimed that this legislation will do the opposite of what it aims for, i.e. it will weaken Canadian citizenship by creating a citizenship regime discriminating against individuals who have double citizenship and citizens with immigrant backgrounds. Incidentally, the Canadian Association of Refugee Lawyers (CARL) will challenge Bill C-24. This legislation will make it harder for immigrants to access citizenship and will endow the Minister with the power to take away citizenship and to banish Canadians who have double citizenship. Among the changes made, permanent residents must now wait four years to apply for citizenship instead of three, evaluation of applications takes longer, the right to appeal to tribunals has been revoked and the fees for language tests have increased. Concerning the revocation of citizenship, many commentators note that the law creates two classes of citizens, first class citizens being those who are citizens of Canada only. Canadians with double citizenship now risk seeing their citizenship revoked by a federal official if they have acted in ways contrary to "Canadian values" and have been convicted for a crime in Canada or in a foreign country, democratic or not (Macklin, 2013; Canadian Association of Refugee Lawyers (CARL), 2014). The minister will now have the power to ban a Canadian by revoking his or her citizenship without any audience before a judge. The Canadian Bar Association (CBA) denounces this disposition and claims it is going against the Constitution: "Banishment is one of the most severe forms of punishment that can be imposed on a citizen, and it has not been in use since the Middle Ages. The retroactive character of the dispositions makes them even more shocking. [...] Recourse to banishment as punishment, and its retroactive application, are unacceptable and probably unconstitutional" (Canadian Bar Association (CBA), 2014, p. 22). According to Law professor Audrey Macklin, this amounts to a paradigmatic rupture where citizenship is no longer seen as a right, but as a privilege and a commodity (quoted in Black, 2014).

6. A clientelist tax system that increases inequalities and reinforces the patriarchal family

On the federal political scene, the difference between the political offers of the Liberal Party of Canada (LPC) and of the CPC does not so much lie in embracing economic neoliberalism or not (McBride, 2005, pp. 98–122). The two parties have adhered to neoliberalism for the last 20 years. It is therefore often in the clientelist modalities of the application of tax rewards that both political offers can be differentiated. Fiscal policy allows rewarding a certain clientele and facilitating the adoption of certain modes of life.

The fiscal measure that contributed to the election of a Conservative government in 2006 was the promise to reduce the federal tax on goods and services from 7 to 5%. This measure deprived the state from part of its revenues. Since 2006, the CPC has followed up with Bill C-4, which weakened unions, and a reform of unemployment insurance (C-45) that was implemented in January 2013. This reform targeted seasonal workers in particular, a category of workers found less frequently in Conservative ridings. Meanwhile, private employers gained strength through migrant workers programmes.

In terms of clientelist fiscal measures, the CPC adopted a policy of income splitting between family members, to which provinces then followed suit. The first section of this policy applied to pension revenues; the second section should extend to households with children under 18. This measure allows the highest earning spouse to transfer as much as 50,000$ to his or her partner. This measure neutralizes the progressive character of taxes. A study of the financial impacts of this measure indicates that: (1) it deprives the state and provinces from a very important revenue source; (2) it essentially benefits well-to-do households; and (3) the majority of Canadians will reap no significant benefits from it (McDonald, 2014). The measure also has an effect on relations between sexes by rewarding inequalities of revenue between spouses. In general terms, the measure targets households with a patriarchal profile, where the wife is financially dependent on her husband, stays home and raises the children. This profile is found more frequently in religious communities, whether with immigrant background or not, loyal to the CPC. These communities were targeted during the 2012 federal elections campaign (CBC, 2012).

7. Crisis, neoliberalism and neoconservatism in Canada
We can now propose two theses on the relation between the 2008 crisis, the implementation of neoliberal measures and the mutation of the Canadian citizenship regime. First, economic policies that favour fiscal austerity predate the 2008 crisis in Canada. Second, it is difficult to derive the new citizenship regime from the 2008 crisis. Neoliberal and neoconservative measures that constitute the new Canadian citizenship regime have to be resituated as participating in the extension of the CPC's ideological project since 2006.

Born of the alliance between the Reform Party of Canada and the Progressive CPC in 2003, CPC's ideological project calls into question the ensemble of institutions that left a mark in Canada since the post-war period. These institutions, far from being the unique work of Pierre Trudeau and the LPC, were sometimes initiated and defended by the Conservative Party from John Diefenbaker to Joe Clark. They derived from a liberal conception of the post-war international legal order that was institutionalized notably through: (1) Canada's participation in international multilateral organizations; (2) the alignment of national policies on international conventions in matters of human and refugee rights, such as the 1948 Universal Declaration of Human Rights and the 1951 Convention relating to the Status of Refugees; (3) a distancing from British and French colonial heritages in favour of a national identity based on the institutionalization of multiculturalism in a bilingual framework.

On the domestic front, CPC's distancing from the post-war heritage is blatant. In matters of identity politics, values championed by Canadian Conservatives converge on many points with the republican-conservative recasting of Québécois nationalism that has been speeding up since 2007. The latter's cornerstone is a variably articulated distancing from the Canada associated with the Charter of Rights and Freedom. Conservative Canadians oppose the Charter on the grounds of "Canadian values", while Québécois conservative nationalists oppose it on the grounds of "Québécois values", two expressions that are at best equivocal in juridical, normative and empirical terms. These forces also unanimously condemn the "government of the judges".

Another axis around which conservatives articulate their criticism of post-war institutions is the critique, toned-down outside of Québec, but more ferocious in Québec, of multiculturalism (Ryan, 2010). Again, this is not new. Jenson and Philips (1996) underline that as soon as the mid-1990s, Keynesian social policies meant to integrate groups socially, groups which Porter (1965) had shown were discriminated against in the Canadian mosaic, were accused of opposing "specific interests" to

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"ordinary Canadians". With the new conservative citizenship regime being implemented since 2006, the British heritage, monarchy and the military become markers constitutive of Canadian identity.[5]

At the federal level, even though the CPC's social base is anchored in Alberta, its success depends on gathering support in other provinces. Among the structural component of such success is the shift of the country's economic and demographic balance of power to the West. At the heart of the tar sands extractive industry, Alberta is the main beneficiary of this shift. The relative decline of many European economies relative to Asian economies favours this tendency. The CPC has also benefited from a conjuncture where the LPC has had difficulty since 2006 recovering from a decade of scandals. The CPC then played its electoral cards very well, by conquering new elector profiles: the catholic vote outside Québec, more conservative cultural communities, and suburban areas around certain important cities (Gidengil, Neil, André, Joanna, & Patrick, 2012). Lastly, the CPC has tactfully taken advantage of the division of the vote among opposition parties.

8. Conclusion: the implementation of the conservative citizenship regime in Canada

In order to implement its new citizenship regime in Canada, the CPC can count on some very solid foundations. It can rely on its 30 or so seats in Alberta, its foundations are also important in Saskatchewan and Manitoba, and it has made some significant breakthroughs in British Columbia and Ontario. In the 2011 elections, its breakthroughs in urban centres followed an important marketing campaign: *Breaking through: Building the Conservative Brand in Cultural Communities*, which targeted 30 ridings with high ethnic concentration (CBC, 2012). This campaign is revealing of the Conservative paradox in terms of immigration in Canada. Even if studies show that CPC supporters would be the less well disposed towards immigration (Reitz, 2011, p. 20), party strategists know all too well that winning and forming a majority government would be hard without any deputation from ridings with a high concentration of ethnic groups or immigrants. This leads us to contextualize some key sociopolitical factors in the trajectory of the conservative citizenship regime.

The first factor is electoral and demographic. Canada's most populated cities are home to an important number of immigrants or immigrant descendants. Out of the 200,000–250,000 immigrants that enter Canada each year, the city of Toronto alone receives more than 100,000 of them. One hundred and six out of the 308 seats in the Canadian Parliament are located in Ontario. Also, Canadians in general have an optimist view of immigration and the latter is usually not a central theme in federal electoral campaigns (Bloemraad, 2012; Reitz, 2011, 2012a). A political formation that does not take this into account would have great difficulty forming a majority government.

Another sociopolitical factor that distinguishes Canadian politics from many European countries is the first-past-the-post majority system. It creates a centrifugal effect that forces compromises within political parties, excludes smaller parties from power positions and forces parties to adopt policies situated at the centre of the political spectrum. This dynamic tends to exclude the influence of far-right parties as well as formations that present themselves as "alternatives to old parties". However, the present Canadian context is not a textbook case because of the LPC's crossing of the desert. In this conjuncture, the CPC's strength lies in part on the division of its opposition. Although the CPC scored close to 41% in polls that followed his 2011 victory, it has had difficulty scoring higher than 35% since March 2012 and 31% since March 2013. The remaining 70% is distributed among the four other political parties. This conjuncture allows Conservatives to move more to the right and to choose with caution the issue they put forward.

These factors and this conjuncture also explain the elements the CPC must take into account. For one thing, the conservative citizenship regime opens the door to neoliberal measures, but is more cautious in terms of measures that are specifically anti-immigration. The CPC has to keep the support of more conservative elements within cultural communities, without appearing too "open" in the eyes of electors that are less favourable to immigration. This explains in part policies that aim at seducing patriarchal electors such as income splitting, as well as more populist and authoritarian policies towards less well-organized populations that have little or no electoral weight, such as

Roma people, refugees and low-skilled temporary workers. The more neoliberal part of the new regime aims at putting immigration at the service of the private sector and reassuring conservative voters that would doubt the economic interest of immigration. This part comprises the quiet abandonment of the point system in favour of the private sector taking charge of the selection of immigrants, a lowering of non-economic immigration quotas, and a discourse indicating to the Canadian public that Conservatives are serious about debunking those who abuse of the immigration system. The CPC also keeps a fragile balance between seducing different electoral clienteles, the renewal of important immigration quotas, the transfer of public powers to private employers and the defence of social conservatism.

With these transformations, we see the deployment of a neoliberal mode of regulation infiltrating the new Canadian citizenship regime. As in Europe, elements of a neoconservative exercise of sovereignty are also at play. The executive power shapes a system of performative categories that distinguishes economic immigrants from other immigrants, the refugee who has rights from the one who does not, and the skilled citizen from the low-skilled worker. With this new regime, the executive power acquires a capacity to humiliate, detain, and deny care, that tends to escape rational-legal and transparent appeal procedures supervised by independent courts.

Author details
Mathieu Forcier[1]
E-mail: mathieu.forcier@umontreal.ca
Frédérick Guillaume Dufour[2]
E-mail: dufour.frederick_guillaume@uqam.ca

[1] Department of Sociology, Université de Montréal, 3150, rue Jean-Brillant, Montréal, Québec, Canada H3T 1N85474.
[2] Department of Sociology, Université du Québec à Montréal, 1255, rue Saint-Denis, Montréal, Québec, Canada.

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Notes
1. On the notion of citizenship (see also Jenson, 2007, p. 28).
2. The process of determining refugee status has been modified in depth recently by Bill C-11 in 2010 and Bill C-31 in 2012 Modifying the Law on the Protection of Refugees, the law passed in 2012 has a very revealing wording: Protecting Canada's Immigration System Act.
3. Judicial remedy in a Federal Court is still possible. Individuals coming from a "designated country" cannot ask for an evaluation of the risks of repatriation before 36 months, which is an extension of 24 months with regards to ulterior procedure.
4. According to Citizenship and Immigration Canada, no application has been sent for the father of young Kurdi and his family. However, they did receive an application on behalf on another brother of Mrs Kurdi living in Canada, Alan's uncle. This application has been returned, judged incomplete and unsatisfactory.
5. In Québec, the republican-conservative recasting of nationalism rejects multiculturalism in the name of a republican variant of the critique of "specific interests" that would go against the interests of the ethnic majority. Under Pauline Marois, the Parti Québécois promoted, among others things, the reduction of immigration, a nationalist teaching of history and a ban on religious symbols said to be "ostentatious" worn by public servants.

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