‘CITIZENSHIP THEATRE’: Refugee Claimants, Security, and Performing Citizenship at the Immigration and Refugee Board

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ABSTRACT

In December 2012, the Canadian refugee claimant system underwent unprecedented reforms. Alongside the introduction of a tiered system in which claimants’ pre-hearing timelines are determined by their country of origin, exceptional discretionary powers were vested in Ministers to decide which countries receive differential treatment and which groups of two or more claimants will be subject to immigration detention. While these reforms may be understood as measures taken to increase border security and limit refugee social spending, placing these reforms in conversation with other profound shifts in Canadian immigration regime – namely, Canada’s increasing reliance on temporary foreign workers – reveals that refugees also play a critical role in the broader citizenship arena, such that recent restrictions on refugee entrance processes are not simply a means of enacting security, but performing citizenship.
Politics, for better or for worse, have often been likened to a playhouse (e.g., Schechter, 1985; Morley, 1990; Starobin, 1996). Drawing on notions of unscrupulous political actors engaging in “bad theatre” (Kennedy, 2013), politicians are often chastised for their use of theatrical tactics, from “manufactured, cornball appeal to sentiment” (Starobin, 1996 p. 2102) to overt manipulation “rather than traditional productive enterprise” (Schechter, 1985 p. 4). The Canadian political realm in particular offers many sites for observing individual and partisan theatrics, with politicians’ disciplined abidance to party positions landing them the label of “trained seals” (Kennedy, 2013; Radia, 2013). Indeed, in reference to Canadian politics as a venue of overt theatrics, even the nation’s legislatures have been affectionately noted as “furnishing the locale for the main stage” (Morley 1990, p. 19).

Certainly, the politicos’ (at times inadvertent) embrace of performance art is not confined to remaining involuntary fodder for political commentaries, but instead, is often used as a tool to broadcast party identity and send direct and indirect signals to the public regarding policy positions. As a vehicle, persuasive, ideational political discourse often becomes the mechanism through which macro- and micro-level party ideas are communicated to shape public perceptions and effect change in policy (e.g., Schmidt, 2008). To this end, the increasing securitization of Canadian citizenship by way of tightening borders with regards to a particular, increasingly fraught population – refugee claimants. Formerly a more welcomed humanitarian cornerstone of the Canadian immigration identity, refugee claimants are increasingly regarded as suspect, bogus, potential invaders (Bradimore and Bauder, 2011). Accordingly, policies governing the entrance and treatment of refugee claimants in Canada have recently undergone dramatic and unprecedented reform through both Bill C-31, the "Protecting Canada’s Immigration System Act" and through the "Protecting our Streets"
and Communities from Criminal and National Security Threats Act, including the erection of structural barriers to limit claimants’ entry to Canada and the creation of punitive measures should individuals attempt to circumvent the institution.

However, given the virtual absence of incidents tying refugee claimants or the refugee system to material security concerns in Canada, strictly security-based explanations prove insufficient in explaining the underlying reasons behind recent refugee reform. As such, this paper places this shift in refugee processing conversation with another profound shift in Canada’s immigration regime – unprecedented reliance on low-skilled temporary worker programs that not only tie labourers to a single employer once in Canada, but offer no direct pathway to citizenship or job security. Observing these reforms not as isolated migration streams but components of a broader immigration regime highlights either stream’s function as working towards the particular neoliberalized immigration policy vision of the current Conservative government. As such, refugee reforms are intrinsically linked to reforms in temporary labour policy and vice versa; here, it is argued that in addition to the government-stated goals of the recent refugee reform, Bill C-31 and the Protecting Our Streets also serve to comprehensively address and balance aforementioned issues of the highly critiqued temporary foreign worker program.

Within the realm of critical security and securitization studies, literature examines government-harnessing of the power of performativity as a means of disciplining action and perception with regards to security through the concept of security theatre (e.g., Amoore and Hall, 2010; Salter, 2008; Vuori, 2010). To examine Canada’s recent unprecedented refugee reforms, this paper conceptually broadens the notion of security theatre to argue that Bill C-31 and related reforms are, in part, a reaction to the dilution of citizenship norms resulting from increased reliance
on temporary migration, and moreover, that these reforms have placed the IRB at the centre of what this paper terms citizenship theatre. Here, policy and performance intersect to create caricatures of citizenship protection through the exclusion of the undeserving refugee, obfuscating real citizenship violations enacted by the government through economic-minded temporary labour migration.

Engaging tenets of security theatre, ideational theory (e.g., Bleich, 2002; Schneider & Ingram, 1993), and the role of persuasive discourse in legitimizing policy change (Schmidt, 2008; Mulvey, 2010), the remainder of this paper examines the relationship between refugee processes reform and the temporary foreign worker program. First, a discussion of the normative notions of Canadian citizenship serves as an entry point to this analysis, followed by an overview of recent refugee reforms and Canada’s low-skilled temporary foreign worker program.

**Citizenship: Normativity and Deviations**

Nyers (2004) describes citizenship as “at once one of the most celebrated and most problematic of political concepts” (p. 203). Indeed, as a concept central to TFW critique and IRB reform, the issue of citizenship and exclusion is of primary importance to this paper. Nyers (2004) argues that while citizenship is largely understood as a positive manifestation of political identity that embodies modernity, equality, and self-determination, it is often deeply problematic “precisely because its accomplishments are almost always realized in a highly unequal – indeed, exclusionary – fashion” (p. 203). Historically, Canada has viewed citizenship through both a pragmatic and normative lens. Key characteristics such as permanency and the right to family reunification accompanied the status of citizen, which in turn accompanied migration
since immigration was foregrounded as a national growth strategy in the 1960s\(^1\) (Sassen, 1999; Pendakur, 2000; Kelley and Trebilcock, 2010; Valiani, 2013). The right to remain permanently and to enjoy job mobility was granted to all eligible new citizens both because of normative and practical considerations regarding long-term economic growth and nation building (Lenard and Straehle, 2012).

Yet, as evidenced by both increasing reliance on temporary precarious labour and recent shifts towards refugee exclusion, the Canadian citizenship regime is undergoing profound transformations as the tenets of *citizenship* are increasingly divorced from the notion of migration (Lenard and Straehle, 2012; Valiani, 2013; McLaughlin & Hennebry, 2013). To this end, the aforementioned three historically bound characteristics of citizenship and migration – the right to remain permanently in Canada, the right to employment mobility within Canada, and the right to reunite with family – serve as a conceptual benchmark in this analysis (e.g., Goldring & Landolt, 2013; Valiani, 2013; Sassen, 1999). These norms have been previously understood as a bundle of rights to both attract newcomers to Canada, and to ensure the nation’s long-term societal and economic growth through permanent residency. Indeed, *permanency*, implicitly understood as accompanied by “rights and entitlements that have come to be known as the basic starting point for inclusion in Canadian society”, is a desirable characteristic for migrant and receiving nation alike for its perceived utility as a means to both attract and integrate newcomers (Valiani, 2013 p. 56), alongside rights to mobility and family sponsorship. However, these once established components of a highly centralized and tightly controlled immigration regime are discarded in favour of decentralized policy arrangements that embed precarity and structural vulnerability into the fast-growing temporary worker regime.

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\(^1\) This is not to suggest the issue of stratification and exclusion was not prevalent prior to the introduction of the TFW program. Racial requirements remained official tools of exclusion, precluding visible minorities and non-Anglo Saxon origins from permanently entering Canada or becoming citizens until 1967 (Triadafilopoulos, 2012).
Importantly however, this is not to imply that such norms and more broadly, this understanding of citizenship is unproblematic. Framing citizenship as an institution validated by the presence of permanency, mobility, and reunification rights provides too narrow a reading of an institution that is increasingly enacted by persons as a means of contesting, not legitimizing, the state as its bearer (e.g., Darling, 2013; Isin, 2008). Counter to this, critical citizenship scholars examine the use of citizenship as a label to discern deserving from undeserving (e.g., Stasiulis, 2013; Ragaazzi, 2013), as a notion recreated through biometrics at borders (e.g., Walters, 2011; Rygiel, 2013), and as an institution to be contested and (re)formed by illegalized migrants who claim the right to have rights (e.g., Cisse, 1997; Ashutosh, 2013; Weber, 2013). This essay does not seek to afford primacy to the historic conceptions of citizenship and migration as a dyad, nor does it advocate for the application of these three characteristics to the temporary foreign worker programs without first a critical evaluation of the subsequent ramifications. Rather, the remainder of this paper seeks to highlight the manner in which recent policy changes relate to ‘citizenship’s’ ongoing devolution and divorce from migration, as it is normatively and historically understood in Canada.

**Reforming Refugee Policy in Canada**

In Canada, potential refugees may enter through one of three streams: as a Government-Assisted Refugee (GAR), through the Private Sponsorship of Refugees program (PSR), or, of importance to this analysis, as an inland refugee claimant (RCs). Both GARs and PSRs are individuals living outside of Canada who fit the refugee criteria, as defined by the 1951 Geneva Convention and its 1967 Protocol (CIC, 2012b). People are determined to be GARs and PSRs by CIC officers overseas, and once successful, are sponsored by individuals (PSRs) or the Canadian government (GARs) to be resettled in Canada. Conversely, refugee claimants are persons who make their claim
at a port of entry to Canada, such as an airport or by sea. Claimants have their case heard at the Immigration and Refugee Board (IRB), where it is determined if they are a refugee, pursuant to the same criteria used to determine GARs and PSRs (CIC, 2012b).

In December 2012, the procedures governing persons seeking protection in Canada underwent extensive institutional reform through the enactment of Bill C-31, Protecting Canada’s Immigration System Act as well as the Protecting our Streets and Communities from Criminal and National Security Threats Act. Two broad reformation trends can be discerned from the enactment of these two bills: (i) administrative reforms that affect the conditions under which refugee claimants interact with the IRB, and (ii) punitive trends meant to deter and punish persons seeking access to Canada through irregular migration measures. Together, these reforms can be understood to signal the broad re-centralization of immigration and citizenship determination in Canada.

First, major structural reform was enacted to increase the rapidity of refugees’ IRB interactions and adjudication hearings. Claimants’ formerly had up to 45 days to submit their initial Basis of Claim (BOC) information form outlining all claim details, but are afforded just 15 days following Bill C-31. Similarly, the wait time prior to one’s IRB hearing was limited from as long as 1000+ days to 45-60 days post-reform (CIC, 2012f). These drastically shorter timelines limit claimants’ ability to access resources such as legal assistance and translation, greatly compromising the validity of their claim (e.g., CCR 2013a). Bill C-31 also sought to limit claimants from particular countries’ access to resources through the creation of the Designated Country of Origin (DCO) list. Claimants from “designated countries of origin” (DCOs) - that is, a state designated at the discretion of the Minister to be less likely to produce refugees (CIC, 2013b) – have less time to submit and prepare their claim, and are unable to access
other resource such as preventative health care or the IRB’s newly enacted Refugee Appeal Division (CIC, 2012f). While implementation of the IRB is largely welcomed amongst refugee advocates (e.g., CCR, 2009), its implementation came alongside the de facto dissolution of two IRB quasi-appeal mechanisms, Humanitarian and Compassionate (H&C) consideration and the Pre-Removal Risk Assessment (PRRA).2

Secondly, punitive policy reform is seen through the Protecting our Streets and Communities from Criminal and National Security Threats Act. In an unprecedented imbuing of discretionary powers, the Protecting our Streets Act empowers the Minister of Public Safety to designate groups of two or more persons who arrive at a Canadian port of entry to make a refugee claim as irregular arrivals, reportedly to minimize human smuggling (CIC, 2012e). This designation is followed by automatic and indeterminate detention without review for 14 days and then every six months, or until the IRB or Minister orders the individuals be released; should irregular arrivals eventually be accepted as Convention refugees, these individuals do not have access to permanent residence for five years after their arrival (CIC, 2012e). These reforms are hailed as disproportionate, highly punitive, unbalanced, and dangerous to the health and safety of refugee claimants by refugee advocates and stakeholders across the country (e.g., CCR, 2013a, 2013b).

**Temporary Foreign Workers and the Decoupling of Migration and Citizenship**

Broadly speaking, the TFW program facilitates short-term migration to Canada in response to employer demands (Sharma, 2006), and fills positions Canadians are unable or unwilling to work due to challenging wage and working conditions that are

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2 As of December 2012, these tools can now only be accessed after one year since a negative refugee adjudication, effectively nullifying their use and further limiting refugee access to permanency and citizenship (CCR, 2013b).
commonly viewed as “dirty, dangerous, and demanding” (Lenard & Straehle, 2012; see also Valiani, 2013). While low-skilled TFWs have been in Canada since 1966 (Lenard & Straehle, 2012), employer demand for workers’ presence in temporary positions has increased dramatically since the late 1990s (Valiani, 2013). Critically, unlike migrants who enter Canada through traditional economic or family-based immigration streams, Canada’s fastest-growing migration stream is shaped and selected by private actors who hire low-skilled workers for positions in agriculture, manufacturing, fast food, and service industry positions (Preibisch & Hennebry, 2012). Indeed, powers of selection, supervision, and the ability to extend one’s stay into Canada through either sponsorship, for high-skilled TFWs, or contract renewal, for low-skilled TFWs, are vested in employers, who are in turn subject to limited, under-resourced mechanisms of oversight (McLaughlin & Hennebry, 2013). As the focus population of this paper, low-skilled temporary workers’ precarious migration is of acute importance for its distinct deviation from the normative notions underpinning citizenship and migration examined in Citizenship: Normativity and Deviations.

A devolution of selection power over permanently temporary labour migration (Rajkumar et al., 2012) was first formalized with the introduction of Canada’s cornerstone immigration legislation, the Immigration and Refugee Protection Act (IRPA) (2002), which introduced migration pathways that better facilitated employers’ want to tailor processes towards specific positions (Fudge & MacPhail, 2009). The privileging of temporary, employer-controlled labour migration was officially codified through the passing of Bill C-38, which amended IRPA to seal “the shift of primary decision making power around permanent residency from the state to employer” (Valiani, 2013, p. 63) by authorizing employers to decide on issues of entrance, exit, and the renewal of workers’ annual contracts. This decentralization of citizenship and
migration selection powers to the private sector is unprecedented in Canada (Fudge, 2011).

Indeed, low-skilled workers are unique in their de facto exclusion from pathways to citizenship (Metcalf, 2014). Unlike high-skilled temporary workers, persons entering through low-skilled programs are not able to apply for permanent residency or become Canadian citizens, despite often working in Canada for decades (McLaughlin & Hennebry, 2013). Critically, low-skilled workers are also without employment mobility, enhancing workers’ structural vulnerability by tying them and their legal right to remain in Canada to their employer, creating risk for exploitive and abusive conditions (e.g., Metcalfe Foundation, 2014; McLaughlin & Hennebry, 2013). Finally, workers are also prohibited from bringing family members to Canada during the duration of their contract unless individuals also receive a temporary working contract (Lenard & Straehle, 2012).

This structural precarity is highly valued in Canada’s stratified labour market (Bauder, 2008). Practices such as prohibiting workers from changing employers, permitting only limited-term contracts and mandating specified time breaks in between workers’ contracts, limiting opportunities to sponsor family members and maintaining migration between home country and Canada are present to maintain workers’ precarious position (Binford, 2009; Rajkumar et al., 2012; Preibisch & Hennebry, 2012). Indeed, in response economic demand for faster, responsive, and more employer-centered temporary migration channels, the balance from permanent to temporary migration shifted in 2008, when the number of individuals entering Canada through temporary channels exceeded the number of new permanent residents (Albion, 2009).
Effectively, Canada’s fastest-growing cohort of migrants are refused access to elements traditionally understood as requisites of citizenship, including permanent work and residency permissions, full extension of social citizenship rights, and permission to remain in Canada independent of conditional sponsorship (Goldring & Landolt, 2013; Valiani, 2013). Indeed, with employers facing a low threshold to prove they are unable to hire permanent residents or Canadians, the demands of business for inexpensive labour are prioritized over the long-term goals of Canadian nation-building, described previously as predicated on the permanency of its newcomers (Goldring, 2010; Lenard and Straehle, 2012). This shift towards a temporary, exploitable labour force that is largely devoid of rights has “led to dramatic reorientation in the country’s immigration and nation-building framework,” constituted by “the reduction of avenues to settlement and citizenship, the expansion of temporary migration, and the porous boundaries between categories and trajectories” (Goldring and Landolt, 2013 p. 9).

In light of this shift, the question of how citizenship and immigration might be reoriented as within the normative and pragmatic framework to reestablish government as the centre of Canadian immigration is examined in the following section through a discussion of security performativity and *citizenship theatre*. First however, the notion of social construction and the framing of the *bogus* refugee as means of establishing a threat to the sanctity of Canadian citizenship are explored.

**Security, Citizenship, and Performance**

“Conveying ‘good’ policy ideas through a persuasive discourse”, argues Schmidt (2010), “helps political actors win elections and gives policy actors a mandate to implement their ideas” (p. 16). The use of rhetoric to incite fear over immigration concerns and to discursively construct migrants as threats to the sanctity of citizenship is
of noted practice (Gale, 2004; Mulvey, 2010; Schmidt, 2008). To this end, the success of recent refugee claimant reforms is predicated on the creation of social narratives surrounding ‘queue jumpers’, such that extreme, entry-curtailing responses become necessary (e.g., Bradimore and Bauder, 2011) despite there being little evidence to support the notion of refugees being attracted to asylum-assistance countries for purposes of welfare or social services (Hall, 2006). Within the recent Canadian context, as measures taken to counteract ‘bogus’ refugees are disproportionate in scope and draconian in nature, taken together, the persuasive bogus refugee discourse and its subsequent 2012 refugee reforms can be understood as a form of citizenship theatre.

Constructing the refugee as an Other who aims to bypass immigration-based paths to citizenship and to enter Canada to simply forgo work for welfare or abuse Canada’s wealth of social resources has created a powerful discursive understanding of the refugee as a potential invader. Through both coordinative (i.e., between elite policy actors) and communicative discourse (i.e., transmitted from policy players to the public), ideas regarding the bogus refugee are conveyed and legitimized by political actors through the interactive process of discourse (Schmidt, 2008). In contrast to the deserving, ‘good’ refugee, the undesirable refugee claimant is a threat to the institution and norms of citizenship that have been carefully constructed by Canadian taxpayers (Jackson & Bauder, 2013). These divisive labels are created and reproduced through both newspapers (e.g. Montreal Gazette 2012; National Post 2012; Cohen 2012; Toronto Sun 2012) and government publications (e.g. CIC 2012a; CIC 2012b; CIC 2012c), and are used to frame refugee claimants as “a category of refugee applicants who are not only undesired but who also inflict damage by consuming the resources needed to support ‘deserving’ refugees” (Bauder 2011, p. 108).
Such discourse constructs individuals as bypassing immigration channels and thus, compromising the integrity of Canadian citizenship. To prevent such circumventing or abuse of legitimate immigration channels, the *Protecting Canada’s Immigration Systems Act* and the *Protecting our Streets and Communities Act* of note here act as a means of bolstering and fortifying IRB walls to prevent the *Other’s* invasion. As succinctly noted in a 2012 editorial published in the National Post; “What Mr. Kenney’s changes have done — by removing fraudulent and meaningless claims for asylum and by placing an onus on newcomers to adapt to Canadian society — is restore the value of Canadian citizenship” (National Post, 2012). This is critical in the (re)production of refugee claimants as undeserving policy target populations, as the frame through which a political actor processes or conveys an issue affects “which causal and normative judgments about effective and appropriate policies” are available (Bleich, 2002 p. 1063).

However, it is not the focus of these reforms to eliminate ‘refugees’ from the Canadian immigration identity. Rather, it is the dichotomizing of the *good* and *bad* refugee, and subsequently Canada’s need to defend itself from those underserving of protection or citizenship that is reiterated through these reforms (e.g., Bird, 2005; Pozniak, 2009). As Schneider and Ingram (1993) argue, actors may create or reproduce particular constructions of populations and identities to fit ideological and pragmatic policy aims. How the targets of policies such as social welfare are presented may then be reproduced in the media, creating or reinforcing societal positions and divisions and potentially shaping “both the policy agenda and the actual design of policy” (p. 334). Evidently, the social construction of the *bogus* refugee serves to define refugee claimants as *undeserving*, but also to designate government as
defenders of the integrity of citizenship through increased security measures to create or reinforce the threat of the Other (e.g., Brown, 2010).

**Citizenship Theatre**

While framing Bill C-31 and related retrenchment as a means to increase Canadians’ confidence in their immigration control channels provides a valuable foundation of understanding recent reform, this conception of why reforms are successful fails to place refugee migration in context of the Canadian immigration regime more generally. Building on the arguments of Amoore and Hall (2010), Salter (2008), and Vuori (2010), this section will demonstrate that the neo-liberalized, tough on immigration crime approach embodied by the unprecedented IRB border tightening in 2012 was not simply a means of enacting security, but performing citizenship. This discussion conceptually broadens the notion of security theatre to demonstrate that recent refugee reforms are a site of citizenship theatre, where disproportionately draconian, securitized and punitive measures are enacted not just to bolster the image of a securitized border, but to reestablish the notion of citizenship as a highly guarded and highly valued institution central to the Canadian identity.

Amoore and Hall (2010) describe security theatre as the reactionary yet largely inconsequential security minutiae performed at borders for the purpose of creating a sense of security. This theatre is valuable for its tangible, demonstrable portrayal of an institutional commitment to ensuring the safety of citizens through hyperbolic yet often inconsequential measures. Ritualized inputs of materiality - removing footwear to be scanned, deploying highly sophisticated biometric identification measures, and subjecting persons to the possibility of randomized checks - create “the appearance of securability”, yet render little measureable return vis-à-vis enhanced security (p. 303).
Indeed, this minutia only “retains a liminal potential, of which is theatrical, not in a playful illusory sense, nor in the sense of a scripted rehearsed presence, but as a space configured as theatre” (Amore and Hall, 2010 p. 303). Actions at borders construct walls, intercepting “not merely illegal entrance, but unsustainable pressure on national economies that have ceased to be national or on welfare states that have largely abandoned substantive welfare function” (Brown, 2010 p. 82), as noted in Canada through discourses of the bogus refugee as a drain on taxpayers. This understanding of the performativity of institutional reformations serves to frame the following discussion that places recent refugee reforms as a performed, balancing reaction to increasing critique of the citizenship void within the TFW program.

To be clear, this is not to imply recent refugee reforms were a means of direct distraction or to divert citizens’ attention by tightening IRB regulations in order to usher TFWs in the back door. Rather, this argument is more nuanced, and calls for understanding each broad migration stream – permanent economic, permanent family reunification, temporary economic, and humanitarian – as being reactive to often competing public (i.e., maintaining citizenship norms and long-term nation building) and government (i.e., appeasing business demands for TFWs) demands and priorities. This necessarily requires a balancing act between and within migration streams in order to allow for the overall continued functioning of the Canadian immigration machine in the vision of the governing party to continue with its stated immigration goals and priorities – that is, of fast immigration measures that respond to the needs of Canadian employers. To achieve this thus requires the framing of less economically valuable streams (i.e., refugees) as problematic in order to conceptually elevate migration categories that offer greater political benefits vis-à-vis the demands of employers (i.e., TFWs). The reframing of refugee claimants as a problematic vis-à-vis the institution of
citizenship and the subsequent tightening of refugee entrance controls affirms the image of a citizenship regime that is fair, reasonable, and under control; resulting, the subversive migration practices of temporary labour are conceptually reframed as relatively secure and normatively acceptable vis-à-vis the Canadian conceptual understanding of citizenship.

Critical to this argument is Nyers’ (2004) assertion that “the claim to be the provider of protection is a powerful one because security is said to be a necessary condition for the pursuit of civil relations” (p. 204); applied to citizenship theatre, the claim to be the upholder of the institution of citizenship is similarly powerful, because the emotional, historical, and material interests surrounding Canadian citizenship are intricately tied to political legitimacy and power. Just as through securitization the state can construct the appearance of providing protections from international and transnational threats (Nyers, 2004; Brown, 2010), so too can the state conceptually construct the bogus refugee and tighten IRB regulations in order to subsequently protect citizenship from those who delegitimize and mock its key tenets – permanency, family reunification, and mobility – by ‘jumping the queue’ of legitimate immigrants.

Importantly, expectation and enactment of security as well as citizenship theatre are reinforced through varying forums. Within the realm of citizenship performance, this entails creating and constantly reestablishing the need behind refugee reform through the social construction or reframing of refugees as undeserving, a threat to Canadian security and moreover, Canadian citizenship, and thus a population that must be controlled and excluded to protect the integrity of Canada’s immigration system against illegitimate individuals aiming to exploit and thus dilute the institution of Canadian citizenship and all it values – the ability to remain in Canada permanently, to work
freely for differing employers, and to enjoy family reunification (e.g., Gilbert, 2013; CIC 2012b; Montreal Gazette 2012; Cohen 2012). Indeed, the fortification of institutional IRB walls serves as a means of bolstering and consolidating the norms of citizenship. By performing acts of exclusion and embodying a commitment to protecting Canadian citizenship against those constructed as seeking to destroy it (the queue jumpers, the illegitimate refugees, the bogus claimants seeking to abuse Canadian institutions and resources) the illusion of an institution armed with the legislatively empowered tools necessary to protect against those who ‘jump the queue’ unfolds. Critically, these core concepts of citizenship – valuing permanency, family reunification, and job mobility (e.g., Goldring and Landolt, 2013; Valiani, 2013) are reinstated in the Canadian immigration regime not by broadening TFWs’ pathways to citizenship, but by narrowing the door through which refugees might enter.

**Recentralizing Citizenship**

Underscoring this shift towards temporary labour migration is the depoliticization and decentralization of citizenship-granting authority from government to the private sector. Indeed, it is employers who first facilitate entry into Canada by posting an advertisement for low-skilled TFWs, Canada’s largest migration stream (Bauder, 2008). As employers are granted the ability to initiate, extend, or cancel contracts, it is the private sector, not Citizenship and Immigration Canada, which controls entry to Canada (Lenard and Straehle, 2012; Valiani, 2013). This control is formalized through Bill C-38 (2008), which placed employers at the centre of sponsorship and permanent

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residency decisions for TFWs. Valiani (2013) describes this as “a shift from permanent to temporary migration and from a publicly determined immigration system to one driven by private interests” (p. 68), a shift this paper conceives as evidence of increasingly decentralized and thus depoliticized immigration trends.

While broadly in line with broader neoliberal trends towards securitization, the social reconstruction of the refugee as _bogus_ also indicates not only that such trends have been catalyzed by recent government action, but also that refugees serve an important political purpose of reviving the _citizenship as holy_ dialectic, while not disrupting broader neoliberal undercurrents. The refugee regime’s complete reformation through Bill C-31 and _Protecting Our Streets_ then represents a dialectical re-centralizing of immigration and citizenship-related decisions within a low-risk (in terms of economic repercussion or potential organized backlash) yet highly visible and highly vulnerable immigration stream, characteristics that also render refugee claimants susceptible to becoming the socially constructed locus of fear that underpins and sustains arguments of securitization (e.g., Buzan et al., 1998). Critically, with just over 20,000 refugee claimants entering Canada in 2012 (CIC, 2013e), the instances of potential _queue jumpers_ to abuse social services are, in practical terms, quite small (e.g., Bauder, 2008; 2011), such that the disproportionate attention and resources afforded to the creation of the ‘bogus refugee problem’ alludes to the nature of these reforms as performative acts of citizenship exclusion. The shift towards mandatory detention for designated groups of ‘irregular arrival’ refugee claimants is similarly problematic, both because of its clear human rights concerns, and because this impractical, ineffectual approach emulated from the Australian detention experiment, which has been deemed an “utter failure”, costing “billions of dollars” but amounting to little practical power vis-à-vis deterring said irregular arrivals (Derosa, 2012 p. 1).
Ministers’ newly created abilities to designated countries of origin and irregular arrivals also serve the function of discursively resituating government as controlling who can attain citizenship. While optically, TFW programs present as an employer-centered addendum to the Canadian immigration regime, affording Ministers excessive and disproportionate powers of discretion and control vis-à-vis refugee claimant processing reiterates the role of government in managing Canadian citizenship. This facilitates the perceived sustainment of the legitimacy of citizenship and immigration more broadly and quelling potential citizenship questioning of the role of government in Canada’s migration, yet while not interfering with economic employer-motivated migration demands. Indeed, even the names of the Acts analyzed within this paper – Protecting Canada’s Immigration Systems Act and Protecting our Streets and Communities from Criminal and National Security Threats Act are suggestive of at most an institution that has been taken back under the wing of government, and at least a reaction to an Other’s attempt to invade and cause harm to the citizenship regime.

With regards to increasing trends towards decentralized citizenship and concern regarding the direction in which Canada’s migration regime is heading, this paper contends that IRB reform reflects material and ideational efforts to reconstruct the citizenship paradigm. However, this is done not by expanding or operationalizing these concepts – i.e., by presenting all TFWs and other precarious migrants with the opportunity to remain permanently, to bring family members, and to enjoy personal and employment mobility within Canada – but by narrowing and securitizing IRB pathways, such that normative understandings of citizenship remain visually protected through what this essay terms citizenship theatre.
Conclusion

Through a broadening of the concept security theatre, this paper has examined recent changes to refugee processes alongside the heavily fraught TFW program, analyzing both migration categories not as individual, insulated streams but as interwoven, interplaying threads where movement of one is necessarily felt (or caused) by the movement of another. In light of the recent national shift towards a depoliticized, private sector-based TFW migration regime, the exclusion of refugee claimants through amendments to the IRB represents a highly symbolic, theatrical reversion to norms of citizenship and centralized government power. This paper has called for the analysis of immigration streams not in isolation but as component parts of broader citizenship shifts. Refugee claimants in Canada exist at the identity intersection of humanitarian cause and security, and as a precarious and largely disempowered population, provide a practical venue in which to concentrate efforts reestablish citizenship norms within the broader immigration regime. Through the use of tenets from ideational theory and security theatre, this essay has demonstrated refugees, as sites of securitization and the expiatory subjects of citizenship performativity, play a critical role in the broader citizenship venue of the Canadian migration regime.
Works Cited


Valiani, S. (2013). The shifting landscape of contemporary Canadian immigration policy: The rise of temporary migration and employer-driven immigration, In L. Goldring
& P. Landolt (Eds.), “Producing and Negotiating Non-Citizenship: Precarious Legal Status in Canada” (55-70). Toronto: University of Toronto Press.
