Canadian Citizenship

We will thus achieve a new status of "Canadian citizen" which will be an inclusive and definitive status. At the same time, I want to emphasize and make clear that this will not remove from anyone who now has it, nor eliminate for persons born or naturalized in future, the status of British subject. A Canadian who is now a British subject will under this act continue to be a British subject. A person who is hereafter born a Canadian citizen will thereby also be a British subject. An alien who comes to Canada and is naturalized as a Canadian citizen will similarly become a British subject. The change will be in removing the confusion of conflicting and unrelated definitions that we now have. So far as Canada is concerned the dominant fact will be that of being a Canadian citizen. With it, as a correlative, and important in the commonwealth as a whole, each will also have the status of British subject.

Without going into the details of the bill, there are a few important aspects that it seems desirable to mention. I have said that in general substance, the bill is a broad revision of the Naturalization Act done in terms of Canadian citizenship. It first of all defines who are Canadian citizens by birth. It next sets forth the qualifications for naturalization as a Canadian citizen, and these again are essentially the same as those now in force. There is one additional difference, however, that should be noted. In future, non-Canadian British subjects will be required to take out papers before becoming Canadian citizens. This may appear to be a fundamental change, but it is a change more in procedure than in substance. At present a non-Canadian British subject has no right of entry into Canada, and he does not become a "Canadian citizen" under the Immigration Act until he has had domicile here for five years. In essence all that is now being required is that in future the change of status to Canadian citizenship shall be marked by the acquisition of formal papers. It is felt that this will be a decided advantage to the individuals concerned, as it will give greater certainty and security to their position for purposes of diplomatic protection abroad and of immigration entry when they come to our borders.

I might say that the war has shown the importance of having basic documents for prima facie proof of national status. There have been thousands of cases where persons abroad have appealed to our representatives or to the protecting power for aid on the ground that they were Canadians. Persons born in Canada have been able to produce [Mr. Martin.] birth certificates, thus supplying a basis for proof. Others naturalized in Canada have been able to produce naturalization certificates. But persons who came to Canada from other parts of the commonwealth have had nothing whatever to show that they had become Canadian citizens and were the responsibility of the Canadian government. In peace time there have been similar cases of confusion, difficulty and real hardship. For this reason, it is important to provide papers for non-Canadian British subjects who become Canadian citizens.

On the subject of naturalization I might mention one change that is important throughout the bill. In the past, "married women" have been classed with minors, lunatics, and idiots as persons under a disability. They could not become naturalized or control their national status as independent persons except in very special circumstances. The government looks upon this as an anachronism that has no place to-day and all disabilities for married women have been eliminated in the present bill.

With regard to loss of Canadian citizenship, the conditions are the same as those at present for the loss of the status of British subject-with one addition. That addition is the insertion of a provision for automatic loss of citizenship by a naturalized person who stays out of Canada for six years or more, unless he comes within one of the specified classes or takes steps to protect his citizenship. The provision does not apply to naturalized persons who have served in our armed forces. In addition there are exceptions for naturalized persons who are abroad in the service of Canada, or for a Canadian corporation or business concern, or to go to university, or for reasons of ill health, and so forth. Hitherto there has been a provision for revocation of British subject status if a naturalized person has been absent for seven years. However, it is impossible to keep track of persons who are absent so as to know how long they have been away, and many whose naturalization should have been revoked have remained British subjects. In this war we have had such persons crop up; for example, Germans naturalized in Canada who returned to Germany in 1933 or 1934, whose absence was not known, and who now claim protection and benefits as Canadians. In many cases there is every reason to suspect that a great number of these people were ardent nazis and complete Germans during the war, .however Canadian they may now profess to feel. In future, with the passage of this bill, this will not happen. If such people are absent from Canada for six years or more and do not protect their

1336