

**An Archaeological Analysis of Canadian Immigration Legislation:  
From Welfare State Liability to Neo-Liberal Subject**

**Keith MacDonald**

Thesis submitted to the  
Faculty of Graduate and Postdoctoral Studies  
In partial fulfillment of the requirements  
For the MA in Criminology

Department of Criminology  
Faculty of Social Science  
University of Ottawa

## ABSTRACT

This study analyzes the three most recent pieces of Canadian immigration legislation: the *Immigration Act of 1952*, the *Immigration Act of 1976*, and the *Immigration and Refugee Protection Act of 2001* (herein referred to collectively as the *documents*). The intent is to contribute to the archaeology of immigration in Canadian Federal legislation, and more specifically, to the ways that the immigration applicant, immigrant, and the immigration process in Canada, have been constituted over time. This project uses a modified version of Jean Carabine's (2001) method of Foucauldian discourse analysis to articulate the various meanings and potential effects that are produced in the *documents*. The work of Michel Foucault and the governmentality approach is then applied to make sense of these findings. Two main conclusions are generated. The first details how elements of state racism and bio-nationalism are apparent in all three acts, and must be regarded as complimentary to one another, as they co-exist and operate together on different planes. The second discusses a shift in the *documents* from a focus on welfare rationalities, to neo-liberal rationalities, using the example of the shifting portrayal of the immigrant (and immigration applicant) from someone with the potential to become a liability to the welfare state, to a neo-liberal subject.

## ACKNOWLEDGEMENTS

There are many people I wish to thank for their support and encouragement throughout the process of completing this thesis.

First and foremost, I would like to thank my thesis supervisor Chris Bruckert. You provided the inspiration for me to complete this project, and were there to help me every step of the way. I would also like to thank you for demonstrating your confidence in me at times when I questioned my own abilities, as this served to help me grow as an academic. This truly has been a rewarding journey, and I am thankful that I was able to share it with you.

I would also like to thank Christine Gervais and Ross Hastings for agreeing to evaluate this project. Your written comments and recommendations at my thesis defence contributed to strength of this project. I also want to thank Jennifer Kilty for chairing my thesis defence.

Lastly, I would like to acknowledge my Mom, Dad and family for the continuous support they provided. It is their words of encouragement that helped in the most difficult of times, and I want them to know how much their belief in me truly meant.

## TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
 <b>CHAPTER ONE</b>	
<b>IMMIGRATION LITERATURE: A REVIEW .....</b>	<b>5</b>
Immigration Legislation and Policy.....	6
Historical Characteristics.....	6
Influencing Goals .....	7
Control of Immigration .....	8
 The Inclusion of Immigrants.....	9
Selection of Immigrants.....	10
National Identity.....	11
 The Exclusion of Immigrants .....	12
Security Grounds for Exclusion.....	13
Medical Exclusion.....	13
Criminal Exclusion.....	14
Racial Exclusion .....	14
Multiple Grounds for Exclusion.....	17
 Summary.....	18
 Situating My Project Within the Immigration Literature.....	18
 <b>CHAPTER TWO</b>	
<b>EXPLORING GOVERNMENTALITY .....</b>	<b>20</b>
Conceptual Roots of Foucault’s Work on Governmentality.....	21
Sovereignty .....	23
Discipline.....	24
The Emergence of the Population.....	26
Government .....	28
Sovereignty-Discipline-Government .....	29
 Political Epochs with Embedded Rationalities .....	30
Liberalism.....	31
From Liberalism to Welfarism.....	32
Welfarism.....	32
From Welfarism to Neo-Liberalism.....	33
Neo-Liberalism.....	34

Technologies of Power .....	36
Anatomo-Politics .....	37
Biopolitics.....	38
Biopower.....	38
Technologies of Governance .....	40
Society Must be Defended.....	41
State Racism.....	42
Bio-Nationalism .....	44
Summary.....	45
Selecting My Analytical Tools.....	46
<b>CHAPTER THREE</b>	
<b>METHODOLOGY .....</b>	<b>47</b>
Archaeology.....	47
Discourse .....	49
Method.....	51
Data Source: Selection of Documents.....	52
Data Analysis .....	53
1. Knowing the Data and Drawing out the Discourses .....	54
2. Analyzing the Nature of the Discourses .....	57
The Scope and Limitations of a Foucauldian Discourse Analysis.....	58
<b>CHAPTER FOUR</b>	
<b>FINDINGS: DISCOURSE IN THE <i>DOCUMENTS</i> .....</b>	<b>60</b>
<i>Immigration Act, 1952: Background</i> .....	61
<i>Immigration Act, 1952: The ‘Good’ Immigrant</i> .....	63
<i>Immigration Act, 1952: The ‘Bad’ Immigrant</i> .....	64
<i>Immigration Act, 1952: The Concept of ‘Race’</i> .....	67
<i>Immigration Act, 1976: Background</i> .....	68
<i>Immigration Act, 1976: Objectives</i> .....	70
<i>Immigration Act, 1976: The ‘Good’ Immigrant</i> .....	71
<i>Immigration Act, 1976: The ‘Bad’ Immigrant</i> .....	72
<i>Immigration Act, 1976: The Concept of ‘Race’</i> .....	74
<i>Immigration and Refugee Protection Act, 2001: Background</i> .....	76
<i>Immigration and Refugee Protection Act, 2001: Objectives</i> .....	77

<i>Immigration and Refugee Protection Act, 2001: The ‘Good’ Immigrant</i> .....	78
<i>Immigration and Refugee Protection Act, 2001: The ‘Bad’ Immigrant</i> .....	78
<i>Immigration and Refugee Protection Act, 2001: The Concept of ‘Race’</i> .....	80
Summary.....	80
<b>CHAPTER FIVE</b>	
<b>AN ANALYSIS OF THE <i>DOCUMENTS</i></b> .....	<b>82</b>
Part 1: State Racism and the <i>Documents</i> .....	83
Sovereignty: Subjects and ‘Enemies’ .....	83
Subjects of the Sovereign.....	84
‘Enemies’: Protecting the Population from Disease, Disorder or Disability..	85
‘Enemies’: Protecting the Population Against Criminals .....	86
‘Enemies’: Protecting the Population Against Terrorists .....	87
Improving the Population: The Existence of Biopower.....	87
Making a Case for State Racism.....	88
Part 2: Bio-Nationalism and the <i>Documents</i> .....	89
The ‘Unproductive’ Classes .....	90
The ‘Productive’ Classes .....	91
From State Racism to Bio-Nationalism?.....	92
<b>CHAPTER SIX</b>	
<b>THE CONVERGENCE OF WELFARISM AND NEO-LIBERALISM</b> .....	<b>93</b>
Rationalities of Welfarism.....	93
Rationalities of Neo-Liberalism .....	96
Summary.....	99
<b>CONCLUSION</b> .....	<b>101</b>
Directions for Future Research.....	103
Closing Reflection .....	105
<b>REFERENCES</b> .....	<b>106</b>
<b>SOURCES OF DATA</b> .....	<b>123</b>
<b>APPENDICES</b> .....	<b>124</b>
Appendix A: State Racism and Bio-Nationalism.....	124
Appendix B: Guide to Doing a Foucauldian Discourse Analysis .....	125
Appendix C: Question Guide for Data Analysis .....	126

## INTRODUCTION

Immigration is a hotly debated topic that spurs a wide array of emotion. Each year approximately 250,000 immigrants<sup>1</sup> are permitted entry to reside in Canada (Statistics Canada, 2010). Advocates of the current immigration system cite Canada's continuous labour shortage, low fertility rates, and an ageing workforce as impetus for selecting skilled and family migrants to fill these gaps (see McMullin, Cooke & Downie, 2004). Those who want to scale back the number of immigration applicants admitted each year claim that immigrants tend to rely heavily on benefits offered by Canada's social programs, take jobs away from Canadian citizens, and are associated with a high level of criminal involvement (see Grubel, 2005; Perry, Fernandez & Costelloe, 2009).<sup>2</sup>

This latter issue (that equates immigrants with *criminals*)<sup>3</sup> is an area worthy of exploration, as far more research is needed on every aspect of immigration as it relates to crime and criminals (Freilich & Newman, 2007). Wortley (2009) argues that the portrayal of immigrants as *criminals* is in part due to sensationalist media coverage of crimes committed by immigrants and racial minorities, which appears to have had a strong impact on public opinion.<sup>4</sup> In fact, in many Western nations a high proportion of the general public believes that immigrants commit more crime than the native born (see Simon & Sikich,

---

<sup>1</sup> From the economic and family class.

<sup>2</sup> Ironically, Canadian citizens fund the social programs that immigrants are alleged to rely heavily on (see Perry, Fernandez, & Costelloe, 2009).

<sup>3</sup> Prevailing misperceptions also equate immigrants as morally deficient, socially inferior, and unworthy of civic inclusion (Woods, 2009).

<sup>4</sup> Roberts and Mahtani (2010) explored the issue of immigrants in Canadian media when they examined 896 articles in *The Globe and Mail*, and found that 24% of articles linked immigrants to criminal activities or terrorism.

2007).<sup>5</sup> Given this knowledge, it is important to explore how immigrants have been portrayed at various times using multiple sources of data.

This project provides an analysis on how immigration applicants and immigrants have been discursively constituted in Canadian immigration legislation, and the role that criminal behaviour has on such a portrayal, which makes it relevant to the field of criminology. The main contributions involve an examination of what *criminal* immigration applicants and immigrants have been considered over time, the potential effect that such a designation could have, and how their removal and exclusion is, or could be, justified.

This project examines three pieces of immigration legislation: the *Immigration Act of 1952*, the *Immigration Act of 1976*, and the *Immigration and Refugee Protection Act of 2001* (herein referred to collectively as the *documents*), and is guided by the following research question: What meanings and potential effects related to the government of the immigration applicant, the immigrant, and the immigration process in Canada, are produced by the discourses of the *documents*?

The first chapter reviews relevant immigration literature and provides a point of entry for my work. Three major categories are identified that speak to immigration legislation/policy, and the inclusion and exclusion of immigrants. This chapter concludes by positioning my project within this literature.

In the second chapter, the theoretical framework that provides the tools to analyze my findings is articulated. It draws attention to Foucault's work on governmentality, and the themes and concepts that were subsequently developed in the governmentality

---

<sup>5</sup> It's interesting to note that a growing number of studies have shown that immigrants tend to be more law-abiding than the native born (see Martinez & Valenzuela, 2006; Rumbaut & Ewing, 2007; Martinez, 2008).

approach. This chapter ends with me describing the specific tools that are used to analyze my findings.

The third chapter outlines my methodological approach. This involves an explanation of the form of Foucauldian discourse analysis that was used to collect and analyze my data. This chapter concludes with a consideration of the scope and limitations of a Foucauldian discourse analysis.

In the fourth chapter, the findings generated by my research are discussed. Attention is drawn to the discourses apparent in the *documents* that speak to the immigration applicant, the immigrant, and the immigration process. This chapter attends to the ways in which meanings are produced in the *documents*, but consideration is also given to the nature of the discourses presented and how they are inter-related at times.

The fifth chapter engages with my research findings using the work of Foucault and governmentality scholars. This chapter draws on the themes of state racism and bio-nationalism to shed light on the *documents*. I argue that state racism and bio-nationalism must be regarded as complimentary to one another, as they co-exist and operate together on different planes, and elements of each are apparent in all three of the *documents*.

In the sixth chapter, additional findings and analyses are introduced. This involves a discussion of rationalities of welfarism and neo-liberalism, and how they help explain shifts articulated in the *documents*. I argue that there has been a shift from a focus on rationalities of welfarism to neo-liberalism, as the immigrant (and immigration applicant) went from being portrayed as someone with the potential to become a liability to the welfare state, to a neo-liberal subject.

The final chapter concludes my thesis by discussing its significance. This involves addressing several of the critiques of governmentality-focused studies, through the application of a rigorous methodology, an analysis of the governance of immigration, and expanding the parameters of the discussion surrounding Foucault's notion of state racism. Several directions for future research, in the areas of governmentality are then proposed, and I discuss the ways that my project provides a basis for further inquiry related to immigration in Canada.

## **CHAPTER ONE: IMMIGRATION LITERATURE: A REVIEW**

In order to position my research a review of the relevant Canadian immigration literature was conducted. In order to supplement this literature (when there was limited Canadian scholarship), United States (U.S.) research was examined.<sup>6</sup> Based on this review, the literature was organized into three major categories. The first includes immigration legislation and policy, which addresses the historical characteristics, influencing goals, and aspects of control. The second major category speaks to the inclusion of immigrants, and discusses aspects of selection and national identity. The third major category deals with the exclusion of immigrants based on certain grounds, including: security, medical, criminal, racial, and multiple.<sup>7</sup>

There is a body of literature that speaks to immigration applicants, immigrants, immigration officials, etc. having agency<sup>8</sup> and resisting in immigration processes'.<sup>9</sup> Authors in this area (Dodson, 1997; Grizzle, 1997; Bouchard, 2000)<sup>10</sup> illustrate the need to incorporate the existence of a broad range of social institutions and actors as acceptable sources (O'Malley, Weir and Shearing, 1997: 511). The inclusion of such a body of work is relevant because it highlights the struggle of social agents, while acknowledging their capability to challenge the traditional version of power as a smooth, one-way process; the

---

<sup>6</sup> The limitations of such an inclusion is acknowledged due to the similarities and differences between Canadian and American literature and immigration legislation/policy. Most notably, both countries have maintained an 'open-door' policy to immigration and have been at the forefront of refugee resettlement. In contrast to one another, Canadian policy tends to select economically skilled individuals from various regions across the world and has been officially multicultural since 1971, whereas American policy emphasizes family reunification, has its immigrant source skewed to a particular country (Mexico), and the prevailing rhetoric remains assimilatory (see Bloemraad, 2006).

<sup>7</sup> In this chapter, my summary of an author's contribution may not cover every aspect of that piece of work, as I am attending to the dominant conversation.

<sup>8</sup> Agency refers to the ability of social actors to make and impose independent choices on the world.

<sup>9</sup> In the *Conclusion* chapter, I recommend that this area should be explored further through future research.

<sup>10</sup> These authors are apparent in this chapter, though the role of agency and resistance is not highlighted in my summary of their included body of work.

past is replete with checks, resistances, and dissonances (Gunn, 2006: 705). While the role of agency and resistance is a worthwhile area to discuss, it is not pertinent to this project; therefore, the literature surrounding this body of work will largely remain absent in my review of immigration literature.

### **Immigration Legislation and Policy**

The first major body of immigration literature we will discuss addresses legislation and policy. The conversation is divided into three accompanying subsections: the first looks at the historical characteristics, the second describes influencing goals, and the third speaks to the control of immigration through legislation and policy.

#### Historical Characteristics

Since 1869, Canada has had an immigration act in place that classifies immigrants as either admissible or prohibited/inadmissible. The *Immigration Act of 1869* has been rewritten multiple times, in 1906, 1910, 1919, 1952, 1976, and in 2001, it was changed to the *Immigration and Refugee Protection Act* (Spacova, 2005). While most of the literature included in this chapter in some way incorporates historical aspects of legislation or policy, a number of authors describe the Canadian perspective in a more detailed fashion (Knowles, 2007; Bouchard, 2007; McIntyre, 2001; Troper, 1993; Green & Green, 1999; Abu Laban, 1998). It is to this literature that we now turn.

In an effort to describe the different kinds of immigrants who have settled in Canada, Knowles (2007) provides a comprehensive history of immigration legislation and policy from 1540-2006. Knowles found that Canada has traditionally and still remains a country with an 'open door' policy that promotes diversity and allows nations and people

world-wide to emigrate for a variety of reasons including work, security, and family reunion. Bouchard (2007) discusses similar periods in her overview of the history of immigration policy in Canada, which she describes as being composed of eight distinct periods. Each period, beginning in 1867, was described in relation to how the immigration policy in Canada was handled at the time by the Canadian government.

More specifically, Troper (1993) and Green and Green (1999) argue that immigration legislation and policy in Canada has historically been linked to Canada's national economic policy. In their view, a strong economy will result in the creation of more jobs and a greater number of immigrants to fill those positions, while a weak economy will have the opposite effect and lead to fewer immigrants. Abu Laban (1998) expands on this theme by focusing her analysis on the economic implications of immigration policy under the federal Liberal government from 1993-1997. She found that this era was characterized by a reduced emphasis on multiculturalism, and an increased importance being placed on immigrant self-sufficiency and integration into Canadian society.

### Influencing Goals

The authors included in this section argue that the goals of Canadian immigration legislation and policy have ranged from a focus on the population (Hawkins, 1975) to one on the economy (Knowles, 2007; Green & Green, 1999, 2004; Troper, 1993; Francis, 2002). Hawkins (1975) analyzed the Green Paper of 1975 on immigration and explains that Canadian immigration has traditionally been related to the size and growth of the population. However, Knowles (2007) argues that since the *Immigration Act of 1976* was introduced, the focus of Canadian legislation and policy has been related to economic, social, cultural and humanitarian goals.

Green and Green (1999) discuss how the economic goals of Canadian immigration policy have varied since 1870 from filling occupational gaps to meeting regional needs. Based on their findings, the author's challenge the notion that immigration should be directed towards satisfying the economic goals of Canada. The limitation of this approach is illustrated by Francis (2002) who argues that the unintended consequences of a traditionally economically-oriented immigration policy has resulted in many immigrants being dependent on the state for support, rather than being self-sufficient and stimulating the economy as initially intended. Building on this, Green and Green (2004) as well as Troper (1993) argue that immigration levels have historically been raised or lowered based on Canada's economic need. In short, the authors argue that there is an increase in immigration to Canada when more jobs are available, and there is a decrease when fewer positions exist. However, Green and Green (2004) acknowledge that recent policy decisions have ended this practice with consistent annual immigration levels being set, regardless of the state of the economy.

### Control of Immigration

The control of immigration is the third subsection of literature under the major section of immigration legislation and policy. Scholars in this area (Dodson, 1997; Dauvergne, 2003; Bouchard, 2000) primarily address the creation and enforcement of immigration legislation and policy in Canada. For example, Dodson (1997) illustrates the public's role in the creation of Canadian immigration policy through an examination of the 1989-1990 immigration consultations (that discussed a five-year immigration plan set for 1991-1995). Dodson found that public opinion, and advice from the Provincial governments and a Federal advisory body were disregarded, and the Federal government

set immigration targets to the level it perceived to be in the best interests of the nation. Building on this, Dauvergne (2003) argues that Canada is resistant to any substantive change in immigration legislation and policy despite major findings at public consultations. Dauvergne based this argument on an examination of the *Immigration and Refugee Protection Act, 2001* and concluded that despite the considerable changes that were made in the new legislation, the central features of its predecessor, the *Immigration Act of 1976*, have remained intact.

In regards to the enforcement of immigration policy and legislation, Bouchard (2000) discusses how immigration officers implement government policies. After interviewing 47 immigration enforcement personnel from Canada and the U.S., Bouchard found that Canadian field officials operate with a higher degree of discretion than their American counterparts. This means that there may be a possible disconnect between the declared objectives and the enforcement of immigration legislation and policy. The significance of this finding lies in the suggestion that not all immigration applications receive the same treatment as a result of discretionary practices among enforcement personnel.

### **The Inclusion of Immigrants**

The inclusion of immigrants is the second major body of immigration literature. There are two accompanying subsections: the first speaks to the selection of immigrants, and the second deals with national identity.

## Selection of Immigrants

There are three general criteria upon which Canada bases its selection of immigrants: family reunion, refugee claimants, and skilled labourers. At different times, certain categories have been prioritized over others and this is reflected in legislation and government policies. A number of authors (Ray, 2005; Iredale, 1997; Tolley, 2003; Reitz, 2001; Rogers & McHale, 2009) discuss this issue.

Ray (2005) argues that there have been two shifts in immigration policy in Canada since the 1980's. The first is a shift from the privileging of family-class applicants to the prioritization of highly educated immigrants. The second shift includes an emphasis on education, but also strongly considers the applicant's spoken language(s), and the flexibility/transferability of skill sets, all of which are thought to ensure social and economic inclusion and integration. A different interpretation is offered by Iredale (1997) who contends that the 1990's witnessed the rise of selecting skilled immigrants in Canada based on economic rationale because this would place less financial burden on the state and bring greater fiscal benefits (than immigration for the purposes of family reunion).

Tolley (2003) expands on this theme of skilled worker immigrants in Canada and argues that the selection criteria have ranged from an emphasis on human capital attributes to flexible skills. Moreover, Tolley found that of all the factors considered in selecting skilled immigrants, the ones that have been shown to most clearly correlate to an individual's economic success are education and language proficiency. In contrast to Tolley, Reitz (2001) suggests that educationally skilled immigrants are becoming less likely to participate in the labour force. Taking these factors into consideration, Rogers and McHale (2009) explored the design of the Canadian skills-based immigrant selection system and

offered alternatives, including the incorporation of country-of-origin characteristics and pre-arranged employer assessments to establish the applicant's compatibility with their intended employer or occupation.

### National Identity

The second subsection under the inclusion of immigrant's body of literature deals with immigrants in relation to Canada's national identity. In this literature, it is posited that the systematical inclusion of certain immigrants has an impact on the composition of Canada's national identity. It is argued that different factors geared towards shaping Canada's national identity come to dominate at certain times. These factors have ranged from maintaining the ethnic status quo (McLean, 2004; Dua, 2003), to incorporating diversity (Wayland, 1997), to humanitarian concerns (Bauder, 2008).

McLean (2004) argues that the *Immigration Act of 1919* became part of a series of attempts to structure nation building through selective immigration settlement policies. He concludes that this Act was a response to many of the tensions and fears that emerged during debates at the time about maintaining the status quo of Canada: diverse ethnic immigration was considered a threat to Canada's moral and intellectual fabric and to the future expansion of the country. McLean explains that this discourse emerged as the result of a combination of events, including World War I, a large immigrant population, strikes, the eugenics movement, and international political tensions. Making a similar argument, Dua (2003) argues that in the late eighteenth and early nineteenth century, the discourse of citizenship and nation were focused on the inclusion of White immigrants and the exclusion of non-Whites. In contrast to Mclean (2004) and Dua (2003), Wayland (1997) draws attention to the notion that Canada's current national identity can be attributed to

the historical importance given to including diverse immigrants, and to how that policy has been expanded and strengthened in response to the changing ethnic composition of Canada's population.

Examining the composition of Canada's current national identity in relation to immigration, Bauder (2008) considers the impact of refugee inclusion. Drawing on a discursive analysis of 119 newspaper articles published between 1996 and 2001, Bauder argues that the media represented refugees as: individuals who experience gender violence, children, and victims of natural disasters. As a result of this representation, Bauder concludes that the humanitarian basis for selecting refugees was an important element in the construction of Canada's national identity as a liberal and compassionate country.

### **The Exclusion of Immigrants**

The third major body of immigration literature deals with the exclusion of immigrants, and has five accompanying subsections: the first subsection explains security grounds for exclusion, the second discusses medical exclusion, the third examines criminal exclusion, the fourth speaks to racial exclusion, and the fifth depicts multiple grounds for exclusion.<sup>11</sup> It is acknowledged that while some of the scholarly writings in this section focus solely on the specific subsections identified, there are often considerations of multiple factors (security, medical, criminal, racial) simultaneously.<sup>12</sup>

---

<sup>11</sup> Though each individuals experience in such exclusionary processes is more complicated than this.

<sup>12</sup> This demonstrates the undeniable intersection and interplay among security, medical, criminal, and racial factors that influence the development and application of immigration legislation and policy.

## Security Grounds for Exclusion

Authors in this body of literature (Roach & Trotter, 2005; Ibrahim, 2005; Kruger, Mulder & Korenic, 2004) explain how immigrants are excluded for reasons of security. Roach and Trotter (2005) discuss how, in the current political climate, governmental discourses increasingly exclude certain foreign nationals as they are seen as being greater risks of being terrorists and threats to national security. Building on this, Kruger, Mulder and Korenic (2004) argue that recent legislative changes redefine immigrants as potential threats to security and, in effect, substitute the protection of national security for civil liberties. Similarly, Ibrahim (2005) found that discourses on security and migration have led to the identification of immigrants as security threats, resulting in an increasing number of applicants being denied entry to Canada. Ibrahim contends that the exclusion of immigrants on security grounds is a type of discrimination and is exemplified in Canada's current immigration legislation.

## Medical Exclusion

The second basis of the exclusion of immigrants is medical grounds. Mosoff (1998) examined the historical and ideological context that has contributed to the exclusion of families with a disabled family member. Mosoff argues that Canada excludes immigrants with disabilities based on the rationale that the state fears they will burden an already overburdened medical and social system. Embedded in this is the belief that immigrants with disabilities will not be worthwhile members of society. Mosoff suggests that the removal of such provisions would be reflective of a moral and humanitarian shift in immigration policy. Building on this, Klein (2001) prepared the *HIV/AIDS and Immigration Final Report* and found that there is no basis for automatic exclusion of people with Human

Immunodeficiency Virus (HIV) on public health grounds, but there is exclusion based on excessive demands on health or social services. Klein concluded by stating that the exclusion of a prospective immigrant with HIV on public health grounds is discriminatory and inconsistent with commonly accepted public health practices that promote fair and equal treatment and inclusion of all individuals.

### Criminal Exclusion

The third basis for the exclusion of immigrants is criminal behaviour. Kim and Garcia (2009) discuss how criminal conduct is prominently included in the grounds for immigrant inadmissibility and exclusion. Piscitelli and Albanese (2000) illustrate this by arguing that the opening of Casino Niagara led to more individuals convicted of a criminal offence trying to enter Canada at the U.S. border, which resulted in a higher rate of exclusion based on criminal inadmissibility. Building on this, Chan (2005) draws attention to how the commission of a criminal act is a frequently used provision for deporting and excluding non-citizens from Canada. She based her findings on a documentary analysis on 177 reported immigration appeal hearings in Canada involving non-citizens who faced deportation on the basis of prior criminal convictions. Chan (2005) argues that the deportation of immigrants who become criminals represents Canada's desire to exclude such individuals when they fail to abide by the terms that they had agreed to when they entered, which included obeying the law.

### Racial Exclusion

The fourth basis of exclusion is race. Many authors in this body of literature look at historical factors and periods (Calliste, 1994; Ralston, 1999; Tyner, 1999; Mezzano, 2009;

Clifford, 1997; Kennedy, 2000; Baureiss, 1987), while other authors have discussed how racial exclusion is still evident in recent years (Fekete, 2001; Christensen, 2004).

Calliste (1994) discusses how when Caribbean Blacks tried to move to Canada between 1900 and 1932, immigration officials restricted the entry of these settlers to those who provided services that were urgently needed. She argues that this reflects the state's desire to exclude Blacks as permanent settlers, because they assumed that their entry would create on-going economic and race-related problems. The shift away from this exclusionary process was initiated through the actions of people such as Donald Willard Moore who fought to reform Canada's immigration policy so that it would no longer differentiate by skin colour (Bell & Rajiva, 2007).<sup>13</sup> Similar to Calliste, Ralston (1999) illustrates the impact of Canadian immigration policy on South Asian women in the twentieth century and concluded that Canadian legislation employed overtly racist terminology for the first time in the *Immigration Act of 1910* to explicitly restrict immigration from the Indian subcontinent.<sup>14</sup> Ralston went on to explain that the exclusion of certain South Asian nations was due to the belief that they were unable to assimilate in Canada, and should not be afforded the right to settle here with their families.

An example of racial exclusion in the U.S. is presented by Tyner (1999) who discussed how Philippine immigrants were routinely excluded from the U.S. from 1898 to 1936, based on the eugenic science and geopolitics that were informing social policy. Tyner argues that immigration legislation was effectively used to exclude immigrant groups

---

<sup>13</sup> Caribbean Black immigrants were not only passive 'victims' of racially-biased policy, they were also active in seeking and accomplishing reforms. This was also discussed by Grizzle (1997), who outlined the Brotherhood of Sleeping Car Porters in Canada's fight to correct the injustices that they faced, which included over-exploitation, a struggle for recognition, and inexplicable dismissals on unsubstantiated claims.

<sup>14</sup> South Asia is also known as the Indian subcontinent (McLeod, 2002).

perceived as racially distinct and 'undesirable', supposedly to protect the U.S. race and prevent social degeneration. Mezzano (2009) also provided an example of racial exclusion in the U.S. and argues that the movement to restrict and exclude southern European immigration in the early 1900's was critically supported by classic racialism, which suggested that differences in population groups were biologically determined and hereditary. As a result of this concept, American nativists held that new immigration to the U.S. had to be curtailed in order to save the pure American Anglo-Saxon racial stock.

Clifford (1997) examined immigration policy debates in the U.S. and Canada from 1905 to 1925 and concluded that both governments racialized their immigration legislation and policies during that period. She argues that the two countries shared an ideology that deemed immigrants from certain countries racially superior to others. Similarly, Kennedy (2000) conducted a historical-comparative case study of Canada and Australia and argues that Canadian immigration legislation and policy openly excluded non-White non-Europeans on racist grounds until 1962. The issue of overtly racializing immigration legislation and policy was also discussed by Baureiss (1987) who noted that, for the greater part of Canadian history, immigration policy was explicitly racist as it favoured the entry of white people, except in periods when there was insufficient labour in Canada.

Building on these historical perspectives, Troper (1993) argues that growing societal tolerance towards racial and ethnic diversity has contributed to slowly eroding the barriers against traditionally inadmissible immigrants. This coincides with the historical shift away from racialized immigration legislation and policy in Canada discussed by some authors (Clifford, 1997; Ralston, 1999; Baureiss, 1987; Taylor, 1991; Kennedy, 2000).

Though others believe that we are currently witnessing a shift back to the traditionally racist immigration legislation and policy in Canada (Kruger et al., 2004; Wayland, 1997; Christensen, 2004; Fekete, 2001). Similarly, Christensen (2004) explored the role of race in U.S. immigration policies, and argues that U.S. immigration practices constitute and exclude those who are abnormal. According to Christensen, U.S. immigration practices are also racist in a Foucauldian sense<sup>15</sup> by relying on a discourse of sovereignty, and defending society against degeneracy and abnormality.

#### Multiple Grounds for Exclusion

The final subsection draws attention to multiple, rather than singular grounds for immigrant exclusion. Fragomen (1978) discussed inadmissibility and exclusion in the *Immigration and Nationality Act of 1952*, a U.S. piece of legislation, which excludes: paupers, professional beggars and vagrants, aliens committing crimes, polygamists, prostitutes, labor certification, public charges, previously excluded and deported aliens, stowaways and frauds, those failing to meet document requirements, those ineligible for citizenship, narcotics offenders, illiterates, accompanying aliens, the subversive, smugglers, uncertified doctors and the medically unfit. Whitaker (1987) undertook a similar study in Canada and described the prohibited immigrant classes of 1949, which includes: communists, Schutzstaffel (SS) members, Nazi Party members, criminals, professional gamblers, prostitutes, black market rocketeers, individuals who are evasive or untruthful under investigation, those providing improper documents, false presentation, collaborators, Fascist Party members or mafia members, and Trotskyites/revolutionaries.

---

<sup>15</sup> Which is on the level of the population, and not on the genetic level. This will be addressed further in the next chapter.

## **Summary**

To summarize this chapter, there are three major bodies of literature that look at immigration. The first looks primarily at immigration legislation and policy, and deals with historical characteristics, influencing goals, and the control of immigration. The second discusses the inclusion of immigrants, and addresses the selection of immigrants, and national identity. The third major body focuses on the exclusion of immigrants, and describes the security grounds for exclusion, medical exclusion, criminal exclusion, racial exclusion, and multiple grounds for exclusion.

## **Situating My Project Within the Immigration Literature**

As stated in the introduction, the research question guiding this thesis asks: What meanings and potential effects related to the government of the immigration applicant, the immigrant, and the immigration process in Canada, are produced by the discourses of the *documents*? In answering this question, all subsections of the three major bodies of literature identified in this chapter are touched upon in my findings and analysis.<sup>16</sup> It is this literature that provides the point of entry for my work.

As we see, there is a solid body of work on immigration literature. However, I was hard-pressed to find comprehensive examples of projects that addressed multiple fields of analyses in regards to the three bodies of immigration literature. Also lacking was an analysis of how the work of Foucault and other governmentality scholars can be used to make sense of immigration literature (see Dua, 2003). In this thesis, we will address this gap by looking at Canadian immigration legislation using the work of Foucault and

---

<sup>16</sup> At the outset of this project, this was not my intention. However, this does speak to the thoroughness of the findings that are presented.

governmentality theorists, and more specifically, the concepts of state racism and bio-nationalism, and the rationalities of welfarism and neo-liberalism. This will allow us to expand the parameters of discussion, and at the same time render visible often-obscured elements of these processes. It is to the development of this conceptual framework that we turn to in the next chapter.

## **CHAPTER TWO: EXPLORING GOVERNMENTALITY**

Michel Foucault remains influential long after his untimely death in 1984. Among his many contributions, his work has opened new ways of thinking about, and reconsidering the conceptualization of governance.<sup>17</sup> In developing this new field of analysis Foucault provided a framework for future research in this area, which occupied the final years of his life (1978-1984).

In order to analyze the three pieces of legislation that are the focus of this project, I will apply the work of Foucault and the themes and concepts that were subsequently developed by the governmentality approach. It is important to include both bodies of scholarship: Foucault did not fully develop some of his work and governmentality theorists have since built upon the themes and concepts introduced by him. Accordingly, while the work of Foucault will provide the foundation of this chapter's framework, the governmentality literature will be used at times to provide the basis for a more complete analysis.

This chapter begins by presenting Foucault's work on governmentality, as it is in this scholarship that the concepts guiding my analysis are articulated. From this foundation the discussion will shift to a more focused consideration of political epochs, such as liberalism, welfarism, and neo-liberalism, each with embedded rationalities. Then, I will shift to technologies of power, such as anatomo-politics and biopolitics, which form biopower. It will be shown how political epochs with their embedded rationalities and technologies of power dovetail into technologies of governance. A tension between the concepts of sovereignty and biopower will then be discussed, as well as the issue of how

---

<sup>17</sup> This followed a lecture given by Foucault at the Collège de France in 1978, titled "Governmentality".

this is resolved with the emergence of state racism. At the end of this chapter, I select the specific tools that are used to analyze the findings.

### **Conceptual Roots of Foucault's Work on Governmentality**

To begin this section it is imperative to differentiate and clarify the use of the three concepts of governance, government, and governmentality, as they are discussed throughout and can be difficult to differentiate at times. In fact, various authors use them in different ways on occasion. However, this chapter will be guided by the explanations of each term that follows. In a general sense the practice of governance (or governing) signifies “any strategy, process, procedure or program for controlling, regulating or managing problems on a global, national, local or organizational level” (Harrington, Marshall & Muller, 2006: 232). The term government, as well as sovereignty and discipline, are considered forms of governance and rationalities of governmentality. It should be noted that the use of the term government here differs from the more everyday understanding. Foucault (1999 [1978]) distinguishes between the “problematic of government in general [and] the political form of government” (p. 88) -the former is the way the term is employed throughout this chapter. The term governmentality focuses on the configuration of sovereignty, discipline, and government by looking at specific programmes, and the mentality of rule exemplified by the actual practices of governing (Kemshall, 2003: 30). The term government is explored later in this chapter, and it is to the concept of governmentality that we now turn.

Foucault's neologism of governmentality, which has also been called “governmental rationality”, was first introduced in his lectures at the Collège de France from 1978-1979 (Gordon, 1991: 1). For Foucault (2007 [1978]), the study of governmentality requires a

genealogy of the art of government, which traces state rationalities, or ways of thinking about governance (pp. 354-365).<sup>18</sup> This genealogy explores the development of people and society through a non-linear history of everyday events using discourse, knowledge, and practice (Foucault, 1977 [1971]: 139-140). This is important because Foucault “was interested in government as an activity or practice, and in arts of government as ways of knowing what that activity consisted in, and how it might be carried on” (Gordon, 1991: 3).

Foucault’s genealogy of rationalities for the art of government examines four different historical eras (Gordon, 1991: 3). First, Foucault looks at the nature of government and the idea of government as a form of ‘pastoral power’ in Greek antiquity and early Christianity. Second, are doctrines of government seen in early modern Europe that were associated with the idea of reason of state and the concept of police.<sup>19</sup> The third domain is situated in the eighteenth century with the beginning of liberalism, which is the time that the art of government emerged. The fourth domain is post World War II forms of neo-liberal thought evident in Germany, France, and the U.S., that culminated in rethinking the governmentality rationality of government (Gordon, 1991: 3). Foucault (1981 [1979]) links these domains together in *Omnes et Singulatim* when he explained how each has a common focus of interest, which is a tendency towards a form of political sovereignty that

---

<sup>18</sup> Foucault gives a definition of governmentality that is paraphrased here as: 1. The ensemble formed by the institutions, procedures, analyses and reflections, calculations and tactics that allow the exercise of a specific and complex power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument. 2. The line of force that has led towards the pre-eminence of the type of power that is called “government”. 3. The result of the process by which the state of justice became the administrative state and was gradually “governmentalized” (Foucault, 1978 [2007]: 108-109).

<sup>19</sup> “The doctrine of reason of state attempted to define how the principles and methods of state government differed, say, from the way God governed the world, the father his family, or a superior his community. The doctrine of the police defines the nature of the objects of the state’s rational activity; it defines the nature of the aims it pursues, the general form of the instruments involved” (Foucault, 1981 [1979]: 242).

would be a government of all and each, and whose concerns would be at once to “totalize” and “individualize” (p. 32).

Within the work of governmentality, “the idea of ‘governmental rationalities’ refers [...] to the ways of thinking and styles of reasoning that are embodied in a particular set of practices” (Garland, 1997: 184). The semantic linking of governing and modes of thought (mentalities) speaks to the impossibility of studying ways of acting or ruling (technologies of power) without understanding the specific rationalities that underlie them (Harrington et al., 2006: 233; Lemke, 2001: 191). Taking this into consideration, there are three rationalities of governmentality: sovereignty, discipline, and government (Foucault, 2007 [1978]: 107-108). All three are visible today, although different ones emerge and come to dominate within particular historical contexts.<sup>20</sup>

### Sovereignty

Dating back to the middle ages, sovereignty is the absolute rule of power by a prince/king/monarch (the divine right of the king) in order to maintain control and authority of the territory (Foucault, 2003 [1976]: 34-35). The territory is the fundamental element in juridical sovereignty and principality. Sovereign power is exercised over subjects who inhabit the territory, both metaphorically and literally (Foucault, 2003 [1976]: 96). Ruling through obedience, which is ensured through the sword, protects the sovereign (Foucault, 2003 [1976]: 240). Traditionally, the king had the power of life over his people, to take life or let live (Foucault, 2003 [1976]: 241). Sovereignty is a form of governance with characteristics such as constitutions, laws and governing authorities. “The right of the state in international and national law to control the entry and residence of

---

<sup>20</sup> Such as social shifts, religious movements, economic changes, discursive ruptures, etc.

individuals within its borders is today taken as one of the essential conditions of sovereignty” (Dua, 2003: 41).

We see the use of sovereignty with the exclusion of the lepers in the Middle Ages as sovereign authority was exercised through a combination of laws and regulation, as well as religious rituals, which brought about a binary division between those who were lepers and those who were not (Foucault, 2007 [1978]: 9). In other words, to maintain control of the territory, the sovereign authority illustrates his power over the inhabitants by separating and excluding the contagious lepers. This example displays how sovereign power is exercised in relation to subjects of the state’s territory through various mechanisms such as exclusionary laws and regulations, leper colonies, etc. Sovereignty supports and sets up the conditions of possibility for discipline to surface.

## Discipline

The second rationality of governmentality is discipline, a mechanism of power, and form of governance that emerged in the seventeenth and eighteenth centuries (Foucault, 2007 [1978]: 107). In discipline we see the use of the administrative apparatus of state (Foucault, 1995 [1975]: 125), which governs through multiple social institutions (schools, manufacturing, army, etc.) maximizing its forces and efficiency in the interest of the political economy (Foucault, 1995 [1975]: 29). Discipline applies primarily to bodies, forces, and capacities rather than to the land and what it produces, as was the case with sovereignty (Foucault, 2003 [1976]: 35).

“Discipline produces subjected and practiced, 'docile' bodies” as it “increases the force of the body (in economic terms of utility) and diminished these same forces of the body (in political terms of obedience)” (Foucault, 1995 [1975]: 138). This means that

discipline allows for an increase in aptitude along with domination as a docile body may be subjected, used, transformed and improved (Foucault, 1995 [1975]: 136). In *Discipline and Punish*, Foucault (1995 [1975]) traced the ruptures that lead to modern disciplinary forms of control and punishment and argues that there was a shift from a focus on the body to that of the human interior of the soul. For Foucault (1995 [1975]), the soul:

Is produced permanently around, on, within the body by the functioning of a power that is exercised on those punished [...] on those one supervises, trains and corrects, over madmen, children at home and at school, the colonized, over those who are stuck at a machine and supervised for the rest of their lives (p. 29).

"The soul is the effect and instrument of a political anatomy; the soul is the prison of the body" (Foucault, 1995 [1975]: 30). It is to the example of the prison as a disciplinary institution that we will now turn.

We see the rationality of discipline in the prison as it emerged as an instrument to train docile and useful bodies (Foucault, 1995 [1975]: 231), and alter the minds of inmates (Foucault, 1995 [1975]: 125). The appeal of the prison is that it has the potential of constant monitoring. This induces anticipatory compliance with norms and targets, designing-in discipline (Rose, 1999: 244), and inducing inmates to constantly modify their behaviour to accord with institutional standards (Walby, 2005: 662). Prisons are able to do this because they are "complete and austere institutions" (Baltard, 1829: 3); they are an exhaustive disciplinary apparatus and assume responsibility for all aspects of the individual (Foucault, 1995 [1975]: 235). The prison, in order to be effective, must be omnidisciplinary (encompassing all aspects of life), an unceasing discipline (never-ending), and a despotic discipline (almost total power over prisoners) (Foucault, 1995 [1975]: 236). In disciplinary institutions we see the production of knowledge of the individual (Foucault,

1995 [1975]: 125), which creates the condition of possibility for the emergence of the population that can be studied, known and governed. It is to this we now turn.

### The Emergence of the Population

The intention in disciplinary societies is to train and correct individual behaviour and actions through “simple instruments”, such as observation, normalizing judgment, and examination (Foucault, 1995 [1975]: 170). The idea exists that in these instruments there is a shift from a focus on the individual to the population that is constituted by individuals. Accordingly, each will be described in a more detailed fashion.

This observation is evident in various institutions such as schools, barracks, prisons, hospitals, etc. (Foucault, 1995 [1975]: 171). A perfect system of observation would allow one “guard” to see everything in these institutions, as is the case in Jeremy Bentham's Panopticon (Foucault, 1995 [1975]: 200). For Foucault (1995 [1975]), the Panopticon is an ideal architectural type model of modern disciplinary power as its main function is to “induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power” (p. 201). Foucault (2003 [1963]) explained in *The Birth of the Clinic* how the knowledge obtained through observation and record keeping of individuals (in places such as the Panopticon) allows us to see patterns in the population.

Normalizing judgment is utilized through the power of the norm<sup>21</sup> that appears through the disciplines (Foucault, 1995 [1975]: 184) and divides the normal from the abnormal (Foucault, 2007 [1978]: 57). Foucault (2003 [1976]) explains how in a society of

---

<sup>21</sup> The norm can be understood as the “rule of conduct, informal law, the principle of conformity opposed to irregularity, disorder, strangeness, eccentricity, unevenness, and deviation” (Foucault, 2003 [1975]: 162). The norm is also a functional regularity, which differentiates the “‘normal’ as opposed to the pathological, morbid, disorganized, and dysfunctional” (Foucault, 2003 [1975]: 162). It is against the norm that individuals and the population evaluate themselves/itself.

normalization, discipline and regularization intersect as “the norm is something that can be applied to both a body one wishes to discipline and a population one wishes to regularize” (p. 253). Stoler (1995: 82) expands on this when she explained how in discipline it is the body that is the object, whereas the technique of regularization uses the production of knowledge of the multiplicity of men to study a new object, the population. Regularization emerges in normalization and “regulatory mechanisms must be established to establish an equilibrium, maintain an average, establish a sort of homeostasis, and compensate for variations within the general population and its aleatory field” (Foucault, 2003 [1976]: 246). Normalization and regularization are both evident in examination.

Examination combines observation with normalizing judgment and “establishes over individuals a visibility through which one differentiates them and judges them” (Foucault, 1995 [1975]: 184). This is possible through the creation of records by those in control that permits them to formulate categories, averages, and norms that are in turn a basis for knowledge (Foucault, 1995 [1975]: 190) and which allows for the identification of “those to be trained or corrected, classified, normalized, excluded, etcetera” (Foucault, 1995 [1975]: 191). The examination is important because it:

Opened up two correlative possibilities: firstly, the constitution of an individual as a describable, analyzable object [...] Secondly, the constitution of a comparative system that made possible [...] the calculation of the gaps between individuals [and] their distribution in a given population (Foucault, 1995 [1975]: 190).

In the examination we see how it becomes possible to identify differences between individuals, and how they are all part of a larger population.

The instruments of observation, normalizing judgment, and examination illustrate the use and awareness of statistics, which revealed that the population has its own regularities, its own rates of deaths and diseases, its own cycles of scarcity, etc. (Foucault,

2007 [1978]: 104). By understanding a population's mortality and fecundity rates, and how they are subject to epidemics and over-population (Foucault, 1981 [1979]: 252), it then became possible to have knowledge of the domain being governed (the population), and to govern based on that knowledge (Rose, O'Malley & Valverde, 2006: 87).

## Government

The third rationality of governmentality is government, which is also a form of governance that emerged in the late eighteenth, early nineteenth century (Foucault, 2007 [1978]: 101). Government is the "multitude of programmes, strategies, tactics, devices, calculations, negotiations, intrigues, persuasions and seductions" (Rose, 1999: 5) used to govern human conduct.<sup>22</sup> The focus of government is no longer on the territory or the body but on the population, and knowing the individuals of the population (Foucault, 2007 [1978]: 79). Once the population is known it can then be acted upon through diverse regulatory initiatives, such as policy that is implemented to improve the quality of life, by managing the population and economy, and providing security (Foucault, 2007 [1978]: 106). This is based on the consciousness of statistics and political economy (Foucault, 1991 [1978]: 102).

Within this rationality, instead of solely addressing problems of management by the state or administration, government also speaks to issues of self-control, guidance for the family and children, management of the household, directing the soul, etc. (Foucault, 2007 [1978]: 88). For this reason, Foucault (2000 [1982]) has described government as "the

---

<sup>22</sup> Dean (1999) expands on this by explaining that, "government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through our desires, aspiration, interests and beliefs, for definite but shifting ends with a diverse set of relatively unpredictable consequences, effects and outcomes" (p. 11).

conduct of conduct”, a term that ranges from governing the self to governing others (pp. 340-342). Governing the self involves individuals working on themselves to shape their subjectivity, whereas governing others is how various authorities govern populations (Garland, 1997: 174).

The ultimate goal of government is to improve the condition of the population, to increase its wealth, its longevity, and its health (Foucault, 2007 [1978]: 105). We see the use of government when dealing with smallpox. Smallpox and inoculation practices were concerned with:

Knowing how many people are infected with smallpox, at what age, with what effects, with what mortality rate, lesions or after-effects, the risks of inoculation, the probability of an individual dying or being infected by smallpox despite inoculation, and the statistical effects on the population in general (Foucault, 2007 [1978]: 10).

### Sovereignty-Discipline-Government

For Foucault (2007 [1978]), government is the most prevalent rationality today, but it should be noted that it has not replaced sovereignty and discipline; rather it has made them “more acute than ever” (p. 102).

So we should not see things as the replacement of a society of sovereignty by a society of discipline, and then a society of discipline by a society, say, of government. In fact we have a triangle: sovereignty, discipline, and governmental management, which has the population as its main target and apparatuses of security as the essential mechanism (Foucault, 2007 [1978]: 108-109).

Sovereignty created the conditions of possibility for discipline to emerge, just as sovereignty and discipline created the conditions of possibility for government to emerge.

At this point the discussion moves beyond the work of Foucault to a more focused consideration of political epochs with embedded rationalities and technologies of power. The first area of focus addresses political epochs of government developed within the

governmentality literature. These political epochs include a shift from liberalism, to welfarism, to neo-liberalism. The second area of focus examines the technologies of power identified by Foucault and elaborated on in governmentality literature. These technologies of power include anatomo-politics and biopolitics, which together form biopower. Political epochs and technologies of power are then linked together in technologies of governance.

### **Political Epochs with Embedded Rationalities**

Epochs are periods marked by a distinctive character, or a “way of doing things that was oriented to the specific objectives and that reflected on itself in characteristic ways” (Rose et al., 2006: 84). The use of the term political for this section invokes a classical understanding, pertaining to the government by the state of the nation/population. Political epochs, therefore, are periods concerned with the government of the state, and have distinct rationalities entrenched within them “that are constantly undergoing modification in the face of some newly identified problem or solution, while retaining certain styles of thought and technological preferences” (Rose et al., 2006: 98). Political epochs and their embedded rationalities are not considered “pure, neutral knowledge that simply ‘represents’ the governed reality” (Lemke, 2000: 4). They are an “element of government itself which helps to create a discursive field in which exercising power is ‘rational’” (Lemke, 2000: 4), and where “conceptions of the proper ends and means of government are articulated” (Miller & Rose, 1990: 5). This involves an examination of how specific domains are problematized and subjected to particular programmes; rationalities are part of the different forms and varieties of what Foucault referred to as government (Miller & Rose, 1990: 5). Western understanding of the market, state, and population (which are organized around various problems of government) get constituted and

articulated within three distinct political epochs and their embedded rationalities (each associated with an assortment of discourses), which include a shift from liberalism to welfarism, and later to neo-liberalism (Nadesan, 2008: 6).

## Liberalism

Liberalism emerged during the eighteenth century as a result of critical reflection on the practice of government (Foucault, 1989 [1984]: 112). It was the population-wealth problematic evident in state mercantilism under monarchical sovereignty that provided the conditions of possibility for the formation of the liberal state (Nadesan, 2008: 19-20).<sup>23</sup> The belief was that with minimal state contact the market could take care of itself, so the economic well-being of the population became the responsibility of its subjects, and not the state (Nadesan, 2008: 20). Under liberalism we also see the use of statistics, which show the rate of having accidents, and it was believed that responsible and prudent individuals could avoid these random acts of nature by managing their own risk (Arnoldi, 2009: 32).

Liberalism began with the assumption that human behaviour should be governed in the interests of society, which is understood as a realm external to the state (Rose et al., 2006: 84). Liberalism is not about governing less; it is about governing cautiously, delicately, economically, and modestly (Rose, 1993: 292; Osborne, 1994: 488). It seeks to be a cautious, self-critical, enlightened approach to the problem of government. Technologies-of-the-self are intentionally developed in liberalism whereby individuals act upon themselves, rendering themselves subjects of government (Nadesan, 2008: 28).

---

<sup>23</sup> The population-wealth problematic included taxation, scarcity, depopulation, beggary, etc. which lead to the formation of political economy as a field of inquiry. Economic government was now seen as outside of state sovereignty, thus limiting state authorities absolute control over economic transactions between the individuals of the population (Nadesan, 2008: 19).

Under liberalism there is limited state intervention, as the state has no place in the private lives of people (Jessop, 2002: 108). There is also a visible distinction between public and private spheres (Rose, 1993: 293). The overriding understanding in liberalism is the importance of individuals governing themselves, as they are considered rational actors capable of free choice that seek to advance their own material and ideal interests.

### From Liberalism to Welfarism

There is no definitive moment or rupture in time that differentiates the liberal and welfare eras. However, it is possible to approximate the time of this shift. It has been argued that the transition from liberalism to welfarism began in the late 1920's (Banting, 1987: 61-62). The most visible event that triggered this shift was the stock-market crash of 1929 that led to the great depression in the 1930's (Nadesan, 2008: 69). This transition period was marked by conflict in the Western liberal-market democracies as disparity between the rich and poor, market uncertainties, and crises were regarded by many as destabilizing to society and the economy (O'Malley, 2004: 30). At this point, government by the state is introduced to reduce such risks.

### Welfarism

Governmentality theorists refer to the "welfare era" as a period of time in which the state is responsible for the needs of society and the needs of each individual (Rose, 1996c: 338). The principles of welfarism include equal opportunities and distribution of wealth, and public responsibility for those unable to access minimal necessities of life. Social protection came via state intervention in the markets and in the lives of individuals through programmes such as social security, which are firmly tied to the best interests of

society in general. The state starts to interfere in the market and the lives of individuals to ensure maximum advantage to the population, as the social becomes the object of governance (Rose, 1996a: 56). As such, the state becomes responsible to ensure economic and social stability and does so in part through an increased involvement in the private lives of people. There is a belief that social causes influence decisions, which leads to the reduction of individual responsibility, as the state makes certain decisions for an individual (i.e. health care, pension plan, social assistance, etc.) (O'Malley, 1996: 198). Under welfarism, risk was state managed as it was seen as a social problem (Arnoldi, 2009: 32), and as a product of pathology or incompleteness that a scientifically guided state should eventually eliminate or neutralize.

#### From Welfarism to Neo-Liberalism

Similar to the shift from liberalism to welfarism, there is no definitive moment or rupture in time that differentiates the welfare and neo-liberal eras, but the time of this shift can be estimated. Pratt (1999: 142) cites changes in law from 1970 onwards that represented a neo-liberal shift, as they were more focused on a new understanding of risk and danger. Other governmentality scholars argue that we witnessed this shift across societies as late as the 1980's and 1990's (Pratt, 1999: 136; Chunn & Gavigan, 2006: 222-226). During this time, most advanced industrial countries saw the assumptions of the welfare state come under attack (Rose, 1996c: 327). In this context, we began to see a fading of welfarist rationales for state interventions, and a shift from collective to an individual responsibility (Garland, 2001: 8). Ultimately, welfare regimes were criticized for the dependency that they create in those who are their subjects (Rose, 1993: 294; Haggerty, 2003: 193). In trying to provide for the poor, the welfare state produced more

poor, and provided the conditions of possibility for how we respond in a neo-liberal state. It is important to acknowledge that social welfarism has not necessarily been wholly displaced by neo-liberalism (O'Malley et al., 1997; Stenson & Watt, 1999; O'Malley, 2000b; Rigakos & Hadden, 2001), and that such a distinction implicates the potential for hybridized neo-liberal and social welfare oriented legislation, policy and programming on contemporary immigration.<sup>24</sup>

### Neo-Liberalism

Neo-liberalism is the dominant political epoch apparent today and is often the focus of governmentality studies. Neo-liberalism has been described as a form of governance where power is de-centered and individual members play an active role in governing themselves and each other (Burchell, 1993: 268-276; Garland, 1997: 183). Under neo-liberalism, risks no longer protected by the welfare state became the responsibility of the individual, who began to seek out more insurance and advice from experts on how to manage their own risks by making prudent and informed choices (Kemshall, 2003: 37). This shift is reflective of neo-liberal techniques and its related knowledge and objectives that are representative of a new form of government at a distance, which promotes responsabilization (Hannah-Moffat, 2000: 511-514; O'Malley, 1999: 211; Pratt, 1999: 144; Rose, 1999: 237; Latour, 1987: 219; Miller & Rose, 1990: 9).

Responsibilization strategies idealize the rationality of individual decision makers and the notion of them being in charge of their own choices and managing their personal risk (Haggerty, 2003: 194-195; Garland, 2003: 62; Hannah-Moffat, 2000: 511). From this viewpoint, as state responsibility goes down the level of individual responsibility goes up

---

<sup>24</sup> In fact, this notion is explored in *Chapter 6: The Convergence of Welfarism and Neo-Liberalism*.

(Silverstein, 2005: 2). Pratt (1999) argues that individuals are taking responsibility to manage their risk more than ever before, and neo-liberal government “allows the rational, responsible subjects of its discourse to make choices for themselves concerning health, education and the like” (p. 144). Individuals are considered to pose a risk to others when they fail to govern themselves (Rose, 1996c: 349). When this occurs, protection against risk through an investment in security becomes part of the responsibilities of each individual (Rose, 1996c: 342). Thus, neo-liberal rationalities seek to minimize societal risk and maximize individual well-being (Nadesan, 2008: 3), and it can accomplish this through scientific engineering and individual technologies-of-the-self.

Technologies-of-the-self are described as “intentional and voluntary action by which men not only set themselves rules of conduct, but also seek to transform themselves, to change themselves in their singular being, and to make their life an *oeuvre* [work of art]” (Foucault, 1990 [1984]: 10-11 [*emphasis in original*]). From this point of view it is argued that, “individuals are incited to live as if making a project of themselves [...] to develop a ‘style’ of living that will maximize the worth of their existence to themselves” (Rose, 1996b: 157). To achieve this, individuals avail themselves of a diverse set of strategies and tactics, such as building self-esteem (Cruikshank, 1999: 88-91) and empowerment (Hannah-Moffat, 2000: 512; Jessop, 2002: 121).

Neo-liberalism also promotes diffused government, which is the absence of a centralized authority structure through privatization (selling off of public sector apparatus’), deregulation (reducing the role of law and state), liberalization (promoting free competition), and globalization (allowing free inward and outward flows) (Jessop, 2002: 114). Neo-liberalism, like classical liberalism is prepared to allow the economy to

determine its fate: individuals are responsible for decision making, as opposed to the state. However, individuals in a neo-liberal state no longer have the same ability to manage the economy (when compared to that of liberalism).

### **Technologies of Power**

At this point we are going to shift the discussion. I mentioned earlier, there are two areas of focus that require more consideration: the first is political epochs with embedded rationalities, and the second is technologies of power, which are introduced by Foucault and elaborated on in the governmentality literature. The technologies of power discussed below include anatomo-politics and biopolitics; together, they form biopower.

What is meant by technologies is “certain modes of training and modification of individuals, not only in the obvious sense of acquiring certain skills but also in the sense of acquiring certain attitudes” (Foucault, 1988 [1982]: 18). This means that technologies can be viewed as “the technical assembly of means of judgment...; the techniques of reformation and cure...; [and] the apparatuses within which intervention is to take place” (Nadesan, 2008: 12). From this position, technologies are a practice or the physical or mental act of constructing reality through the exercise of power in relation to knowledge.

For Foucault (1988 [1982]), there are four types of technologies, “each a matrix of practical reason” (p. 18). The first is technologies of production, which allow us to produce and manipulate things. The second is technologies of sign systems, which allow us to use meanings, symbols, etc. The third is technologies of power, “which determine the conduct of individuals and submit them to certain ends and domination, an objectivizing of the subject” (Foucault, 1988 [1982]: 18). The fourth, which was alluded to earlier, is technologies-of-the-self, that allow “individuals to effect [...] operations on their own

bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state” (Foucault, 1988 [1982]: 18). For the purpose of this section, we are concerned with the technologies of power.

We have already discussed the ways that sovereignty, discipline, and government require mechanisms of power, and how they are rationalities of governmentality. From these rationalities emerged new technologies of power: anatomo-politics and biopolitics, which form biopower.

### Anatomo-Politics

Anatomo-politics emerged in the eighteenth century (Foucault, 2003 [1976]: 243) and is closely related to the governmentality rationality of discipline. It is defined as:

Technologies of power that act upon individuals in order to discipline and/or normalize their comportment towards the ends of state security and capital accumulation. Anatomo-politics appropriates disciplinary power for the purposes of managing the corporeality of population, historically, within specific territories (Nadeson, 2008: 8).

This technology focuses on the individual and sees the human body as a machine that can be trained and disciplined, as anatomo-politics is concerned with knowing individuals who are objects and instruments that can be used to better the economy (Foucault, 1995 [1975]: 28-30, 138-139). Anatomo-politics is seen through the disciplining of life forces in new spaces (schools, prisons, and factories) by new authorities (teachers, guards, and factory foremen) using new technologies of power (pedagogies, criminal rehabilitation, and machines) (Nadeson, 2008: 23).

## Biopolitics

Emerging in the late eighteenth, early nineteenth century (Foucault, 2003 [1976]: 243-244), biopolitics is closely related to the governmentality rationality of government, and is concerned with domains such as the family, housing, living and working conditions, public health issues, patterns of migration, levels of economic growth and the standards of living (Dean, 1999: 99). It makes sense then that within biopolitics there is an increasing state concern for the biological well-being, control, regularity and stability of the population as it is addressed as a “political problem” affected by overall processes characteristic of birth, death, production, illness, and so on (Foucault, 2003 [1976]: 243-247; Kelly, 2004: 59-64). In order to be most effective, biopolitics operates primarily through security mechanisms rather than disciplinary ones, as is the case in anatomo-politics (Foucault, 2003 [1976]: 246; Nadesan, 2008: 8). This is evident in international biopolitics, which “governs the movement, transitions, settlement and repatriation of various populations-including refugees, migrants, guest workers, tourists and students” (Dean, 1999: 100). It is important to note that by examining the link between the health of the population and the economic and political security of the state, Foucault demonstrates how this resulted in distinct biopolitical strategies for representing and acting upon populations, which were not simply imposed from above but were adopted as practices of self-government in everyday routines and disciplines (Nadesan, 2008: 93).

## Biopower

Biopower emerged alongside biopolitics in the late eighteenth, early nineteenth century (Foucault, 2003 [1976]: 248-249) and consists of two poles, anatomo-politics of the human body and biopolitics of the population (Foucault, 1990 [1976]: 139), which

makes it the most pervasive expression of power in the modern period (Nadesan, 2008: 3, 211). Biopower is defined as “an explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations” (Foucault, 1990 [1976]: 140), and is a technology of power that addresses the management of, and control over the life of the population (Foucault, 2003 [1976]: 247).

It is important to return to the two concepts of normalization and regularization that we have previously discussed, both of which are evident in biopower. Biopower operates in relation to normalizing anatomo-politics performed by, and upon, individuals during the course of everyday life (Nadesan, 2008: 211). In this way, biopower establishes norms in society, which are subject to precise controls and comprehensive regulations. Operating primarily through the norm, biopower is concerned with the statistical analysis of vital processes such as birth rates, accidents, illnesses, and morbidity, and consists of making live and letting die (Foucault, 2003 [1976]: 243-247). Foucault (2003 [1976]: 252) was interested in the norm surrounding the processes of disciplining (normalization) and regularization, which articulates the individual and the population. Consider that the norm applies to the body one wishes to discipline and the population one wishes to regularize (Foucault, 2003 [1976]: 253). Accordingly, biopower addresses the population as a “political problem” requiring regularization through the establishment of equilibrium, the maintenance of an average, the creation of a sort of homeostasis, etc. (Foucault, 2003 [1976]: 245-247). This means that biopower is the modern state’s regulation of their subjects and a way of managing people as a group, or the regularization of life (Foucault, 2003 [1976]: 249).

## **Technologies of Governance**

At this point of the discussion, it will be illustrated how political epochs with embedded rationalities and technologies of power come together in technologies of governance. Technologies are defined as “certain modes of training and modification of individuals, not only in the obvious sense of acquiring certain skills but also in the sense acquiring certain attitudes” (Foucault, 1988 [1982]: 18). Technologies are a practice or the physical or mental act of constructing reality through the exercise of power in relation to knowledge. Governance was defined earlier in this chapter as “any strategy, process, procedure or program for controlling, regulating or managing problems on a global, national, local or organizational level” (Harrington et al., 2006: 232), and is an attempt to control or manage any known object (Hunt & Wickham, 1994: 78). What is considered a known object can range from an event, a relationship, an animate object or an inanimate object, or any phenomenon which human beings try to control or manage. Governance is evident in discourses that deal with individuals and populations, also through technologies that provide the means to turn ideas into practices (Brock, 2003: xxx). An example of this is provided by Dua (2003) who explored the historical emergence of citizenship as a technology of governance that enabled the Canadian state to administer membership in Canada.

We have seen that Foucault (1988 [1982]: 18) differentiated four types of technologies, and technologies of power were explained in more detail as that which determines the conduct of individuals and submits them to certain ends and domination. Technologies of governance are related to technologies of power as they focus on the mechanisms that make governing possible (Miller & Rose, 1990: 8). It has also been

demonstrated how political epochs and their accompanying rationalities are characterized by changing discursive and practical fields “in which conceptions of the proper ends and means of government are articulated” (Miller & Rose, 1990: 5). Technologies of governance are related to political epochs with embedded rationalities as they are defined as “the strategies, techniques and procedures through which different forces seek to render programmes operable, and by means of which a multitude of connections are established between the aspirations of authorities and the activities of individuals and groups” (Rose & Miller, 1992: 183). The importance of governmentality is that it “stresses how common rationalities of government and technologies of power align the institutions, authorities, and technologies of everyday life, the market, and the state” (Nadesan, 2008: 4), and it “analyzes historically how problems and technologies of governance are formulated and addressed” (Nadesan, 2008: 6). As such, technologies of government are linked to both technologies of power and political epochs with embedded rationalities. It should be noted that “much of the scholarship on governmentality has not explored the ways in which discursive regimes of power and technologies of governance have been situated on a racialized (and imperial) landscape” (Dua, 2003: 58).

### **Society Must be Defended**

At this point a new topic of discussion will be introduced, one that arises out of a contradiction between two of the concepts that have previously been presented in sovereignty and biopower. It was explained how sovereignty is not replaced by discipline and government; it is still evident today and is focused on the territory. It was also illustrated how biopower consists of two poles, anatomo politics and biopolitics, and its object is the population. What we are seeing here is the emergence of multiple concepts, all

of them operating at different planes but intersecting, that being sovereignty, discipline and anatomo-politics, government and biopolitics, and biopower (see Appendix A).

Foucault (2003 [1976]: 247) argues that there is an apparent contradiction between two systems of power, sovereignty, which took life and let live, and biopower, which consists of making live and letting die. Biopower needs sovereign power to claim the right to kill: “The way biopower functions through-the old sovereign power of life and death implies the workings, the introduction and activation, of racism” (Foucault, 2003 [1976]: 258). In other words, Foucault argues that the clash between sovereignty and biopower creates the conditions of possibility for state racism to emerge; he introduced this argument in his 1976 lectures titled *Society Must be Defended*. Foucault ends his lecture series with the question, “how can one both make a bio-power function and exercise the rights of war, the rights of murder and the function of death, without becoming racist? That was the problem, and that, I think, is still the problem” (Foucault, 2003 [1976]: 263). This is a problem to which Foucault never returned, but other scholars have taken up this challenge and attempted to elaborate a deeper understanding through the concept of state racism.

### State Racism

Foucault (2003 [1976]) argues that state racism emerged in the nineteenth century and is defined as whatever “justifies the death-function in the economy of biopower by appealing to the principle that the death of others makes one biologically stronger insofar as one is a member of a race or population” (p. 258). What this means is that the ‘death’ or ‘killing’ of individuals deemed ‘enemies’ of the state is justified through the use of racism,

which ultimately strengthens the population (the object of biopower). The term race and racism will briefly be explained for clarity's sake.

Under sovereignty, while some ancient cultures were sensitive to cultural identity and had a discourse or perceptions of hierarchy (in which they assumed superiority), they did not conceptualize race in modern, embodied terms (Hyde, 1997: 224). Accordingly, Foucault's conception of race does not refer to divisions primarily based on skin-tone, heredity or bloodlines (Kelly, 2004: 61-62). Foucault's comprehension of race is grounded in centuries of discourse where race had little to do with physical appearance,<sup>25</sup> and referred to the population/nation that individuals belonged to (Kelly, 2004: 62).<sup>26</sup> This suggests that the modern understanding of race, which began in the early 1800's, as a "natural trait inherent in the body may appear well entrenched in ordinary thought, but it is not particularly old" (Hyde, 1997: 224). It is important to note that the use of the term racism (in Foucault's state racism) is not the same as in the contemporary socio-political context, as it is the biopolitical exclusion of individuals which needs only the idea that they are harmful to society, not that they are dangerous at a genetic level (Kelly, 2004: 61-62). Simply put, the old term of racism (the one in which Foucault is referring to) is on the level of the population (as in a society/nation), and the modern term is on the level of genetics.

For Foucault (2003 [1976]), race is a "way of introducing a break into the domain of life that is under power's control: the break between what must live and what must die" (p. 254). This allows for the identification of 'enemies' of the population, inside or outside the boundaries of the state, and thus licenses the killing of those people. When Foucault (2003

---

<sup>25</sup> Foucault alludes to how in the Middle Ages the predominant form of racism was a religious racism in which European Christians saw Muslims as the racial other (Foucault, 2003 [1976]: 65-89).

<sup>26</sup> The words 'nation' and 'race' were once used interchangeably (Kelly, 2004: 62).

[1976]) says 'killing' he does not simply mean murder, "but also every form of indirect murder [letting die]: the fact of exposing someone to death, increasing the risk of death for some people, or quite simply, political death, expulsion, rejection, and so on" (p. 256). Foucault (2003 [1976]) argues, "once the State functions in the biopower mode, racism alone can justify the murderous function of the State" (p. 256). State racism is evident when a state makes the distinction between those it keeps alive, those it kills, and those it merely allows to be exposed to greater risk of death (Kelly, 2004: 61).

Shein (2004: 18) built on the work of Foucault and argues that state racism is not only a tool to legitimate death, but also works as a mechanism of power. Racism goes beyond justifying death, as it is a power that controls and normalizes the population. Shein argues that the normalizing effects of state racism (whatever they may be) should be developed, whether it is through a disciplinary or regulatory form.

### Bio-Nationalism

With an experimental<sup>27</sup> application of state racism to the contemporary geopolitical situation, Kelly (2004: 58-64) argues that we are currently witnessing a shift from a focus on state racism to that of bio-nationalism.<sup>28</sup> For Kelly (2004: 62), bio-nationalism accompanies state racism wherein a population strives to strengthen itself as a nation-state. Bio-nationalism supposes that with the emergence of the economy, there is a need to make it stronger, which strengthens the population as a whole. In order to strengthen the economy, a race/nation systematically selects skilled and wealthy immigrants who will be economically beneficial to their country (regardless of their national origin, or if they are

---

<sup>27</sup> The term 'experimental' is used as Kelly (2004: 58) contends that his work is an experimental application of Foucault's state racism, and that no one has applied it in such a way.

<sup>28</sup> Foucault never discussed the issue of bio-nationalism, it is introduced by Kelly (2004).

physical 'different').<sup>29</sup> Kelly (2004: 62) argues that in order to do this, a race/nation must draw upon a form of state racism that involves making large-scale use of prejudice to systematically select immigrants. The selection of these immigrants does not strengthen the race/nation at the level of the genetic, but at the level of the economic, which strengthens the whole of the population, which is the object of bio-nationalism (Kelly, 2004: 62-63). Here we are seeing the importance of the productive citizen geared toward improving the economy; bio-nationalism uses prejudice in favour of strengthening the nation as a whole (Kelly, 2004: 64).

### **Summary**

In this chapter the central themes and concepts of governmentality were outlined. In order to gain a better understanding of what governmentality entails it was important to start with an explanation of the three rationalities of governmentality (sovereignty, discipline, and government) and how one rationality is not replaced by the other; rather they co-exist with one another. From this foundation, we moved to a more focused consideration of two areas. The first discussed three political epochs and their embedded rationalities and two accompanying shifts, from liberalism to welfarism, and from welfarism to neo-liberalism. The second described the emergence of technologies of power, and focused on anatomo-politics, biopolitics, and biopower. It was then important to discuss how technologies of power and political epochs with embedded rationalities come together in technologies of governance. Finally, a new topic was introduced that emerged from two of the concepts that had been previously discussed. The contrast existed between two systems of power, sovereignty, which took life and let live, and biopower, which

---

<sup>29</sup> Whereas simply letting anyone in can potentially weaken your economy (Kelly, 2004).

consists of making live and letting die. This contrast led to the emergence of the notion of state racism, which is accompanied by bio-nationalism.

### **Selecting My Analytical Tools**

At the beginning of this chapter it was explained that in order to analyze the three pieces of legislation that are the focus of my research, this thesis would apply the work of Foucault and the themes and concepts developed by the governmentality approach. It is important to understand that Foucault's writings and lectures ought to be considered a toolbox from which one can borrow a method, theory or trick and creatively apply it to whatever one sees fit (Goldstein, 1998). When pulling Foucault's tools out of the toolbox, a selection process is involved, and the selection criterion rests on the field to which one is contributing (Kharkhordin, 1999).

This project draws upon state racism and bio-nationalism to analyze my findings, and engages with Kelly's (2004) claim that in our contemporary geopolitical situation we are witnessing a shift from a focus on state racism to one of bio-nationalism. By doing so, Kelly has opened a debate I hope I can contribute to. Political epochs with their embedded rationalities and accompanying shifts will also be used to analyze my findings. The methodological approach used for this project is where we will now turn.

### **CHAPTER THREE: METHODOLOGY**

In this chapter, the methodological approach used to collect and analyze my data will be outlined. An explanation of the terms archaeology and discourse are provided in order to understand the concepts behind the method employed for this thesis: a Foucauldian discourse analysis. The particular approach used stems from the work of Jean Carabine (2001). The reasons for selecting the data and how it was analyzed will then be discussed, followed by a summary of the steps required to complete a Foucauldian discourse analysis, and a discussion on the scope and nature of such a study.

#### **Archaeology**

In *The History of Sexuality: The Use of Pleasure*, Foucault (1990 [1984]) divides his work into three analytical stages. The first is archaeology, and is defined as “the analysis of discursive practices [that] made it possible to trace the formation of the disciplines” (Foucault, 1990 [1984]: 4). The second is “the analysis of power relations and their technologies” (Foucault, 1990 [1984]: 4), that is, genealogy. The third is the care of the self and refers to “the modes according to which individuals are given to recognize themselves as [...] subjects” (Foucault, 1990 [1984]: 5). Foucault calls these three the “archaeological dimension”, the “genealogical dimension”, and the “practices of the self”, respectively (Foucault, 1990 [1984]: 11-12). This section focuses on the first area of archaeology, in order to position the approach employed in this study.

Archaeology is a “critical investigation of disciplinary systems of knowledge with the goal of understanding the discursive practices that produce those systems of

knowledge” (Prado, 2000: 24).<sup>30</sup> The aim is not to assess the truth of knowledge systems’ claims, but to understand how they come to be: Archaeology “must remain neutral as to the truth and meaning of the discursive systems it studies” (Prado, 2000: 25). Archaeology as a method is comparative, to the extent that it focuses on neglected or suppressed similarities and differences between an established system of knowledge and superseded or repressed ones (Prado, 2000: 25). The objective in this approach is to “highlight and connect previously marginal and obscured elements [...] thereby presenting a very different picture of that discipline” (Prado, 2000: 25). Ultimately, archaeology “investigates the discontinuities and newly established similarities that reveal abandonment of one conceptual framework and adoption of another” (Prado, 2000: 27).

After Foucault’s archaeological period,<sup>31</sup> came his work on genealogy, a term outlined in the last chapter.<sup>32</sup> To avoid ambiguity, the distinction between an archaeology and genealogy must be made. Archaeology deals with the relationship of a system of statements, while genealogy is concerned with the transforming of such systems over time (Dreyfus & Rabinow, 1983: 104). The important difference between the two is that archaeology focuses on the comparison of the discursive formations of different periods, whereas genealogy could speak to the causes of the transition from one way of thinking to another across such periods.<sup>33</sup> The approach that this thesis takes is archaeological, as it focuses on the comparison of discursive formations across different periods: “snapshots” of

---

<sup>30</sup> The meaning of disciplinary systems of knowledge in this context refers to both a field of study and a system of control (Prado, 2000: 25).

<sup>31</sup> During his archaeological period, Foucault published *Madness and Civilization* (Foucault, 1989 [1961]), *The Birth of the Clinic* (Foucault, 2003 [1963]), *The Order of Things* (Foucault, 1989 [1966]), and *The Archaeology of Knowledge* (Foucault, 2002 [1969]), as well as many related articles.

<sup>32</sup> Genealogy explores the development of people and society through a non-linear history of everyday events using discourse, knowledge, and practice (Foucault, 1977 [1971]: 139-140).

<sup>33</sup> Genealogy also focuses on non-discursive elements, whereas archaeology does not.

particular moments in time. Given the significance of the term discourse in the archaeological approach, it is imperative to discuss its meaning, which is where we will now turn.

### **Discourse**

According to Foucault (2002 [1969]) discourse is to be viewed as “sometimes [...] the general domain of all statements, sometimes as an individualizable group of statements, and sometimes as a regulated practice that accounts for a number of statements” (p. 8). More specifically, discourse “can be viewed as a complex set of competing ideas and values, all of which are actualised in our everyday practices” (Jacobs, 2006: 44). This study posits that discourse involves groups of related statements that fit together in some way to produce both meanings and potential effects (Carabine, 2001: 268). This of course begs the question, what is meant by meanings and potential effect. It is to this we now turn.

When looking at the meanings of a group of related statements, it is important to acknowledge that people interpret reality through discursive structures without necessarily being aware of how they develop their understanding (Mills, 2003: 25). At any given time, there are several opposing and competing discourses that exist, though there may be some that are more prevalent at a particular point in history (Foucault, 1990 [1976]: 100). Discourses are constantly challenged and contested (as they contain within them contradictory and conflicting ideas); thus can transform existing knowledge and ways of acting out these meanings, and leads to new potential effects (Carabine, 2001: 273). In other words, discourse is a way that an issue is talked about; it has an effect on what we

perceive as truth, and influences the way we understand, experience and respond to a topic (Smart, 2002: 48).

To provide an example of how discourse produces both meanings and potential effects, the issue of ex-prisoners will be discussed. If a series of well-received studies are released on ex-prisoners, this may serve to create an image of them being violent and dangerous recidivists. This is possible because discourses create meanings by establishing a particular knowledge or 'truth' about the world and by forming a representation of how something is or ought to be (Carabine, 2001: 268). Discourses also create potential effects because they can define aspects of the world, stigmatize individuals or groups, and lead to the development or amendment of criminal justice policies, to name only a few. Using the example noted above, the image of an ex-prisoner being a violent and dangerous recidivist can have the potential effect of resulting in their alienation in society because of the stigma attached to them, or lead to new policies to restrict their release back into the community.<sup>34</sup>

The explanation of meanings and potential effects will now be related to this thesis' topic of immigration. In the next two chapters, it is suggested that the discourse in the *documents* portrays a 'bad' immigrant as a 'threat'; this includes (but was not limited to) individuals suffering from a disease, disorder, disability or other health impairment where their admission would cause or might reasonably be expected to cause excessive demands on health or social services. The potential effect of such an image was that it made possible a self-perpetuating circle where immigrants were prohibited from coming to Canada

---

<sup>34</sup> Examples of such policies include the elimination of 2-for-1 pre-sentence credit (designed to keep offenders in prison longer, as opposed to awarding them for time spent in pre-sentence custody at a rate of 2-to-1), and dangerous offender designations (which hold offenders in jail for an undetermined period of time).

because of the conditions that resulted in them being designated in that category in the first place.<sup>35</sup>

## **Method**

This thesis employs a Foucauldian discourse analysis as its method.<sup>36</sup> The particular approach used was developed by Carabine (2001) when she looked at the discourse surrounding the concept of “unmarried motherhood”.<sup>37</sup> The purpose of this kind of analysis is to identify/describe the particular elements that are contained within the discourse (which are constituted through text in the *documents*) and the potential effects that they have (Silverman, 2006: 157). It should be noted that the latent meanings of the discourse are never looked at, as this analysis remains at the level of the document (i.e. manifest meanings).<sup>38</sup> A Foucauldian discourse analysis is relevant because it can be used to illuminate transformations, and provide snapshots of discourses at particular moments in time without resorting to tracing an entire history (Carabine, 2001: 280).

I must acknowledge that a Foucauldian discourse analysis is similar to a content analysis and analytic induction (or a combination thereof). The main difference is that a Foucauldian discourse analysis is about identifying, selecting and using tools from the extensive toolbox (the one alluded to in *Chapter 2: Exploring Governmentality*) provided by

---

<sup>35</sup> For instance, immigration applicants from countries that are unable to provide adequate health care were excluded from Canada because the resources to address these situations in their country of origin were largely absent.

<sup>36</sup> Other useful forms of discourse analysis include: conversation analysis, sociolinguistics, discursive psychology, and critical discourse analysis (Wetherell, Taylor, & Yates, 2001), however a Foucauldian discourse analysis is the most applicable for this thesis. I must also note that I chose to do a discourse analysis over a content analysis as I am not looking for any specific words, sentences or phrases.

<sup>37</sup> It must be reiterated that the approach taken here is archaeological in nature, as opposed to genealogical, as was the case with Carabine (2001).

<sup>38</sup> With a Foucauldian discourse analysis, there can be manifest and latent consequences, although the data looked at for this project does not allow for this. Though I do at times discuss potentially obscured and more deeply embedded notions implicated in the discourses.

Foucault's work, which can shape and frame the research conducted and analysis undertaken (Cheek, 2008). This is apparent in my work as Foucault's articulation of archaeology and discourse guide my method (also, *Chapter 5: An Analysis of the Documents* and *Chapter 6: The Convergence of Welfarism and Neo-Liberalism* draw upon Foucault's work on state racism and political epochs with embedded rationalities to analyze my findings). A Foucauldian discourse analysis can also speak to the potential effects that the particular elements contained within the discourse can have, which a content analysis or analytic induction cannot.

For the purpose of this thesis, I will be looking at three documents and presenting a comparison. Such an analysis also allows me to provide insight regarding three particular moments in time, and to contribute, in a small manner, to an archaeological account of the ways in which the government of immigration applicants, immigrants, and the immigration process, has been constituted at different periods of time.

#### Data Source: Selection of Documents

The research question guiding this method is: What meanings and potential effects related to the government of the immigration applicant, the immigrant, and the immigration process in Canada, are produced by the discourses of the *documents*? In order to answer this research question, the following immigration legislation was examined: the *Immigration Act (IA)* of 1952, the *Immigration Act (IA)* of 1976, and the *Immigration and Refugee Protection Act (IRPA)* of 2001 (and all regulations found therein in all three cases).

The decision to analyze the *IA* of 1952, the *IA* of 1976 and the *IRPA* of 2001 was made for three main reasons. First, legislative documents are an excellent source of discursive data as they are the most 'polished' end result of a series of debates between

elected officials on how to deal with immigration in Canada,<sup>39</sup> and this type of analysis allows me to look at how something has been constituted and defined at specific moments. Second, the *IRPA* of 2001 is the current immigration legislation in force in Canada; therefore it is important to examine it and compare the similarities and differences evident in the past. Comparing the *IRPA* of 2001 to the *IA* of 1952 and 1976 allows me to identify the most recent temporal periods in Canadian immigration legislation, as the *IA*'s of 1952 and 1976 are the predecessors to the *IRPA* of 2001. Finally, the data sources were chosen because of their thoroughness (they speak to all aspects of the immigration process) and the potential influence that they have on the government of immigration applicants and immigrants, as everyone who desired to come to and remain in Canada was subject to these pieces of legislation when they were in force.

Each piece of legislation was acquired from a database in their original version at the time they received assent. The *IRPA* of 2001 was attained from the Canadian Legal Information Institute and is available at their website (<http://www.canlii.org/>). The *IA*'s of 1952 and 1976 were attained from the Law Library Microform Consortium digital law database and are available at their website (<http://www.llmc.com/>). The three documents are the laws that were in place in Canada at specific moments in time, and applied to all immigration applicants/immigrants (and refugees as of 1976).

### Data Analysis

In order to analyze the *documents*, it was necessary to develop an analytic framework I adapted from Carabine's (2001) "Guide to doing a Foucauldian discourse

---

<sup>39</sup> As immigration legislation is the most visible form of how a nation chooses to handle immigration.

analysis” (p. 281).<sup>40</sup> This provided a template to analyze the discourses (in the *documents*) to effectively respond to my research question. There are several elements to this guide, and Carabine cautions researchers not to interpret them as being linear in nature, as some steps occur simultaneously and at other times some may be more applicable after later numbered steps have been completed. “So analysis is often a dynamic process of interpretation and reinterpretation” (Carabine, 2001: 285). Keeping this in mind for the purpose of this thesis, the steps in Carabine’s guide have been collapsed into two broad categories (see Appendix B): (1) knowing the data and drawing out the discourses, and (2) analyzing the nature of the discourses in the documents.<sup>41</sup>

### *1. Knowing the Data and Drawing out the Discourses*

To complete this phase of the coding analysis, the researcher must immerse himself in the data by looking it over several times and making relevant notes along the way. Carabine (2001) suggests such an approach allows the researcher to “get a ‘sense’ of what the documentation was about and secondly to establish where (your topic) enters the discussion” (p. 282). The purpose of Carabine’s (2001) latter point is “to identify the instances, occurrences, and ways and means that (your topic) was ‘spoken of’ in the (documents), at which points, and to identify the [...] objectives [...] of the discourse” (p. 282). For this phase, each document was read in their entirety two times, whilst keeping in mind my research question and overall topic. The first read was designed to familiarize myself with the content of the *documents* and to begin to make notes and ‘flag’ areas of

---

<sup>40</sup> Carabine’s “Guide to doing a Foucauldian discourse analysis” can be found in Appendix B.

<sup>41</sup> It should be noted that some of the steps in Carabine’s (2001) guide are not evident in the two broad categories outlined for this section. Rather, they are evident in other parts of this thesis (i.e. Findings Chapter, and The Nature and Scope of a Foucauldian Discourse Analysis). These steps can be found in the modified version of Carabine’s guide (found in Appendix B).

relevance. The second read was more intensive and allowed me to further interpret the substance of the *documents*.

When the researcher becomes comfortable with the data, he or she begins the process of analyzing how the document constitutes the topic of interest. During this third reading I began “to identify various themes, categories, [and] representations in [...] the discourse” (Carabine, 2001: 283). This required me to note every time my topic was addressed, “identifying the different contexts, the way the problem was ‘framed’, how it was presented and discussed, and the solutions that were recommended” (Carabine, 2001: 283). This reading, sought to assess whether the *documents* addressed issues pertaining to my topic of interest. In order to draw out the texts that constituted the discourses, I began to compose a list of questions that reflected the content of the *documents*, and also served to address each of the issues identified (in regards to my topic of interest). This process involved ongoing refinement to the questions being posed, and was not complete until the first round of coding the data was finished. This proved to be quite a ‘messy’ process, as I must acknowledge that initially when I began this project, my research question and topic of interest intended to look at the government of the immigrant and the state. However, after I gained a greater understanding of the substance of the *documents* by undergoing the process of refining the questions being posed to them, my research question and topic of interest were updated to include the immigration applicant, the immigrant, and the immigration process. The final version of my question guide was organized around those three major themes. Taken together, these themes addressed 17 questions of interest (see Appendix C for operational definitions).

### **A. *The Immigration Applicant***

*How does the document speak of:*

- The admissible immigration applicant
- The inadmissible immigration applicant
- Race
- Gender
- The family

### **B. *The Immigrant***

*How does the document speak of:*

- The admissible immigrant
- The inadmissible immigrant
- The deportation of the inadmissible immigrant
- Race
- Gender
- The family

### **C. *The Immigration Process***

*How does the document speak of:*

- The rights of the immigration applicant/immigrant
- The responsibilities of the immigration applicant/immigrant
- The status of the immigration applicant/immigrant
- The examination of the immigration applicant/immigrant
- The role of the government of Canada
- The objectives of the immigration process

With this guide, each of the three documents was coded and all statements related to the question being posed were recorded in a spreadsheet (i.e. everything that spoke to the role of the government was placed in that section of my notes). This process was then completed a second time to pick up on anything missed the first time, and my work was updated accordingly. After the second read in this phase, four statements were noticed that were not found in the first read, and were added to my final coding sheets. In the end, the *documents* were read a total of five times: two times in order to get a sense of the data, once

to determine the general ways that the documents spoke to my topic of interest, and twice to extract statements related to each of the questions that were being asked. Upon completing this process, approximately 82 pages of single-spaced notes were compiled, organized by category and question.

The next step involved going through my notes to identify the discourses that were presented, which essentially meant responding to the questions asked to the documents (how the document spoke to the admissible/inadmissible immigration applicant, race, gender, family, etc.). This required me to read through my notes several times and identify what meaning or 'truth' was being presented regarding a particular issue and the potential effects that this could have.

## *2. Analyzing the Nature of the Discourses*

As was previously mentioned, the steps to Carabine's "Guide to doing a Foucauldian discourse analysis" were collapsed into two broad categories. The first category involved knowing the data and drawing out the discourses, while the second consists of analyzing the nature of the discourses. Carabine (2001: 281) suggests that the researcher considers the nature of the discourses presented in addition to identifying the ways that an issue is spoken of. This process involves considering the ways the discourses are inter-related, and noting any absences (what is not said in the *documents*). An example of the inter-relationship between discourses is apparent with the text used to articulate the 'bad' immigrant and the concept of 'race' in the 1952 document, as they both use similar text to convey different findings. An example of the absences was evident in the 1952 document, as there were no stated objectives.

For the purpose of analysis, this study is mainly concerned with the first category (knowing the data and drawing out the discourses), as this takes up the majority of the findings chapter. The second category (analyzing the nature of the discourses) will serve to supplement my findings where appropriate, as inter-relationships and absences are documented periodically throughout the next chapter. Before moving on to the presentation of my findings, it is imperative to first consider the scope and limitations of the method employed for this thesis.

### **The Scope and Limitations of a Foucauldian Discourse Analysis**

It must be acknowledged that discourses do not claim to represent the absolute truth about a topic; there can be many competing and contradicting truths 'out there' that do not support what is said in these documents (Powers, 2001: 64). This element must not be overlooked, and this research does not claim to represent a comprehensive inventory of immigration discourses.

Second, it should also be noted that this type of research involves a human element which conditions what areas are 'seen' by and those that are 'invisible' to a researcher (Parker, 1997: 487-488). A research design should try to be as rigorous as possible in order to minimize the presence and influence of personal subjective limitations. In an attempt to address this, the researcher not only pointed out discourses that supported the main arguments, but also discussed any counter-discourses that were evident. The goal of the research was to capture the essence of each document, and I hope that this was accomplished through the process that was undertaken. The method that guided this research was also outlined in clear terms, which means that anyone attempting to replicate this research should be in a position to compare his or her findings to mine.

Third, another element that requires mentioning is the challenge of interpreting text from the 1950's and 1970's through the lens of the twenty-first century. It is the position of Carabine (2001: 306) that the specific moment in which the text was written must be taken into consideration, as the language used may be distinct: i.e. it may be characterized by unique phrasing, sentence construction and word usage. In order to address this, every effort was made to be careful when contextualizing the data found in the *documents*.

Fourth, the findings generated in the next chapter are not indicative of all aspects of each document. The decision was made to focus on areas that spoke to the questions asked of the *documents*, which were related to the government of the immigration applicant, the immigrant, and the immigration process. The findings do not extend beyond the questions that were asked of the *documents*, and areas unrelated to this topic were not included.<sup>42</sup> This was because this thesis sought to shed light on areas identified in the question guide (see Appendix C), and it is the hope of the author that the findings reflect this.

One final aspect that must be acknowledged pertains to the fact that only three documents were analyzed in order to illuminate temporal periods across a forty-nine year period. Keeping this in mind, the reader is cautioned that this analysis is unable to go beyond the *documents* or make assumptions on how certain discourses came to be, or what their actual effects might be. Incorporating more texts that help explain what is in these three documents or how they were produced would be a worthy and useful undertaking, but it is one that is beyond the scope of this project.

---

<sup>42</sup> Which resulted in large sections of the documents being absent in my findings.

## CHAPTER FOUR: FINDINGS: DISCOURSES IN THE *DOCUMENTS*

In this chapter, I discuss my findings with regard to the discourses that are presented in the *documents*. As outlined in the last chapter, this process entailed asking questions of the *documents* to determine the ways in which they produced meanings and potential effects.<sup>43</sup> The nature of the discourses presented was also considered; I looked at how they were inter-related at times, and noted any absences (what is not stated in the *documents*). Such an approach was employed because it allows the researcher to identify transformations in discourse over time,<sup>44</sup> through an investigation of the “discontinuities and newly established similarities that reveal abandonment of one conceptual framework and adoption of another” (Prado, 2000: 27).

As previously detailed, three pieces of immigration legislation were looked at, the *Immigration Act (IA)* of 1952, the *Immigration Act (IA)* of 1976, and the *Immigration and Refugee Protection Act (IRPA)* of 2001.<sup>45</sup> The questions asked of the *documents* were separated into three categories: these focused on the government of the immigration applicant, the immigrant, and the immigration process (for a full list of questions see Appendix C).<sup>46</sup> The findings from these categories are presented as discursive shifts across the three temporal periods (the date each piece of legislation is cited as: 1952, 1976, and

---

<sup>43</sup> I must acknowledge that although I argue that the *documents* can frame topics in a certain way, that does not necessarily mean that they will produce the meanings intended, either on the audience that ‘consumes’ them, or for the practitioners who must translate them into practices or who may even resist them. Also, the potential effects I discuss are discursive, as I cannot speculate as to the ‘messy actualities’ of how the discourse in the legislation plays out in practice.

<sup>44</sup> Though such a method is unable to explain why such systems are transformed over time, as is the approach of a genealogy.

<sup>45</sup> Hereafter mainly referred to by year, rather than name (1952, as opposed to the *Immigration Act, 1952*).

<sup>46</sup> To present the findings in terms of those three categories would have been an appropriate undertaking, though I felt that presenting the findings over three temporal periods offers a richer understanding of the discourses manifest in the *documents*.

2001).<sup>47</sup> This type of approach enabled me to shed light on the discourses manifest in the *documents*. With that said, there are four types of discursive shifts that will be illuminated throughout this chapter. The first and second speak to the 'good' and 'bad' immigrant, the third discusses the concept of 'race', and the fourth outlines objectives.<sup>48</sup> I acknowledge that the text used to illustrate these discursive shifts is repetitive at times. This is particularly noticeable in the sections on the 'bad' immigrant and the concept of 'race' for the 1952 document. Both, at times, use the same text in the articulation of different discourse. Before presenting the findings, a brief description of the significant events leading up to the enactment of each of the three documents will be outlined, in order to contextualize the potential factors influencing immigration at that time.

### **Immigration Act, 1952: Background**

In the early twentieth century, some scientists argued that certain characteristics such as criminal behaviour, work ethic, and intelligence, were to the result of genetic inheritance (Beaud & Prevost, 1996). Simply put, they argued that if you were poor or a criminal or less intelligent, it was because it was in your genes. This concept was the basis of the eugenics movement, which promoted sterilization, a restrictive immigration policy, and the increased use of birth control and sex education (McLaren, 1990). Here in Canada, Emily Murphy, the first Canadian woman magistrate was a leading advocate. According to Murphy (1932), the problems plaguing society, such as alcoholism, drug abuse and crime were caused by mental deficiencies. Murphy argues that the solution to this was 'selective

---

<sup>47</sup> As outlined in the methodology section, discourse involves groups of related statements that fit together in some way to produce both meanings and potential effects (Carabine, 2001: 268), and discursive structures are presented in the *documents* that generate potent and new ways of conceptualizing an issue or topic.

<sup>48</sup> It should be acknowledged that immigration applicants and immigrants are not simply either a 'good' or 'bad' immigrant, as they can move throughout either category, though this is an interplay that goes beyond the *documents* and will not be addressed in this study.

breeding' (which prohibited mentally and socially inferior individuals from propagation); she considered this to be a progressive scientific and social approach.

In 1928, due in part to the advocacy of Murphy and others who shared her views, the Alberta government passed the *Sexual Sterilization Act* (British Columbia passed a similar act in 1933) permitting a Eugenics Board to order the sterilization of any person deemed to be 'mentally defective' (Grekul, Krahn & Odynak, 2004). Grekul (2008) argues that peak sterilization years began in 1950, when changing understandings of eugenics led to a system that targeted mentally defective men (often a danger to society), and mentally normal but morally abnormal women (who mostly consented to sterilization). These acts were overturned in 1972, but not before over 3,000 people had been sterilized (Cairney, 1996). Similarly in the U.S., laws allowed compulsory sterilization of criminals who committed three offences was allowed until 1942 (Cairney, 1996), the same year that German scientists began sterilization experiments on human subjects at Auschwitz during World War II (Benedict & Georges, 2006).

Following World War II, immigration to Canada was significantly reduced, despite the increased pressure for an open immigration policy and for a humanitarian response to the mass of displaced persons in Europe. On May 1, 1947, Prime Minister Mackenzie King outlined his government's position on Canada's immigration policy. King (1947) stated:

With regard to the selection of immigrants, much has been said about discrimination. I wish to make quite clear that Canada is perfectly within her rights in selecting the persons whom we regard as desirable future citizens. It is not a fundamental human right of any alien to enter Canada. It is a privilege. It is a matter of domestic policy [...] There will, I am sure, be general agreement with the view that the people of Canada do not wish, as a result of mass immigration, to make a fundamental alteration in the character of our population. Large-scale immigration from the Orient would change the fundamental composition of the Canadian population. Any considerable Oriental immigration would, moreover, be certain to

give rise to social and economic problems of a character that might lead to serious difficulties in the field of international relations (pp. 2644-2646).

King's main point was that immigration should not change the basic character of the Canadian population, constituted primarily of "White-Europeans" (Triadafilopoulos, 2004). This entailed distinguishing between "preferred," "non-preferred," and "excluded classes" of people;<sup>49</sup> as preferred immigrants were from the British Isles and Northern Europe, non-preferred were from Southern and Eastern Europe, and non-Whites from outside of Europe were the excluded groups (Kelley & Trebilcock, 2000; Triadafilopoulos, 2004). The individuals who were targeted for inclusion possessed characteristics that made them a 'good' immigrant, and how the image of what that looked like was constructed is where we will now turn.

#### *Immigration Act, 1952: The 'Good' Immigrant*

The 'good' immigrant<sup>50</sup> refers to admissible individuals, who could be permitted entry or allowed to remain in Canada.<sup>51</sup> As will become evident in this chapter, the image that emerges from the discourse of what a 'good' immigrant was has undergone a significant discursive shift, going from 'someone like us' in 1952, to 'someone who can be like us' in 1976, to 'someone who can help make us better' in 2001.<sup>52</sup>

In the 1952 document, there is a section entitled *Admission to Canada* that outlines the immigrants who are permitted to enter, and those who are not. The focus of which is on the latter.<sup>53</sup> With this in mind, it is conceivable that the 'good' immigrant could be the

---

<sup>49</sup> A practice that initially began in 1919 (Green & Green, 2004).

<sup>50</sup> When I refer to the 'good' immigrant, I am also always referring to the 'good' immigration applicant.

<sup>51</sup> This is the operational definition found in Appendix C.

<sup>52</sup> This finding is the result of my interpretation of the data sources.

<sup>53</sup> It will be outlined in the next section, *The Immigration Act, 1952: The 'Bad' Immigrant*, that this involves being immoral, mentally/physically abnormal or diseased, or from a non-preferred or excluded class.

antithesis of the 'bad'. In fact however, as we will see, since there is an overlap, the 'good' immigrant is not simply the opposite of the 'bad'.

From the text that spoke to the 'good' immigrant in 1952, the image emerged that they were 'someone like us'. It would appear that only two groups were recognized as admissible in the *Admission to Canada* section, which stated that *a Canadian citizen has the right to come into Canada* (IA, 1952: 3. 1.), and *a person who is not a Canadian citizen but has acquired and has not lost domicile shall be allowed to come into Canada* (IA, 1952: 3. 2.). *Canadian domicile is acquired [...] by a person having his place of domicile for at least five years in Canada after having been landed in Canada* (IA, 1952: 4. 1.). How an individual is granted landing (the lawful admission to Canada) is not articulated in the document. With such a small body of text to draw from, I argue that it appears the 'good' immigrant in 1952 was simply 'someone like us' (a Canadian citizen or domicile), as this was the only type of individual identified in the document for the purpose of being permitted entry to Canada.

#### *Immigration Act, 1952: The 'Bad' Immigrant*

On the other side of the coin, there was a significant amount of text that spoke to what a 'bad' immigrant was considered. The 'bad' immigrant<sup>54</sup> refers to individuals who were deemed inadmissible or were not permitted entry or allowed to remain in Canada.<sup>55</sup> Taken together, what emerges from the discourse in the *documents* is a transformation in the image of what a 'bad' immigrant was, going from being a 'threat to the integrity of the

---

<sup>54</sup> When I refer to the 'bad' immigrant, I am also always referring to the 'bad' immigration applicant.

<sup>55</sup> This is the operational definition found in Appendix C.

moral and social order' in 1952, to a 'threat to public welfare' in 1976, to a 'threat to our safety and well-being' in 2001.<sup>56</sup>

In the 1952 document, the 'bad' immigrant was presented as a 'threat to the integrity of the moral and social order'. I argue that it appears the text in the 1952 document, which spoke to this type of immigrant, portrayed them as being immoral, mentally/physically abnormal or diseased, or from a 'non-preferred' or 'excluded' class (as defined by Triadafilopoulos, 2004). Each of these areas, in one way or another, serves to create a representation of the 'bad' immigrant at the time.

An immoral individual was one who did not conform to accepted standards of morality -a code of conduct put forward by society. Behaviour considered immoral in the 1952 document included: *persons who have been convicted of or admit having committed any crime involving moral turpitude* (IA, 1952: 5. d.; 19. 1. e. ii.),<sup>57</sup> *prostitutes, homosexuals or persons living on the avails of prostitution or homosexuality, pimps, or persons coming to Canada for these or any other immoral purposes* (IA, 1952: 5. e.; 19. 1. e. i.), *professional beggars or vagrants* (IA, 1952: 5. g.), *public charges* (IA, 1952: 5. h.; 37. 2.), *chronic alcoholics* (IA, 1952: 5. i.; 19. 1. e. v.), *drug addicts* (IA, 1952: 5. j.; 19. 1. d.), and *drug peddlars* (IA, 1952: 5. k.; 19. 1. d.). These classes were conceptualized as representing a threat to the moral fiber of Canada; this warranted their prohibition or deportation. Most of this conduct was also included in the *Criminal Code of Canada* at the time. For example, up until 1969 in Canada, homosexual relations were criminalized and people found guilty could have received the death penalty or life imprisonment (Adam, 1987). Also, being a prostitute

---

<sup>56</sup> This finding is the result of my interpretation of the data sources.

<sup>57</sup> Crimes involving moral turpitude were described as conduct considered contrary to community standards of justice, honesty, and good morals (Carter, 2006). This phrase was introduced in the U.S. in 1891 and is still in place there today, while Canada dropped it in 1976.

or vagrant was illegal until 1972, before vagrancy laws were repealed and laws against the solicitation for the purposes of prostitution replaced the states crime of being a 'common' prostitute.

It appears that rather than providing treatment for the mentally/physically abnormal or diseased, it was preferable to simply prohibit or deport them from coming to or remaining in Canada.<sup>58</sup> The risk of spreading physical diseases was a threat to society, and included persons *afflicted with tuberculosis [...] trachoma or any contagious or infectious disease* (IA, 1952: 5. b.; 19. 1. e. iv.). Mental abnormalities and diseases referred to traits such as being *dumb, blind or otherwise physically defective* (IA, 1952: 5. c.; 19. 1. e. iv.), *idiots, imbeciles or morons [...] [the] [...] insane [...] constitutional psychopathic personalities [...] [or being] [...] afflicted with epilepsy* (IA, 1952: 5. a. i., ii., iii., iv.; 19. 1. e. iv.). Taken together, these provisions portrayed the image of a threat to the social order, as I argue that it appears they would likely be unable *to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their admission* (IA, 1952: 61. b.), primarily because immigration applicants could have been prohibited admission if they were unable to pass *literacy, medical and other examinations or tests* (IA, 1952: 61. g. iv.).

When Mackenzie King, then Prime Minister of Canada gave his 1947 speech outlining his government's position on Canada's immigration policy, he made it apparent that the basic character of the Canadian population was not to change due to immigration in the near future. According to Triadafilopoulos (2004), 'non-preferred' immigrants were from Southern and Eastern Europe, and non-Whites from outside of Europe were

---

<sup>58</sup> Though to be deported it had to be determined that an immigrant belonged to one of these categories at the time of their admission to Canada (IA, 1952: 19. 1. e. iv).

considered the 'excluded' classes. A provision was included in the 1952 document to limit the number of individuals admitted to Canada that were a part of the 'non-preferred' or 'excluded' class. This section of the document could potentially prohibit *persons by reason of [...] nationality, citizenship, ethnic group, occupation, class or geographical area of origin* (IA, 1952: 61. g. i.). The portrayal of the 'bad' immigrant as being from a 'non-preferred' or 'excluded' class brings to light a sensitive area that requires further consideration, the concept of 'race'.

#### *Immigration Act, 1952: The Concept of 'Race'*

The concept of 'race' remained significant throughout the three temporal periods. In terms of the method employed for this analysis, 'race' was coded as the division of individuals based on skin-tone, heredity, bloodlines, ethnic group, and/or any biologically visible distinction.<sup>59</sup> When looking at all three documents, the image that emerges from the discourse shifts from the exclusion of individuals based on their 'race' in 1952, to embracing multiculturalism and being a safe haven for those persecuted as a result of their 'race' in 1976 and 2001.<sup>60</sup> In the 1952 document, the image of a 'racialized other' (immigrant and immigration applicant) was that of someone who was perceived as 'inferior', lead an unusual lifestyle, was unsuitable for most aspects of Canadian society, and would not be able to fulfill the duties associated with Canadian citizenship.

The provision that suggests some immigrants were regarded as 'inferior', was a regulation oriented towards *prohibiting or limiting of admission of persons by reason of [...] nationality, citizenship, ethnic group, occupation, class or geographical area of origin* (IA,

---

<sup>59</sup> See Appendix C. Also note that this is on the genetic level, and not on the level of the population as state racism is.

<sup>60</sup> This finding is the result of my interpretation of the data sources.

1952: 61. g. i.).<sup>61</sup> This text has also been used in the portrayal of the ‘bad’ immigrant in 1952, which speaks to the discursive inter-relationship. Other regulations which suggested that people from certain places in the world possessed ‘inferior’ traits in relation to ‘Canadians’, prohibited individuals with: *peculiar customs, habits, modes of life or methods of holding property* (IA, 1952: 61. g. ii.), *unsuitability having regard to the climatic, economic, social, industrial, educational, labour, health or other conditions or requirements* (IA, 1952: 61. g. iii.); and *probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their admission* (IA, 1952: 61. g. iv). Taken together, I argue that these provisions exclude individuals based on their ‘race’, as the 1952 document made it apparent that individuals from countries with customs and living standards dissimilar to Canada’s would be unable to effectively integrate and fulfill the duties associated with Canadian citizenship.

### **Immigration Act, 1976: Background**

The 1950’s and 1960’s was a time of large-scale social change in Canada and the U.S., as discrimination and institutional racism was being challenged at multiple sites (Richie, 2010). The African-American civil rights movement occurred during this time, with one of the most memorable moments taking place on August 28, 1963, when Martin Luther King Jr. delivered his famous “I have a dream speech” to about 250,000 people at the ‘March on Washington’ (Duffy & Besel, 2010). This happened in the midst of race riots and legislative changes addressing equality before the law, travel accommodations (on buses, trains, etc), employment, and schools (desegregation). These events contributed to the creation of the

---

<sup>61</sup> Of note is the fact that an incriminating letter from Citizenship and Immigration Minister Walter Harris, written in 1952 but placed on record in the House of Commons in 1953, revealed that these provisions were designed to exclude non-White immigrants (Public Works and Government Services Canada, 2000).

*Civil Rights Act of 1964*, which prohibited discrimination of any kind based on race, colour, religion, or national origin (Minchin, 2008). Similar events happened in Canada as more people of African descent entered the country in the 1960's. Despite the enactment of John Diefenbaker's *Canadian Bill of Rights* in 1960, black Canadians were still subjected to discrimination in the form of substandard housing accommodations, high unemployment rates, and the failure to quash overt expressions of white supremacy as attested by the burning crosses and Ku Klux Klan slogans in Amherstburg, Ontario in the summer of 1965 (Magocsi, 1999).<sup>62</sup> In 1969, at Sir George Williams University in Montreal, Black Canadians marched in the streets to demand the rights guaranteed by the *Canadian Bill of Rights*. They wanted people to know that Canada's anti-discrimination laws were insufficient.

Other movements were also taking place in the 1960's. The gay rights movement resulted in the decriminalization of homosexuality in 1969 in Canada (Adam, 1987). Anti-war campaigns opposed the role of the U.S. in the Vietnam War, and led to many protestors and draft-dodgers seeking refuge in Canada (Ernst & Baldwin, 2007). Also, the Aboriginal rights movement contributed to First Nations people gaining the right to vote in Canadian General Elections in 1960, without giving up their status (Bohaker & Iacovetta, 2009).

The social changes occurring in North America had a significant impact on immigration in Canada. As we saw in the literature review, Kennedy (2000) argues that Canadian immigration legislation and policy openly excluded non-White non-Europeans on racist grounds until 1962, when they abolished the 'White Policy', that selected 'White' people disproportionately in favour of all other 'races' (Bouchard, 2007). Moreover, in

---

<sup>62</sup> The Ku Klux Klan (also known as the KKK) is the name of an organization, which has advocated White supremacy, White nationalism, and anti-immigration, historically expressed through acts considered terrorism (Quarles, 1999).

1966 the Pearson Government introduced a policy designed to encourage the acceptance of immigrants who could adapt to Canadian society and bar those who could not, regardless of their 'race'. In response to this, Canada introduced the 'points system' on October 1, 1967 (Triadafilopoulos, 2004), which selected immigrants according to a set of universal criteria (Green & Green, 2004).<sup>63</sup> The 'points system' represented a significant change in immigration policy, as an applicant's ethnic or racial origins could no longer be considered in determining their eligibility for admission into Canada (Triadafilopoulos, 2004).

Bouchard (2007) noted a shift taking place; in the 1950's, as approximately 85% of immigrants were European by birth, but by the mid 1980's, that number slipped to approximately 29%. Likewise, immigrants from 'non-traditional' source regions (including Asia, the Caribbean, Latin America, and Africa) comprised only a small fraction of Canada's total immigration intake from 1946-1966; by 1977 they made up over 50% of annual flows (Kalbach, 1987). These shifts reflected the principles established with the adoption of a 'multiculturalism policy' in 1971, which was designed to preserve and promote diverse racial and ethnic minorities in Canada, ensure equality of status, define the essence of the Canadian identity as pluralistic, and protect civil and human rights (McLeod, 1984).

#### *Immigration Act, 1976: Objectives*

In 1952, there was an absence in the document, as there were no stated objectives in the Act. The objectives introduced in the 1976 act identified the specific individuals sought to strengthen Canada's society. Such provisions were designed to: *facilitate the reunion [...] [of] [...] close relatives from abroad (IA, 1976: 3. c.), foster the development of a strong and*

---

<sup>63</sup> Including: level of education, knowledge of language and vocational preparation, occupational demand, age, arranged employment and destination, personal suitability, and the number of relatives they had in Canada.

*viable economy* (IA, 1976: 3. h.), *maintain and protect the health, safety and good order of Canadian society* (IA, 1976: 3. i.), and grant landing to *any immigrant [...] if he is able to establish [...] that he [...] will be able to become successfully established in Canada* (IA, 1976: 6. 1.). These objectives suggested that individuals would be selected based on their ability to become successfully established in Canada, and this quality would make them a ‘good’ immigrant.

### *Immigration Act, 1976: The ‘Good’ Immigrant*

In the context of the events leading up to the creation of the 1976 document (the elimination of the ‘White Policy’, and the introduction of the ‘points system’ and ‘multiculturalism policy’), it was no longer plausible to conceptualize a ‘good’ immigrant as simply ‘someone like us’. Instead, the 1976 document portrayed the image of a ‘good’ immigrant as ‘someone who can be like us’. The main criterion used to establish this type of immigrant was for them to meet the minimum essential standards that a ‘good’ immigrant or ‘someone who can be like us’ should have possessed. To determine who fit this description, every immigration applicant, including *a Convention refugee*,<sup>64</sup> *a member of the family class and an independent immigrant* had to establish that they *met the selection standards established by the regulations* (IA, 1976: 6. 1.). The purpose of this was to determine *whether or not [...] [they would be] [...] able to become successfully established in Canada* (IA, 1976: 6. 1.). The selection standards were *based on such factors as family relationships, education, language [...] occupational experience and other personal attributes and attainments, together with demographic considerations and labour market conditions in*

---

<sup>64</sup> Though Canada was a signatory of the 1949 Geneva Conventions, it did not ratify them until 1965, thus explaining their absence from the 1952 document.

*Canada* (IA, 1976: 115. 1. a.). In regards to individuals with a criminal offence conviction, they had to have been *persons who have satisfied the Governor in Council that they have rehabilitated themselves* (IA, 1976: 19. 1. c.).<sup>65</sup> These selection standards suggest that past criminal behaviour, low education levels, insufficient knowledge of English and/or French, and poor occupational experience, were characteristics that could have been overcome by individuals with the ability to become ‘someone who can be like us’. The inability to do so would have led to that individual possessing qualities of a ‘bad’ immigrant.

#### *Immigration Act, 1976: The ‘Bad’ Immigrant*

In the 1976 document, morality and social order had ceased to be the *prima causa* for the determination of a ‘bad’ immigrant. The text surrounding the ‘threat to the integrity of the moral and social order’ immigrant in 1952 was eliminated, as were most of the provisions used to exclude this type of person. I argue that the image of the ‘bad’ immigrant in 1976 was that of a ‘threat to public welfare’. This type of individual was considered to be a medical burden, financially unstable, or a violent/serious criminal, who was to be excluded from entering or remaining in Canada.

In 1966, the *Medical Care Act* and Medicare<sup>66</sup> were introduced in Canada, which obliged all 10 provinces to establish publicly-funded universal health care to all citizens and permanent residents (immigrants granted landing in Canada). This meant that any immigrant would be given complete access to Canada’s health care system the moment they arrived in Canada, regardless of their medical condition. However, immigration applicants were deemed inadmissible if they were *suffering from any disease, disorder,*

---

<sup>65</sup> Which meant that 5 years crime free had to elapse from the termination of the sentence imposed.

<sup>66</sup> The unofficial name for Canada’s publicly-funded universal health insurance system.

*disability or other health impairment [...] and [...] their admission would cause or might reasonably be expected to cause excessive demands on health or social services (IA, 1976: 19. 1. a. ii.).* These individuals could have been admitted if adequate arrangements had been made in advance for their care and support while they resided in Canada (IA, 1976: 19. 1. b.). However, they could have been deported if they knowingly contravened these conditions: i.e. if they lied about the arrangements for the care and support that they were to receive in Canada (IA, 1976: 27. 1. b.).

In Canada in the 1970's, many social assistance programs were in place, including unemployment insurance, public housing, and family allowances, to name but a few. Each of these was designed in some way to help people in financially unstable circumstances. Provisions in the *IA* of 1976 sought to avoid admitting persons who might access these supports. This is found in texts that describe inadmissible immigration applicants as *persons who there are reasonable grounds to believe are or will be unable or unwilling to support themselves and those persons who are dependent on them for care and support (IA, 1976: 19. 1. b.).* Immigrants could have also been removed after their admission if he/she willfully failed *to support himself or any dependent member of his family in Canada (IA, 1976: 27. 1. f.).* I contend that as we saw in the literature review, this coincides with Francis (2002) who argues that the unintended consequences of a traditionally economically-oriented immigration policy were that many immigrants became dependent on the state for support, rather than being self-sufficient and stimulating the economy as initially intended.

The *IA* of 1976 was also designed to exclude immigration applicants who were 'at risk' of committing a criminal act and becoming involved with the criminal justice system.

Text in the 1976 document illustrates this as immigration applicants were deemed inadmissible if they were *persons who [...] engage in acts of violence that would or might endanger the lives or safety of persons in Canada* (IA, 1976: 19. 1. g.), and *persons who there are reasonable grounds to believe will commit one or more offences punishable by way of indictment under any Act of Parliament* (IA, 1976: 19. 1. d. i.). Immigrants could have also been removed after their admission if they had *been convicted of an offence under any Act of Parliament for which a term of imprisonment of more than six months has been imposed, or five years or more may be imposed* (IA, 1976: 27. 1. d. i-ii.). These provisions also suggest that the protection of Canadians was a paramount concern in the 1976 document, which represents a potential outlier to the ‘threat to public welfare’ individual who constitutes the dominant discourse for the ‘bad’ immigrant.

#### *Immigration Act, 1976: The Concept of ‘Race’*

Shifting the focus back to the concept of ‘race’, the *IA* of 1976 moved away from the (racially) exclusionary language of the 1952 document. In the 1976 document, an increasing importance was placed on the selection of immigrants who would contribute to the multicultural character of Canada.<sup>67</sup> Such an approach targeted independent immigrants, individuals seeking to reunite with family members, and refugees who would enrich the cultural and social fabric of Canada, as well as become successfully established. The text illustrating this stated that a *Convention refugee, a member of the family class and an independent immigrant may be granted landing if he is able to establish [...] that he meets the selection standards established by the regulations for the purpose of determining whether or*

---

<sup>67</sup> With that said, no particular image of an immigrant, in relation to the concept of ‘race’ was apparent.

*not an immigrant will be able to become successfully established in Canada* (IA, 1976: 6. 1.).<sup>68</sup>

The intention of selecting this type of immigrant was *to facilitate the reunion in Canada of Canadian citizens and permanent residents with their close relatives from abroad* (IA, 1976: 3. c.), and *to enrich and strengthen the cultural and social fabric of Canada, taking into account the federal and bilingual character of Canada* (IA, 1976: 3. b.).

This approach also meant that the immigration process would not discriminate against immigration applicants and refugees based on their 'race'. The objectives of the 1976 document speak to this as they were designed to *not discriminate on grounds of race, national or ethnic origin, colour, religion or sex* (IA, 1976: 3. f.). Moreover, individuals could be selected if they were at risk of being discriminated against in their country of origin. As such, Canada became a safe haven for Convention refugees if they had a *well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion* (IA, 1976: 2. 1.). As we saw in the literature review, Bauder (2008) argues that the humanitarian immigration of refugees was an important element in the construction of Canada's national identity as a liberal and compassionate country. This is significant as Canadian immigration shifted from discriminating against immigrants based on their 'race', to admitting refugees who face such circumstances in their country of origin. What were once grounds for exclusion (in 1952) had now become grounds for inclusion (in 1976). This was the only time that such a shift was apparent in the *documents*.

---

<sup>68</sup> This was also applicable to the 1976 'good' immigrant, and shows the inter-relatedness of the multicultural selection process and the 'good' immigrant.

### **Immigration and Refugee Protection Act, 2001: Background**

It must first be acknowledged that there was a significant change to the title of this act, as all those before it were called the *Immigration Act*, with the accompanying year it was introduced (1952, 1976). It appears that the addition of the words *Refugee Protection* acknowledged the importance of admitting refugees as part of the immigration process. I argue that this was in part due to an increase in the global population of refugee claimants in the 1980's and 1990's, due to armed conflicts in Asiatic, Middle-Eastern and African countries, which led to an influx in refugee claims in Canada. A significant contribution to this was brutal conflicts within the borders of states in Northern Iraq (which forced the Northern Kurdish population to flee the country), Somalia (an on-going civil war), Bosnia and Herzegovina (ethnic cleansing), Rwanda (genocide that claimed 800,000 lives and forced 2 millions Rwandans to relocate), Chechnya (battle for independence), Sierra Leone (the mutilation of villagers), Timor (Indonesian occupation), and Burma (the government's war on its minorities), to name but a few (Kumin, 2000).

On September 11, 2001, terrorist attacks in the U.S. on the World Trade Centre and the Pentagon resulted in almost 3000 deaths. This was the largest terrorist attack in recorded history, and followed a decade (the 1990's) that included 16 alleged terrorist attacks around the world that each resulted in more than 100 deaths (Hoffman, 2006). Significant terrorist activity in the 1990's included: the bombing of the World Trade Centre (1993), the Oklahoma City bombing (1995), and an incident involving Ahmed Ressam, a known Al Qaeda member who was arrested crossing the border from Canada to the U.S., on his way to bomb the Los Angeles Airport (1999) (see Combs, 1997; Webb & Cutter, 2009).

Public fear of being hurt in a terrorist attack has remained high since the events of September 11, 2001 (Fischhoff, Gonzalez, Small & Lerner, 2005), in part due to the generation of fear and worry through the media and the perceived potential for future attacks (Jarrett, 2005). Slovic and Peters (2006) argue that terrorism is at the top of the list of widely dreaded risks in the world, and there is widespread support for counter-terrorist measures.

#### *Immigration and Refugee Protection Act, 2001: Objectives*

In 2001, the *IRPA* came into effect. This act and its objectives, unlike the ones preceding it, is more attentive to issues regarding globalization, and gave increased emphasis to security and the economy. In the *2001* document, the objective was to support *the development of a strong and prosperous [...] economy* (IRPA, 2001: 3. 1. c.); and *to maintain the security of Canadian society* (IRPA, 2001: 3. 1. h.). Additionally, objectives found in *2001* acknowledge the shared responsibility of immigrants and Canadian society when dealing with the approach to successful integration. These objectives were designed *to promote the successful integration of permanent residents into Canada, while recognizing that integration involves mutual obligations for new immigrants and Canadian society* (IRPA, 2001: 3. 1. e.). Another objective sought to help with an immigrant's *more rapid integration into society* (IRPA, 2001: 3. 1. j.). Overall, the main objective was to permit *Canada to pursue the maximum social, cultural and economic benefits of immigration* (IRPA, 2001: 3. 1. a.). When looking at all three documents, I argue that there was a discursive shift in the stated objectives in relation to selecting individuals based on: no factors in 1952, their ability to

successfully establish themselves in 1976, or their capacity to become economically productive and integrated in 2001.<sup>69</sup>

#### *Immigration and Refugee Protection Act, 2001: The 'Good' Immigrant*

In the 2001 document, the three classes of admissible immigrants found in the 1976 document were also present,<sup>70</sup> although independent immigrants were called the economic class, and an immigration applicant could have been *selected as a member of the economic class on the basis of their ability to become economically established in Canada* (IRPA, 2001: 12. 2.). Taking this into consideration, I argue that the image of what a 'good' immigrant was in 2001 is 'someone who can help make us better'. This type of person is selected on the basis that their ability to contribute to the development of a prosperous economy, and fulfill the maximum economic benefits of immigration. The text that illustrated this was found in the 2001 document's objectives, which are to *support the development of a strong and prosperous [...] economy* (IRPA, 2001: 3. 1. c.), and to *permit Canada to pursue the maximum [...] economic benefits of immigration* (IRPA, 2001: 3. 1. a.), and in regulations that would allow an officer to substitute the pre-determined selection criteria in their evaluation, if the individual had the *ability to become economically established in Canada* (IRPA, 2001: 14. 2. a.).

#### *Immigration and Refugee Protection Act, 2001: The 'Bad' Immigrant*

In the 2001 document, the image of a 'bad' immigrant emerges as not only a 'threat to public welfare' (as was suggested in 1976), but also as a 'threat to our safety and well-being'. It remains apparent that the 'bad' immigrant in 2001 still possessed characteristics

---

<sup>69</sup> This finding is the result of my interpretation of the data sources.

<sup>70</sup> Which included independent immigrants, family immigrants, and refugees.

used to illustrate the ‘threat to public welfare’ in 1976, which involved being a medical burden,<sup>71</sup> financially unstable,<sup>72</sup> and a serious criminal<sup>73</sup> (and could have been prohibited or removed on those grounds).<sup>74</sup> The description of all three remained similar (see footnotes 71-73 for text), though a criminal could now also be excluded for having been convicted inside or outside Canada *of any two offences [...] not arising out of a single occurrence* (IRPA, 2001: 36. 2. a-b.). This coincides with what we saw in the literature review, as Kim and Garcia (2009) discussed how criminal conduct is prominently included in the grounds for immigrant inadmissibility and exclusion.

The ‘threat to our safety and well-being’ type of immigrant was illuminated in the text through the exclusion (prohibition or removal) of persons identified for the first time in any Canadian immigration act. This involved individuals *engaging in terrorism* (IRPA, 2001: 34. 1. c.),<sup>75</sup> *violating human or international rights* (IRPA, 2001: 35. 1.), *committing an act outside Canada that constitutes an offence referred to in sections 4 to 7 of the Crimes Against Humanity and War Crimes Act*-which includes acts of genocide, crimes against humanity, and war crimes (IRPA, 2001: 35. 1. a.), and *being a prescribed senior official in the service of a government that [...] has engaged in terrorism [...] human rights violations, genocide, a war crime or a crime against humanity* (IRPA, 2001: 35. 1. b.). It appears that the actions that this type of immigrant had committed, or was complicit in, made them too

---

<sup>71</sup> *A foreign national is inadmissible for financial reasons if they are or will be unable or unwilling to support themselves or any other person who is dependent on them* (IRPA, 2001: 39.).

<sup>72</sup> *A foreign national is inadmissible on health grounds if their health condition might reasonably be expected to cause excessive demand on health or social services* (IRPA, 2001: 38. 1. c.).

<sup>73</sup> *Inside or outside Canada, a permanent resident or a foreign national is inadmissible...for having been convicted [...] of an offence [...] punishable by a maximum term of imprisonment of at least 10 years, or of an offence [...] for which a term of imprisonment of more than six months has been imposed* (IRPA, 2001: 36. 1. a.).

<sup>74</sup> An immigrant could be removed if it determined that they have become inadmissible since residing in Canada (IRPA, 2001: 44. 1-2.).

<sup>75</sup> It should be noted that the definition of a terrorist given in the 2001 document is tautological, as a terrorist is someone who engages in terrorism, and there is no clear definition of what a ‘terrorist’ is.

dangerous and threatening to the Canadian population's safety and security, and that it was felt they should never have been allowed to enter, or should be removed.

*Immigration and Refugee Protection Act, 2001: The Concept of 'Race'*

In the 2001 document, there is no discursive shift apparent as the text from the 1976 document that placed an importance on selecting immigrants who would contribute to the multicultural character of Canada was reinforced. This was illustrated with objectives geared toward recognizing the need to: *offer safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group* (IRPA, 2001: 3. 2. d.), or to *enrich and strengthen the social and cultural fabric of Canadian society, while respecting the federal, bilingual and multicultural character of Canada* (IRPA, 2001 3. 1. b.), and *support and assist the development of minority official languages communities in Canada* (IRPA, 2001: 3. 1. b.1.). Furthermore, this act was *to be construed and applied in a manner that [...] ensures that decisions taken under this Act are consistent with the Canadian Charter of Rights and Freedoms, including its principles of equality and freedom from discrimination and of the equality of English and French as the official languages of Canada* (IRPA, 2001: 3. 3. d.).

**Summary**

In this chapter, four types of discursive themes were described across the three temporal periods (1952, 1976 and 2001). The first and second spoke to the 'good' and 'bad' immigrant, the third discussed the concept of 'race', and the fourth outlined objectives. I argue that the image of a 'good' immigrant went from being 'someone like us' in 1952, to 'someone who can be like us' in 1976, to 'someone who can help make us better' in 2001.

The image of a 'bad' immigrant went from being 'a threat to the integrity of the moral and social order' in 1952, to a 'threat to public welfare' in 1976, to a 'threat to our safety and well-being' in 2001. In regards to the concept of 'race', I argue there was a shift from excluding individuals based on their 'race' in 1952, to embracing multiculturalism and being a safe haven for those persecuted as a result of their 'race' in 1976 and 2001. Finally, the stated objectives went from selecting individuals based on: no factors in 1952, their ability to successfully establish themselves in 1976, then their capacity to become economically productive and integrated in 2001. An analysis of these findings is where we will now turn.

## CHAPTER FIVE: AN ANALYSIS OF THE *DOCUMENTS*

The discursive shifts that are presented in the *documents*, and outlined in the previous chapter, help to create an understanding of the definitions of the ‘good’ and ‘bad’ immigrant, the conception of ‘race’, and the stated objectives of the three immigration acts. This chapter analyzes these discursive shifts through an application of the work of Foucault and the themes and concepts that were subsequently developed by the governmentality approach. In doing so, we will engage with Kelly’s (2004) claim that in our contemporary geopolitical situation, we are witnessing a shift from state racism to that of bio-nationalism.

Before proceeding with this discussion, some important considerations should be noted. Although the *documents* express several meanings regarding the immigration applicant, the immigrant, and the immigration process, it is acknowledged that their effects are *potential* in nature. This is significant given that legislative documents are not always translated into practice as intended (i.e. the meanings may change or include new elements once implemented) (O’Malley et al., 1997).<sup>76</sup>

Furthermore, the focus of this analysis had to be limited, which was a difficult process given the size of the documents that were looked at, and the depth of Foucault’s work and that of the governmentality approach. For that reason, this analysis does not address everything in the *documents*, nor is the work of Foucault and the governmentality approach reflected or represented in its entirety. As with any research, the discussion focuses on several significant elements pertaining to my area of study, which unfortunately left many areas unexplored.

---

<sup>76</sup> With that said, this analysis unfortunately serves to substantiate one of the main critiques of a governmentality approach as it does not address the ‘messy actualities’ of how policy plays out in practice (Rose, O’Malley & Valverde, 2006).

This chapter is organized around a discussion of how state racism (a contradiction between sovereignty and biopower) and bio-nationalism can be used as a lens to shed light on the *documents*. This does not of course suggest that any one document can simply be reduced to either state racism or bio-nationalism. I'm going to demonstrate how, if biopower is concerned with improving the population (which is constituted by subjects), state racism is necessary to justify the exclusion of threatening 'enemies' that were at one time sovereign subject's protected by that very same population. It should be noted that (economic and family class) immigrants are considered sovereign subjects when they attain permanent resident status, as they can exercise the same rights as a Canadian citizen.<sup>77</sup> The discussion will then shift to a focus on how bio-nationalism, which is geared toward improving the economy and ultimately the population via the inclusion of productive citizens, is apparent in the *documents*. These processes should not be viewed as one replacing the other, but as a convergence, operating together on different planes.

### **Part 1: State Racism and the *Documents***

This section will engage with the elements of sovereignty, biopower and state racism, and how they help to make sense of the *documents*. The contradiction between sovereignty and biopower will be discussed, as well as how this is reconciled with the introduction of state racism.

#### Sovereignty: Subjects and 'Enemies'

In a general sense, there is a sovereign right for nations to control their borders and regulate subjects within that territory. The state also has a sovereign right to protect their

---

<sup>77</sup> Though with immigrants, deportation is possible. Furthermore, I acknowledge that immigration applicants are not citizens or sovereign subjects.

international border by excluding any foreign national in the defense against degeneracy and abnormality (Christensen, 2004).<sup>78</sup> In order to protect the population, a nation must identify (1) its subjects and (2) those it considers ‘enemies’ (inside and outside the boundary of the state) to be excluded (which involves rejection and expulsion/deportation).

### *Subjects of the Sovereign*

In all three documents, the individuals who Canada identifies as its subjects<sup>79</sup> were its citizens (IA, 1952: 3. 1.; IA, 1976: 4. 1.; IRPA, 2001: 19. 1.). This category was expanded in 1976 and 2001 to include members of the family class and independent/economic immigrants (IA, 1976: 6. 1.; IRPA, 2001: 12. 1-2). The latter two documents also permitted the entry of Convention refugees if they had a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion, as well as those at risk of torture or cruel and unusual treatment or punishment (IA, 1976: 2. 1.; IRPA, 2001: 3. 2. d.).

The identification of a nation’s subjects distinguishes the individuals they have vowed to protect from ‘enemies’. Under sovereignty, protection comes via the creation of laws that define certain behaviour as threatening, and then excluding those that engage in such acts. This exclusion is justified, as a state’s subjects are no longer exposed to persons considered a threat, which ultimately protects the population. With that said, let us now turn to the individuals in the *documents* that Canada considers threatening ‘enemies’.

---

<sup>78</sup> Which is racist in a Foucauldian sense, not in terms of skin colour or genetics.

<sup>79</sup> Which were identified in *Chapter 4: Findings: Discourse in the Documents*, under the categories of the ‘good’ immigrant for all three acts, and the concept of ‘race’ for 1976 and 2001.

*'Enemies': Protecting the Population from Disease, Disorder or Disability*

In all three documents, it appears that threatening 'enemies' were individuals suffering from a disease, disorder, disability or other health impairment whose admission would cause or might reasonably be expected to cause excessive demands on health or social services (IA, 1952: 5. a-c.; IA, 1976: 19. 1. a. ii.; IRPA, 2001: 38. 1. c.),<sup>80</sup> (all of whom were ultimately rejected from entering into Canada, or removed if they had gained entry). As we saw in the literature review, according to Christensen (2004), such practices are considered racist in a Foucauldian sense,<sup>81</sup> as they defend society against degeneracy and abnormality by relying on a discourse of sovereignty that gives the state the power to decide who should be taken care of and who should not be looked after.

The potential effect of excluding these classes made possible a self-perpetuating circle where immigrants were prohibited from coming to Canada because of the conditions that resulted in them being designated within that class in the first place. For instance, immigration applicants from countries that are unable to provide adequate health care for certain conditions (for whatever reason) were excluded from Canada and exposed to a greater risk of death in their country of origin because the resources to address these situations were largely absent. Noted in the literature review, Mosoff (1998) argues that the rationale for this was that the state fears they will burden already overwhelmed medical and social systems; it argues that by excluding these classes, the Canadian state protects its population, and in the process exposes these individuals to a greater risk of death.

---

<sup>80</sup> Which were identified in all three documents in the 'bad' immigrant section.

<sup>81</sup> Racist in a Foucauldian sense is on the level of the population, not on the level of the genetic.

*'Enemies': Protecting the Population Against Criminals*

Other individuals considered threatening 'enemies' to be excluded in all three documents were individuals defined as criminals.<sup>82</sup> Though what a *criminal* is did not remain constant. In the 1952 document, a criminal was someone convicted of or admitted to having committed any crime involving moral turpitude (IA, 1952: 5. d.). This referred to conduct considered contrary to community standards of justice, honesty, and good morals (Carter, 2006), which at the time included prostitutes, pimps, homosexuals (IA, 1952: 5. e.), vagrants (IA, 1952: 5. g.), and drug addicts/pedlars (IA, 1952: 5. j-k.). In the 1976 and 2001 documents, a criminal was someone convicted of, or for whom there were reasonable grounds to believe they would commit, at least one indictable offence (19. 1. d. i.; IRPA, 2001: 36. 2. a-c.), or violent act (IA, 1976: 19. 1. g.; IRPA, 2001: 34. 1. e.). In 2001, there was also a 'two-strike' rule, as a criminal could be deported or prohibited entry for being convicted inside or outside Canada of any two offences not arising out of a single occurrence (IRPA, 2001: 36. 2. a.). Finally, in 2001, individuals engaging in terrorism (IRPA, 2001: 34. 1. c.) were also considered criminals (this is addressed in further detail in the next section).<sup>83</sup>

As we saw in the literature review, Chan (2005) argues that when non-criminal immigrants are permitted entry to the country and then commit an illegal act, their removal speaks to the Canadian state's desire to expel them for not abiding by the terms that they had agreed to when they entered (which included abiding by the law). Lending

---

<sup>82</sup> Which were identified in all three documents in the 'bad' immigrant section.

<sup>83</sup> This also included individuals: *violating human or international rights* (IRPA, 2001: 35. 1.), *committing an act outside Canada that constitutes an offence referred to in sections 4 to 7 of the Crimes Against Humanity and War Crimes Act*-which includes acts of genocide, crimes against humanity, and war crimes (IRPA, 2001: 35. 1. a.), and *being a prescribed senior official in the service of a government that [...] has engaged in terrorism [...] human rights violations, genocide, a war crime or a crime against humanity* (IRPA, 2001: 35. 1. b.).

support to this idea is the threshold for being defined as a criminal in *2001*, as this involved the committal of any two offences (not arising out of a single occurrence) and could have lead to an individual being deported. Indeed, Barnes (2002: 192) contends that it is the criminal immigrant who helps to explain the increased deportation of immigrants since the enactment of the *IRPA* of *2001*.

#### *'Enemies': Protecting the Population Against Terrorists*

The socio-political discourse of terrorism has produced the fear of devastating, indiscriminate attacks upon civilian populations, both within and beyond Canada's borders (Monahan, 2006). As noted by Roach and Trotter (2005) in the literature review, in our current political climate, governmental discourses increasingly exclude certain foreign nationals as they are equated with terrorists and threats to national security. Moreover, Christensen (2004: 7) argues that the terrorist is a prime example of the type of person that the state must protect society against. Therefore, it was imperative to expel/reject individuals who were deemed a potential risk. In the *2001* document, these threatening 'enemies' included individuals engaging in terrorism (IRPA, 2001: 34. 1. c.), violating human or international rights, committing acts of genocide, crimes against humanity, or war crimes, or being a prescribed senior official in the service of a government that has engaged in terrorism, human rights violations, genocide, a war crime or a crime against humanity (IRPA, 2001: 35. 1. a-b.).

#### Improving the Population: The Existence of Biopower

In addition to sovereignty, the first pole of state racism, we must discuss biopower, the second pole. Biopower is concerned with "the social, cultural, environmental, economic

and geographic conditions under which humans live, procreate, become ill, maintain health or become healthy, and die” (Dean, 1999: 99). Its basic function is to “improve life, to prolong its duration, to improve its chances, to avoid accidents, and to compensate for failings” (Foucault, 2003 [1976]: 253). This control over the life and improvement of the biological well-being of the population is precisely what ensures its survival, and “we have become so good at keeping people alive that we’ve succeeded in keeping them alive when, in biological terms, they should have been dead long ago” (Foucault, 2003 [1976]: 248).

### Making a Case for State Racism

So far we have talked about how sovereignty claims the right to exclude its subjects, whereas biopower has vowed to improve the well-being of the population (which is constituted by its subjects). This contradiction necessitates that the state apparatus’ explain why they are excluding individuals (under sovereignty) they had at one time recognized as a part of the population that was to be improved (under biopower). This is resolved through state racism, which appeals to the principle that members of a nation will become biologically stronger if they exclude those who are (deemed) harmful to their society (i.e. its ‘enemies’) (Foucault, 2003 [1976]: 258). As previously discussed, the use of the term racism (in state racism) is on the level of the population (as in a society/nation), and not on how the term is viewed in our contemporary socio-political context, which is on the level of genetics. Stoler (1995: 84-88) maintains that Foucault locates the modern form of racism of the state, in which the notion of race appears as a defence of the life and welfare of the population against internal and external enemies. To provide an example of this, let us turn to the *criminal*.

A population can be “threatened by internal and external agents, [...] [and] can grow stronger by the elimination of those threats” (Kelly, 2004: 61). If the population needs to expel these threats, such as criminals, it uses its sovereign power to declare them ‘enemies’ of the population (Kelly, 2004: 66). A nation must justify why they have chosen to deport individuals it had by definition vowed to improve, manage and multiply (the objective of biopower). “Once the mechanism of biopower was called upon to make it possible to execute criminals or isolate criminals, criminality was conceptualized in racist terms” (Foucault, 2003 [1976]: 258), as “state racism is nothing more than the prejudice of those within the population against those outside who threaten it” (Kelly, 2004: 67).<sup>84</sup>

It is the position of the author that this state racism helps to make sense of the *documents*. Specifically, why certain individuals have come to be considered ‘enemies’ to be excluded. In the *documents*, these classes consisted of: criminals, terrorists, and those suffering from a disease, disorder, or disability that would cause excessive demands on health or social services.

## **Part 2: Bio-Nationalism and the Documents**

Let us now shift the discussion to bio-nationalism. Kelly (2004: 62-64) argues that state racism accompanies bio-nationalism wherein a population strives to strengthen itself as a nation. In order to strengthen the economy, a nation systematically selects skilled and wealthy (‘productive’) immigrants who will be economically beneficial to their country (regardless of their national origin, or if they are physically ‘different’).<sup>85</sup> The selection of these immigrants does not strengthen the nation at the level of the genetic, but at the level

---

<sup>84</sup> The exclusion of criminals needs only the idea that they are harmful to society (which assures the protection of others), not that they are dangerous at a genetic level (Kelly, 2004: 61-62).

<sup>85</sup> Whereas simply letting anyone in can potentially weaken your economy (Kelly, 2004: 63).

of the economic, which strengthens the whole of the population, which is the object of bio-nationalism (Kelly, 2004: 62-63). To illustrate this point, both ‘unproductive’ and ‘productive’ classes of immigrants apparent in the *documents* will be discussed.

### The ‘Unproductive’ Classes

In all three documents, the individuals who appeared to be ‘unproductive’ were those that did not seem to contribute to the economy. In 1952, such persons were those associated with a certain nationality, citizenship, ethnic group, occupation, class or geographical area of origin (IA, 1952: 61. g. i.).<sup>86</sup> These groups were excluded as they were considered unsuitable to live in Canada, due to their probable inability to become readily assimilated (IA, 1952: 61. g. iv), or because they experienced dissimilar “climatic, economic, social, industrial, educational, labour, health or other conditions” to that of Canada’s (IA, 1952: 61. g. iii). While this reasoning was only explicit in the 1952 document, all three acts potentially exclude individuals who come from places in the world<sup>87</sup> with particular characteristics.<sup>88</sup> For example, some countries are associated with a greater number of ‘undesirable’ qualities (i.e. economic instability, poor health care and social assistance, weak education systems, fragile employment infrastructure, corrupt governments, etc.) when compared to other countries, which diminishes the ability of individuals from these places to emigrate to Canada. In short, racism in a Foucauldian sense is cloaked, not eliminated.

---

<sup>86</sup> Which were identified in the *Immigration Act, 1952: The Concept of ‘Race’* section of my findings chapter.

<sup>87</sup> This refers to a person’s nationality, citizenship, ethnic group, occupation, class and geographical area of origin.

<sup>88</sup> i.e. their unsuitability having regard to the climatic, economic, social, industrial, educational, labour, and health conditions.

Other classes regarded as 'unproductive' in all three documents were persons who there were reasonable grounds to believe would be unable or unwilling to support themselves and those persons who are dependent on them for care and support (IA, 1952: 5. h.; IA, 1976: 19. 1. b.; IRPA, 2001: 39.). These individuals were removed/prohibited because they were considered detrimental to the economy, as they could not financially support themselves or their dependents (i.e. their family).

### The 'Productive' Classes

On the other side of the coin, the productive classes who would strengthen the economy emerge in the latter two acts.<sup>89</sup> In these documents, the objectives focused on supporting the development of a strong and prosperous economy (IA, 1976: 3. h.; IRPA, 2001: 3. 1. c.), and/or permitting entry to those that could successfully/economically establish themselves in Canada (IA, 1976: 6. 1.; IRPA, 2001: 12. 2.), commonly referred to as the independent or economic class. The selection of these individuals was designed to permit Canada to derive the maximum social, cultural and economic benefits of immigration (IRPA, 2001: 3. 1. a.). This was accomplished with the systematical selection of immigrants with demonstrated competencies in education, language proficiency, occupational experience and other personal attributes and attainments (IA, 1976: 115. 1. a.).

Reitz (2005) argues that 'productive' immigrants make a positive contribution to the economy and society because "they buy more goods, pay more taxes, start more businesses, create more jobs [...] use fewer social services [...] will not take jobs from

---

<sup>89</sup> Which were identified in my *Findings Chapter* in the 1976 and 2001 categories for the 'good' immigrant and the stated objectives.

native-born workers, nor undercut their wages” (p. 64). As we saw in the literature review, this coincides with Iredale (1997), who contends that the rise of selecting skilled immigrants in Canada was based on economic rationale, as this would place fewer financial burdens on the state and bring significant fiscal benefits. This could explain the large percentage (62.3%) of economic class immigrants admitted in 2001, which may have been reflective of a focus on selecting an individual based on their ability to contribute economically in Canada (Department of Citizenship and Immigration Canada, 2002).

### **From State Racism to Bio-Nationalism?**

Kelly (2004) argues that Foucault’s analysis of state racism “is in itself tentative, experimental, describing his working suppositions, not something complete, and therefore not yet a schema to be applied for understanding politics” (p. 58). Not heeding his own words, Kelly went ahead and did this just that, and argues in our contemporary geopolitical situation, we are witnessing a shift from a focus on state racism to that of bio-nationalism. Similarly, this analysis has engaged with the themes of state racism and bio-nationalism with the hopes of making sense of discourse apparent in the *Immigration Act of 1952*, the *Immigration Act of 1976*, and the *Immigration and Refugee Protection Act of 2001*.

With that said, an analysis of the *documents* has shown that elements of state racism and bio-nationalism are apparent in all three acts. Bio-nationalism should not be viewed as replacing or shifting the focus away from state racism. Rather the two must be regarded as complimentary to one another, as they co-exist and operate together on different planes.

## **CHAPTER SIX: THE CONVERGENCE OF WELFARISM AND NEO-LIBERALISM**

Let us shift the analysis to the other component teased out of the *documents*, one that draws upon my theoretical framework's discussion of political epochs and their embedded rationalities.<sup>90</sup> In this scholarship, it was noted that the 'welfare era' began, approximately, in the 1930's, and the shift to 'neo-liberal era' began, roughly, in the 1970's. Accordingly, it is logical to hypothesize that rationalities of welfarism would be apparent in the *Immigration Act of 1952*, and neo-liberalism in the *Immigration and Refugee Protection Act of 2001* (and, seemingly, the *Immigration Act of 1976* would be reflective of a transition from welfare to neo-liberal rationalities). However, each legislative act cannot simply be reduced to being reflective of welfarism and/or neo-liberalism, but they can contain with them accompanying rationalities of each. With that said, in this chapter we discuss the fifth type of shift apparent in the *documents*,<sup>91</sup> as I argue that across the three temporal periods, it is apparent that we see a shift from a focus on welfare rationalities, to neo-liberal rationalities.<sup>92</sup>

### **Rationalities of Welfarism**

First, we will discuss rationalities of welfarism that help make sense of the discourse apparent in the *documents*. What emerges is a transformation from a focus on prohibiting individuals unable to earn a living through employment in *1952*, to the exclusion of those expected to cause 'excessive' demands on health or social services in *1976* and *2001*. I argue that such a shift suggests the immigrant (and immigration applicant) is constructed

---

<sup>90</sup> The decision was made to add a section at this point because it fits best in a chapter of its own.

<sup>91</sup> In the initial findings chapter, four discursive shifts were presented, across the three temporal periods.

<sup>92</sup> This finding is the result of my interpretation of the data sources.

in all three documents as someone with the potential to become a liability to the welfare state.<sup>93</sup> This is apparent in the 1952 document as individuals were prohibited from coming to Canada if they were unable to earn a living through employment, which suggests an awareness that certain immigrants, once in Canada, could potentially abuse the social assistance programs in place at the time (which included unemployment insurance,<sup>94</sup> public housing,<sup>95</sup> and family allowances<sup>96</sup>). This portrayal remains apparent in the 1976 (and 2001) document (with similar concerns that immigrants might come to Canada to access unemployment insurance, public housing, or family allowances), though an additional factor taken into consideration was the introduction of publicly-funded universal health care in 1966.<sup>97</sup> Grubel (2005) argues that the case against admitting immigrants with the potential to become a liability to the welfare state (which primarily tend to consist of the family class and refugees) is quite simple: they often become a burden on Canadian taxpayers by consuming large amounts of health care and other social services. Indeed, immigrants with the lowest incomes are automatically eligible for these social benefits. One of the rationalities of welfarism expresses the public's responsibility to provide for those unable to avail themselves of the minimal necessities of life, and the *Immigration Act of 1976* and *Immigration and Refugee Protection Act of 2001* exclude individuals who might access the support systems that provide these provisions.

---

<sup>93</sup> While I argue that the three pieces of legislation may articulate welfare rationalities as such, there is still a significant amount of social welfare programming provided to immigrants and refugees in Canada, and this actuality is indicative of the 'positive' presence of social welfare rationalities at the turn of the 21<sup>st</sup> century.

<sup>94</sup> Guaranteed through the 1940 *Unemployment Insurance Act*.

<sup>95</sup> At the time, this was guaranteed only in Ontario through the 1948 *Ontario Housing Development Act*.

<sup>96</sup> Guaranteed through the 1945 *Family Allowance Act* that created a universal program of monthly children's benefits paid to all Canadian mothers.

<sup>97</sup> In 1966, the *Medical Care Act* and Medicare were introduced in Canada, which obliged all 10 provinces to establish publicly-funded universal health care to all citizens and immigrants granted landing in Canada.

In the 1952 document, the individuals unable to earn a living through employment are apparent in provisions that prohibit *immigrants who are dumb, blind or otherwise physically defective, unless they have sufficient means of support or such profession, trade, occupation, employment or other legitimate mode of earning a living* (IA, 1952: 5. c. i-ii. [emphasis mine]), and *persons [...] who are certified by a medical officer as being mentally or physically abnormal to such a degree as to impair seriously their ability to earn a living* (IA, 1952: 5. s. [emphasis mine]).<sup>98</sup> I argue that other individuals who were considered a risk to be unable to earn a living through employment were *professional beggars or vagrants* (IA, 1952: 5. g.), *public charges* (IA, 1952: 5. h.; 37. 2.), *chronic alcoholics* (IA, 1952: 5. i.; 19. 1. e. v.), *drug addicts* (IA, 1952: 5. j.; 19. 1. d.), and *drug pedlars* (IA, 1952: 5. k.; 19. 1. d.).

In the 1976 document, the individuals expected to cause 'excessive' demands on health or social services were excluded as we see in sections that prohibit those *suffering from any disease, disorder, disability or other health impairment [...] and [...] their admission would cause or might reasonably be expected to cause excessive demands on health or social services* (IA, 1976: 19. 1. a. ii. [emphasis mine]),<sup>99</sup> and *persons who there are reasonable grounds to believe are or will be unable or unwilling to support themselves and those persons who are dependent on them for care and support* (IA, 1976: 19. 1. b. [emphasis mine]).<sup>100</sup> Furthermore, immigrants could have also been removed after their admission if he/she willfully failed to *support himself or any dependent member of his family in Canada* (IA, 1976: 27. 1. f.). Similar provisions identified in the 1976 document, were also found in

---

<sup>98</sup> The document also prohibited *persons who are public charges, or [...] likely to become a public charge* (IA, 1952: 5. h.). A public charge generally refers to those dependent on the state for subsistence, but it remains unclear in what respect they are referring to (i.e. whether its related to medical or financial grounds).

<sup>99</sup> Unless adequate arrangements had been made in advance for their care and support while they resided in Canada (IA, 1976: 19. 1. b.).

<sup>100</sup> In addition, *the Governor in Council may make regulations prescribing [...] whether the admission of any person would cause [...] excessive demands on health or social services* (IA, 1976: 115. 1. l. [emphasis mine]).

2001.<sup>101</sup> With that said, it is acknowledged that rationalities of welfarism are apparent in the 2001 document, though this legislative act is more focused on the rationalities of neo-liberalism, which is where we will turn.

### **Rationalities of Neo-Liberalism**

Within the *documents*, immigrants (and immigration applicants) are required to fulfill certain responsibilities<sup>102</sup> during the immigration process. In the *documents*, it is apparent that there was a shift across the three temporal periods, which saw the increase of the exclusionary (as opposed to inclusionary) responsibilities given to individuals.<sup>103</sup> Exclusionary responsibilities were conditions that immigration applicants and immigrants were to fulfill if they wanted to avoid being denied entry or deported, whereas inclusionary responsibilities were those to be fulfilled in order to be permitted entry to or remain in Canada.

To clarify, both inclusionary and exclusionary provisions found within each document will be highlighted. In 1952, two exclusionary provisions were found (with no inclusionary), requiring individuals to: prove *that* [...] [they are] [...] *not prohibited from coming into Canada* (IA, 1952: 27. 4.), and to *undergo any punishment that may be imposed upon* [...] [them] [...] *in respect of* [...] [an] [...] *offence before* [...] [they are] [...] *deported* (IA, 1952: 35. 1.). In 1976, there was one inclusionary responsibility (and no exclusionary), where a person had to *make an application for and obtain a visa before he appears at a port*

---

<sup>101</sup> Which includes provisions that state: *a foreign national is inadmissible on health grounds if their health condition might reasonably be expected to cause excessive demand on health or social services* (IRPA, 2001: 38. 1. c. [emphasis mine]). Also, *a foreign national is inadmissible for financial reasons if they are or will be unable or unwilling to support themselves or any other person who is dependent on them, and have not satisfied an officer that adequate arrangements for care and support, other than those that involve social assistance, have been made* (IRPA, 2001: 39. [emphasis mine]).

<sup>102</sup> See Appendix C for an operational definition.

<sup>103</sup> Whether it was through prohibiting their entry or deporting them from Canada.

*of entry* (IA, 1976: 9. 1.). In 2001, four exclusionary responsibilities were introduced (and no inclusionary), which were as follows: *every foreign national [...] who seeks to enter or remain in Canada must establish [...] that they hold [...] [a] [...] visa* (IRPA, 2001: 20. 1.) and *that they hold a document issued by the province indicating that [...] the foreign national complies with the province's selection criteria* (IRPA, 2001: 20. 2.); *a permanent resident must comply with a residency obligation with respect to every five-year period* (IRPA, 2001: 28. 1.);<sup>104</sup> and *a temporary resident must comply with any conditions imposed under the regulations and [...] must leave Canada by the end of the period authorized for their stay* (IRPA, 2001: 29. 2.). In total, six exclusionary responsibility provisions were mentioned in the documents, and one inclusionary. Taken together, the texts from the documents (mostly from 2001) portray the image of a 'responsible' immigrant (and immigration applicant) who needs to comply with the responsibilities bestowed upon them, in order to enter or remain in Canada.<sup>105</sup>

With an application of the rationalities of neo-liberalism, it is apparent from this finding that the immigrant (and immigration applicant) is constructed as a neo-liberal subject (predominantly in the 2001 document). This type of individual plays an active role in governing themselves (Burchell, 1993: 268-276; Garland, 1997: 183) through responsabilization strategies that relied upon active decision makers managing their personal risk (Haggerty, 2003: 194-195; Garland, 2003: 62; Hannah-Moffat, 2000: 511). This is illustrated by the increasing responsibilities previously outlined. These individuals

---

<sup>104</sup> Which requires them to be physically present in Canada for *a total of at least 730 days in that five-year period [...] [or] [...] outside Canada accompanying a Canadian citizen [...] [or permanent resident] [...] who is their spouse or common-law partner or, in the case of a child, their parent [...] [is] [...] outside Canada employed on a full-time basis by a Canadian business or in the public service of Canada* (IRPA, 2001: 28. 2.).

<sup>105</sup> In addition to immigrants and immigration applicants, refugee applicants were responsible for justifying their need for protection in order to attain refugee status, as *the burden of proving that a claim is eligible [...] rests on the claimant* (IRPA, 2001: 100. 4.).

were considered to pose a risk to others when they failed to govern themselves (i.e. abide by the responsibilities they were required to fulfill) (Rose, 1996c: 349). Considering that under neo-liberalism the state is associated with a heightened concern over security (see Giddens, 1990), if this were to occur, the exclusionary aspects of an immigrant's responsibilities would have them deported or denied entry to Canada.

Another rationality of neo-liberalism that is helpful in making sense of the *documents* is that of shared responsabilization strategies, which “are designed to offload the responsibility for risk management from central government on to local state and non-state agencies and organizations” (McCahill, 2002: 21). As state responsibility goes down, the level of individual, family, and community responsibility goes up (Silverstein, 2005: 2). Shared responsabilization strategies are apparent in the 1976 and 2001 documents. In 1976, this involved an objective designed *to encourage and facilitate the adaptation of persons who have been granted admission as permanent residents to Canadian society by promoting cooperation between the Government of Canada and other levels of government and non-governmental agencies in Canada* (IA, 1976: 3. d.). In 2001, this included promoting *the successful integration of permanent residents into Canada, while recognizing that integration involves mutual obligations for new immigrants and Canadian society* (IRPA, 2001: 3. 1. e.). The need was also expressed to *work in cooperation with the provinces to secure better recognition of foreign credentials of permanent residents and their more rapid integration into society* (IRPA, 2001: 3. 1. j.). The significance is that Canada acknowledges the failure to integrate into Canadian society should rest on the shoulders of all parties involved, and not simply on that of the immigrants or that of the state.

I also argue that the conditions that facilitate engagement in technologies-of-the-self (another rationality of neo-liberalism) are apparent in the 1976 and 2001 documents,<sup>106</sup> as “individuals are incited to live as if making a project of themselves [...] to develop a ‘style’ of living that will maximize the worth of their existence to themselves” (Rose, 1996b: 157). This is apparent in *selection standards based on such factors as family relationships, education, language, skill, occupational experience and other personal attributes and attainments, together with demographic considerations and labour market conditions in Canada* (IA, 1976: 1.a.).<sup>107</sup> In this regard, immigration applicants are encouraged to adopt a set of techniques and practices that can be deployed to modify or affect the self, in order to look more favourable in the aforementioned categories, and have a higher likelihood of being admitted to Canada.

### **Summary**

In this chapter, we discussed the fifth type of shift apparent in the *documents*. I argued that across the three temporal periods, it is apparent that we see a shift from a focus on welfare rationalities, to neo-liberal rationalities. To illustrate this shift I highlighted text in the *documents* that spoke to how we see rationalities of both, in one way or another, in each legislative act. With that said, it was apparent from the text in the *documents*, that the immigrant (and immigration applicant) went from being portrayed as someone with the potential to become a liability to the welfare state, to a neo-liberal subject. The presence of both social welfare and neo-liberal rationalities in the *documents*

---

<sup>106</sup> Technologies-of-the-self are described as “intentional and voluntary action by which men not only set themselves rules of conduct, but also seek to transform themselves, to change themselves in their singular being, and to make their life an *oeuvre* [work of art]” (Foucault, 1990 [1984]: 10-11 [*emphasis in original*]).

<sup>107</sup> Though these specific categories are not manifest in the 2001 document, similar selection standards were in place at that point in time (see Reitz, 2004).

affirms the hybridized co-existence of the social welfare oriented and neo-liberal risk-based practices that are testaments to the compromised, corrupted, and partial ways in which rationalities settle in their practical form (Garland, 1997; O'Malley, 2000a; Gervais, 2010).<sup>108</sup>

---

<sup>108</sup> This notion was alluded to at the end of the section entitled *From Welfarism to Neo-Liberalism* in *Chapter 2: Exploring Governmentality*.

## CONCLUSION

For this project, I was interested in discovering how the work of Foucault and the governmentality approach could help make sense of shifts in Canadian immigration legislation. With that said, an analysis of the *Immigration Act of 1952*, the *Immigration Act of 1976*, and the *Immigration Refugee and Protection Act of 2001*, has highlighted two main conclusions. The first detailed how elements of state racism and bio-nationalism are apparent in all three acts, and must be regarded as complimentary to one another, as they co-exist and operate together on different planes. The second discussed a shift in the *documents* from a focus on welfare rationalities, to neo-liberal rationalities, using the example of the portrayal of the immigrant (and immigration applicant) at first as someone with the potential to become a liability to the welfare state, and later to a neo-liberal subject.

The significance of this project is reflected in its contribution to modern day governmentality literature. Some authors argue its value is questionable in relation to its methodology and analytical style, as the data to support much of its work is not often specified (O'Malley et al., 1997; Rose et al., 2006). This thesis addresses this criticism by applying a rigorous methodology: the steps taken to complete a Foucauldian discourse analysis are thoroughly detailed in my *Method* section, as are the *documents* that I analyzed.<sup>109</sup> A second criticism of the governmentality literature is addressed in this project, and is highlighted by Williams and Lippert (2006). They argue that the governance of immigration, which includes selection, resettlement, exclusion, and deportation programs and practices, has received relatively little attention in governmentality studies.

---

<sup>109</sup> Which included the *Immigration Act of 1952*, the *Immigration Act of 1976*, and the *Immigration Refugee and Protection Act of 2001*.

By analyzing three pieces of immigration legislation using the work of Foucault and the governmentality approach,<sup>110</sup> this project has effectively addressed this criticism.

This thesis' contribution to the field of criminology stems from the findings and analyses sections, which demonstrated that immigration applicants and immigrants were excluded or removed based on *criminal* grounds. However, what was considered *criminal* in Canadian immigration legislation transformed significantly from 1952 to 2001, ranging from: crimes involving moral turpitude (such as prostitution, pimping, being a homosexual, vagrancy, and being a drug addict/pedlar), any indictable offence or violent act, any two offences not arising out of a single occurrence, and engaging in terrorism. Another contribution to the field of criminology stems from my discussion on state racism, which shed some light on one of the possible justifications for excluding and removing *criminal* immigration applicants and immigrants.

Furthermore, when looking at critiques of state racism, Shein (2004: 18) argues that by solely thinking of racism as a tool to exercise death, Foucault glosses over the ways in which it works as a mechanism of power: racism goes beyond justifying death, it is also a power that controls and normalizes the population. Christensen (2004) supports this position; she argues that U.S. immigration practices constitute and exclude those who are abnormal and are racist in the sense that Foucault means: by relying on a discourse of sovereignty, and defending society against degeneracy and abnormality. To add to this body of work, it is my contention that state racism doesn't have to take on one 'true' form, or necessarily involve death; it is more of a broad concept that applies uniquely in various situations. Perhaps, in pre-industrial societies, a nation grew stronger with the elimination

---

<sup>110</sup> Also by discussing the meanings and potential effects related to the government of the immigration applicant, the immigrant, and the immigration process in Canada.

(death) of the enemy, but from the limited data I analyzed, it appears the focus is on exclusion (i.e. keeping 'enemies' out of your country). In this regard, I looked at Canadian immigration legislation and found that state racism is needed to exclude 'enemies' harmful to the population, which in this case involves individuals who are considered 'bad' immigrants (e.g. criminals, terrorists, and certain individuals with a disease, disorder, or disability).<sup>111</sup>

### **Directions for Future Research**

Throughout the process of writing this thesis, a number of ideas for future research emerged. The most prominent is the need for an archaeological (and genealogical, for that matter) account of the history of immigration legislation and policy in Canada. This would be possible with the incorporation of more pieces of immigration legislation and policy documents. Such an approach would be able to identify the transformations in immigration discourse since Canada formally became a country in 1867 until the present. These shifts could also be linked to the economic, social, juridical, scientific, and political factors that influenced immigration policy and legislation in Canada.

The preceding perspective leads to another direction for research that should be explored. Governmentality literature states that power is everywhere and not 'top' down, but tends to rely on documents produced by the 'top' for analysis (Gunn, 2006: 716). These documents typically consist of legislation and policy, and were, admittedly, the type used in this project. Therefore future research would benefit from incorporating and analyzing

---

<sup>111</sup> Dean (1999) came to a similar conclusion and contends, "We can locate the division of populations into sub-groups that contribute to or retard the general welfare and life of the population" (p. 100). This latter class potentially consists of "criminal and dangerous classes, the feeble-minded and the imbecile, the invert and the degenerate, the unemployable and the abnormal, and has led to attempts to prevent, contain or eliminate them" (Dean, 1999: 100).

documents produced at the 'grassroots' level (in this case, immigration officers, immigrants, advocacy groups, and so on).

Another direction for future research stems from one of the main critiques of governmentality, and involves the need to engage with the 'messy actualities' of how policy plays out in practice (O'Malley et al., 1997; Rose et al., 2006; Gunn, 2006). This broad direction for research also includes an account of how immigration legislation and policy (specifically for this project, the *documents*) is actually 'translated' into practice: there is often some disconnect between agendas 'in thought' and 'in action' (Carrabine, 2000). This process occurs as a result of the personal understandings and objectives of the 'actors' involved (in this case, politicians, immigration officers, immigrants, and so on), which may influence the nature and outcome of a programme (O'Malley et al., 1997). With this in mind, I recommend that the 'voices' of immigrants, refugees, immigration officers, etc. should be explored in order to shed light on how programmes are experienced by these active agents.<sup>112</sup> Such experiential accounts will help enhance my final area of proposed research, which expresses the need for a more critical reflection on the meanings and potential effects drawn out in this project.

O'Malley et al. (1997) and Rose et al. (2006) discuss this lack of critique that exists in regards to the major issues central to governmentality.<sup>113</sup> These authors contend that governmentality studies focus too much on rationalities, and not on practices: there can be no critical stand when operating at the level of discourse. Admittedly, my thesis, like many governmentality studies, focused on rationalities as opposed to taking a critical stance. The

---

<sup>112</sup> This approach would demonstrate that such individuals do have agency in immigration programmes and processes'. Balfour (2006) in her article entitled *Re-Imagining a Feminist Criminology* provides an example of the integration of 'voice' within governmentality analyses.

<sup>113</sup> Though some governmentality studies do have critical elements, see Cruikshank (1999).

main objective of this project was to describe the nature of the *documents* and to make sense of them using the work of Foucault and the governmentality approach. By doing this, I hope that I have laid the foundation for a critical reflection of the *documents*.

### **Closing Reflection**

On a closing note, I am reminded that what I present in this thesis is simply three 'snapshots' of immigration legislation, and the apparent shifts between them. It was my hope to contribute, albeit on a minor level, to the archaeology of immigration in Canada, and more specifically, to the ways that immigration applicants, immigrants, and the immigration process, have been constituted over time. In doing so, I realize that what this thesis really offers is a small outlook on the long and multifaceted history of immigration in Canada.

## REFERENCES

- Abu Laban, Yasmeen. (1998). Welcome/stay out. The contradiction of Canadian integration and immigration policies at the millennium. *Canadian Ethnic Studies Journal*. 30, 3.
- Adam, Barry D. (1987). *The Rise of a Gay and Lesbian Movement*. Boston: G.K. Hall & Co.
- Arnoldi, Jakob. (2009). *Risk: Key Concepts*. Cambridge: Polity Press.
- Balfour, Gillian. (2006). Re-imagining a feminist criminology. *Canadian Journal of Criminology and Criminal Justice*. 48, 5.
- Baltard, Louis-Pierre. (1829). *Architectonographie des prisons*. Paris: Crapelet.
- Banting, Keith G. (1987). *The Welfare State and Canadian Federalism, 2<sup>nd</sup> ed.* Montreal: McGill-Queen's University Press.
- Barnes, Annmarie. (2002). Dangerous duality: The "Net Effect" of immigration and deportation on Jamaicans in Canada. In W. Chan, & K. Mirchandani (Eds.), *Crimes of Colour: Racialization and the Criminal Justice System in Canada* (pp. 191-204). Toronto: Broadview Press Ltd.
- Bauder, Harald. (2008). Dialectics of humanitarian immigration and national identity in Canadian public discourse. *Refuge*. 25, 1.
- Baureiss, Gunter. (1987). Chinese immigration, Chinese stereotypes and Chinese labour. *Canadian Ethnic Studies*. 19, 3.
- Beaud, J., & Prevost, J. (1996). Immigration, eugenics and statistics: Measuring racial origins in Canada (1921-1941). *Canadian Ethnic Studies*. 28, 2.
- Bell, S., & Rajiva, M. (2007). Race and belonging: A review of recently issued National Film Board DVDs. *Canadian Ethnic Studies*. 39, 3.

- Benedict, S., & Georges, J.M. (2006). Nurses and the sterilization experiments of Auschwitz: A postmodernist perspective. *Nursing Inquiry*. 13, 4.
- Bloemraad, Irene. (2006). *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada*. Berkeley: University of California Press.
- Bohaker, H., & Iacovetta, F. (2009). Making Aboriginal People 'Immigrants Too': A comparison of citizenship programs for newcomers and Indigenous Peoples in postwar Canada, 1940s–1960s. *Canadian Historical Review*. 90, 3.
- Bouchard, Genevieve. (2000). *Field officer discretion in the implementation process: Immigration policy in Canada, Quebec, and the United States* (Doctoral dissertation). Retrieved from <http://digitalcommons.mcmaster.ca/dissertations/AAINQ72242>
- Bouchard, Genevieve. (2007). *The Canadian Immigration System: An Overview*. Presented at the Institute for Research on Public Policy's Workshop on German and European Migration and Immigration Policy from a Transatlantic Perspective: Challenge for the 21<sup>st</sup> Century. Retrieved from [http://www.irpp.org/miscpubs/archive/bouchard\\_immig.pdf](http://www.irpp.org/miscpubs/archive/bouchard_immig.pdf)
- Brock, Deborah. (2003). *Making Normal: Social Regulation in Canada*. Scarborough: Nelson Educated Ltd.
- Burchell, Graham. (1993). Liberal government and techniques of the self. *Economy and Society*. 22, 3.
- Cairney, Richard. (1996). Democracy was never intended for degenerates: Alberta's flirtation with eugenics comes back to haunt it. *Canadian Medical Association Journal*. 155, 6.

- Calliste, Agnes. (1994). Race, gender and Canadian immigration policy: Blacks from the Caribbean, 1900-1932. *Journal of Canadian Studies*. 28, 4.
- Carabine, Jean. (2001). Unmarried motherhood 1830-1990: A genealogical analysis. In M. Wetherell, S. Taylor, & S.J. Yates (Eds.), *Discourse as Data: A Guide for Analysis* (pp. 267-310). London: Sage Publications Ltd.
- Carrabine, Eamonn. (2000). Discourse, governmentality and translation. *Theoretical Criminology*. 4, 3.
- Carter, Nate. (2006). Shocking the conscience of mankind: Using International Law to define "Crimes Involving Moral Turpitude" in Immigration Law. *Lewis and Clark Law Review*. 10.
- Chan, Wendy. (2005). Crime, deportation and the regulation of immigrants in Canada. *Crime, Law and Social Change*. 44, 2.
- Cheek, Juliane. (2008). Foucauldian discourse analysis. *The Sage Encyclopedia of Qualitative Research Methods*. London: Sage Publications Ltd.
- Christensen, Morwenna. (2004). *Manufacturing subjectivities: Exploring the role of race and biopower in U.S. immigration policies* (Master's thesis). Retrieved from <http://www.collectionscanada.gc.ca/obj/thesescanada/vol2/001/mq98958.pdf>
- Chunn, D., & Gavigan, S. (2006). From Welfare Fraud to Welfare as Fraud. In G. Balfour, & E. Comack (Eds.), *Criminalizing Women: Gender and Injustice in Neo-Liberal Times* (pp. 217-235). Winnipeg: Fernwood.
- Clifford, Elizabeth J. (1997). *Racing the nation: Immigration policy, race and the national identity in Canada and the United States, 1905-1925* (Doctoral dissertation). Available from Proquest Dissertations & Theses database. (UMI No. 9731238)

- Combs, Cindy C. (1997). *Terrorism in the Twenty-First Century*. Upper Saddle River: Prentice-Hall Inc.
- Cruikshank, Barbara. (1999). *The Will to Empower: Democratic Citizens and Other Subjects*. New York: Cornell University Press.
- Dauvergne, Catherine. (2004). Evaluating Canada's new Immigration and Refugee Protection Act in it's global context. *Alberta Law Review*. 41, 3.
- Dean, Mitchell. (1999). *Governmentality: Power and Rule in Modern Society*. London: Sage Publications Ltd.
- Department of Citizenship and Immigration Canada. (2002). *Facts and Figures 2001: Immigration Overview*. Retrieved from <http://www.collectionscanada.gc.ca/webarchives/20060303204422/http://www.cic.gc.ca/english/pdf/pub/facts2001.pdf>
- Dodson, Christopher J. (1997). *The role of public consultation on the formation of Canadian immigration policy: The 1989-1990 immigration consultations* (Masters thesis). Available from Proquest Dissertations & Theses database. (UMI No. 733612911).
- Dreyfus, H.L., & Rabinow, P. (1983). *Michel Foucault: Beyond Structuralism and Hermeneutics*. Chicago: University of Chicago Press.
- Dua, Enkashi. (2003). Towards theorising the connections between governmentality, imperialism, race, and citizenship: Indian migrants and racialisation of Canadian citizenship. In D. Brock (Ed.), *Making Normal: Social Regulation in Canada* (pp. 40-62). Scarborough: Nelson Educated Ltd.
- Duffy, B., & Besel, R. (2010). Martin Luther King Jr.'s "I Have a Dream" and the politics of cultural memory: An Apostil. *American Notes and Queries*. 23, 3.

- Ernst, J., & Baldwin, Y. (2007). The not so silent minority: Louisville's antiwar movement, 1966-1975. *Journal of Southern History*. 73, 1.
- Fekete, Liz. (2001). The emergence of xeno-racism. *Race and Class*. 43, 2.
- Foucault, Michel. (1977 [1971]). Nietzsche, genealogy, history. In D. F. Bouchard (Ed.), *Language, Counter-Memory, Practice: Selected Essays and Interviews* (pp. 139-164). Ithaca: Cornell University Press.
- Foucault, Michel. (1981 [1979]). Omnes et Singulatim: Towards a criticism of 'Political Reason'. In S.M. McMurrin (Ed.), *The Tanner Lectures on Human Values* (pp. 223-254). Salt Lake City: University of Utah Press.
- Foucault, Michel. (1988 [1982]). Technologies of the self. In L.H. Martin, H. Gutman, & P.H. Hutton (Eds.), *Technologies of the Self: A Seminar with Michel Foucault* (pp. 16-49). Amherst: The University of Massachusetts Press.
- Foucault, Michel. (1989 [1961]). *Madness and Civilization*. London: Routledge.
- Foucault, Michel. (1989 [1966]). *The Order of Things*. London: Routledge.
- Foucault, Michel. (1989 [1984]). *Résumé des Cours : 1970-1982*. Paris: Juilliard.
- Foucault, Michel. (1990 [1976]). *The History of Sexuality: An Introduction: Vol. 1*. New York: Pantheon Books.
- Foucault, Michel. (1990 [1984]). *The History of Sexuality: The Use of Pleasure, Vol. 2*. New York: Random House.
- Foucault, Michel. (1991 [1978]). Governmentality. In G. Burchell, C. Gordon, & P. Miller (Eds.), *The Foucault Effect: Studies in Governmentality* (pp. 87-104). Chicago: University of Chicago Press.

- Foucault, Michel. (1995 [1975]). *Discipline and Punish: the Birth of the Prison*. New York: Random House.
- Foucault, Michel. (2000 [1982]). Technologies of the Self. In P. Rabinow (Ed.), *Ethics, subjectivity and truth: Volume 1 of the essential works of Foucault 1954-1984* (pp. 223-252). London: Penguin Publishing.
- Foucault, Michel. (2002 [1969]). *The Archaeology of Knowledge*. London: Routledge.
- Foucault, Michel. (2003 [1963]). *The Birth of the Clinic*. London: Routledge.
- Foucault, Michel. (2003 [1975]). *Abnormal: Lectures at the Collège de France, 1974-1975*. New York: Picador.
- Foucault, Michel. (2003 [1976]). *Society Must Be Defended: Lectures at the Collège de France, 1975-1976*. New York: Picador.
- Foucault, Michel. (2007 [1978]). *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*. New York: Picador.
- Fragomen, Austin T. (1978). Inadmissibility of aliens. *International Migration Review*. 12, 2.
- Francis, Diane. (2002). *Immigration: The Economic Case*. Toronto: Key Porter.
- Freilich, J., & Newman, G. (2007). *Crime and immigration*. Burlington: Ashgate.
- Garland, David. (1997). 'Governmentality' and the problem of crime: Foucault, criminology, sociology. *Theoretical Criminology*. 1, 2.
- Garland, David. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
- Garland, David. (2003). The Rise of Risk. In A. Doyle, & R. Ericson (Eds.), *Risk and Morality* (pp. 48-86). Toronto: University of Toronto Press.

- Gervais, Christine. (2010). Prevention, Criminology, and Governmentality Revisited. In V. Strimelle, & F. Vanhamme (Eds.), *Droits et Voix/Rights and Voices* (pp. 81-100). Ottawa: University of Ottawa Press.
- Giddens, Anthony. (1990). *The Consequences of Modernity*. Cambridge: Polity Press.
- Goldstein, Jan. (1998). Foucault's technologies of the self and the cultural history of identity. *Arcadia*. 33, 1.
- Gordon, Colin. (1991). Governmental Rationality: An Introduction. In G. Burchell, C. Gordon, & P. Miller (Eds.), *The Foucault Effect: Studies in Governmentality* (pp. 1-52). Chicago: University of Chicago Press.
- Green, A., & Green, D. (1999). The economic goals of Canada's immigration policy: Past and present. *Canadian Public Policy-Analyse de Politiques*. 25, 4.
- Green, A., & Green, D. (2004). The goals of Canada's immigration policy: A historical perspective. *Canadian Journal of Urban Research*. 13, 1.
- Grekul, Jana. (2008). Sterilization in Alberta, 1928 to 1972: Gender matters. *Canadian Review of Sociology*. 45, 3.
- Grekul, J., Krahn, A., & Odynak, D. (2004). Sterilizing the "Feeble-minded": Eugenics in Alberta, Canada, 1929-1972. *Journal of Historical Sociology*, 17, 4.
- Grizzle, Stanley G. (1997). *My Names Not George: The Story of the Brotherhood of Sleeping Car Porters in Canada*. Toronto: Umbrella Press.
- Grubel, Herbert. (2005). Immigration and the Welfare State in Canada: Growing conflicts, constructive solutions. *The Fraser Institute: Public Policy Sources*. 84.
- Gunn, Simon. (2006). From hegemony to governmentality: Changing conception of power in social history. *Journal of Social History*. 39, 3.

- Haggerty, Kevin. (2003). From risk to precaution: The rationalities of personal crime prevention. In A. Doyle, & R. Ericson (Eds.), *Risk and Morality* (pp. 193-214). Toronto: University of Toronto Press.
- Hannah-Moffat, Kelly. (2000). Prisons that empower. *British Journal of Criminology*, 40, 3.
- Harrington, A., Marshall, B.L., & Muller, H.P. (2006). *Encyclopedia of Social Theory*. New York: Routledge.
- Hawkins, Freda. (1975). Immigration and population: The Canadian approach. *Canadian Public Policy-Analyse de Politiques*, 1, 3.
- Hoffman, Bruce. (2006). *Inside Terrorism*. New York: Columbia University Press.
- Hunt, A., & Wickham, G. (1994). *Foucault and Law: Towards a Sociology of Law as Governance*. Chicago: Pluto Press.
- Hyde, Alan. (1997). *Bodies of Law*. Princeton: Princeton University Press.
- Ibrahim, Maggie. (2005). The securitization of migration: A racial discourse. *International Migration*, 43, 5.
- Iredale, Robyn. (1997). *International Migration and Accreditation Issues*. Wollongong: University of Wollongong Press.
- Jacobs, Keith. (2006). Discourse analysis and its utility for urban policy research. *Urban Policy and Research*, 24, 1.
- Jarrett, Christian. (2005). Terror attacks-The public's response. *The Psychologist*, 18, 9.
- Jessop, Bob. (2002). Liberalism, Neoliberalism, and urban governance: A state-theoretical perspective. In N. Brenner, & N. Theodore (Eds.), *Spaces of Neoliberalism: Urban Restructuring in North America and Western Europe* (pp. 105-125). Oxford: Blackwell Publishing.

- Kalbach, Warren E. (1987). Growth and distribution of Canada's ethnic populations, 1871-1981. In L. Driedger (Ed.), *Ethnic Canada: Identities and Inequalities* (pp. 82-110). Toronto: Copp Clark Pitman.
- Kelley, N., & Trebilcock, M. (2000). *The Making of the Mosaic: A History of Canadian Immigration Policy*. Toronto: University of Toronto Press.
- Kelly, Mark. (2004). Racism, nationalism and biopolitics: Foucault's society must be defended, 2003. *Contretemps*. 4.
- Kemshall, Hazel. (2003). *Understanding Risk in Criminal Justice*. Buckingham: Open University Press.
- Kharkhordin, Oleg. (1999). *The Collective and the Individual in Russia: A Study of Practices*. Berkeley: University of California Press.
- Kim, Y., & Garcia, M.J. (2009). Immigration consequences of criminal activity. *Congressional Research Service*. Report RL32480.
- King, William Lyon Mackenzie. (1947). Canada's Postwar Immigration Policy. *House of Commons Debates, May 1, 1947*. 256. 2644-2646.
- Klein, Alana. (2001). Canadian HIV/AIDS Legal Network: HIV/AIDS and Immigration Final Report. Retrieved from <http://www.aidslaw.ca/publications/interfaces/downloadFile.php?ref=853>
- Knowles, Valerie. (2007). *Strangers at Our Gates: Canadian Immigration and Immigration Policy, 1540-2006*. Toronto: Dundurn Group.
- Kruger, E., Mulder, M., & Korenic, B. (2004). Canada after 11 September: Security measures and "preferred" immigrants. *Mediterranean Quarterly*. 15, 4.

- Kumin, Judith. (2000). *Fifty Years of Refugee Protection*. UNHCR Representative in Canada: Address at Fall Consultation of the Canadian Council for Refugees in Montreal, Canada. Retrieved from <http://www.ccrweb.ca/JudithKumin.htm>
- Latour, Bruno. (1987). *Science in Action*. Cambridge: Harvard University Press.
- Lemke, T. (2001). 'The birth of bio-politics': Michel Foucault's lecture at the Collège de France on neo-liberal governmentality. *Economy and Society*. 30, 2.
- Magocsi, Paul R. (1999). *Encyclopedia of Canada's People*. Toronto: University of Toronto Press.
- Martinez, Ramiro. (2008). Immigration, crime and recidivism: Editorial introduction. *Criminology and Public Policy*. 7, 1.
- Martinez, R., & Valenzuela, A. (2006). *Immigration and Crime: Ethnicity, Race, and Violence*. New York: New York University Press.
- McCahill, Mike. (2002). *The Surveillance Web: The Rise of Visual Surveillance in an English City*. Cullompton: Willan Publishing.
- McIntyre, Tobi. (2001). Immigration Acts: Visible majorities, History of Canadian immigration policy. *Canadian Geographic*. January/February Volume.
- McLaren, Angus. (1990). *Our Own Master Race: Eugenics in Canada, 1885-1945*. Toronto: McClelland & Stewart Inc.
- McLean, Lorna (2004). To become part of us: Ethnicity, race, literacy and the Canadian Immigration Act of 1919. *Canadian Ethnic Studies*. 36, 2.
- McLeod, John. (2002). *The History of India*. Westport: Greenwood Press.

- McLeod, Keith. (1984). Multiculturalism and multicultural education: Policy and practice. In R. Samuda, J. W. Berry, & M. Laferrière (Eds.), *Multiculturalism in Canada: Social and Educational Perspectives* (pp. 30-49). Toronto: Allyn & Bacon Inc.
- McMullin, J.A., Cooke, M., & Downie, R. (2004). *Canadian Policy Research Networks: Labour Force Ageing and Skill Shortages in Canada and Ontario*. Retrieved from <http://www.secteurpublic.csn.qc.ca/MGACMS-Client/Protected/File/ID18W7B2MP9KB5ER6DDX913EM6GLCN.pdf>
- Mezzano, Michael J. (2009). *Not the race of Dante: Southern Italians as undesirable Americans* (Doctoral dissertation). Available from Proquest Dissertations & Theses database. (UMI No. 3349902).
- Miller, P., & Rose, N. (1990). Governing economic life. *Economy and Society*. 19, 1.
- Mills, Sara. (2003). *Gender and Politeness*. Cambridge: Cambridge University Press.
- Minchin, Timothy J. (2008). Making best use of the new laws: The NAACP and the fight for civil rights in the South, 1965-1975. *Journal of Southern History*. 74, 3.
- Monahan, Torin. (2006). Securing the homeland: Torture, preparedness, and the right to let die. *Social Justice*. 33, 1.
- Mosoff, Judith. (1998). Excessive demand on the Canadian conscience: Disability, family, and immigration. *Manitoba Law Journal*. 26, 2.
- Murphy, Emily. (1932). Sterilization of the Insane. *The Vancouver Sunday Sun*.
- Nadesan, Majia H. (2008). *Governmentality, Biopower, and Everyday Life*. New York: Routledge.

- O'Malley, Pat. (1996). Risk and responsibility. In A. Barry, T. Osborne, & N. Rose (Eds.), *Foucault and Political Reason: Liberalism, Neoliberalism, and Rationalities of Government* (pp. 189-208). Chicago: University of Chicago Press.
- O'Malley, Pat. (1999). Consuming risks: Harm minimization and the government of 'drug users'. In R. Smandych (Ed.), *Governable Places* (pp. 191-214). Dartmouth: Ashgate.
- O'Malley, Pat. (2000a). Criminologies of catastrophe? Understanding criminal justice on the edge of the new millennium. *The Australian and New Zealand Journal of Criminology*, 33, 2.
- O'Malley, Pat. (2000b). Uncertain subjects: Risks, liberalism and contract. *Economy and Society*. 29, 4.
- O'Malley, Pat. (2004). *Risk, uncertainty and government*. London: GlassHouse.
- O'Malley, P., Weir, L., & Shearing, C. (1997). Governmentality, criticism, politics. *Economy and Society*. 26, 4.
- Osborne, Thomas. (1994). Sociology, liberalism, and the historicity of conduct. *Economy and Society*. 23, 4.
- Parker, Ian. (1997). Discourse analysis and psycho-analysis. *British Journal of Social Psychology*. 36. 4.
- Perry, B., Fernandez, L.A., & Costelloe, M. (2009). Exclusion, Inclusion, and Violence: Immigrants and Criminal Justice. In The Criminology and Criminal Justice Collective of Northern Arizona University (Eds.), *Investigating Difference: Human and Cultural Relations in Criminal Justice, 2<sup>nd</sup> ed.* (pp. 88-101). New York: Prentice Hall.
- Piscitelli, F., & Albanese, J.S. (2000). Do casinos attract criminals? A study at the Canadian-U.S. border. *Journal of Contemporary Criminal Justice*. 16, 4.

- Powers, Penny. (2001). *The Methodology of Discourse Analysis*. Mississauga: Jones and Bartlett Publishing.
- Prado, Carlos G. (2000). *Starting with Foucault: An Introduction to Genealogy*. Boulder: Westview Press.
- Pratt, John. (1999). Governmentality, neo-liberalism and dangerousness. In R. Smandych (Ed.), *Governable Places* (pp. 133-161). Dartmouth: Ashgate.
- Public Works and Government Services Canada. (2000). *Forging Our Legacy: Canadian Citizenship and Immigration, 1900–1977*. Retrieved from <http://www.cic.gc.ca/english/resources/publications/legacy/index.asp>
- Quarles, Chester, L. (1999). *The Ku Klux Klan and Related American Racist and Antisemitic Organizations: A History and Analysis*. Jefferson: McFarland & Company Inc.
- Ralston, Helen. (1999). Canadian immigration policy in the twentieth century: Its impact on South Asian women. *Canadian Woman Studies*. 19, 3.
- Ray, Brian. (2005). Canada: Policy changes and integration challenges in an increasingly diverse society. *Migration Policy Institute*.
- Reitz, Jeffrey G. (2001). Immigrant success in the knowledge economy: Institutional change and the immigrant experience in Canada, 1970-1995. *Journal of Social Issues*. 57, 3.
- Reitz, Jeffrey G. (2004). Canada: Immigration and national building in the transition to a knowledge economy. In W. A. Cornelius (Ed.), *Controlling Immigration* (pp. 97-133). Stanford: Stanford University Press.
- Reitz, Jeffrey G. (2005). Canadian immigration policy. In M.J. Gibney, & R. Hansen (Eds.), *Immigration and Asylum: From 1900 to the Present* (pp. 63-69). Santa Barbara: ABC-CLIO Inc.

- Richie, Cristina S. (2010). The racial and economic theories of James Cone and Martin Luther King Jr., illuminated by "the sermon on the mount". *Black Theology: An International Journal*. 8, 1.
- Rigakos, G.S., & Hadden, R.W. (2001). Crime, capitalism, and the risk society: Towards the same olde modernity? *Theoretical Criminology*. 5, 1.
- Roach, K., & Trotter, G. (2005). Miscarriages of justice in the war against terror. *Penn State Law Review*. 109, 4.
- Roberts, D.J., & Mahtani, M. (2010). Neoliberalizing race, racing neoliberalism: Placing "race" in neoliberal discourses. *Antipode*. 42, 2.
- Rogers, K.W., & McHale, J. (2009). Accessing resources in a global economy: Three essays on outsourcing and immigration. Available from Proquest Dissertations & Theses database. (UMI No. 1679687351).
- Rose, Nikolas. (1993). Government, authority and expertise in advanced liberalism. *Economy and Society*. 22, 3.
- Rose, Nikolas. (1996a). Governing advanced liberal democracies. In A. Barry, T. Osborne, & N. Rose (Eds.), *Foucault and Political Reason: Liberalism, Neoliberalism, and Rationalities of Government* (pp. 37-64). Chicago: University of Chicago Press.
- Rose, Nikolas. (1996b). *Inventing Our Selves: Psychology, Power, and Personhood*. Cambridge: Cambridge University Press.
- Rose, Nikolas. (1996c). The death of the social? Re-figuring the territory of government. *Economy and Society*. 25, 3.
- Rose, Nikolas. (1999). *Powers of Freedom: Reframing Political Thought*. Cambridge: Cambridge University Press.

- Rose, N., & Miller, P. (1992). Political powers beyond the state: Problematics of government. *British Journal of Sociology*. 43, 2.
- Rose, N., O'Malley, P., & Valverde, M. (2006). Governmentality. *Annual Review of Law and Social Science*. 2.
- Rumbaut, R., & Ewing, W. (2007). *The myth of immigrant criminality*. Social Science Research Council. Border Battles: The U.S. Immigration Debates (online essays). Retrieved from <http://borderbattles.ssrc.org/>
- Shein, Avital. (2004). A Foucauldian explanation of racism beyond Foucault's. Unpublished Paper. Retrieved from <http://www.panopticweb.com/2004conference/3.shein.pdf>
- Silverman, David. (2006). *Interpreting Qualitative Data, 3<sup>rd</sup> ed.* London: Sage Publications Ltd.
- Silverstein, Martin. (2005). What's race go to do with justice? *British Journal of Criminology*. 45, 3.
- Simon, R., & Sikich, K. (2007). Public attitudes toward immigrants and immigration policies across seven nations. *International Migration Review*. 41. 4.
- Slovic, P., & Peters, E. (2006). Risk perception and affect. *Current Directions in Psychological Science*. 15, 6.
- Smart, Barry. (2002). *Michel Foucault, Rev. ed.* London: Routledge.
- Spacova, Katerina. (2005). *The history of immigration and immigration policies in Canada and the Czech Republic* (Masters thesis). Retrieved from [http://is.muni.cz/th/40393/ff\\_m/Spacova\\_DP\\_2cast.pdf](http://is.muni.cz/th/40393/ff_m/Spacova_DP_2cast.pdf)
- Statistics Canada. (2010). Projections of the Diversity of the Canadian Population. Retrieved from <http://www.statcan.gc.ca/pub/91-551-x/91-551-x2010001-eng.pdf>

- Stenson, K., & Watt, P. (1999). Governmentality and the 'the death of the social?': A discourse analysis of local government texts in the South East of England. *Urban Studies*. 36, 1.
- Stoler, Laura A. (1995). *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things*. Durham: Duke University Press.
- Taylor, K.W. (1991). Racism in Canadian immigration policy. *Canadian Ethnic Studies*. 23, 1.
- Tolley, Erin. (2003). The skilled worker class: Selection criteria in the Immigration and Refugee Protection Act. *Metropolis Policy Brief*. 1.
- Triadafilopoulos, Triadafilos. (2004). Building walls, bounding nations: Migration and exclusion in Canada and Germany, 1870-1939. *Journal of Historical Sociology*. 17, 4.
- Troper, Harold (1993). Canada's immigration policy since 1945. *International Journal*. 48, 2.
- Tyner, James A. (1999). The geopolitics of eugenics and the exclusion of Philippine immigrants from the United States. *Geographical Review*. 89, 1.
- Walby, Kevin. (2005). Open street camera surveillance and governance in Canada. *Canadian Journal of Criminology*. 47, 4.
- Wayland, Sarah. (1997). Immigration, multiculturalism and national identity in Canada. *International Journal on Group Rights*. 5, 1.
- Webb, J., & Cutter, S. (2009). The geography of U.S. terrorist incidents, 1970-2004. *Terrorism & Political Violence*. 21, 3.
- Wetherell, M., Taylor, S., & Yates, S.J. (2001). *Discourse as Data: A Guide for Analysis*. London: Sage Publications Ltd.
- Whitaker, Reg. (1987). *Double Standard: The Secret History of Canadian Immigration*. Toronto: Lester & Orpen Dennys Ltd.

Williams, J.W., & Lippert, R. (2006). Governing on the margins: Exploring the contributions of governmentality studies. *Canadian Journal of Criminology and Criminal Justice*. 48, 5.

Woods, Tryon P. (2009). The plantation society, circa 2008: Discussing immigration through the lens of criminology. *Radical Teacher*. 84.

Wortley, Scot. (2009). Introduction. The immigrant-crime connection: Competing theoretical perspectives. *Journal of International Migration and Integration*. 10, 4.

### SOURCES OF DATA

Department of Citizenship and Immigration. (1952). *Immigration Act*. Retrieved from

<http://www.llmc.com/>

Department of Citizenship and Immigration Canada. (2001). *Immigration and Refugee*

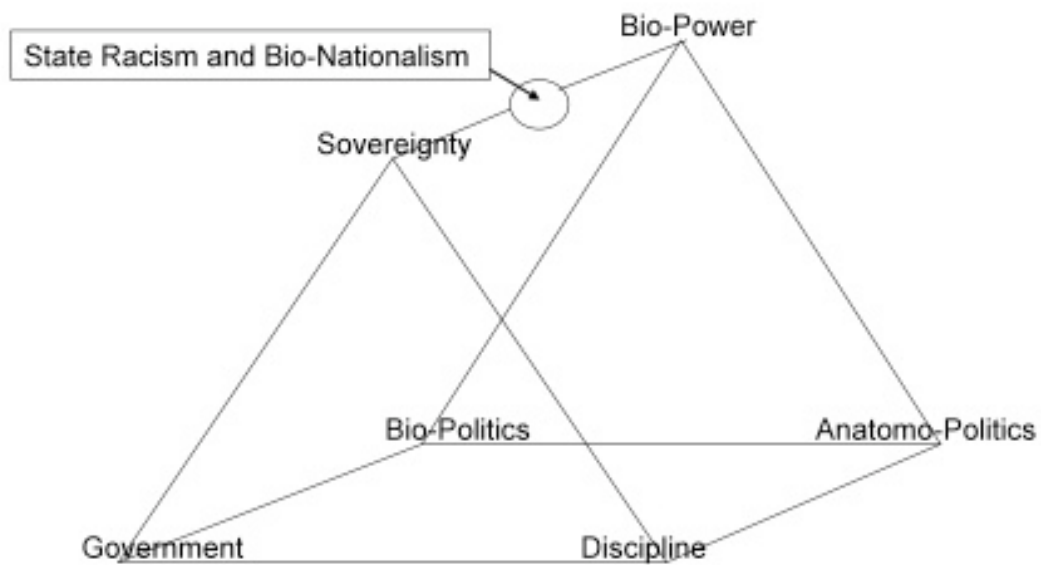
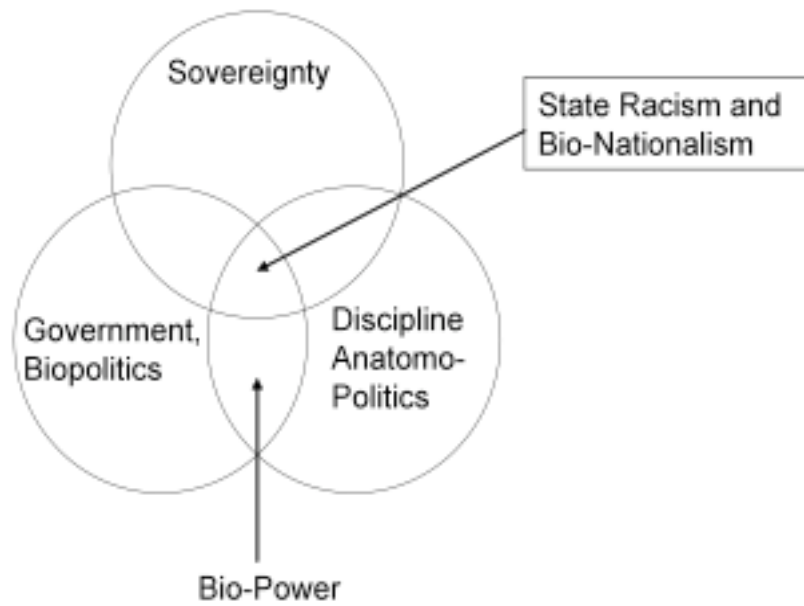
*Protection Act*. Retrieved from <http://www.canlii.org/>

Department of Manpower and Immigration. (1976). *Immigration Act*. Retrieved from

<http://www.llmc.com/>

## APPENDIX A:

## STATE RACISM AND BIO-NATIONALISM



**APPENDIX B:****GUIDE TO DOING A FOUCAULDIAN DISCOURSE ANALYSIS**

1. Select your topic -identify possible sources of data
2. Know your data -read and re-read. Familiarity aids analysis and interpretation
3. Identify themes -categories and objects of the discourse
4. Look for evidence of inter -relationships between discourses
5. Identify the discursive strategies and techniques that are employed
6. Look at absences and silences
7. Look for resistances and counter-discourses
8. Identify the potential effects of the discourse
9. Context 1 -outline the background to the issue
10. Context 2 -contextualize the material in the power/knowledge networks of the period
11. Be aware of limitations of the research, your data and sources

(Carabine, 2001: 281)

**GUIDE TO DOING A FOUCAULDIAN DISCOURSE ANALYSIS (*modified for this study*)**

1. Knowing the Data and Drawing out the Discourses
  - Select your topic -identify possible sources of data
  - Know your data -read and re-read. Familiarity aids analysis and interpretation
  - Identify themes-categories and objects of the discourse
2. Analyzing the Nature of the Discourses
  - Look for evidence of inter-relationships between discourses
  - Look at absences and silences

**Other Steps:****Evident in the Methodology Section**

- Be aware of limitations of the research, your data and sources

**Evident in the Findings Section**

- Identify the potential effects of the discourse
- Context 1 -outline the background to the issue

## APPENDIX C:

## QUESTION GUIDE FOR DATA ANALYSIS

<b>CATEGORY I: THE IMMIGRATION APPLICANT</b>	
<b>Question</b>	<b>Operational Definition (Description/Indicators)</b>
1. How does the document speak of the <b>admissible</b> immigration applicant?	<b>Admissible:</b> individuals who are permitted entry to Canada when applying. This question seeks to determine the factors that constitute immigrants as permissible to enter Canada when applying.
2. How does the document speak of the <b>inadmissible</b> immigration applicant?	<b>Inadmissible:</b> individuals who are not permitted entry to Canada when applying. This question seeks to determine the factors that constitute immigrants as prohibited from entering Canada when applying.
3. How does the document speak of <b>race</b> ?	<b>Race:</b> is the division of individuals based on: skin-tone, heredity, bloodlines, ethnic group, and/or any biologically visible distinction.
4. How does the document speak of <b>gender</b> ?	<b>Gender:</b> refers to characteristics that distinguish between male and female.
5. How does the document speak of the <b>family</b> ?	<b>Family:</b> a social unit consisting of parents and their children, considered as a group, whether dwelling together or not.

<b>CATEGORY II: THE IMMIGRANT</b>	
<b>Question</b>	<b>Operational Definition (Description/Indicators)</b>
1. How does the document speak of the <b>admissible</b> immigrant?	<b>Admissible:</b> immigrants who are permitted to remain in Canada after entry has been gained. This question seeks to determine the factors that constitute immigrants as permissible to remain in Canada.
2. How does the document speak of the <b>inadmissible</b> immigrant?	<b>Inadmissible:</b> immigrants who are not permitted to remain in Canada after entry has been gained. This question seeks to determine the factors that constitute immigrants as prohibited from remaining in Canada.
3. How does the document speak of the <b>deportation</b> of an inadmissible immigrant?	<b>Deportation:</b> a sanction that can be given to an inadmissible immigrant, which requires them to leave Canada.
4. How does the document speak of <b>race</b> ?	<b>Race:</b> is the division of individuals based on: skin-tone, heredity, bloodlines, ethnic group, and/or any biologically visible distinction.
5. How does the document speak of <b>gender</b> ?	<b>Gender:</b> refers to characteristics that distinguish between male and female
6. How does the document speak of the <b>family</b> ?	<b>Family:</b> a social unit consisting of parents and their children, considered as a group, whether dwelling together or not.

<b>CATEGORY III: THE IMMIGRATION PROCESS</b>	
<b>Question</b>	<b>Operational Definition (Description/Indicators)</b>
1. How does the document speak of the <b>rights</b> of the immigration applicant/immigrant?	<b>Rights:</b> a benefit entitled to the applicant/immigrant, which protects them from subjective treatment throughout the immigration process.
2. How does the document speak of the <b>responsibilities</b> of the immigration applicant/immigrant?	<b>Responsibilities:</b> what the applicant/immigrant must do in order to be permitted entry to and remain in Canada (e.g. meeting predetermined standards, integrating, learning the language, obeying the rules, etc.).
3. How does the document speak of the <b>status</b> of the immigration applicant/immigrant?	<b>Status:</b> is something that is constantly attributed to the applicant/immigrant as it helps to define them at various stages of the immigration process.
4. How does the document speak of the <b>examination</b> of the immigration applicant/immigrant?	<b>Examination:</b> is something that all applicants/immigrants are subject to at various times (e.g. during the application process, upon entry, whilst in Canada, etc.) and may encompass multiple aspects (e.g. interviews, document verification, medical, inquiries, appeals, etc.).
5. How does the document speak of the <b>role</b> of the <b>Government of Canada</b> ?	<b>Role:</b> the part the Government of Canada plays in the context of the immigration process and the ways in which the Government fits in to the overall scheme of things. The <b>Government of Canada</b> is the apparatus that oversees the creation and enforcement of the legislation.
6. How does the document speak of the <b>objectives</b> of the immigration process?	<b>Objectives:</b> includes a focus on the safety, security, health, economy, and risks to the population. This question seeks to understand the rationale behind permitting admissible ("good", desirable, etc.) immigrants entry to Canada and keeping the inadmissible ("bad", undesirable, etc.) out.

\*The researcher developed the operational definitions seen here for the purposes of this thesis.