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Invisible City: Immigrants Without Voting Rights in Urban Ontario

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Invisible city: Imagined or real?

Imagine a Canadian city with a population of 370,000 people. That would make it Canada's fourteenth largest city, just 2000 inhabitants smaller than Halifax. Our imagined city would be larger than half the provincial capitals of Canada – twice the size of Regina and almost four times bigger than St. John's. Time is also on our conjured city's side, because it is Canada's fastest growing community.

Sounds like a great place to be – dynamic and full of opportunities. Just don't expect to have a say in how your city is governed. Because no one has the right to vote in this municipality.

Surprisingly, perhaps, this scenario is no fantasy. It plays out in Toronto, and to a lesser degree, in every city in Ontario whenever there is a municipal election. On the eve of the 2006 civic vote, 246,924 names were dropped from Toronto's list of eligible voters because their Canadian citizenship could not be confirmed. Non-citizens comprise 16.2% of the City of Toronto's population.

These disenfranchised persons live in Toronto, most work and pay property tax in Toronto, but they cannot vote in city (or provincial and federal) elections. They all have something else in common: they are all immigrants. Their transgression is not being Canadian citizens. In order to vote municipally in Ontario, a person must be: a) 18 years of age or older, b) a citizen of Canada, and c) either reside in the municipality or pay property tax to it through property owned or rented in it as a non-resident.

This baseline of almost 250,000 persons summarily disenfranchised in Toronto, explains

why the city we imagined at the outset has a total population of 370,000. The 2001 Census (still the most recent source of Canadian immigration statistics) showed that 66.8% of Toronto's immigrants were 18 years of age or older. If we add the under-aged third of family members to this voting-deprived group of immigrants, they comprise an "invisible city" of 370,000 persons living in Toronto without any voting rights.

By far the largest "invisible city" of disenfranchised urban residents is to be found in Toronto. But replicas exist across Ontario. In 2001, 26.8% of Ontario's population of 11.4 million was foreign-born. If we assume that the proportion of Ontario's 3,030,075 immigrants who did not hold Canadian citizenship in 2001 is the same as the proportion of Toronto's immigrants who were dropped from the voter's list in 2006, then the total number of voting-deprived immigrants in Ontario is over 615,000! As we have seen, 40% of this total live in Toronto. The remainder are located in cities across the province – especially prevalent in such large immigrant centres as Ottawa, Hamilton, Windsor, Kitchener and Toronto-area municipalities like Mississauga, Brampton, Markham and Richmond Hill.

Who are the disenfranchised immigrants?

Elsewhere, I have identified the three categories of immigrants who are denied the right to vote (Siemiatycki 2006). Based on an analysis of the 2003 City of Toronto election, I concluded that at that time, 263,000 permanent Toronto inhabitants aged 18 or older were denied the right to vote because they were not Canadian citizens. The

largest subset (49%) was comprised of immigrants resident in Canada for more than three years who had not naturalized to take up Canadian citizenship. As the 2001 Census revealed, while the vast majority of immigrants do become Canadian citizens, 16% of immigrants eligible for citizenship have not naturalized. The second largest subset (38%) were those who had been in Canada less than three years, and were not yet eligible for citizenship. And the remainder (13%) were non-status migrants living in Toronto.

The second and third subsets are not eligible to claim Canadian citizenship. The former have not been in the country long enough, and the latter have irregular status which does not lead to citizenship. The largest sub-set, almost half the 263,000 disenfranchised voters are those who have chosen not to exercise their right to become Canadian citizens.

There are a variety of reasons why immigrants may not naturalize. Some are from countries which do not accept dual citizenship, and losing birthplace citizenship could jeopardize property ownership there and complicate return travel. Some are reluctant to become Canadian because holding citizenship renders a newcomer here ineligible for a variety of government settlement services. Some may not regard the “benefits” of citizenship worth the cost or bother of naturalizing. And some may be uneasy about giving up a lifelong identity attached to their place of birth.

Interestingly, of all immigrants to Canada it is Americans who have the lowest rate of Canadian naturalization. In 2001, 32% of American immigrants eligible for Canadian citizenship had not naturalized – compared as we have seen with a 16% non-citizen rate for all immigrants in Canada (Tran et al. 2005). More generally, the 2001 Census revealed that immigrants to Canada from Africa and Asia are considerably more likely to become Canadian citizens than immigrants from Europe and the United States.

The number of disenfranchised immigrants in Ontario cities is unlikely to diminish any time soon. It is more likely to increase over time. Annual immigration arrivals will stay at the same level, if not increase, and the draw of Ontario remains powerful. So every time an election is called, there will be huge numbers not yet eligible for naturalization. Additionally, as Canada increasingly admits more migrants on a temporary basis – without access to citizenship – the numbers of non-voting inhabitants of our cities will grow.

One resident, one vote: The new urban citizenship

In Toronto, a campaign has been launched to extend municipal voting rights to all permanent inhabitants of the City, regardless of their national citizenship. This call comes from a network of immigrant community organizations and advocacy groups. It has been endorsed by a variety of civic officials, including Toronto Mayor David Miller. Ultimately, however, under Canada’s Constitution it is the province which sets municipal voting rules. The “One Resident, One Vote” campaign therefore calls on the Ontario government to amend the *Municipal Elections Act* to extend voting rights to all those 18 years of age or older who make the City their home.

This is a radical political demand. It requires us to re-think and revise some basic, longstanding assumptions we have about the way we do politics. But such are the transformations inherent in global migration today.

Critics of extending the franchise in this fashion typically contend that the right to vote must be earned. And only one measure of entitlement is acceptable – proof of Canadian citizenship. The balance of this paper presents five reasons why such thinking is out of touch with the interests of our cities and Canadian society.

Other countries do it

Today, at least 26 countries in the world provide some measure of non-citizen voting rights. More than half are located in Europe, a handful are in South America, and the rest are scattered worldwide (Earnest 2003). In most instances, the right to vote is extended to all resident non-citizens, regardless of their country of origin. Typically, non-citizen voting rights are limited to local/municipal elections – and preclude participation in national elections.

The most permissive non-citizen voting regime is in New Zealand. Since 1975, all immigrants are eligible to vote in that country’s municipal and national elections, after one year of residency in the country. In other words, several countries are practicing a more inclusive approach to immigrant political participation than Canada.

Municipal voting rights are different

The campaign for non-citizen voting rights is addressed to municipal elections. Immigrants overwhelmingly live in cities. Giving non-citizens the right to cast their ballot at municipal elections avoids all possible controversy over

non-Canadians exerting undue influence over federal responsibilities such as foreign policy. Municipal elections are about community issues. Non-citizens are contributing members of these communities.

Municipal voting rights in Canada have always been based on different principles than federal and provincial votes. As noted above, non-residents can legally vote in a municipal election. This is not the case in our federal or provincial elections, and it reflects a *stakeholder* principle that defines municipal voting rights.

A person who owns or rents property in a municipality has the right to vote there (along with their spouse) even if they don't live in the municipality. Since property owners and tenants pay property tax, they finance local government and therefore are deemed entitled to a voice in how the municipality spends their taxes. And in large municipalities there are many thousands of non-resident voters. The same right should be extended to *resident* non-citizens paying property taxes.

This principle is well captured in Toronto's new provincially approved municipal charter. The City of Toronto Act of 2005 identifies the City as a corporation "that is composed of the inhabitants of its geographic area." Indeed – note the emphasis on inhabitants, not citizens.

No taxation without representation

All those who inhabit our cities, finance local government and depend on its services should have the right to decide who runs City Hall.

Voteless and voiceless neighbourhoods

Recent immigrant arrivals are highly residentially concentrated in many cities. Newcomers understandably are typically drawn to living in neighbourhoods where others from their homeland reside. This means that non-citizens are not equally or randomly distributed across urban neighbourhoods.

Toronto provides a striking example of the extent to which some neighbourhoods go voteless and voiceless in municipal elections. Toronto is officially divided into 140 neighbourhoods. In some of these, over 30% of the population are non-citizens. This systemic political exclusion makes it difficult for the issues and needs of these inhabitants to be heard, despite the fact that all pay property taxes, whether their accommodations are owned or rented.

Not coincidentally, Toronto's officially recognized "at risk" neighbourhoods happen to

coincide with areas where large numbers of non-citizens live.

Towards a new urban citizenship

Extending the municipal franchise to non-citizen residents will strengthen Canadian democracy, social inclusion and citizenship. Ironically, by placing so much emphasis on the requirement of formal citizenship to vote, we marginalize and prevent many newcomers from developing a real sense of belonging in our cities. Promoting participation is the essence of citizenship, and it strengthens newcomer integration.

This point was well expressed by the Mayor of Dublin, Ireland, in describing how immigrants there feel about being able to vote in the city's election before they became citizens of Ireland. Mayor Michael Conaghan said "They like the idea of being asked for their vote. They feel a part of the city, and I think that's important... I suppose they feel they're not being dismissed" (Young 2005).

Local governments have long been regarded as incubators of democracy. This is where people can most directly engage in collective decision-making and shared sovereignty. And cities of course are where immigrants settle.

In an age of unprecedented global migration, it serves neither newcomers nor our cities, to entrench political exclusion. Who knows: ramping up the message that all urban residents should vote in municipal elections might even raise the habitually low turnout rate of eligible civic voters. Creating a culture of political participation is a shared project for all of us.

About the author

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