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Hon. Monte Solberg
Arthur Sweetman
Andrew Telegdi
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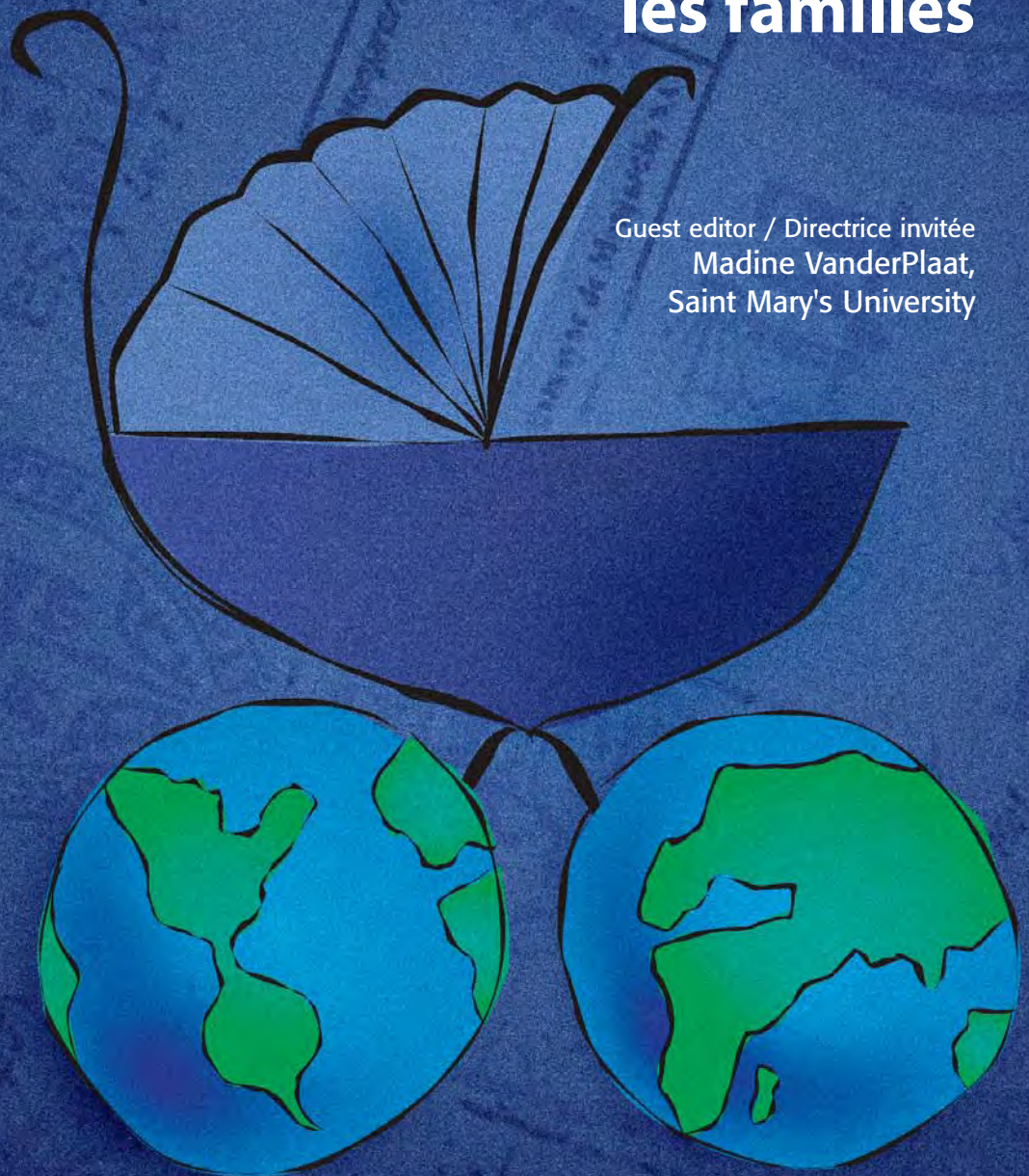
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CANADIAN ISSUES THÈMES CANADIENS

Spring / printemps 2006

Immigration and Families L'immigration et les familles

Guest editor / Directrice invitée
Madine VanderPlaat,
Saint Mary's University



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DESIGN / GRAPHISME
Llama Communications • (819) 776-6888 • marc@llamacom.ca

ADVERTISING / PUBLICITÉ
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CITC/ACS STREET ADDRESS / ADRESSE CIVIQUE CITC/AEC
1822A, rue Sherbrooke Ouest, Montréal (Québec) H3H 1E4
Tel / Tél.: (514) 925-3094 – Fax / Téléc.: (514) 925-3095
E-mail / Courriel: general@acs-aec.ca

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IMMIGRATION AND FAMILIES: INTRODUCTION

This issue of *Canadian Issues / Thèmes canadiens* provides a fascinating look at the complexities within which current debates about family class immigration and family reunification are immersed. Some of the articles focus specifically on issues related to family class immigration policy, while others take a broader perspective by examining the importance of the role of the family within the immigration experience. As one reads through the articles it is increasingly apparent that policy makers are faced with public voices fraught with competing discourses of economic, social, and cultural considerations, compassion and humanitarianism, and international legal obligations. It is also apparent that while using many of the same words the authors do not necessarily speak the same language. With no shared operational definition of concepts such as “successful integration” or “social and economic well-being” (let alone what constitutes the “best interests” of the nation), the possibilities for meaningful, policy-informative, cross-discursive discussion are not always readily apparent. Likewise, comparisons between individual research projects are hampered by contradictory measures of what constitutes an “immigrant family” and one must take care in making temporal comparisons without careful reference to DeShaw’s article which maps the changes in immigration policy and definitions over time. In addition, the debate among the discourses is exacerbated by tensions between arguments made at the macro level and stories of human strength, adversity (and duplicity) evidenced at the micro level.

At the same time, none of the authors suggest that families are not an integral part of immigration. Decisions about whether to move and where to settle are usually family decisions (Lewis-Watts). Settlement and integration outcomes are closely tied to social capital, which itself is closely tied to families (Jedwab, Potter and Bergeron). Moreover, absence of families can have serious and negative impacts on the well-being of individuals (Dench, Pratt). Recognizing this, Canada’s *Immigration and Refugee Protection Act* (2001) explicitly lists family reunification as one of its key objectives (Thomson). Nonetheless, we know very little about how families work together to achieve economic, social and cultural goals.

Perhaps a partial explanation for this gap is that existing data sources on immigration focus on the individual as the unit of analysis, rather than the family. Consequently, researchers, as Kustec points out, cannot estimate immigrants’ actual family size. Rather, all that is known is the size of the immigrating family unit. This may represent only a portion of the actual family, and additional members may later join the family in Canada. Additionally, researchers cannot explore individual outcomes within the context of extended family circumstances and chain migration (Bailie and Denis). We are no more likely to know whether one successful skilled worker has managed to sponsor a whole network of “burdens” (as those who question the value of family class immigration would suggest) than we are to know whether, within the larger family context, there are balances between supportive and what appear to be dependent relationships. What is required are data that would allow us to link the sponsoring individual to those he or she has sponsored. This would enable us to assess existing immigration policies and programs from the more realistic perspective of the overall contributions of families, rather than the contribution of each immigrant individually.

In the same vein, we need to broaden the operational definitions and empirical base for what constitutes “contribution,” and what we hope newcomers will contribute to Canada. Narrow definitions of “economic contribution” are not only too restrictive in what they capture, but they ignore immigrants’ social contributions, not to mention the very rationale behind reunification policies (Telegdi). A number of the authors, including Sweetman, argue that the very nature of family class immigration requires a more holistic lens through which to view its impact. Sponsored family members are not selected explicitly for their potential contribution to the economy yet, in the absence of other indicators, the economic argument remains a powerful discourse against the value of family class immigration (Collacott). Moreover, definitions based on the “national interest” may minimize the importance of family class immigration and chain migration to regional economic development and the protection of official language minority communities (Fournier and Lara).

MADINE VANDERPLAAT
Madine VanderPlaat is an Associate Professor at Saint Mary’s University, as well as Chairperson of the Department of Sociology and Criminology. She is also a Co-Director of the Atlantic Metropolis Centre. She has done significant research on issues related to human rights, empowerment and inclusion.

An additional concern that runs through a number of the articles is the extent to which family class immigrants are characterized as vulnerable, dependent, and more of a burden than a benefit to Canadian society. This “deficiency discourse” is, in part, supported by the data limitations discussed above. It is also supported by the fact that considerable family class research does focus on vulnerable and dependent populations like elderly women (McLaren) and sponsored wives (Merali). Continuing research on these populations is critical if we are to foster an evidence-based approach to service delivery and reduce the extent to which Canadian policies may exacerbate vulnerabilities. However, within the current debate, it is crucial that the need to draw attention to vulnerabilities does not detract from the need to demonstrate value and success, as do Boyd and Vatz Laaroussi.

Conceptual and methodological issues, while certainly important, pale in comparison to some of the moral dilemmas posed by family-class immigration. This is particularly evident in the articles focusing on children, including those on refugees (Dench, Thomson) and adoptions (Daniel, Dorow and Lepatsky). Are regulations that permit the adoption only of “completely separated minors” justified? Are children forced to remain in poverty or harsh circumstances as a result? There are moral dilemmas on the trade-offs that countries are willing to make to balance their own national interests with international commitments on human rights and refugees. And there are dilemmas surrounding how we choose to define “family,” which can result in dramatically different outcomes at both a micro and macro level (Triadafilopoulos).

The articles in this issue clearly demonstrate the need for more policy relevant research on immigration and families, including more emphasis on the family class. A few suggestions are offered here. First, we need to start generating longitudinal data that will allow us to explore the overall social, political, cultural and economic well-being of immigrant families, not just individuals. Given the family’s critical role in connecting the individual to society, and increasing concerns with the successful integration of second-generation immigrants, these data are as vital for family reunification policies as they are for any immigration policy. Second, even if our interest is purely economic in nature, we need to develop better indicators for measuring the contributions that unpaid labour makes to the overall well-being of the family unit. For example, sponsored women may postpone or forego entry into the labour force to take on unpaid and yet critically important familial responsibilities (as do many Canadian-born wives, mothers and daughters). Likewise, we need to look at the experiences of men within the context of the larger family unit. Changes to gender roles, which often result from immigration, can have serious consequences about which relatively little is known. Third, we need to build our capacity to integrate existing pan-Canadian data sources. For example, there would be considerable value in developing stronger linkages between Statistics Canada’s National Longitudinal Survey of Children and Youth and the New Canadian Children and Youth Survey, which has been developed by the Metropolis Centres of Excellence. It is clearly the responsibility of those devising data collection and research strategies to develop methodologies that capture the experience of the reality that is studied. At the moment, the family nature of immigration is obscured, and sometimes distorted, by data and research that are overly focused on the individual. This must change if we collectively as policymakers, researchers and service providers are to better serve the interests of newcomers and Canadians alike.

L'IMMIGRATION ET LES FAMILLES : INTRODUCTION

Ce numéro de *Canadian Issues / Thèmes canadiens* jette un regard fascinant sur la complexité des débats actuels concernant l'immigration dans la catégorie du regroupement familial et la réunion des familles. Certains articles portent précisément sur des questions liées à la politique en matière d'immigration dans la catégorie du regroupement familial, alors que d'autres adoptent une perspective plus globale et se penchent sur l'importance du rôle de la famille dans le cadre de l'expérience de l'immigration. En lisant les articles, il apparaît de plus en plus évident que les décideurs se heurtent à des discours contradictoires du public sur les considérations économiques, sociales et culturelles, la compassion et l'humanitarisme, et les obligations légales internationales. Il apparaît également évident que si les auteurs emploient les mêmes mots, ils ne parlent pas nécessairement le même langage. Compte tenu de l'absence d'une définition opérationnelle commune des concepts tels la « réussite de l'intégration » ou le « bien-être socioéconomique » (encore moins de ce qui constitue le « meilleur intérêt » de la nation), il est parfois difficile d'entrevoir au premier coup d'œil les possibilités de discussion sérieuse, informative sur le plan politique et interdiscursive. De même, il est ardu de comparer les divers projets de recherche lorsque le concept de « famille d'immigrants » y est défini et mesuré de façon contradictoire. Il faut faire preuve de prudence lorsque l'on effectue des comparaisons temporelles sans avoir d'abord consulté l'article de DeShaw, qui fait état des modifications apportées à la politique en matière d'immigration et aux définitions au fil des ans. De plus, le débat soulevé par les divers discours est exacerbé par les tiraillements entre les arguments présentés à l'échelon macroéconomique et les histoires de force de caractère, d'adversité et de duplicité constatées à l'échelon microéconomique.

En même temps, aucun auteur ne laisse entendre que les familles ne font pas partie intégrante de l'immigration. Les décisions relatives au déménagement et au lieu d'établissement sont habituellement prises en famille (Lewis-Watts). Les résultats de l'établissement et de l'intégration sont étroitement liés au capital social, qui est à son tour étroitement lié aux familles (Jedwab, Potter et Bergeron). De plus, l'absence de la famille peut avoir d'importantes répercussions négatives sur le bien-être des individus (Dench, Pratt). Reconnaisant ces faits, la *Loi sur l'immigration et la protection des réfugiés du Canada* (2001) mentionne explicitement la réunion des familles comme étant l'un de ses principaux objectifs (Thomson). Néanmoins, nous n'en savons que très peu sur la façon dont les familles collaborent en vue d'atteindre leurs objectifs économiques, sociaux et culturels.

Cette situation découle peut-être du fait que les sources de données existantes sur l'immigration mettent l'accent sur l'individu en tant qu'unité d'analyse, plutôt que sur la famille. Par conséquent, comme l'indique Kustec, les chercheurs ne sont pas en mesure d'évaluer la taille réelle des familles des immigrants. On ne connaît que la taille de l'unité familiale qui immigré, laquelle ne représente peut-être qu'une partie de la famille réelle, puisqu'il se peut que d'autres membres de la famille viennent rejoindre la famille qui se trouve au Canada, ultérieurement. Les chercheurs ne peuvent pas non plus examiner les résultats individuels dans le contexte des circonstances de la famille élargie et de la migration en chaîne (Baillie et Denis). Nous ne sommes pas plus susceptibles de déterminer si un travailleur qualifié qui a bien réussi est parvenu à parrainer un réseau complet de « fardeaux » (comme le laissent entendre ceux qui s'interrogent sur la valeur de l'immigration dans la catégorie du regroupement familial) que de savoir si, dans le contexte familial plus général, il existe un équilibre entre les relations de soutien et celles qui semblent être des relations de dépendance. Il nous faut des données permettant d'associer le répondant aux personnes parrainées. Nous pourrions ainsi évaluer les politiques et programmes d'immigration existants du point de vue plus réaliste des contributions globales des familles, plutôt que de la contribution des immigrants.

Dans la même veine, nous devons élargir les définitions opérationnelles et la base empirique de ce qui constitue la « contribution » et des types de contribution que l'on s'attend des nouveaux arrivants au Canada. Les définitions étroites de ce que l'on entend par

MADINE VANDERPLAAT

Madine VanderPlaat est professeure agrégée à l'Université Saint Mary's, de même que présidente du Département de sociologie et de criminologie. Elle occupe également le poste de codirectrice du Centre d'excellence Métropolis de l'Atlantique. Elle a mené d'importantes recherches sur des questions liées aux droits de la personne, à l'autonomisation et à l'inclusion.

« contribution économique » sont non seulement trop restrictives, mais elles ne tiennent pas compte des contributions sociales des immigrants, ni de la raison d'être des politiques en matière de réunion des familles (Telegdi). Plusieurs auteurs, dont Sweetman, soutiennent que compte tenu de la nature même de l'immigration dans la catégorie du regroupement familial, il faut adopter une vision plus holistique concernant ses répercussions. Bien que les membres de la famille qui sont parrainés ne soient pas sélectionnés explicitement pour leur contribution éventuelle à l'économie, en l'absence d'autres indicateurs, l'aspect économique demeure un argument puissant contre la valeur de l'immigration dans la catégorie du regroupement familial (Collacott). De plus, les définitions fondées sur l'« intérêt national » peuvent minimiser l'importance de l'immigration dans la catégorie du regroupement familial et de la migration en chaîne pour le développement économique régional et la protection des communautés de langue officielle en situation minoritaire (Fournier et Lara).

Une autre préoccupation soulevée dans de nombreux articles a trait au degré de caractérisation des immigrants de la catégorie du regroupement familial, souvent considérés comme étant vulnérables, dépendants et représentant davantage un fardeau qu'un avantage pour la société canadienne. Ce discours découle en partie du problème susmentionné concernant le manque de données. Il découle également du fait que de nombreuses recherches portant sur la catégorie du regroupement familial sont surtout axées sur les populations vulnérables et dépendantes, notamment les femmes âgées (McLaren) et les épouses parrainées (Merali). Il est essentiel de poursuivre les recherches sur ces populations pour pouvoir favoriser une approche bien étayée visant la prestation des services et faire en sorte que les politiques canadiennes atténuent les vulnérabilités. Toutefois, dans le cadre du débat actuel, en attirant l'attention sur les vulnérabilités, il ne faut en aucun cas minimiser l'importance de démontrer la valeur et le succès, comme le font Boyd et Vatz Laaroussi.

Bien qu'importantes, les questions d'ordre conceptuel et méthodologique sont anodines en comparaison de certains des dilemmes moraux que pose l'immigration dans la catégorie du regroupement familial. Cela est particulièrement manifeste dans les articles axés sur les enfants, les réfugiés (Dench, Thomson) et les adoptions (Daniel, Dorow et Lepatsky). Les règlements ne permettant l'adoption que des « mineurs seuls au monde » sont-ils justifiés ? En conséquence, les enfants sont-ils forcés de vivre dans la pauvreté ou dans des conditions difficiles ? Les compromis que les pays sont prêts à faire pour concilier leurs propres intérêts nationaux avec les engagements internationaux en matière de droits de la personne et à l'égard des réfugiés posent des dilemmes moraux. La façon dont nous choisissons de définir la « famille » pose elle aussi des dilemmes, car elle peut entraîner des résultats radicalement différents tant à l'échelon macroéconomique que microéconomique (Triadafilopoulos).

Les articles publiés dans le présent numéro font clairement ressortir qu'il nous faut mener un plus grand nombre de recherches stratégiques pertinentes sur l'immigration et les familles, et mettre davantage l'accent sur la catégorie du regroupement familial. Voici quelques suggestions à cet effet. Tout d'abord, nous devons commencer à générer des données longitudinales qui nous permettront d'étudier le bien-être social, politique, culturel et économique de la famille immigrante, non pas seulement de l'immigrant même. Compte tenu du rôle essentiel que joue la famille dans l'inclusion de l'individu dans la société, de même que des préoccupations grandissantes concernant la réussite de l'intégration des immigrants de deuxième génération, ces données sont tout aussi importantes pour les politiques relatives à la réunion des familles que pour toute politique d'immigration. Deuxièmement, même si notre intérêt est purement économique, nous devons élaborer de meilleurs indicateurs afin de déterminer dans quelle mesure le travail non rémunéré contribue au bien-être général de l'unité familiale. Par exemple, les femmes parrainées peuvent retarder leur entrée sur le marché du travail ou même y renoncer afin d'assumer des responsabilités familiales pour lesquelles elles ne sont peut-être pas rémunérées, mais qui sont extrêmement importantes (comme le font de nombreuses épouses, mères et filles nées au Canada). En outre, nous devons examiner les expériences des hommes dans le contexte de l'unité familiale élargie. Les changements apportés aux rôles de genre, lesquels découlent souvent de l'immigration, peuvent avoir de graves conséquences assez peu connues. Troisièmement, nous devons accroître notre capacité d'intégrer les sources de données pancanadiennes existantes. Par exemple, il serait grandement bénéfique d'établir des liens plus solides entre l'*Enquête longitudinale nationale sur les enfants et les jeunes* de Statistique Canada et la *New Canadian Children and Youth Survey*, qui a été élaborée par les Centres d'excellence de Metropolis. Il incombe clairement à ceux qui élaborent des stratégies en matière de collecte de données et de recherche de mettre au point des méthodes permettant de recueillir les résultats de la réalité étudiée. Pour l'instant, l'aspect familial de l'immigration est assombri, et parfois déformé, par les données et les recherches qui sont axées à outrance sur l'aspect individuel. Cette situation doit changer si nous voulons, en tant que décideurs, chercheurs et fournisseurs de services, mieux servir les intérêts des nouveaux arrivants et des Canadiens.

INTERVIEW WITH THE HONOURABLE MONTE SOLBERG

Minister of Citizenship and Immigration Canada

Presently, immigrants' contributions are largely measured in economic terms, with less emphasis on social contributions. Many argue that immigrants contribute in other ways, such as by increasing Canada's cultural diversity, or by contributing through unpaid work, which is often undertaken by parents and grandparents sponsored through family class immigration. How do you think the contributions of immigrants should be measured, and what indicators will you use to assess your government's record on integrating immigrants to Canada?

Immigration indeed contributes in many ways to Canada's social, economic and cultural growth. Social and cultural contributions are perhaps more difficult to quantify, but I do think each of us makes a subjective assessment of these contributions in terms of the perceived strength and vitality of the Canadian multicultural mosaic as well as our collective adherence to Canadian values like tolerance, mutual respect, and compassion. I would also like to stress that the Department is currently looking at a number of ways to more objectively measure these contributions.

The indicators we can use to assess the government's record on integrating immigrants are somewhat more tangible. Statistics Canada, for example, publishes many studies each year that track how well newcomers are doing, including the *Longitudinal Survey of Immigrants to Canada*. CIC also tracks newcomer progress and makes those statistics available through publications such as *The Monitor*, which is an online newsletter. We have a research group called *The Metropolis Project*, which holds several workshops and conferences each year. We also measure our performance each year through a set of strategic outcomes which are published in the Report on Plans and Priorities. So there are a number of ways to measure our progress in terms of integrating newcomers as well as in many other matters.

What are your priorities for the immigration program? For example, do you intend to continue the recent developments that saw immigration levels increase?

I've been carefully reviewing the immigration and refugee portfolio over the past few weeks. There are really three key priorities on which I intend to move fairly quickly. Canada needs to make sure immigrants can find work commensurate with their skills. So the first priority is to work collaboratively with Human Resources and Social Development Canada to set up a new federal agency that would help address the issue of properly recognizing foreign credentials. What we need to do as well is engage all our partners and ensure everyone works towards the goal of unlocking the true potential of each newcomer we bring to Canada while ensuring all regions benefit from immigration. Many newcomers face a significant financial burden during their first few years in Canada. We also need to find ways to lessen that. My second priority is therefore to reduce the Right of Permanent Residence fee and then eliminate it.

Finally, in our election platform, we committed to supporting Canadian parents who adopt foreign-born children by extending citizenship to these children provided the adoption is legal and in the best interests of the child. This would help put them on an equal footing with children born to Canadians. I therefore intend to introduce legislation to put these changes into effect on a priority basis.

Concerning immigration levels, I don't have any immediate plans to make significant changes to the overall annual target for immigration.

The question of immigration levels, of course, is one that needs to be worked out in conjunction with provincial and territorial partners as well as businesses and other stakeholders across the country. I'm fully committed to doing just that over the coming months and to strengthening our partnerships in a number of other areas as well.

The previous government's six-point immigration plan included the "60/40 split," which translated into 60 percent of immigrants who came to Canada as part of the economic class (including their families) and 40 percent as social immigrant classes (including the family class, refugees, and humanitarian and compassionate cases). Last year, 24 percent of immigrants were strictly family class. Does your government plan to maintain these levels and the 60/40 split, or would it propose moving in a different direction?

While I don't plan on making significant changes to the categories of persons who can be sponsored in the family class, I think we need to examine the current mix of immigrants with an eye to doing a much better job of matching labour market needs with the skills newcomers bring with them, and look for ways to use the tools that we have, like work permits, to help meet some of the skill shortages that this country has in different sectors.

If we need workers for the oil rigs in Alberta or the East Coast, for example, then we need to put our energies into making sure we get them. The same goes for every part of this country — from Gander to Nunavut to Whitehorse, Whistler, Edmonton and Québec City. We have to be much more proactive in terms of recruiting and selecting immigrants according to community and labour market needs, and we need to look at strengthening our existing partnerships and building new ones to encourage the distribution of immigration right across Canada so that skills don't become centred in our major metropolitan areas.

A number of lobby groups and individual Canadians – including both citizens and permanent residents – support the expansion of the family class, which would allow for the sponsorship of additional family members, including siblings, for example. Do you support the expansion of the family class, or do you plan to maintain the present definition?

Families play a very big role in helping immigrants adjust to their new lives in Canada, so it's important to make sure that our policies continue to support family sponsorships and family reunification. I believe Canada's family class program today is balanced and well managed.

There's actually quite a broad definition of family class already in the Regulations. The definition of the family class is fairly broad, and it includes children less than 22, spouses, common-law partners and conjugal partners.

Right now, we process these close family class members on a priority basis, which generally means within a matter of months. Other family members can also be sponsored, such as parents and grandparents. Brothers and sisters can already be sponsored but in limited circumstances (such as when they are orphaned and under 18).

In exceptional cases, certain requirements of the family class program can also be waived on humanitarian and compassionate grounds to allow individuals to sponsor loved ones who otherwise wouldn't qualify.

The current interim policy on same-sex marriage acknowledges unions between a foreign national and a Canadian citizen for immigration purposes in the family class. How do you respond to stakeholders who have been pushing for a final policy that would go beyond the interim policy and that would recognize all same-sex marriages performed in Canada and in foreign jurisdictions that perform these marriages?

As you know, the issue of same-sex marriage relates to much more than just immigration and cuts across many departments other than Citizenship and Immigration Canada. CIC will make sure that its rules and regulations fully support whatever measures the Government of Canada chooses to take on this issue. The current interim rules on same-sex unions will remain in place until then.

Research funded by the Department of Justice and Status of Women Canada examined the present ban on polygamy in the *Criminal Code*. The findings suggested that polygamy is rarely prosecuted and, therefore, that the ban serves little purpose. Given this, does the government propose to recognize polygamous marriages and permit immigration based on such relationships? And, if not, will the government be taking any steps to deal with religious communities, such as Bountiful in British Columbia?

Let me first point out that the study you refer to is only one of several that were recently published on this issue and the only one to suggest that polygamy should be decriminalized. Polygamy is contrary to Canada's criminal code. The short answer to your question is, therefore, that there are no plans to recognize polygamous marriages for the purposes of immigration. The second part of your question relates to a local enforcement matter not within the purview of the Department.

THE HISTORY OF FAMILY REUNIFICATION IN CANADA AND CURRENT POLICY

ABSTRACT

This article provides a brief overview of the history of family reunification policy in Canada and outlines current policy and procedures with respect to family sponsorship. Interspersed throughout are a few myths about family reunification and some responses. These are included because one impetus for this edition of Canadian Issues was the number of myths surrounding this type of immigration. The article concludes with some current issues of interest on the family reunification front.

Canada, like Australia and the United States, has a tradition of favouring family reunification with liberal policies. Some have argued that such policies are supported with the understanding that benefits to society will flow to it in the medium to long term.² Others have argued recently and strenuously that immigration based on family relationship should not continue in Canada. For example, in a paper published in September 2005 by a senior fellow of the Fraser Institute, it was argued that given recent declining outcomes for immigrants, Canada should only allow immigration for temporary work purposes.³

Although no international instruments recognize family reunification as a right, the concept that the family unit should be protected can be inferred from the principles enunciated in international instruments. For example, the *Universal Declaration of Human Rights of 1948, Article 16* states that the “family is the natural and fundamental group unit of society and is entitled to protection by society and the State.”⁴ Furthermore, there are many more references to the right of family protection in international law. The International Covenant on Economic, Social and Cultural Rights, 1966 acknowledges that, “the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society (Article 10).”⁵

In Canadian legislation, the objective of “family reunification” was articulated for the first time in the 1976 *Immigration Act* though, as will be outlined below, the concept of family reunion as an immigration method had existed since 1908. This objective was outlined in the 1976 *Act* under 3(c) as “to facilitate the reunion in Canada of Canadian citizens and permanent residents with their close relatives from abroad.” In the *Immigration and Refugee Protection Act (IRPA)*, which was implemented in 2002, the equivalent objective is much simpler in text saying “to see that families are reunited in Canada.”

Myth: Family class immigration is based on humanitarian considerations.

Fact: Family class immigration is premised on the importance of family reunification based on family relationships.

Two big themes emerge in a survey of family reunification policy: one is the tension between immigration based solely on family relationship versus immigration for other reasons including, most importantly, fulfilment of labour market needs and secondly, the dispute over how to define “family.”

Canada, like other countries makes certain distinctions in treatment between “core” family members or the closest family members like spouses and children and more distant family members such as parents and grandparents. These distinctions will be discussed in greater detail in the portions of the paper dealing with policy and procedures.

History of Family Reunification⁶

The concept of family reunion immigration has had a “strong and durable” position in the immigration framework.⁷

The range of persons who could be included in the family reunion category has varied from only wives and unmarried minors to any relative of any degree. For most of the 20th century, the range of relatives who could be sponsored was fairly broad aside from brief periods of economic decline.

Family reunion immigrants first emerged as a distinct class in 1926 but the concept of family reunification existed as early as 1908 when the first provision for admitting immigrants with relatives appeared. In 1910 the first enumeration of specific relatives who could benefit from family immigration occurred, and wives, children, parents, brothers and sisters were named. The groups eligible for family reunion varied until 1950. For instance, in the 1920s, to boost numbers, unmarried children over 18 and parents were included in this group in addition to core family members and unmarried brothers and sisters whereas during the Great Depression only wives and children under 18 were eligible.

In 1950, the family reunion class disappeared only to be replaced by an expanded class that would include any relative of any degree. This expansion caused administrative problems and the class was reduced in 1951. By 1956, the class had been expanded again to include grandparents.

Again due to economic downturn, the government decided in 1959 to reduce the range of relatives who could be sponsored, removing eligibility from married sons and daughters and all brothers and sisters. However, outcry was great and this decision was reversed.

The admissible classes regulations were recast in 1962 and although requirements changed for some family members, none lost their eligibility. In addition, sons-in-law could be sponsored directly. This was a rare exception for non-blood relatives.

In 1965-66, the government of the day decided that admissions policy should be more labour market focussed and that this would be difficult with the then full range of eligible relatives for family reunification. The government proposed a reduction of those eligible solely through sponsorship to spouses, fiancé(e)s, unmarried children under 21, parents and grandparents not entering the workforce, and orphaned grandchildren, brothers, sisters, nephews and nieces under 21. Previously, eligible relatives would be eligible only if the sponsor was a Canadian citizen of five years residence, and the immigrant would have to meet an educational or occupational requirement. This initiative encountered severe resistance and in the regulations of 1967, the full range of relatives who could be sponsored remained.

Notwithstanding the resistance, the government did succeed in creating differentiation between eligible relatives in 1967 when new regulations were passed which created two distinct family reunification categories. One category – “nominated relatives” – was subject to labour-market requirements as well as sponsorship requirements while the sponsored dependents category was subject only to sponsorship requirements.

1976 Act

Until 1976, the legislation did not mention specific categories of immigrants, but the 1976 *Immigration Act* created classes including the family class. The “sponsored dependents category” was renamed the “family class” and the “nominated relative category” became the “assisted relative” category. The 1976 *Act* also articulated the objective of family reunification: “to facilitate the reunion in Canada of Canadian citizens and permanent residents with their close relatives from abroad.” By the late 1970s family class immigration had become a dominant migrant flow representing 40-50% of total immigration to Canada.⁸

In 1988, unmarried sons and daughters of any age were permitted to immigrate as dependents of sponsored parents in a program now known as “J-88.” Although intake was forecast at 4,000 persons per year, the intake in the family class almost doubled in the four years following this policy change from 53,033 to 104,199 in 1989 with the majority of this increase due to brothers and sisters (accompanying sponsored parents) under the “J-88” program. It took several years for the Department to recover from this backlog of cases. In 1993, the “assisted relative” category was abandoned. One of the reasons was the low acceptance rate for these clients.

In 1994, the government announced a major consultation initiative on immigration which resulted in a strategic framework to guide immigration over the next ten years. In the document produced as a result of these consultations, *Into the 21st Century: A Strategy for Immigration and Citizenship*, many divergent views on family class immigration were presented. Some thought that the family should be restricted to spouses and children while others

thought that the current approach of including spouses, children and grandparents and parents was too restrictive.⁹

This report also touched on the theme of the tension of family class immigration versus economic immigration stating that during the consultations, many Canadians asserted that if the country could not afford to provide the services that newcomers need, greater effort should be made to select immigrants who need fewer services with the assumption that persons not selected for their economic contribution to Canada will be the biggest drain on services.¹⁰

The immigration plan of 1995-2000 made explicit that the balance between economic, family and other immigration components would put greater emphasis on attracting those with an ability to settle quickly in Canada.

The range of persons who could be included in the family reunion category has varied from only wives and unmarried minors to any relative of any degree. For most of the 20th century, the range of relatives who could be sponsored was fairly broad aside from brief periods of economic decline.

In March 2001 during hearings on the proposed immigration bill, the Standing Committee on Citizenship and Immigration requested that the government look at including brothers and sisters as part of the immediate family.

Feedback to this idea was lukewarm at best given the explosion of cases that occurred with “J-88.” The then Minister indicated to Standing Committee that there was no consensus across Canada for expansion of the family class. In addition, there were lingering concerns about the ability of brothers and sisters to establish themselves with a degree of success in Canada.

Myth: Sponsorship is a right.

Fact: Sponsorship is a privilege, and sponsors must meet several criteria before being eligible to sponsor.

To quote a 1995 publication of the Department:

“When Canadian citizens or permanent residents sponsor family members to immigrate to Canada, they undertake an important responsibility. A sponsored immigrant is permitted to come to Canada because of the family relationship and the sponsor’s commitment to support that immigrant. Sponsorship is a privilege, and sponsors have an obligation to look after their families once they arrive here.”¹⁴

The Immigration and Refugee Protection Act, 2001

The *Immigration and Refugee Protection Act (IRPA)*, which received Royal Assent in 2001 and came into force in 2002, continued the tradition of recognizing the importance of family reunification “to see that families are reunited in Canada.”¹¹ There are also related objectives, namely, “to permit Canada to pursue the maximum social, cultural and economic benefits of immigration”¹² and “to enrich and strengthen the social and cultural fabric of Canadian society while respecting the federal, bilingual and multicultural character of Canada.”¹³

What follows is a discussion of current policy and procedures with respect to family reunification under *IRPA*.

Current Policy

Myth: Sponsored persons do not have to meet any requirements beyond family relationship to immigrate to Canada.

Fact: Although sponsored persons are not subject to selection criteria in the same way as economic immigrants, they are subject to the same health and security criteria as all applicants for permanent residence, with a few exceptions.

What family members can be sponsored?

Myth: I can sponsor any close relative including my siblings.

Fact: You may sponsor your spouse/partner, child, parent or grandparent, child to be adopted and a few other relatives. You may not sponsor your siblings, over-age children, aunts/uncles and other relatives *except in very limited and specific situations* (outlined below).

IRPA outlines who may be sponsored as a member of the family class indicating that “a foreign national may be selected as a member of the family class on the basis of their relationship as the spouse, common-law partner, child, parent or other prescribed family member of a Canadian citizen or permanent resident.”¹⁵

Details on the “other prescribed family members” are provided in the *Immigration and Refugee Protection Regulations*. In addition to the family members outlined above – spouses, common-law partners, children and parents – the following persons are members of the family class (in relation to the sponsor): conjugal partners;¹⁶ grandparents;¹⁷ and persons who are orphaned, unmarried and not in a common-law relationship AND under 18 years of age who are brothers, sisters, nieces, nephews or grandchildren.¹⁸ Persons the sponsor intends to adopt may also be sponsored as may relatives of the sponsor regardless of age if the sponsor does not have a spouse, common-law partner, conjugal partner, child, niece or nephew, mother or father, sibling, grandchild, grandparent or uncle or aunt who is a Canadian citizen or permanent resident you can otherwise sponsor.¹⁹

Since *IRPA*, there have been two family classes, the Family Class for overseas sponsorship and the

Spouse or Common-law Partner in Canada Class for persons already living in Canada who are spouses and common-law partners of citizens and permanent residents. The latter deviates slightly from a key pillar of the immigration system: that immigrants are selected and screened abroad. The Spouse or Common-law Partner in Canada Class was designed, in part, to remove foreign national spouses and partners in Canada from the in-Canada humanitarian and compassionate processing stream and put them into a more regularized and transparent stream, allowing the applicant to apply from within Canada rather than from outside of the country. Prior to this change, persons whose only relationship to Canada was their relationship with a Canadian citizen or a permanent resident could only remain in Canada permanently by requesting humanitarian and compassionate considerations.

Many divergent views on family class immigration were presented. Some thought that the family should be restricted to spouses and children while others thought that the current approach of including spouses, children and grandparents and parents was too restrictive.

Who can be a sponsor?

According to the *Regulations*, sponsors must be at least 18 years of age,²⁰ citizens or permanent residents of Canada and in most cases sponsors must be residing in Canada and have filed a sponsorship application with respect to a member of the family classes in accordance with the regulations.²¹ Canadian citizens not residing in Canada may still sponsor their overseas spouse, common-law partner or dependent child who has no dependent children if the sponsor will reside in Canada when the applicant becomes a permanent resident. Sponsors are also required to meet the eligibility criteria outlined in the regulations.²² These criteria are discussed in more detail below.

Eligibility criteria which existed pre-*IRPA* and were carried over include the requirement that sponsors not be:

- subject to a removal order
- detained in jail
- an undischarged bankrupt
- in default of an immigration debt
- in default of a previous undertaking (see more information about undertakings below)

Some additional criteria were introduced when *IRPA* came into force in 2002. Sponsors may not have been convicted of a crime of family violence (if the rehabilitation period has not passed or a pardon has not been granted),²³ sponsors cannot be in arrears of court-ordered support payments, and persons cannot be in receipt of social assistance for reasons other than disability.

Undertakings to Support

Sponsors must sign an undertaking with the Minister of Citizenship and Immigration which commits them to provide for the sponsored persons requirements for a set validity period. This means that the sponsor agrees to provide for the basic requirements of the sponsored persons and his or her family members who accompany him or her to Canada, (food, shelter, other health needs not provided by public health care etc.). The sponsor also promises that their family members will not need to apply for social assistance.²⁴

Myth: Sponsored persons go on social assistance upon arrival in Canada, costing provincial governments millions of dollars each year, and the federal government is doing nothing about it.

Fact: The federal government is committed to and active in establishing programs with provinces to enforce the obligations of the sponsor and to recover sponsorship default debt.

Prior to April 1997, undertakings were from one to 10 years (at the discretion of the officer). In the five years prior to *IRPA*, all undertakings were for a 10-year period. Under *IRPA*, undertakings vary in length from three to ten years depending on the relationship to the sponsor. Spouses and partners' agreements are for three years and for dependent children, undertakings vary from three to 10 years.²⁵ Undertakings for parents and grandparents and other family members (other than spouses/partners and dependent children) are 10 years.

The reason that the undertakings for spouses and partners were reduced to three years was principally in recognition of the concerns that domestic violence is aggravated by the relationship of dependency implied by sponsorship arrangements.²⁶

Myth: A sponsorship relationship breakdown will result in the sponsored person being removed from Canada.

Fact: Once a person becomes a permanent resident, they gain all the rights and privileges associated with this status. This means that although they can be removed from Canada for certain contraventions of *IRPA*, relationship breakdown is not a reason for removing permanent residents sponsored in the family class from Canada. The sponsorship agreement makes it clear to clients that persons in abusive situations should not remain in those relationships even if it means seeking social assistance and that sponsors cannot force the government to remove someone from Canada.²⁷

Both sponsors and applicants also sign an agreement which confirms that both parties understand the obligations required of each.

Sponsors must also demonstrate that they meet the minimum necessary income requirements (MNI) set out in the regulations, meaning that they have at the time of application, sufficient funds to support their existing family and any family members they wish to sponsor. The MNI requirements are based on Statistics Canada's low income cut off (LICO) figures unless the applicant intends to live in Quebec. For Quebec cases, provincial equivalents of the LICO apply.²⁸ However, sponsors of close family members are exempted from the need to meet these income requirements.

Current Procedures

The process to sponsor a family member depends on whether the family member is a spouse or partner living in Canada or whether the sponsored family member is living abroad and whether the family member is a close family member or not.

The Spouse or Common-law Partner in Canada Class was designed, in part, to remove foreign national spouses and partners in Canada from the in-Canada humanitarian and compassionate processing stream and put them into a more regularized and transparent stream, allowing the applicant to apply from within Canada rather than from outside of the country.

The Spouse or Common-law Partner in Canada Class is, as the name implies, intended for spouses and common-law partners of citizens or permanent residents already living in Canada for a temporary purpose who wish to remain here. Under the regulations, applicants for permanent residence in this class must be living with their sponsor and have temporary residence status in Canada. However, in February of last year, the Department introduced a public policy to waive the requirement for persons to have temporary residence status in this class (the “spousal policy change”). Regulatory changes to reflect this policy change are expected to follow. This policy change was a recognition of the importance of keeping together core family members who are already in Canada.

For this class, the single application package includes both materials for the sponsor and the applicant, which are submitted for processing at the same time to the Case Processing Centre in Vegreville, Alberta. If necessary, the file may be sent to one of the Department’s regional offices for continued processing.

For overseas spouses and partners and their children, a single application package is submitted to the Department’s Case Processing Centre in Mississauga, Ontario (CPC-M). After the eligibility assessment has been completed by CPC-M, a recommendation on the eligibility of the sponsor is made to the visa office and the visa office determines if the application for permanent residence will be accepted or refused.

Parents and grandparents and other sponsorship applicants continue to be processed under the system which existed pre-*IRPA*, that is, the sponsor first submits the sponsorship application to CPC-M and after this office has made its recommendation, the application for permanent residence is then submitted to the visa office overseas by the overseas applicants.

Despite the differing procedures, the legislative provisions under *IRPA* make it clear that an application for permanent residence in the family class under *IRPA* must be accompanied by or preceded by a sponsorship application.²⁹

The Department’s current priorities with respect to processing of sponsorship applications are spouses, partners and dependent children.

Myth: It takes a long time to sponsor your spouse, partner or child to come to Canada

Fact: Currently, the Department processes 50% of all overseas family class spouse and partner cases in five months or less.³⁰

Recent Developments

In addition to the “spousal policy change” mentioned above, which affected the Spouse or Common-law Partner in Canada class, the Department also made another major reunification announcement in the past year concerning parents and grandparents.

In April 2005, the Minister of Citizenship and Immigration Canada announced that he would increase the target number of permanent resident visas for parents and grandparents from 12,000 to 18,000 for each of 2005 and 2006. At the same time, the Department announced its intention to be more flexible in providing multiple entry visitor visas to parents and grandparents while their sponsorship applications were in process.

In addition, also in April of last year, the Standing Committee on Citizenship and Immigration participated in cross-country consultations on various topics including family reunification. Many stakeholders including non-governmental organizations (NGOs) and individual citizens made presentations to the committee. The four main issues discussed were regulation 117(9)(d) (the rule that excludes people from being sponsored in the family class if they were not declared as family members when the principal applicant/potential sponsor immigrated), client service issues and proposals to expand the family class. The NGOs were concerned with all four of these issues, while ordinary citizens were most concerned about client service issues.

Specifically, regulation 117(9)(d) was deemed by groups across the country to be unfair, and its repeal was supported. Client service was seen by many as inadequate due to long processing times (particularly for parents and grandparents) and the complexity of the application kits. The differential treatment of adopted children vis à vis bio-

logical children was a concern in the consultations, specifically the argument that citizenship should be granted to newly-adopted children. Various groups across Canada argued that the family class should be expanded to include older children, siblings, extended family and that the family class criteria should be more culturally sensitive to immigrants’ needs.

The “60/40 split,” which aims to strike a balance between economic migrants and non-economic migrants (including family and refugees) with the heavier weighting for economic migrants was also criticized. The arguments presented highlighted the importance of reuniting families as a means of guaranteeing economic success since family reunification is a particularly important element in attempting to attract and retain immigrants.

In addition to the issues discussed above which were of greatest interest, a number of other issues were raised with the standing committee:

Various groups across Canada argued that the family class should be expanded to include older children, siblings, extended family and that the family class criteria should be more culturally sensitive to immigrants’ needs.

- Stakeholders argued that DNA testing to verify family relationship should be used as a last resort;
- Concern was raised about how the low-income cut off (LICO) is acting as a barrier to family reunification;
- Stakeholders asked why there are different fees for dependent children depending on circumstance; and
- Stakeholders argued that the health condition of a family member should not override the legislative objective of family reunification.

Conclusion

As the foregoing demonstrates, family reunification has been an important pillar of the immigration program throughout its history, and it continues to be so. The ability to be re-united with family contributes to Canada's immigration objectives by increasing social cohesion.

Given that we are presently in the early days of a new government's mandate, it is difficult to know whether significant changes to the family class will occur. Although we expect that there will be continued pressure from stakeholders to address perceived shortcomings of the current policy, recent media reports suggest that the new government does not currently have plans to significantly restrict family reunification.³¹

Notes

¹ The opinions expressed in this article are those of the author and do not necessarily reflect the views of Citizenship and Immigration Canada or the Government of Canada.

² Secretariat on the Inter-governmental consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia. "Report on Family Reunification: Overview of Policies and Practices in IGC Participating States" p.15

³ Herbert Grubel, "Immigration and the Welfare State in Canada: Growing Conflicts, Constructive Solutions" Public Policy Sources, (Vancouver, 2005), 84.

⁴ Michael Molly, Gilles Pelletier, *Reflection on Criteria for Family Reunification: The Definition of Family*. The International Development Research Centre, (Ottawa, 2003), 1.

⁵ Molly, *Reflection on Criteria for Family Reunification: The Definition of Family*, 1.

⁶ Much of the material in this section is drawn from a comprehensive survey of the history of family reunification was written by Maurice Brush in: *Family Migration Study: The Concept of Family Reunification in the Legislation* (Ottawa, 1988). This document is available at the Department of Citizenship and Immigration's library.

⁷ Brush, *Family Migration Study: The Concept of Family Reunification in the Legislation*, p.1

⁸ Minister of Supply and Services Canada, Immigration and Demographic Policy Group: Immigration Statistics 1979 (Ottawa, 1981), 50.

⁹ The Department of Citizenship and Immigration Canada, *Into the 21st Century: A Strategy for Immigration and Citizenship* (Ottawa, 1994), 42.

¹⁰ The Department of Citizenship and Immigration Canada, *Into the 21st Century: A Strategy for Immigration and Citizenship*, p. 19

¹¹ IRPA 3(1)(d)

¹² IRPA 3(1)(a)

¹³ IRPA 3(1)(b)

¹⁴ Citizenship and Immigration Canada, *Strengthening Family Sponsorship* (Ottawa, 1995).

¹⁵ IRPA 12 (1)

¹⁶ IRPR 117(1)(a)

¹⁷ IRPR 117(1)(d)

¹⁸ IRPR 117(1)(f)

¹⁹ IRPR 117(1)(h)

²⁰ IRPA reduced the age requirement for sponsors from 19 to 18 years of age in recognition that some young adults establish themselves independently at an early age. In addition, many provinces have set 18 as the age of majority.

²¹ IRPR 130(1)

²² IRPR 133

²³ IRPR 133(1)(e) and IRPR 133(2)

²⁴ Application to Sponsor and Undertaking (IMM 1344A)

²⁵ For dependent children under 22 the undertaking is valid for 10 years from the date of permanent residence or until the child is 25. For dependent children over age 22, the undertaking is valid for three years from the date of permanent residence.

²⁶ More information on the gender based analysis of IRPA and its regulations can be found at the following links: <http://www.cic.gc.ca/english/irpa/c11%2Dgender.html> and <http://www.cic.gc.ca/english/irpa/gender%2Dirpa.html>.

²⁷ See Sponsorship Agreement (IMM 1344B) available at <http://www.cic.gc.ca/english/pdf/kits/forms/IMM1344EB.pdf>.

²⁸ Under the *Canada-Quebec Accord*, Quebec is responsible for determining the financial criteria for sponsorship of foreign nationals intending to live in Quebec.

²⁹ IRPR 10(4)

³⁰ More information on the Department's overseas processing times for permanent residents can be found on its website: <http://www.cic.gc.ca/english/department/times-int/05-fc-spouses.html>

³¹ Bruce Cheadle, "Ottawa looks at changing immigrant mix," *Globe and Mail* (15 February 2006) p. A10.



SPONSORSHIP AGREEMENT

Quebec residents need not complete this form

The sponsor and, if applicable, the co-signer must, before a sponsorship undertaking can be approved, enter into a written agreement with the person to be sponsored (i.e. the principal applicant) if this person is 22 years of age or older or, if less than 22 years of age, is the sponsor's spouse, common-law partner or conjugal partner. This agreement lists the obligations and responsibilities that fall onto the sponsor and, if applicable, the co-signer as well as unto the person being sponsored and his or her family members.

Sponsor's details

Family name

Given name(s)

Date of birth

Day	Month	Year

Co-signer's details (if applicable)

Family name

Given name(s)

Date of birth

Day	Month	Year

Sponsored person's details

Family name

Given name(s)

Date of birth

Day	Month	Year

OBLIGATIONS OF THE SPONSOR AND, IF APPLICABLE, THE CO-SIGNER

As sponsor or co-signer, I promise to provide for the sponsored person and his or her family members' basic requirements for a period that begins the day on which the sponsored person enters Canada with a temporary resident permit or, if already in Canada on the day on which the sponsored person obtains a temporary resident permit following an application to remain in Canada as a permanent resident, and in any other case on the day on which the sponsored person becomes a permanent resident and ends:

- A. if the sponsored person is the spouse, common-law partner, or conjugal partner of the sponsor, on the last day of the period of 3 years following the day on which they become a permanent resident;
- B. if the sponsored person or family member is a dependent child of the sponsor or of the sponsor's spouse, common-law partner or conjugal partner and is less than 22 years of age when they become a permanent resident, on the earlier of
 - the last day of the period of 10 years following the day on which they become a permanent resident, or
 - the day on which they reach 25 years of age;
- C. if the sponsored person or family member is a dependent child of the sponsor or of the sponsor's spouse, common-law partner or conjugal partner and is 22 years of age or older when they become a permanent resident, on the last day of the period of 3 years following the day on which they become a permanent resident; and
- D. if the sponsored person or family member is a person other than a person referred to above, on the last day of the period of 10 years following the day on which they become a permanent resident.

Basic requirements include food, shelter, clothing, fuel, utilities, household supplies, personal requirements and health care not provided by public health, including dental care and eye care.

I promise that financial obligations or other personal circumstances over the applicable period referred to above will not prevent me from honouring this agreement and the sponsorship undertaking I signed or co-signed;

I promise that the sponsored person and his or her family members will not need to apply for social assistance benefits; and

I promise to respond promptly to requests for help from the sponsored person and his or her family members by giving money, buying items or providing services for their living expenses.

OBLIGATIONS OF THE PERSON TO BE SPONSORED

As the person to be sponsored, I promise to make every reasonable effort to provide for my own basic requirements as well as those of my accompanying family members;

I promise to ask the sponsor and co-signer (if applicable) for help if I or my family members are having difficulty supporting themselves or meeting their own basic requirements.

IMPORTANT INFORMATION

Elderly parents or grandparents who are sponsored are not expected to look for a job to care for themselves.

Sponsored persons and/or their family members who are being abused or assaulted by their sponsors should seek safety away from their sponsors even if this means that they will have to apply for social assistance benefits. A sponsor cannot force Citizenship and Immigration Canada to remove you from Canada.

An undertaking is unconditional and may not be terminated. Under no circumstances does the granting of Canadian citizenship, divorce, separation or relationship breakdown, financial deterioration or moving to another province cancel the undertaking.

LEGAL AND FINANCIAL CONSEQUENCES

The co-signer, if applicable, is jointly and severally or solidarity bound with the sponsor to perform the obligations of the sponsorship undertaking and is liable with the sponsor for any breach of those obligations. If the sponsor and, if applicable, the co-signer do not provide support as required, the sponsored person can take legal action.

AUTHORIZATION FOR DISCLOSURE OF PERSONAL INFORMATION

The sponsored person consents to the release to the sponsor or co-signer of information concerning social assistance the sponsored person or his or her family members applied for or received during the validity period of the sponsorship undertaking.

DECLARATION

I understand the contents of this agreement, having asked for and obtained an explanation on every point that was not clear to me.

Signature of sponsor

Date

Day	Month	Year

Signature of co-signer

Date

Day	Month	Year

Signature of sponsored person (principal applicant)

Date

Day	Month	Year





ENTENTE DE PARRAINAGE

Les résidents du Québec n'ont pas à remplir ce formulaire.

Avant qu'un engagement de parrainage ne puisse être approuvé, le répondant et, le cas échéant, le cosignataire doivent conclure une entente écrite avec la personne qui est parrainée (c'est-à-dire le requérant principal) si cette personne a 22 ans ou plus ou, si elle a moins de 22 ans, est l'époux, le conjoint de fait ou le partenaire conjugal du répondant. Cette entente énonce les obligations et les responsabilités du répondant et, le cas échéant, du cosignataire, de même que celles de la personne qui est parrainée et des membres de sa famille.

Renseignements sur le répondant

Nom de famille

Prénom(s)

Date de naissance

Jour	Mois	Année

Renseignements sur le cosignataire (le cas échéant)

Nom de famille

Prénom(s)

Date de naissance

Jour	Mois	Année

Renseignements sur la personne parrainée

Nom de famille

Prénom(s)

Date de naissance

Jour	Mois	Année

OBLIGATIONS DU RÉPONDANT ET, LE CAS ÉCHÉANT, DU COSIGNATAIRE

En qualité de répondant ou de cosignataire, je promets de subvenir aux besoins fondamentaux de la personne parrainée et des membres de sa famille pour une période commençant le jour où la personne parrainée entre au Canada munie d'un permis de séjour ou, si elle est déjà au Canada, le jour où elle obtient un permis de séjour temporaire à la suite d'une demande de séjour au Canada à titre de résident permanent, et dans tout autre cas, la date à laquelle la personne parrainée devient résident permanent et prenant fin

- A. si la personne parrainée est l'époux, le conjoint de fait ou le partenaire conjugal du répondant, la date d'expiration de la période de trois ans suivant la date où elle devient résident permanent;
- B. si la personne parrainée ou le membre de la famille est l'enfant à charge du répondant ou de l'époux, du conjoint de fait ou du partenaire conjugal de ce dernier et est âgé de moins de 22 ans lorsqu'il devient résident permanent, celle des deux dates suivantes qui est antérieure à l'autre :
- celle où expire la période de 10 ans suivant la date où il devient résident permanent,
 - le jour où il atteint l'âge de 25 ans;
- C. si la personne parrainée ou le membre de la famille est l'enfant à charge du répondant ou de l'époux, du conjoint de fait ou du partenaire conjugal de ce dernier et est âgé d'au moins 22 ans au moment où il devient résident permanent, la date d'expiration de la période de trois ans suivant la date où il devient résident permanent;
- D. si la personne parrainée ou le membre de la famille n'est pas une personne visée ci-dessus, la date d'expiration de la période de 10 ans suivant la date où il devient résident permanent.

Les besoins fondamentaux comprennent la nourriture, le logement, les vêtements, le combustible, les services publics, les articles ménagers, les articles personnels et les soins de santé non couverts par le service public de santé, y compris les soins dentaires et les soins oculaires.

Je promets de respecter cette entente et l'engagement de parrainage que j'ai signés ou cosignés pendant la période en cause précisée ci-dessus, et ce, malgré l'évolution de ma situation personnelle ou mes obligations financières;

Je promets de faire en sorte que la personne parrainée et les membres de sa famille n'aient pas à demander des prestations d'aide sociale; et

Je promets de donner suite sans tarder aux demandes d'aide de la personne parrainée et des membres de sa famille en leur donnant de l'argent, en achetant des choses nécessaires ou en fournissant des services pour la vie courante.

OBLIGATIONS DE LA PERSONNE PARRAINÉE

À titre de personne qui est parrainée, je promets de faire tout en mon possible pour subvenir à mes besoins fondamentaux et à ceux des membres de ma famille qui m'accompagnent;

Je promets de demander de l'aide au répondant ou au cosignataire, le cas échéant, si moi-même ou les membres de ma famille avons de la difficulté à assurer notre subsistance ou à subvenir à nos besoins fondamentaux.

RENSEIGNEMENTS IMPORTANTS

Le père ou la mère âgés ou les grands-parents qui sont parrainés ne sont pas tenus de chercher un emploi pour subvenir à leurs besoins.

Les personnes parrainées et(ou) les membres de leur famille qui sont victimes d'actes de violence commis par leurs répondants doivent essayer de chercher refuge ailleurs, même si cela signifie qu'elles doivent demander des prestations d'aide sociale. Le répondant ne peut obliger Citoyenneté et Immigration Canada à vous renvoyer du Canada.

Un engagement est inconditionnel et il n'est pas possible d'y mettre fin. L'octroi de la citoyenneté canadienne, le divorce, la séparation, la rupture d'une union, la détérioration de la situation financière ou le déménagement dans une autre province n'annulent en aucun cas l'engagement.

CONSÉQUENCES JURIDIQUES ET FINANCIÈRES

Le cosignataire, le cas échéant, est solidairement responsable avec le répondant, de l'exécution des obligations de l'engagement et de tout manquement à celles-ci. La personne parrainée peut tenter une action en justice contre le répondant et, le cas échéant, le cosignataire lorsque ces derniers ne respectent pas leur engagement.

AUTORISATION DE COMMUNIQUER DES RENSEIGNEMENTS PERSONNELS

La personne parrainée autorise la communication au répondant ou au cosignataire de renseignements ayant trait à l'aide sociale que lui ou les membres de sa famille demandent ou reçoivent pendant la période de validité de l'engagement de parrainage.

DÉCLARATION

J'ai bien compris les termes de la présente entente, ayant demandé et obtenu des explications sur tous les points qui me semblaient obscurs.

Signature du répondant

Date

Jour	Mois	Année

Signature du cosignataire

Date

Jour	Mois	Année

Signature de la personne parrainée (requérant principal)

Date

Jour	Mois	Année

FAMILY VERSUS INDIVIDUAL IMMIGRATION: A NEW ANALYTICAL PERSPECTIVE

ABSTRACT

This article provides an overview of immigration of “family units” between 1990 and 2004. It concludes that additional data on the immigration of families is required.

At the current juncture, almost all statistics that deal with immigrants are based on the characteristics of individuals. However, in many cases, immigration is a family-based decision. Since very little research has been conducted from the point of view of the immigrating family unit,² this article explores immigration from this perspective and attempts to identify some of the salient characteristics of these families.

Total annual immigration (landed from abroad)³ averaged roughly 190,000 individuals in the mid-1990s, fell off to 150,000 in the late 1990s and climbed to 200,000 in the 2000s. After grouping these immigrants into family units, we find that the number of cases averaged roughly 90,000 in the mid-1990s, fell below 80,000 in the late 1990s and now averages roughly 100,000 a year.

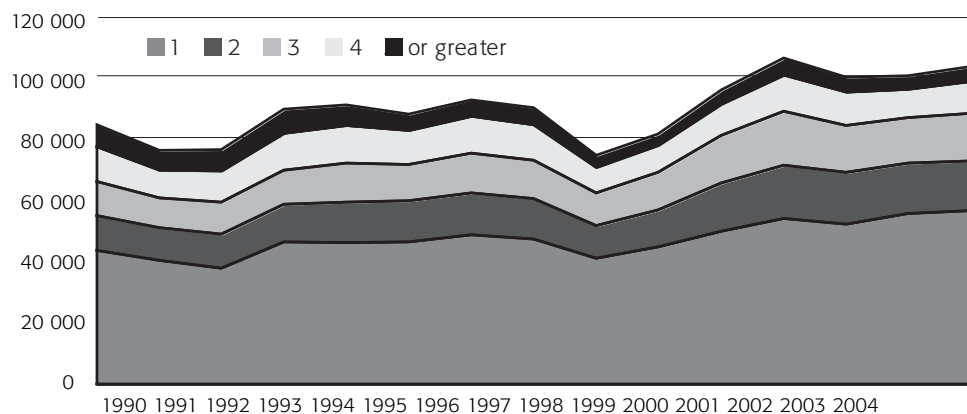
A quick calculation yields an average family unit (case) size of roughly two individuals during 1990–2004, with a trend toward declining case size over that time. Over 50% of all cases were one-person family units, 40% were two-, three- or four-person family units, and roughly 10% comprised five or more people.

Average number of people per family unit by major immigration category and selected years

Immigration category:	1990	1995	2000	2004
Spouse or fiancé	1.4	1.2	1.2	1.2
Son or daughter	1.2	1.2	1.1	1.0
Parents or grandparents	2.7	2.3	2.0	1.9
Skilled workers	2.6	2.4	2.3	2.4
Business	3.9	3.6	3.5	3.5
Refugees ¹	1.9	2.2	2.4	2.5
All immigrants	2.2	2.1	2.0	2.0

Source: Citizenship and Immigration Canada. Note: (1) Refugees include government assisted and privately sponsored refugees.

Total size of immigrating family units, 1990–2004 Number of persons



STAN KUSTEC
Stan Kustec is a member of the Research and Evaluation Branch at Citizenship and Immigration Canada.

It might seem surprising that such a large proportion of all cases (56,000 in 2004) were one-person cases. However, it should be noted that the majority of these cases (34,000 in 2004) consisted of family class immigrants joining established members of their family in Canada. Under a family class sponsorship, the sponsored individual is counted as a separate family unit (a new case) despite the fact that the individual is sponsored by a relative in Canada. Taking this into account, the size of many such family units in Canada may, in fact, be underestimated.

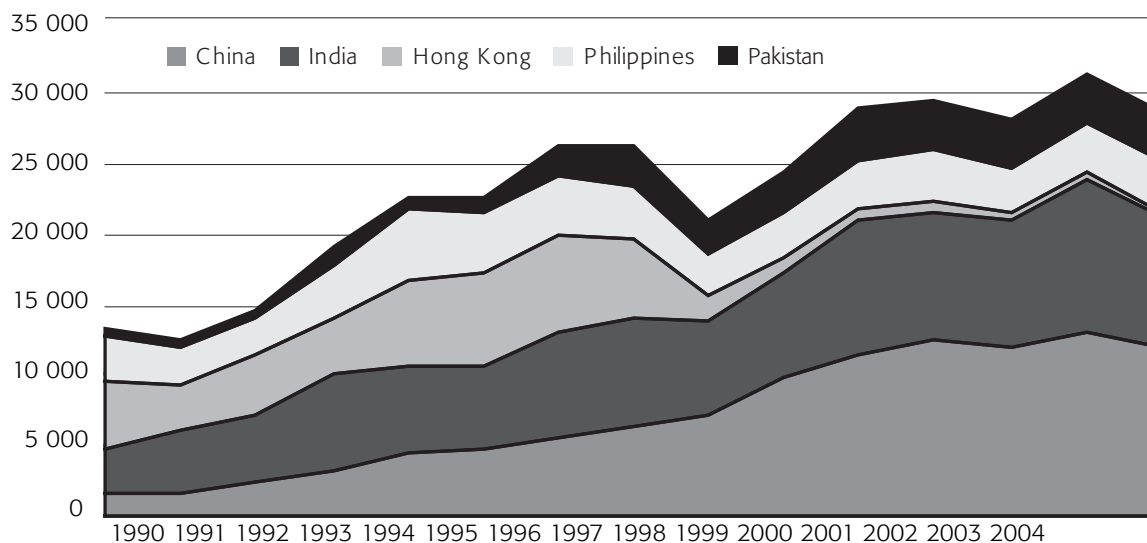
The size of the immigrating family unit also varied significantly by category of immigration.⁴ In 2004, skilled worker immigrants and refugees had an average family unit size of about 2.4 individuals. Business immigrants averaged 3.5 individuals per family unit. For family class immigrants, the size of the family unit varied from

1.0 individual in the case of sponsored children to 1.9 individuals for sponsored parents and grandparents (including accompanying dependants).

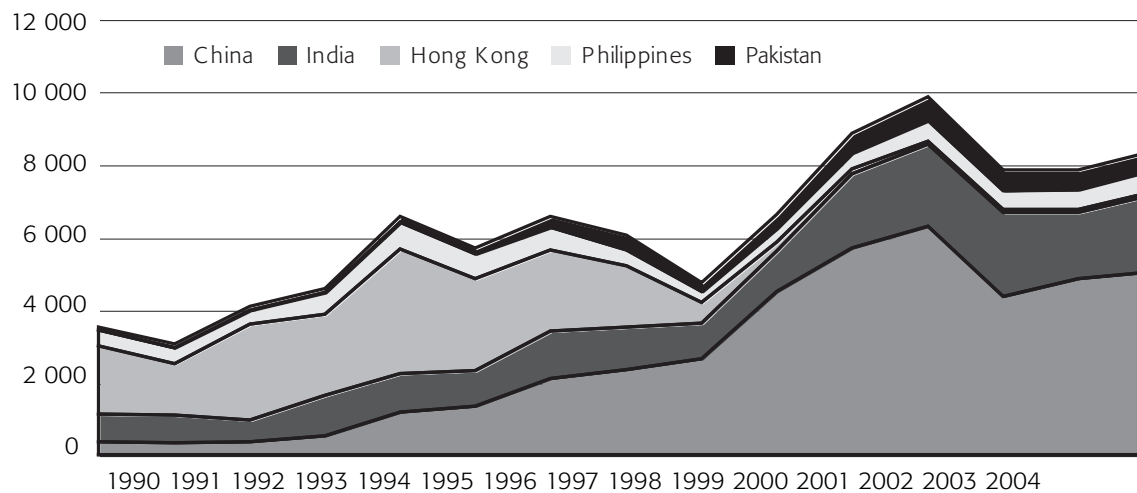
Impact of Policy and Source Country Shifts

Which factors might account for the changes in the size of families immigrating to Canada over time? Immigration policy changes during the late 1980s and early 1990s was one factor. One such change was the relaxation of admissibility criteria for dependent children in 1988, known as the “J88” regulations (subsequently rescinded in 1992). This regulation had the effect of increasing the family unit size. Under the J88 regulations, unmarried children of any age were allowed to enter Canada as sponsored immigrants or as accompanying family members (dependants). The impact of this policy is illustrated in the table above with larger average

**Number of immigrating family units of one or two people
Selected countries, 1990–2004**



**Number of immigrating family units of three people
Selected countries, 1990–2004**



family sizes in 1990 across many immigrant categories, most notably parents and grandparents.

Shifts in the leading source countries for immigrants beginning in the early 1990s were another important factor that influenced family size. China is a good example. That country's share of overall immigration grew from about 4% in 1990 to 15% in 2004. Immigrating family units from China were generally small, reflecting Chinese birth restrictions that limited urban families to one child. Not surprisingly, China accounted for the highest proportion of one- to three-person family units immigrating to Canada in 2004, but was well down the list of top source countries for family units of four people or more. The size of the family unit, therefore, does not necessarily mirror the size of flows from that country.

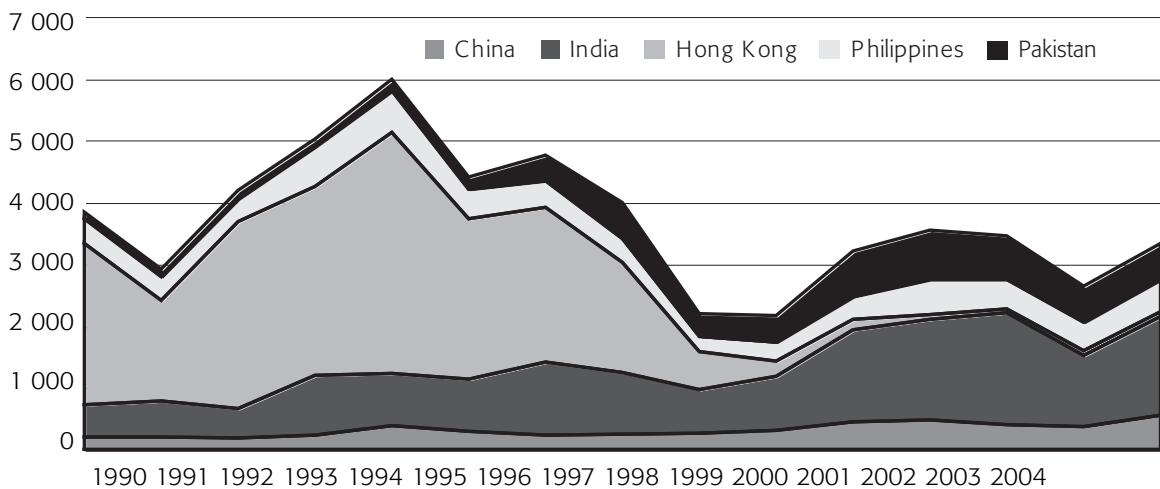
During the same period, immigration from some source countries with larger average family sizes decreased. Hong Kong, one such example, accounted for

less than 1% of all immigrants to Canada in 2004, compared to 14% in 1990. At the outset of the period, the average family size from Hong Kong was relatively large.

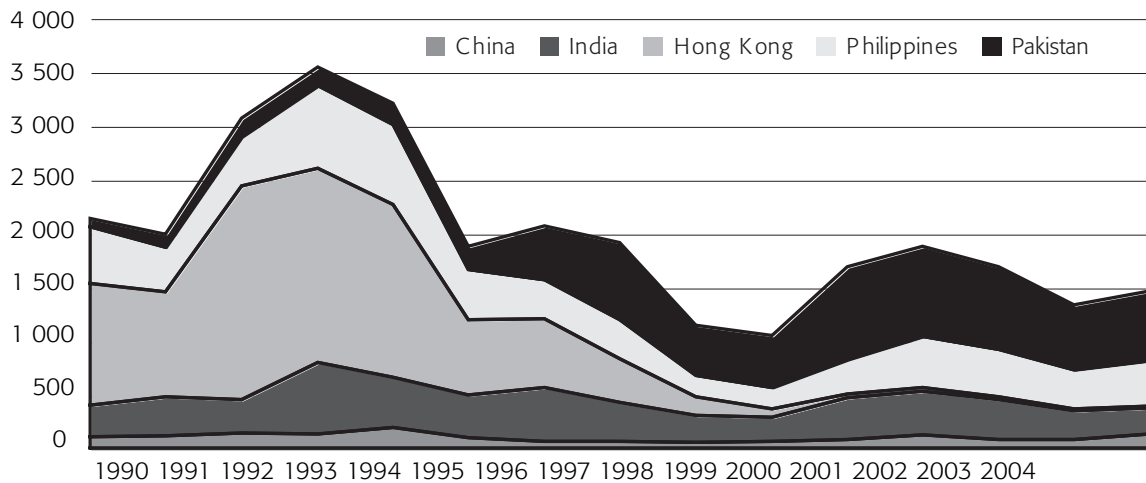
For key source countries since 1990, the figures below show the number of family units by size: one or two people, three, four, and five or more people. They indicate that in the case of some source countries, such as India and the Philippines, family units tend to maintain their proportional representation across all sizes. Immigrants born in Pakistan, however, tend to be over-represented in the larger family units particularly over the last ten years. On the other hand, Chinese immigrants have a tendency toward smaller family units.

While this article provides a cursory description of the family units that immigrate to Canada by year, the statistics raise some important points for discussion. Should we know more about the family situation of immigrants? Further investigation of the socio demographic characteristics of the immigrating family

**Number of immigrating family units of four people
Selected countries, 1990–2004**



**Number of immigrating family units of five or more people
Selected countries, 1990–2004**



unit is possible with this type of analysis and would enhance our understanding of these characteristics. The information gleaned might prove to be very useful for a number of settlement and integration services (such as those dealing with housing, social services and health care) that should be geared more toward the immigrating family unit than the individual.

Notes

- ¹ The opinions expressed in this article are those of the author and do not necessarily reflect the views of Citizenship and Immigration Canada or the Government of Canada.
- ² For the purposes of this article, family units were made by grouping all individuals with the same case identifier from Citizenship and Immigration administrative landing records.
- ³ Only immigrants and refugees landed from abroad are included. This excludes refugees landed in Canada (asylum seekers) and some other landings from within the country.
- ⁴ Immigration class is based on the category of the principal applicant.

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STATISTICS CANADA'S DATA SOURCES ON IMMIGRANTS AND IMMIGRANT FAMILIES

ABSTRACT

While the concept of immigrant family is not part of Statistics Canada's standard definitions, there are potentially many ways to define it. Statistics Canada's data sources offer a wealth of information on all aspects of Canadian life. Many surveys can be used to produce estimates of the immigrant population and characteristics of families, based on user-defined concepts of an immigrant family. Aggregate data from administrative sources are also available upon request. Data gaps however exist on the understanding of the structure and dynamics of immigrant families over time and on the impact the family has on various immigration outcomes, for example, the adaptation and socio-economic well-being of immigrants in Canada. This paper provides an overview of Statistics Canada's key data sources on immigrants.

Statistics Canada is mandated to collect and disseminate relevant and accurate information that address current and emerging issues facing Canadians. Certainly the dynamics and economic impact of immigration in Canada suggest this needs to be an information priority. Immigration numbers are on the rise. Since 2000, more than 60% of the population growth comes from international migration. Between 2025 and 2030, it is expected that immigration will account for all population growth. Statistics Canada has improved coverage of the immigrant population for many of its household surveys such as the Canadian Community Health Survey, the International Adult Literacy and Skills Survey and others. Certainly the launch of the Longitudinal Survey of Immigrants to Canada has resulted in a greater breadth of information and a better understanding of the outcomes of recent immigrants through collection of data on the dynamics of the integration process.

While these surveys allow researchers to study the population of immigrants, little is known about the composition of immigrant families and their dynamic over time. The following provides a description of the concepts of immigrant and immigrant family, followed by an overview of some key household surveys conducted by Statistics Canada that allow for the study of immigrants, and potentially, immigrant families. Information on two key administrative sources and on access to Statistics Canada data are also provided.

The Concepts of Immigrant and Immigrant Family

As part of its objectives, Statistics Canada is to promote sound statistical standards and practices. This is partly being met through the development of standard classifications, the monitoring of their implementation and the establishment of official concordances among and between international and Canadian classifications. Statistics Canada is also responsible for the standardization of economic and social concepts and the maintenance of comprehensive documentation for all surveys conducted by Statistics Canada.

The concept of immigrant

According to the 2001 Census of Population Dictionary (Statistics Canada, 2003), the concept of immigrant refers to persons who are, or have been, landed immigrants in Canada. A landed immigrant is a person who has been granted the right to live in Canada permanently by immigration authorities. Some immigrants have resided in Canada for a number of years, while others have arrived recently. Most immigrants are born outside Canada, but a small number were born in Canada.

In a survey context, the identification of immigrants mainly comes from self-reporting.² There are various ways to identify target populations, namely:

- a) Based on citizenship – can ask for detailed country of citizenship; can ask if the person is a Canadian citizen by naturalization or by birth or not a Canadian citizen.
- b) Based on landed immigrant status – can ask details on year of immigration, admission category, age of immigration, source country.
- c) Based on place of birth – can ask detailed country of birth; can ask if the person was born outside or inside Canada.

d) Based on generational status – can ask details on country of birth of mother and father to then classify the individual as being a first generation, i.e., the individual and their parents were born outside Canada, a second generation, i.e., the individual was born in Canada but at least one of their parents was not, or a third generation, where both the individual and their parents were Canadian-born.

The concept of immigrant family

The concept of immigrant family is not part of Statistics Canada's standard definitions. Indeed there are potentially many ways to define an immigrant family. Data users usually define it according to their research questions and the data source being used. Among all data sources available (see Appendix B for a list of some key household surveys), the Census of Population is the best source to adequately define the concept since data are collected on every person in a household. The relationship of household members to the household reference person (called "Person 1") allows for family structures to be defined. Indeed, a person may be related to Person 1 through blood, marriage, common-law or adoption (e.g. spouse, common-law partner, son or daughter, father or mother) or unrelated (e.g. lodger, roommate or employee).

Most household surveys are at the person level. In other words, information is collected from a selected respondent, and household or family characteristics become attributes of the selected respondent. For these surveys, statistical inferences cannot therefore be made at the family or household level.

The following presents a review – by no means, exhaustive – of definitions of immigrant family that have been used by various data users. Most of these definitions were derived based on users' research questions rather than aiming at really studying immigrant families.

Citizenship and Immigration Canada suggested an operationalization of the concept of immigrant family, in their custom tables from the Census of Population. The following rules were used:

- i) Both husband and wife or lone parent are recent immigrants; OR
- ii) Mixed recent immigrant families:
 - Husband is recent immigrant, wife is earlier immigrant
 - Husband is recent immigrant, wife is Canadian-born
 - Wife is recent immigrant, husband is earlier immigrant
 - Wife is recent immigrant, husband is Canadian-born; OR
- iii) Both husband and wife or lone parent are earlier immigrants; OR
- iv) Mixed earlier immigrant families and/or Canadian-born families:
 - Husband is earlier immigrant, wife is Canadian-born
 - Wife is earlier immigrant, husband is Canadian-born

- Both husband and wife or lone parent are Canadian-born; OR

v) Both husband and wife or lone parent are non-permanent residents.⁴

In his study, *The wealth position of immigrant families in Canada*, Zhang (2003) employed Statistics Canada's Survey of Financial Security. Information was collected for family units and included data on all family members aged 15 or over. The following definition was used: a family is referred to as an immigrant family if the major income recipient is an immigrant. If the major income recipient is not an immigrant, the family is referred to as Canadian-born. Since the study employs cross-sectional data, no ambiguity can be introduced by this definition. Caution should be used when using this definition with longitudinal data because of changing characteristics of respondents or spouses over time and throughout the various waves of the survey. For example, the Canadian-born spouse of an immigrant major income may become the major income recipient in follow-up waves of the longitudinal survey. In such case, the immigrant family of the first wave would be re-classified as Canadian-born in the second wave.

Worswick (2001) used the National Longitudinal Survey of Children and Youth in his research: *School performance of the children of immigrants in Canada, 1994-98*. He defined children of immigrant families as children for whom the person most knowledgeable about the child is an immigrant. These children may or may not have been born in Canada. Children of Canadian-born parents are those for whom the person most knowledgeable about the child was born in Canada.

In his study, *Evolving family living arrangements of Canada's immigrants*, Thomas (2001) used the Census of Population and the Landed Immigrant Data System, from Citizenship and Immigration Canada. The immigrant population captured in the Census was divided into categories that reflect increasing levels of support from relatives. To avoid double-counting, immigrants who live in an economic family with more than one type of relative (for ex., a later arrival and a Canadian-born adult) were classified according to the relative who is longest-established in Canada or who should be able to lend the most support. Categories of living arrangements were defined for immigrants who live: (1) alone as unattached individuals; (2) in economic families with children only; (3) with an adult or adults whose year of immigration was more recent than their own; (4) with an adult or adults who immigrated in the same year; (5) with immigrants who migrated in an earlier year than their own; and (6) with Canadian-born adult relatives.

In Research and Development Highlights (1997), *The housing and socio-economic conditions of immigrant families: 1991 Census profile*, an immigrant family refers to a family (lone-parent or couple-led) living in a private household where at least one member of the family is, or has been, a landed immigrant to Canada.

Liu and Kerr (2003) used the Canadian Survey of Consumer Finance (later replaced by the Survey of Labour and Income Dynamics in 1998) in their study: *Family change*

and economic well-being in Canada: the case of recent immigrant families with children. Immigrant families were those with at least one adult reporting they had emigrated to Canada over the past decade.

In *The academic achievement of adolescents from immigrant families: the role of family background, attitudes and behavior*, Fuligni (1997) did not use a data source from Statistics Canada, but a U.S. survey conducted in a California school district with a large number of immigrant families. In his study, students were classified as being either first, second or third generation or greater.

The above mentioned studies were either done at the family level or at the person level, where family classification was used as an attribute of the selected respondent.

The Census of Population and Some Key Household Surveys Conducted by Statistics Canada

As described above, the Census of Population is the best source to adequately define the concept of immigrant family. It also provides reliable estimates of the immigrant population since questions on immigration are asked to all members of one in five households in Canada. Please see Appendix A for a description of the census questions related to immigration.

Statistics Canada's extensive socio-economic statistical program includes a variety of complementary data sources that address three major types of data needs in ways that the Census cannot:

- a need for current data on a regular basis;
- a need for information that includes complex or sensitive questions which are best administered by an interviewer;
- a need for information to determine the underlying causes of a phenomenon, requiring a set of data that extends over time.

Some of these various data sources identify the immigrant population based on place of birth while others define it according to the landed immigrant status and/or citizenship. Some other sources categorize immigrants based on their generational status.

While definitions used are quite comparable between surveys, a current initiative is currently underway in Statistics Canada: the *Standardized Questionnaire Modules Working Group*. This group was mandated with the task of looking at commonly asked question modules in household surveys, and recommending a standardized approach to asking these questions in a consistent and common way. Immigration related questions were one topic looked at by the working group. Subject matter experts from the Census and other household surveys with a history of asking immigration related questions, reviewed the questions, concepts and definitions being used by various data sources and

recommended standardized questions for *country of birth, country of birth of parents and grandparents, landed immigrant status, year of arrival in Canada and year of landing in Canada*. Once these and other questions are approved by an internal standard committee, they will become the standardized question modules for future household surveys with a five-year review mechanism put in place.

Appendix B provides a list of some of the largest, or more relevant household surveys for the immigrant population, in alphabetical order. It provides the purpose, the frequency and the question(s) on immigration that is (are) being collected, with a note on the potential to define the immigrant family. The reliability of estimates on the immigrant population is also presented. Among these surveys, the Longitudinal Survey of Immigrants to Canada and the Ethnic Diversity Survey specifically target the immigrant population while the Census of Population allows for precise estimates at various levels of geography.

Readers are moreover referred to Statistics Canada's socio-economic data sources on census-related topics.⁵ This review of Statistics Canada complementary data sources to the Census of Population was produced in the context of the 2006 Census consultation process.

Administrative Sources

The Longitudinal Immigration Database (IMDB) is a database that links immigration and taxation records. It currently covers the immigration landing years 1980 to 2003 and is updated with tax information annually. However, tax data are subject to a 16-year retention period on the file. The IMDB is a comprehensive source of data on the economic behaviour of the immigrant taxfiler population in Canada. The database is managed by Statistics Canada on behalf of a federal-provincial consortium led by Citizenship and Immigration Canada. A person is included in the database only if he or she obtained their landed immigrant status since 1980 and filed at least one tax return after becoming a landed immigrant. There is, however, no family information on the database and no comparison with the overall Canadian population is possible.

To overcome these limitations, a new product was created. The Longitudinal Administrative Databank (LAD) and the Longitudinal Immigration Database (IMDB) are linked together to produce a source of longitudinal information on a sample of Canadians and immigrants (referred to here as the LAD_IMDB). The LAD_IMDB combines longitudinal tax information for a sample of Canadians from the LAD, with characteristics of landed immigrants (permanent residents) from the IMDB. The resulting database is a 20 percent sample of Canadian taxfilers, including a representative proportion of immigrants. Immigrants are associated with their key characteristics at landing. Bringing together these databases

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enriches the LAD by enabling comparisons of known immigrants and other Canadian taxfilers. Similarly, the IMDB is enriched by the supplementary family information and the extended period of taxfiling information available on the LAD sample of immigrants. For more information on this product, see Dryburgh (2004).

Access to Statistics Canada Data

Flexible, workable access options for all types of data users continues to be a challenge for Statistics Canada. The legislative authority (*Statistics Act*) guarantees respondents confidentiality and reassures them of reputable and responsible protection of data. Under this legislative framework, Statistics Canada has over the years developed options for accessing data that address a multitude of user needs. While *The Daily* provides general level summary information, Statistics Canada's website (www.statcan.ca) offers an increased access to free aggregate data and summary analysis. These two options however do not address the needs of researchers wanting to use microdata. When possible,⁶ public use microdata files are produced and placed in a consortium of postsecondary institutions, also known as the Data Liberation Initiative. These public use files are screened and details are collapsed in order to protect the identification, and thus confidentiality, of respondents.

In 1998, the Canadian Initiative on Social Statistics studied the challenges facing the research community in Canada. One of the recommendations of the national task force was the creation of research facilities to give academic researchers improved access to Statistics Canada's microdata files. This access would allow researchers in the social sciences to build expertise in quantitative methodology and analysis. The Research Data Centres (RDC) program was thus created and is now part of an initiative by Statistics Canada, the Social Sciences and Humanities Research Council (SSHRC)⁷ and university consortia to help strengthen Canada's social research capacity and to support the policy research community.

RDCs provide researchers with access, in a secure university setting, to microdata from population and household surveys (both cross-sectional and longitudinal). The centres are staffed by Statistics Canada employees. They are operated under the provisions of the *Statistics Act*⁸ in accordance with all the confidentiality rules and are accessible only to researchers with approved projects who have been sworn in under the *Statistics Act* as "deemed employees." RDCs are located throughout the country, so researchers do not need to travel to Ottawa to access Statistics Canada microdata. For more information on the Research Data Centres Program, see <http://www.statcan.ca/english/rdc/index.htm>.

Statistics Canada has also been hosting theme-specific data users conferences such as the health data users conference and data workshops to help researchers understand some of the more complex longitudinal files. Major resources have been expended to improve documentation found on the Integrated Meta Data Base, the Statistics Canada repository of documentation for all surveys.

More information on how to access data can be found at www.statcan.ca.

Acknowledgements

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Notes

- ¹ The views expressed in this article are those of the authors and do not necessarily reflect the opinion of Statistics Canada or the Government of Canada.
- ² Most Statistics Canada household surveys are based on an area frame, where households and the respondent within households are selected using a multistage approach. In these surveys, the immigrant status of respondents is not known at the selection stage. Other household surveys use a random digit dialing approach where the characteristics of respondents are not known before selection. The Longitudinal Survey of Immigrants to Canada is the only sample survey conducted by Statistics Canada where the sample is selected from an administrative source from Citizenship and Immigration Canada. In this case, the immigrant status is therefore not based on self-reporting.
- ³ *Recent immigrants* are those who immigrated between 1986 and 2001; earlier immigrants are those who immigrated between 1875 and 1985.
- ⁴ *Non-permanent residents* refer to people from another country who had an employment authorization, a student authorization, or a Minister's permit, or who were refugee claimants at the time of the Census, and family members living in Canada with them.
- ⁵ <http://www12.statcan.ca/english/census06/products/reference/consultation/sum.htm> AND <http://www12.statcan.ca/english/census06/products/reference/consultation/tables.htm>
- ⁶ Public use microdata files are generally produced for cross-sectional surveys. However this product cannot be developed for longitudinal surveys given the high risk of disclosure arising from the nature of data collected over time.
- ⁷ See <http://www.sshrc.ca>.
- ⁸ See <http://www.statcan.ca/english/about/statact.htm>

Appendix A: Census of Population questions related to immigration

SOCIOCULTURAL INFORMATION	
<p>9 Where was this person born?</p> <p>Specify one response only, according to present boundaries.</p>	<p>Born in Canada Specify province or territory</p> <p>14 <input type="text"/></p> <p>Born outside Canada Specify country</p> <p>15 <input type="text"/></p>
<p>10 Of what country is this person a citizen?</p> <p>Indicate more than one citizenship, if applicable. "Canada, by naturalization" refers to the process by which an immigrant is granted citizenship of Canada, under the Citizenship Act.</p>	<p>16 Canada, by birth</p> <p>17 Canada, by naturalization</p> <p>18 <input type="text"/></p>
<p>11 Is this person now, or has this person ever been, a landed immigrant?</p> <p>A "landed immigrant" is a person who has been granted the right to live in Canada permanently by immigration authorities.</p>	<p>19 No Go to Question 13</p> <p>20 Yes</p>
<p>12 In what year did this person first become a landed immigrant?</p> <p>If exact year is not known, enter best estimate.</p>	<p>Year</p> <p>21 <input type="text"/><input type="text"/><input type="text"/><input type="text"/></p>
PLACE OF BIRTH OF PARENTS	
<p>32 Where was each of this person's parents born?</p> <p>Mark " " or specify country according to present boundaries.</p> <p>a) Father</p> <hr/> <p>a) Mother</p>	<p>43</p> <p>Father</p> <p>01 Born in Canada Born outside Canada Specify country</p> <p>02 <input type="text"/></p> <p>Mother</p> <p>03 Born in Canada Born outside Canada Specify country</p> <p>04 <input type="text"/></p>

Appendix B: Some key household surveys at Statistics Canada

Survey	Purpose	Frequency	Immigration question(s) / How to define an immigrant family?	Reliability of estimates on immigrants / immigrant families
Canada Survey of Giving, Volunteering and Participating (CSGVP)	The purpose of this survey is to collect data regarding unpaid volunteer activities, charitable giving and civic participation. The results will help build a better understanding of these activities which can in turn be used to develop programs and services to help them.	Every 3 years with a follow up of a sample of respondents 3 years after the first interview	Immigration-related questions include: country of birth, citizenship, landed-immigrant status and year first immigrated to Canada. The concept of immigrant family can be user-defined and derived using the relationships between members of the household. Analysis is at the person level with family information being used as attribute of the selected respondent.	The CSGVP is a simple random sample of persons aged 15 or over. Large Census Metropolitan Areas are oversampled. Results from the 2004 CSGVP will be released in the spring of 2006. It will then be possible to know if the effective sample size of immigrants would allow reliable analyses to be done.
Canadian Community Health Survey (CCHS)	The central objective of the CCHS is to gather health-related data at the sub-provincial levels of geography (health region or combined health regions).	Annual, with a larger sample every 2 years	Immigration-related questions include: country of birth, if born a Canadian citizen or not and year first came to Canada to live. Information on household relationships is also collected but no information on the immigration status of household members is collected. Analysis is at the person level.	The CCHS is conducted every year, with a larger sample being taken every other year. The sample size of immigrant respondents was of 16,901 in cycle 1.1 (12 years old and over); 5,599 in cycle 1.2 (15 years old and over); 17,287 in cycle 2.1 (12 years old and over) and 3,760 in cycle 2.2 (all ages).
Census of Population	The Census is designed to provide information about the demographic, social and economic characteristics of the Canadian population and about its housing units.	Every 5 years (years ending in 1 and 6)	Immigration-related questions include: country of birth, citizenship, landed-immigrant status, year first became a landed immigrant and country of birth of parents. The concept of immigrant family can be user-defined and derived using the relationships between members of the household.	Questions are asked to a sample of 1 in 5 households in Canada; data are very reliable for both persons and families.

Survey	Purpose	Frequency	Immigration question(s) / How to define an immigrant family?	Reliability of estimates on immigrants / immigrant families
Ethnic Diversity Survey (EDS)	The two primary objectives of the EDS are: to provide information on the ethnic and cultural background of people in Canada and how these backgrounds affect their participation in the social, economic and cultural life of Canada; and to provide information to better understand how Canadians of different ethnic backgrounds interpret and report their ethnicity.	Infrequent: Postcensal survey conducted following the 2001 Census of Population	Immigration-related questions include: country of birth, citizenship, landed-immigrant status, year first came to Canada to live and country of birth of parents and grandparents. The concept of immigrant family can be user-defined and derived using the relationships between members of the household. Analysis is at the person level with family information being used as attribute of the selected respondent.	The total responding sample included 10,000 immigrants living in the 10 provinces.
General Social Survey (GSS)	The two primary objectives of the GSS are: to gather data on social trends in order to monitor temporal changes in the living conditions and well being of Canadians; and to provide immediate information on specific social policy issues of current or emerging interest. Topic changes every year. Every 5 years, the GSS collects data on families to monitor changes in Canadian family structures with respect to marriage and common-law unions, and children. Cycle 15, conducted in 2001 was the latest one on families. While only collected once, retrospective data on family structures were collected.	Annual	Immigration-related questions include: country of birth, year became a landed immigrant or first came to Canada to live permanently. Some cycles, including the family cycles, also collect the country of birth of parents and grandparents. The concept of immigrant family can be user-defined and derived. Analysis is at the person level and at the family level, in family cycles.	The GSS is a simple random sample of persons aged 15 or over. The sample of immigrants is therefore obtained at random with no oversample being taken in major cities. For cycle 15, the sample of first generation responding immigrants was about 4,200 units. Second generation immigrants can also be derived using the country of birth of parents.
International Adult Literacy and Skills Survey (IALSS)	The main purpose of the survey is to find out how well adults use printed information to function in society. Another aim is to collect data on the incidence and volume of participation in adult education and training, and to investigate the relationships between initial and adult education, on the one hand, and literacy proficiency and wider economic and social outcomes, on the other.	Infrequent – conducted in 2003	Immigration-related questions include: country of birth, landed-immigrant status, year first immigrated to Canada, principal applicant/ family member status, number of years lived in Canada, years of schooling outside Canada, highest level of education obtained outside Canada and in which country, mother born in or outside Canada, father born in or outside Canada. Limited information is available on the family of the respondent.	The IALSS used the 2001 Census of Population as a sampling frame. In addition to the main sample additional households were sampled in Quebec, Ontario, Alberta and British Columbia to provide data on the immigrant population, for a total of 1,707 responding units.

Survey	Purpose	Frequency	Immigration question(s) / How to define an immigrant family?	Reliability of estimates on immigrants / immigrant families
Labour Force Survey (LFS)	The LFS provides estimates of employment and unemployment which are among the most timely and important measures of performance of the Canadian economy.	Monthly	<p>Starting in January 2006, immigration-related questions are being collected: country of birth, landed-immigrant status, year and month first became a landed immigrant, country in which the respondent received his/her highest level of education.</p> <p>The concept of immigrant family can be specified and derived using relationships between members of the household aged 15 and over.</p> <p>Analysis can be performed at the person and/or household levels.</p>	<p>The LFS uses a complex sample design. The quality of the LFS immigrant data will be investigated during 2006.</p> <p>It is expected that the LFS will be able to produce high quality three month moving average unemployment rates for immigrants at a national and provincial level, and for the largest three CMAs.</p>
Longitudinal Survey of Immigrants to Canada (LSIC)	The main objective of the LSIC is to understand the adaptation process of new immigrants to Canada, the factors that affect their adaptation and the services used by immigrants to facilitate the process. While full adaptation may take several generations to achieve, the LSIC is designed to examine the process during the critical first four years of settlement, during which newcomers establish economic, social and cultural ties to Canadian society.	6 months, 2 years and 4 years after arrival	<p>Target population: landed immigrants arriving from outside Canada between October 1, 2000 and September 30, 2001; were age 15 or older at the time of landing.</p> <p>Immigrants who applied and landed from within Canada are excluded from the survey.</p> <p>The concept of immigrant family can be specified and derived using relationships between the selected longitudinal respondent and members of the household.</p> <p>Analysis is at the person level with family information being used as attribute of the selected respondent.</p>	The sample size of recent immigrant respondents was of 12,040 in Wave 1, 9,322 in Wave 2 and will be over 7,000 in Wave 3.
National Longitudinal Survey of Children and Youth (NLSCY)	The purpose of the NLSCY is to collect information on children, their development, family and school experiences. Another purpose of this survey is to gather information on various school factors which may influence the development and education of children.	Every 2 years; first cohort started in 1994	<p>For both, the person most knowledgeable about the child (PMK) and the child, immigration-related questions include: country of birth, citizenship, landed-immigrant status and year first immigrated to Canada.</p> <p>The concept of immigrant family can be user-defined and derived using the immigration-related characteristics of the child, the PMK and/or the spouse of the PMK.</p> <p>Analysis is at the person level with family information being used as attribute of the selected child.</p>	<p>In cycle 5 (2002-2003), for 0 to 5 year olds, there is a responding sample of 42 first generation, 2,090 second generation and 8,707 who were born in Canada to Canadian-born parents. For the 8 to 17 year olds, the sample includes 83 first generation, 1,023 second generation and 6,826 who were born in Canada to Canadian-born parents.</p> <p>Given the small sample size of the first generation category, it is suggested to group the first and second generation categories to get reliable estimates.</p>

Survey	Purpose	Frequency	Immigration question(s) / How to define an immigrant family?	Reliability of estimates on immigrants / immigrant families
National Population Health Survey (NPHS)	The purpose of this longitudinal survey is to collect data on the economic, social, demographic, occupational and environmental correlates of health.	Every 2 years; first cohort started in 1994; cross-sectional components in 1994-1995, 1996-1997 and 1998-1999	Immigration-related questions include: country of birth and year first immigrate to Canada (cycle 1) / year first came to Canada to live (cycles 2 and 3). One component of the cross-sectional sample (called the household component) also asks the immigration-related questions to each member of the household. The concept of immigrant family can be specified and derived using relationships between the selected respondent and members of the household. Analysis is at the person level.	For the cross-sectional components, the sample size of immigrant respondents was of 2,400 in 1994-1995 (12 years old and over); 11,789 in 1996-1997 (all ages) and 2,445 in 1998-1999 (all ages). For the household components, the sample size of immigrant respondents (all household members) was of 7,019 in 1994-1995 (all ages); 28,546 in 1996-1997 (all ages) and 6,548 in 1998-1999 (all ages).
Survey of Labour and Income Dynamics (SLID)	At the heart of the survey's objectives is the understanding of the economic well-being of Canadians: what economic shifts do individuals and families live through, and how does it vary with changes in their paid work, family make-up, receipt of government transfers or other factors? The survey's longitudinal dimension makes it possible to see such concurrent and often related events.	Annual	Immigration-related questions include: country of birth, landed-immigrant status, year first became a landed immigrant and whether mother or father were Canadian-born or foreign-born. Information on family relationships and demographic characteristics of family and household members is also collected.	The samples for SLID are selected from the monthly Labour Force Survey (LFS) and thus share the latter's sample design. The sample includes 2 cross-sectional panels at any one time plus a longitudinal component. With 3,500 – 4,000 immigrants in each panel, there is a potential for 7,000 immigrants if combining the 2 cross-sectional panels.
Youth in Transition Survey (YITS)	The YITS is a longitudinal survey undertaken jointly by Statistics Canada and Human Resources and Skills Development Canada. This survey is designed to examine the major transitions in the lives of youth, particularly between education, training and work. There are two cohorts : Cohort A – 15 year old Cohort B – 18 to 20 year old	Every 2 years for 5 cycles (2000 to 2008)	Various questions on immigration are asked: country of birth, citizenship, landed-immigrant status and year first came to Canada to live. The concept of immigrant family can be user-defined and derived using the immigration-related characteristics of the youth and/or the parents of the youth. Analysis can be done at the youth level with family characteristics being used as attribute or at the parent level.	The sample for the 15 year old cohort is selected from a school sampling frame, while the 18 to 20 year old cohort is selected from the Labour Force Survey. For the cohort of 15 years old, a responding sample of 1,250 immigrants was obtained in cycle 2 (conducted in 2002). For the cohort of 18 to 20 years old, the responding sample of immigrants for cycle 2 was 782.

FAMILY IMMIGRATION POLICY IN COMPARATIVE PERSPECTIVE

Canada and the United States

ABSTRACT

This article compares family immigration policies in Canada and the United States. It offers an explanation as to why family reunification figures more prominently in American immigration policy, reviews current policies and trends, and discusses political debates concerning family immigration in the two countries.

Canada and the United States are among a small group of self-declared immigration countries. Immigration policy is used by both states to meet economic needs, fulfil humanitarian objectives, and satisfy other important commitments, including the right of citizens and legal residents to be reunited with family members.

Although family reunification figures prominently in both countries' immigration policies, its scope and impact is much greater in the United States, where family immigration makes up approximately 70 per cent of annual flows. Conversely, in Canada the admission of family members is balanced by the recruitment of large numbers of independent "economic immigrants." In recent years, economic immigration has accounted for more than 50 per cent of annual flows, while family class immigration has fallen to approximately 25 per cent. In other words, Canada has opted to increase the number of independently selected economic immigrants, while the United States continues to privilege family reunification.

The Roots of Contemporary Family Immigration Policies in Canada and the United States

What accounts for this pronounced difference between the Canadian approach to family immigration and the approach adopted by the United States? The roots of policy divergence lie in both countries' efforts to reform their immigration policies in the post-World War II period. Traditionally, Canada and the United States selected immigrants according to their "racial suitability." That is, the entry of immigrants deemed inferior because of their putative ethnic and racial characteristics was sharply limited or, in the case of non-white "unassimilable races," barred altogether. In the United States, this approach was formalized in the passage of the *Chinese Exclusion Act* of 1882 and the National Origins Quotas Laws of the 1920s. The quota laws limited annual immigration to up to 150,000 immigrants per year. The national origins dimension of the laws established a formal preference for immigrants from northern and western Europe, to ensure that immigration did not unduly transform the United States' "national character." Although Canada did not implement a formal quota policy, its admissions policies distinguished among preferred immigrants from the British Isles and northern and western Europe, non-preferred immigrants from eastern and southern Europe, and non-white "excluded classes." While preferred immigrants were actively recruited, non-preferred classes were grudgingly admitted to help meet demands for cheap and flexible labour. Non-whites were largely shut out of Canada, through measures such as the *Chinese Immigration Act* of 1923.¹

Changes in domestic and global conditions after World War II compelled policymakers in both countries to revise their immigration policies. The discrediting of scientific racism as a result of Nazism, the Holocaust, decolonization, and the emergence of human rights cast older policies in a new light.² By the 1950s, immigration reform had emerged as part of a broader civil rights agenda in both countries.³ Domestic and international critics complained that Canada and the United States were not living up to their self-proclaimed status as leading liberal-democratic nations because they continued to maintain discriminatory immigration policies.⁴ This pressure was amplified by foreign policy considerations, including Cold War concerns.⁵

Canada and the United States responded to changing normative conditions by adjusting traditional approaches to mollify critics, while maintaining the aim of limiting admissions to traditionally preferred groups. Thus, formal exclusions to non-white immigration were officially repealed in Canada's 1953 *Immigration Act* and the United States' 1952 *Immigration Act* (the McCarran-Walter Act).⁶ Despite these changes, traditional barriers remained in place, albeit cast in

TRIDAFILOS TRIADAFILOPOULOS
Phil Triadafilopoulos will begin a full-time appointment in the Department of Social Sciences at the University of Toronto at Scarborough in July 2006. He earned his PhD in Political Science at the New School for Social Research and is a former Social Sciences and Humanities Research Council of Canada Postdoctoral Fellow.

a new formally non-racist rhetoric. This approach proved to be ineffective, as critics continued to highlight both states' hypocrisy with increasing vigour and frequency.

Ultimately, both countries bowed to this pressure, opting to replace identity-based admissions criteria with more liberal alternatives. Yet, differing political contexts led to very different policy outcomes. In both cases, policymakers intended to replace racially discriminatory policies with universal approaches that weighed applicants' desirability according to their levels of education and possession of work related skills. Thus, both Canada and the United States proposed moving to an admissions system that judged applicants according to their potential contribution to the economy. This preference would be complemented by family reunification and special rules for refugees.

However, this vision was only implemented in Canada, where the introduction of the "points system" in 1967 placed immigration policy on a new footing.⁷ Efforts to introduce a similar, economically oriented approach in the United States failed, as opponents of immigration reform in Congress used the system of checks and balances to force President Lyndon Johnson to make family immigration the centrepiece of the 1965 *Immigration Act*.⁸ They did so in order to maintain traditional immigration flows despite the 1965 Act's repeal of the discriminatory National Origins Quota Laws. Thus, while both states succeeded in moving away from the explicitly discriminatory policies that had played such an important role in shaping immigration in the past, their respective solutions differed markedly. In essence, Congressional restrictionists attempted to limit non-white immigration by privileging family immigration. While their efforts along these lines failed, the decision to base American immigration policy around the principle of family reunification would have important and lasting results.

Current Policies and Trends

The reforms of the 1960s established the policy frameworks that would guide family immigration in Canada and the United States in the years to come. Canada continues to divide its immigrant intake into (1) immigrants selected independently according to their potential economic contribution, (2) family class immigrants, and (3) refugees. Under the *Immigration and Refugee Protection Act* (IRPA), which came into force in 2002, "Family Class" immigrants are those sponsored by Canadian citizens and permanent residents who are 18 years of age and older. Eligible family members include spouses/partners, dependent children, parents and grandparents, dependent grandchildren, orphaned brothers and sisters, and orphaned nephews and nieces of the sponsor.

The economic imperative underlying Canadian immigration policy is reflected in the nature of recent flows. As noted above, the bulk of recent immigration to Canada has been made up of independently selected "economic immigrants" and their immediate dependents (spouses and dependent children). In 2004, immigrants coming into Canada under the "Economic Class" accounted for 57 per cent of the total flow (or 133,746 out of 235,824). This was up from 55 per cent in 2003. Conversely, immigrants coming into Canada under the "Family Class" designation accounted for only 26 per cent of total immigration, down from 29 per cent in 2003 and much below historical levels.⁹

The growing proportion of economic immigrants reflects Canadian policymakers' longstanding interest in increasing the proportion of independent, selected economic immigrants. It also reflects an equally longstanding, if understated, antipathy to family immigration, which has driven several important changes, including the IRPA's narrowing of the range of family members who fall under the family class, and raising of financial requirements for sponsorship.¹⁰

Under the terms of the *Immigration and Naturalization Act* (INA), the United States divides its immigrant admissions into four streams: (1) sponsored family members, (2) economic immigrants, (3) refugees, and (4) "diversity immigrants" selected by lottery from countries with low rates of recent immigration to the United States. Among sponsored family members, first preference goes to unmarried sons and daughters of citizens; second preference goes to spouses and children of legally permanent residents (LPRs) and unmarried sons and daughters of LPRs; third preference goes to married sons and daughters of citizens; and fourth preference goes to siblings of citizens age 21 and over. The INA also establishes an annual cap of 675,000 on non-refugee admissions and sets numerical limits for preference categories and countries. These limits are, however, elastic, and annual rates of immigration usually exceed the stated limit.¹¹

What has remained constant is the dominance of family immigration in the United States. In 2002, a total of 1,063,732 aliens became "legally permanent residents" (LPRs). Out of this total, more than 63 per cent, or 673,817 individuals, were admitted because of a family relationship with a United States citizen or permanent resident. Conversely, employment-based immigrant admissions (including dependent spouses and children) accounted for only 16.4 per cent of the total (i.e. 174,968 of 1,063,732).¹² This is directly attributable to the preference accorded to family immigration and the labyrinthine process involved in granting admission to employment-based immigrants.

Canada and the United States are among a small group of self-declared immigration countries. Immigration policy is used to by both states to meet economic needs, fulfil humanitarian objectives, and satisfy other important commitments, including the right of citizens and legal residents to be reunited with family members.

The Politics of Family Immigration in Canada and the United States

Family immigration policies in Canada and the United States have sparked debates over backlogs and long waiting periods, the meaning of “family” and the scope of sponsorship rights, and the quantity of sponsored flows relative to other streams – i.e. economic immigrants and refugees.

Although Canada and the United States are committed to facilitating family reunification, the practical application of this commitment often falls short of official pronouncements. Individuals sponsoring family members have had to contend with delays in the processing of applications and awarding of visas. In Canada, backlogs have been especially problematic in the case of sponsored parents and grandparents. This is largely due to the decision taken by the government of former Prime Minister Jean Chretien to reduce the number of parental visas in order to attain a 60-40 per cent balance between economic and non-economic immigrants.¹³

In the United States, the situation is even more problematic. The combination of numerical limits on overall immigration, preference categories, and individual countries, on the one hand, and an oversupply of would-be LPRs who satisfy admissions criteria, on the other, has resulted in long delays in both the processing of sponsorship applications and the awarding of visas. Thus, [e]ven though there are no numerical limits on the admission of aliens who are immediate relatives of US citizens, such citizens petitioning for their relatives are waiting at least a year and in some parts of the country, more than two years for [their] paperwork to be processed. Citizens and LPRs petitioning for relatives under the family preferences are often waiting several years for petitions to be processed.¹⁴

Indeed, the waiting period for brothers and sisters of US citizens is now more than 10 years!

Moreover, the definition of “family” used in Canada and the United States has been deemed ethnocentric and exclusionary. T. Alexander Aleinikoff has argued that existing rules governing family immigration “do not reflect modern notions of US families and are often inconsistent with how families are organized in other cultures.”¹⁵ Similarly, Canadian critics have noted that “Canadians who wish to be reunited with families abroad must not only demonstrate that these individuals fit Canada’s definition of ‘family’ but often must [also] satisfy visa officers that the relationship is ‘genuine.’”¹⁶ Gays and lesbians have also long decried discrimination against same-sex couples. Their demands have resulted in important changes in Canadian policy; one of the IRPA’s

most important innovations has been the widening of the spousal category to include same-sex partners. Similar changes have not been introduced into American immigration policy, and there is little evidence to suggest that they will be anytime soon.¹⁷

Finally, there has been a long running debate in both countries regarding the proper scope of family immigration, relative to other flows. Critics of family immigration argue that sponsored flows place undue restrictions on the number of economic immigrants granted entry. Consequently, immigration does little to address skills shortages and other economic demands. Rather, an overemphasis on family immigration results in an immigrant population lacking in the “social capital” needed to successfully integrate into host states’ labour markets

and societies. Critics argue that immigration policy should better reflect the “national interest,” as opposed to the narrower interests of individual sponsors.¹⁸

Defenders of family immigration argue that sponsorship is a fundamental right worthy of protection, and that family ties are a crucial form of social capital that eases the integration process. Moreover, defenders of family immigration maintain that there is little evidence proving the assertion that sponsored immigrants experience greater difficulty integrating. Contrary to the bleak picture painted by critics of family immigration, defenders of the policy argue that sponsored immigrants are entrepreneurial and make a positive contribution to local economies, particularly in poorer neighbourhoods. Moreover, research suggests that, over time, they are often able to “catch up” to the economic attainments of “employment-based” immigrants (as reflected in their respective earnings).

Conclusion

Whatever the merits of these claims, it appears that the argument in favour of limiting family immigration and increasing the admission of economic immigrants has had a greater influence on policymaking in Canada where, as we have seen, the proportion of independently selected immigrants has risen steadily over the past fifteen years, while family class immigration has declined precipitously.

This trend has not been matched in the United States. Yet, as noted above, the continuing dominance of family-based immigration in the United States is not due to a lack of interest on the part of some for a change in policy. Rather, the same institutional factors that helped Congressional restrictionists block the implementation of an economically oriented admissions policy in the mid-1960s have made it extremely difficult for critics to introduce modifications to the current family reunification-based

The growing proportion of economic immigrants reflects Canadian policymakers’ long-standing interest in increasing the proportion of independent, selected economic immigrants. It also reflects an equally longstanding, if understated, antipathy to family immigration, which has driven several important changes.

approach. As Peter Reikai has noted, the downgrading of family immigration in Canada was possible because of the executive branch's dominance over parliament. Once Cabinet committed itself to this direction, it could proceed relatively quickly. Conversely, "[a] similar policy shift in the United States would almost certainly be run through a vigorous legislative and political gauntlet."¹⁹ This has certainly been the case with efforts to eliminate the family preference for adult brothers and sisters of United States citizens.²⁰

It is therefore deeply ironic that many of the most vocal critics of family immigration policy in the United States complain that the changes introduced by the 1965 Immigration and Naturalization Act threaten the maintenance of "American national identity" by allowing for "immense and continuing immigration from Latin America, especially from Mexico."²¹ It appears that the very tool restrictionists tried to use to *limit* pluralization in the past has become their central preoccupation today.

Notes

- ¹ For details on Canada, see Ninette Kelley and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy* (Toronto: University of Toronto Press, 1998); Triadafilos Triadafilopoulos, "Building Walls, Bounding Nations: Migration and Exclusion in Canada and Germany, 1870-1939," *Journal of Historical Sociology* VOL. 17, No. 4 (2004): pp. 385-427. For the United States, see Mae Ngai, "The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924," *The Journal of American History* VOL. 86 (June 1999): pp. 67-92; and Aristide R. Zolberg, *A Nation By Design: Immigration Policy in the Fashioning of America* (Cambridge: Harvard University Press, 2006).
- ² Alan C. Cairns, "Empire, Globalization, and the Fall and Rise of Diversity," in *Citizenship, Diversity, and Pluralism: Canadian and Comparative Perspectives*, ed. Alan C. Cairns et al (Montreal and Kingston: McGill-Queen's University Press, 1999): 24-25; Jürgen Habermas, "Aus Katastrophen lernen? Ein zeitdiagnostischer Rückblick auf das Kurze 20. Jahrhundert," in his *Die postnationale Konstellation: Politische Essays* (Frankfurt am Main, 1998): 75.
- ³ Gabriel J. Chin, "The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965," *North Carolina Law Review* VOL. 75 (1996): pp. 273-345; Triadafilos Triadafilopoulos, "Shifting Boundaries: Immigration, Citizenship and the Politics of National Membership in Canada and Germany" (Ph.D. dissertation, New School for Social Research, 2004).
- ⁴ Carol Lee, "The Road to Enfranchisement: Chinese and Japanese in British Columbia," *B.C. Studies* VOL. 30 (1976): pp. 44-76; F. J. McEvoy, "A Symbol of Racial Discrimination: The Chinese Immigration Act and Canada's Relation with China, 1942-1947," *Canadian Ethnic Studies* VOL. 14, No. 3 (1982): pp. 24-42; John D. Skrentny, *The Minority Rights Revolution* (Cambridge: Harvard University Press, 2002); Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton: Princeton University Press, 2002).
- ⁵ Skrentny, *The Minority Rights Revolution*. Also see Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge, Massachusetts: Harvard University Press, 2001); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton, New Jersey: Princeton University Press, 2000).
- ⁶ David Corbett, "Canada's Immigration Policy, 1957-1962," *International Journal* VOL. 18, No. 2 (Spring 1963): pp. 166-180; Marion T. Bennett, "The Immigration and Nationality (McCarran-Walter) Act of 1952, as Amended to 1965," *The Annals of the American Academy of Political and Social Science* (September 1966).
- ⁷ Kelley and Trebilcock, *The Making of the Mosaic*, pp. 358-361.

- ⁸ Tichenor, *Dividing Lines*; Jeffrey Togman, *The Ramparts of Nations: Institutions and Immigration Policies in France and the United States* (Westport, Connecticut: Praeger, 2002); Desmond King, *Making Americans: Immigration, Race, and the Origins of Diverse Democracy* (Cambridge, Massachusetts: Harvard University Press, 2000).
- ⁹ The remainder of Canada's immigration intake was composed of refugees and individuals granted permanent resident status on humanitarian and compassionate grounds. See Communication Branch, Citizenship and Immigration Canada, *Annual Report to Parliament on Immigration* (Ottawa, 2005): pp. 21.
- ¹⁰ Canadian Bar Association, "Immigration and Refugee Protection Act – Family Reunification Issues," available online at: < <http://www.cba.org/cba/submissions/pdf/05-20-eng.pdf> >.
- ¹¹ Peter H. Schuck, "The Immigration System Today," chapter in *Citizens, Strangers, and In-Betweens: Essays on Immigration and Citizenship* (Boulder, Colorado: Westview Press, 1998): p. 14.
- ¹² Ruth Ellen Wasem, "US Immigration Policy on Permanent Admissions" (Washington, D.C.: Congressional Research Service/Library of Congress, February 2004): available online at: <<http://fpc.state.gov/documents/organization/31352.pdf>>.
- ¹³ Canadian Bar Association, "Immigration and Refugee Protection Act – Family Reunification Issues."
- ¹⁴ Wasem, "US Immigration Policy on Permanent Admissions."
- ¹⁵ T. Alexander Aleinikoff, "Legal Immigration Reform: Toward Rationality and Equity," in *Blueprints for an Ideal Immigration Policy*, ed. Richard D. Lamm and Alan Simpson (Washington, D.C.: Center for Immigration Studies, 2001): p. 6. Available online at: <www.cis.org/articles/2001/blueprints/blueprints.pdf>.
- ¹⁶ "Submission to the Standing Committee on Citizenship and Immigration by the Ontario Council of Agencies Serving Immigrants: Family Reunification," April 2005, p. 5. Available online at <http://www.ocasi.org/downloads/OCASI_Family_Reunification_Apr05.pdf>.
- ¹⁷ Nicole LaViolette, "Coming Out to Canada: The Immigration of Same-Sex Couples Under the Immigration and Refugee Protection Act," *McGill Law Journal* 49 (2004): pp. 969-1003; Christopher A. Dueñas, "Coming to America: The Immigration Obstacle Facing Binational Same-Sex Couples," *Southern California Law Review* VOL. 73, No. 4 (May 2000): pp. 811-841.
- ¹⁸ For a succinct presentation of this argument see George J. Borjas, "The US Takes the Wrong Immigrants," *The Wall Street Journal*, April 5, 1990, p. A18; George J. Borjas, "Immigration Policy: A Proposal," in *Blueprints for an Ideal Legal Immigration Policy*, pp. 17-20.
- ¹⁹ Peter Reikai, "US and Canadian Immigration Policies: Marching Together to Different Tunes," *C. D. Howe Institute Commentary*, VOL. 171 (November 2002): p. 7. Available online at: <<http://www.cdhowe.org/pdf/Reikai.pdf>>.
- ²⁰ Tichenor, *Dividing Lines*, pp. 253-254.
- ²¹ The quotation is from Samuel P. Huntington, "The Hispanic Challenge," *Foreign Policy* 136 (March/April 2004). Huntington explores the putative threat unrestrained immigration poses to American national identity at length in *Who Are We? The Challenges to America's National Identity* (New York: Simon & Schuster, 2004). For a trenchant critique of Huntington's argument see Rogers Smith's review of the book in *Political Science Quarterly* VOL. 119 (2004): pp. 421-422.

IMMIGRATION AND PARENTAL SPONSORSHIP IN CANADA

Implications for Elderly Women

ABSTRACT

This paper examines competing immigration discourses and practices that contribute to the fluctuations and contradictions in Canada's parental sponsorship program. In using a gender-based analysis, the paper considers the implications immigration policies and practices have for sponsored elderly women who make up the majority of parental sponsorships.

Though Canada's immigration program claims that reuniting families is one of its key priorities, and while parental sponsorships were increased in April 2005, the pattern had been one of gradual decrease. This paper briefly traces some of the fluctuations and contradictions in Canada's admission of sponsored parents¹ to reveal the ways in which prevailing practices and discourses inscribe immigrant parents as burdens on Canadian society. The paper suggests that the immigration point system and its reliance on human capital theory contribute to 'deficiency discourses' of sponsored immigrant parents that legitimate social exclusions and inequalities. The paper also considers co-existing, competing discourses and research that recognize the rights of parents to live with their children who have immigrated to Canada as well as the contributions that elderly parents make to their families and society. Finally, the paper discusses briefly the implications of various discourses and practices for elderly women who make up the majority of parental sponsorships.² The paper concludes by raising questions for future research and immigration policy.

Immigration admission trends and family class

Canada's immigration policy includes several major immigration classes of permanent residents: the independent or economic class, the family class, and the protected persons or refugee class.³ The immigration system selects the economic class⁴ on the basis of the principal applicant's human capital, financial and/or investment capacity and uses the point system, in particular, to choose 'skilled workers,' the largest category within the economic class.⁵ The family class consists of 'close' members such as spouses/partners, dependent children, orphaned brothers/sisters, orphaned nephews/nieces, orphaned grandchildren, parents, and grandparents whom a citizen or a permanent resident may sponsor to immigrate to Canada (Citizenship and Immigration Canada, 2005).

While longitudinal analyses are difficult due to changing definitions of categories, it would appear that in the 1980s and early 1990s, Canada admitted a substantial proportion of family class immigrants relative to economic immigrants.⁶ Since the mid-1990s, economic class immigration has expanded steadily while family class immigration has declined (Baker and Benjamin, 2002). In recent years, Citizenship and Immigration Canada has explicitly sought to admit approximately 55% to 60% economic immigrants of new permanent residents (Citizenship and Immigration Canada, 2005). Of the 235,824 people that Canada admitted as permanent residents in 2004, 57% came as economic and 26% as family class immigrants.⁷

During the past decade, the numbers of parents and grandparents that Canada admitted in the family class has fluctuated, but overall, declined substantially. In 1994, Canada admitted 41,477 parents and grandparents – 44% of the family class (Citizenship and Immigration Canada, 2003b). In 2004, Canada admitted 12,732 parents and grandparents – 20% of the family class – and targeted even lower levels for 2005 that would allow 5,500-6,800 parents and grandparents to become permanent residents – 11%-12% of the family class (Citizenship and Immigration Canada, 2005). In April 2005, the government reversed its low forecast and indicated that it now expected to land an additional 12,000 parents and grandparents in 2005 and another 12,000 in 2006 (altogether 18,000 in each year) (Volpe, 2005). Nonetheless, this level of expected parental sponsorship continued a gradual reduction since the mid-1990s. In what follows, I explore ways in which the point system and its reliance on human capital theory to select 'skilled workers' have contributed to the overall decline in parental sponsorship.

ARLENE TIGAR MCLAREN
Arlene Tigar McLaren is in the Department of Sociology and Anthropology
at Simon Fraser University.

Prevailing immigration practices and discourses

Increasingly, the point system in immigration policy has used human capital criteria – education, possession of an official language, and job experience – to select immigrants who will “enhance Canada’s advantage in the global competition for skilled workers” (Citizenship and Immigration Canada, 2001: 1). Rather than providing a neutral measurement of immigrant eligibility, the point system’s reliance on human capital theory rests on a market-based definition of immigrant ‘value’ that legitimates social exclusions. The core of human capital theory postulates that: “higher levels of skill and knowledge, achieved through education and training, lead to higher productivity which is expressed in higher earnings for those who possess them” (McBride 2000: 161). By exercising human capital criteria, the point system draws upon neoliberal ideological premises that skilled, market-based workers drive the economy and represent the ‘ideal’ immigrant (McLaren and Dyck, 2004). In giving priority to economic over family immigrants and refugees, the immigration system reflects a growing neo-liberal emphasis on economic self-sufficiency that reduces notions of citizenship and citizens’ rights and results in a corresponding “new problematization of the immigrant family” (Abu-Laban, 1998: 200).

In addition, the point system exacerbates worldwide gender inequalities inasmuch as women generally have fewer opportunities than men to meet education, linguistic and marketable skills criteria (see Arat-Koc, 1999b) and are therefore less able to enter Canada as principal applicants in the economic class.⁸ The point system also obscures the many contributions that non-selected immigrants make in the paid workforce, the home, and the community (McLaren and Dyck, 2002). For example, often immigrant families initially rely on the labour force participation of wives, though categorized as ‘dependants’ (Ng, 1992). Many immigrant women occupy low-wage jobs that fill important niches of the labour market (Spitzer et al., 2003) and have come to Canada under the family class (Satzewich and Wong, 2003). As Arat-Koc (1999a) suggests, sponsored parents may often contribute to the care of children in the home or work in family businesses. They may also work outside the home, for example, as farm workers (Black, 2003), or they may contribute to community activities. Yet, researchers have paid little attention to determining the nature and extent of sponsored parents’ various activities, which reinforces the belief that they are burdens on society.

On the surface, human capital theory may be particularly powerful because it appears to resolve long-standing racial tensions in immigration policy. The point system endorses the selection of immigrants who possess human capital, even if they are racialized, a process which attributes social significance to groups based on superficial attributes such as skin colour (Li, 1998). As immigration

policies and practices align with neoliberalism, however, it can be argued that they continue racialization but in more complex and hidden ways. Attacks that vilify sponsored parents and grandparents as “the worst abusers of the welfare system” (see Brunet, 1998: 7-8) may not use the language of ‘race’, class or gender, but they share in the deficiency discourses associated with racialized immigrants and immigrant families. The problematization of immigrant families “fuels legitimacy for the idea that immigrants are a social/welfare/economic cost to Canadians and Canadian society and may, ultimately, negatively impact all...Canadians who are ethnocultural and racial minorities” (Abu-Laban, 1998: 205).

In arguing that Canadian immigration policy should be concerned with the *quality* of immigrants not their *quantity*, Collacott (2002), for example, suggests that family class is the most harmful form of immigration and that “family class immigration may gain votes but does not help the country” (p. 19). As Li (2004: 26) notes, such immigration critics as Collacott⁹ not only use selective evidence and fallacious arguments; they dwell on a “harsh utilitarian dictum: immigrants not obviously enriching Canada are useless to Canada.” In drawing on narrow, economic definitions of worth, recent studies (e.g. Baker and Benjamin, 2002; Dempsey, 2004) provide evidence that sponsored parents may be a burden on Canadian society. The authors, however, ignore how the sponsorship program itself may contribute to immigrant inequalities and marginalization and do not consider other discursive understandings about the centrality of older parents to family life.

Inclusionary discourses and research

In immigration practices, deficiency discourses of sponsored parents prevail, but competing discourses co-exist that are more socially inclusive, that stress social justice concerns and allow for broader notions of worth, citizenship, and the family. A recent submission, for example, to the Standing Committee on Citizenship and Immigration on family reunification suggests that many compelling reasons exist for promoting family reunification, which include international legal obligations, Canada’s traditional policy of family reunification, and the promotion of newcomer integration (Ontario Council of Agencies Serving Immigrants (OCASI), 2005). Another submission argues that recent reductions in target level of parental sponsorship appear to be “deliberately trying to kill the longstanding program” and have occurred without adequate public debate (Canadian Bar Association, 2005: 4).

Citizenship and Immigration Canada (CIC) itself has kept a distance from whole-heartedly embracing human capital theory and provides a discursive space for contesting meanings about sponsored parents. In its commitment to

Rather than providing a neutral measurement of immigrant eligibility, the point system’s reliance on human capital theory rests on a market-based definition of immigrant ‘value’ that legitimates social exclusions.

gender-based analysis, CIC has acknowledged that human capital selection criteria have different impacts on women and men and that a substantial sociological and economic literature criticizes the definition and understanding of 'skill' as "reflecting traditional male occupational experiences and excluding an appreciation of the kinds of skills associated with women's work, particularly in many of Canada's top source countries" (2002: 6). In addition, the Minister recognized recently that Canada needs to be culturally sensitive to different concepts of family and that parents and grandparents are essential in supporting and improving the situation of immigrants in this country (Volpe, 2005). In an interview, he reflected critically on the government's admission criteria and indicated he would like to make it easier for immigrants to rebuild their family networks in Canada. He argued: "If we want skilled workers, we have to offer them a psychologically healthy environment" (Goar, 2005). In supporting family class immigration, he nonetheless stressed skilled workers as the primary immigrants.

In drawing on definitions of worth that are not reduced strictly to narrow economic concerns, recent studies suggest that both families and society benefit from reunification programs. Khoo (2003), who is concerned about the global competition for skilled migrants and its implications for Australia, concluded that family reunion promotes permanent settlement. Leung and McDonald (2001) documented the ways that elderly women in Chinese-Canadian households took care of grandchildren, made meals, did household chores, and comforted adult children.

Studies also suggest, however, that family reunification programs place parents in vulnerable positions. In a study of older Mexican immigrants in the U.S., Angel et al. (1999) stress that recent anti-welfare and anti-immigrant public sentiment and tightening of social welfare eligibility criteria result in older immigrants' fragile dependency (especially women who arrive with few resources and have limited opportunities) on their families. A study of farm workers in the Fraser Valley of British Columbia suggests that sponsored elderly immigrants (many of whom were women) felt obliged to work under exploitative conditions to repay their families (Black, 2003).

Canada's immigration policy only admits elderly parents and grandparents through the sponsorship program, which creates conditions of vulnerability not only for the parents but also for families who are obliged to provide them with a 'safety net.' Other families, who cannot afford the obligations of sponsorship and avail themselves of parents' or grandparents' support, may also be made vulnerable. Research is needed that draws on inclusionary discourses and theories to critically examine why immigration policy does not consider parents and grandparents to be 'immediate' family, why the policy requires families to sponsor them, and what the costs are of these measures to families and their elderly parents and grandparents. To address such questions, it will be necessary to place the perspectives and experiences of parents and their sponsors at the centre of the analysis (McLaren and Black, 2005).

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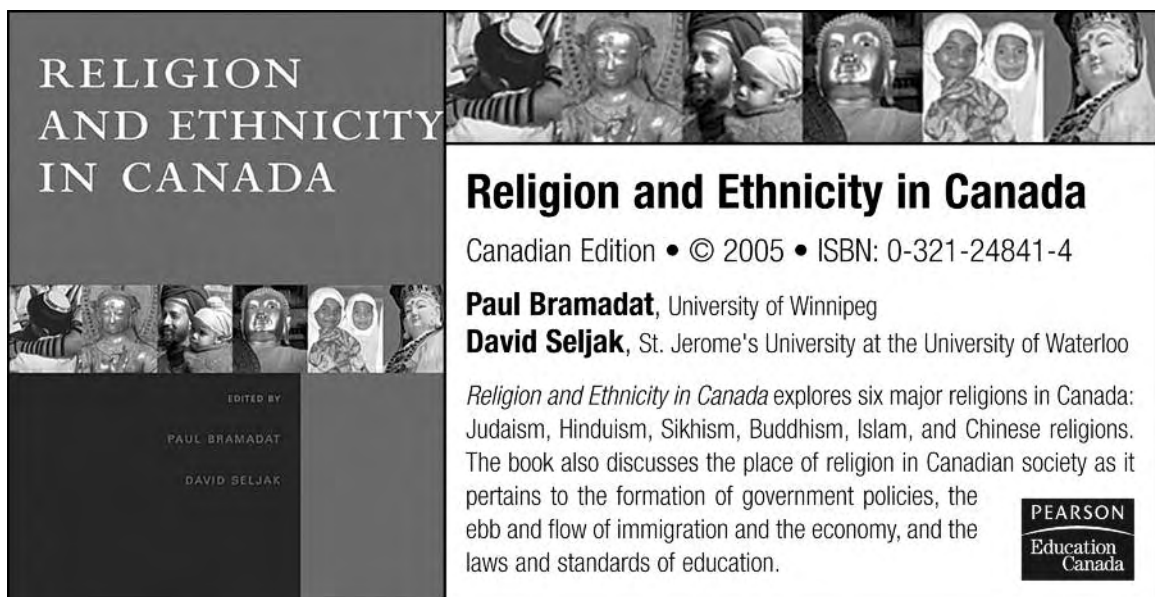
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Notes

- ¹ The family class program permits a citizen or permanent resident to bring family members to Canada on the basis of a sponsorship agreement with the Canadian government. The sponsor agrees to provide accommodation, care and maintenance for the family member for up to 10 years (Côté et al., 2001).
- ² In 2004, 58% of parents and grandparents were women; 42% were men (Citizenship and Immigration Canada, 2005).
- ³ Because of their complexity, issues relevant to the refugee class require separate investigation.
- ⁴ The economic class consists of skilled workers, business immigrants (self-employed, investors, and entrepreneurs), provincial/territorial nominees, and live-in caregivers as well as 'immediate family' members who accompany the principal applicant.
- ⁵ The immigration system uses the point system to select business immigrants, but less strictly than in the case of skilled workers. In 2004, Canada admitted 113,442 immigrants under the 'skilled workers' category out of a total of 133,746 economic immigrants (Citizenship and Immigration Canada, 2005).
- ⁶ According to the categories during that period of time, family class immigration often outnumbered economic immigration (see Citizenship and Immigration Canada, 2003a).
- ⁷ 14% entered as protected persons and 3% in the humanitarian and compassionate/public policy category (Citizenship and Immigration Canada, 2005).
- ⁸ In 2004, 13,514 women came to Canada as principal applicants in the skilled workers category, in contrast to 34,375 men (Citizenship and Immigration Canada, 2005).
- ⁹ Besides Martin Collacott, Li (2004) refers to immigration critics Diane Francis and Daniel Stoffman.



RELIGION AND ETHNICITY IN CANADA

Religion and Ethnicity in Canada
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Paul Bramadat, University of Winnipeg
David Seljak, St. Jerome's University at the University of Waterloo

Religion and Ethnicity in Canada explores six major religions in Canada: Judaism, Hinduism, Sikhism, Buddhism, Islam, and Chinese religions. The book also discusses the place of religion in Canadian society as it pertains to the formation of government policies, the ebb and flow of immigration and the economy, and the laws and standards of education.

EDITED BY
PAUL BRAMADAT
DAVID SELJAK

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SOUTH ASIAN IMMIGRATION TO CANADA THROUGH ARRANGED MARRIAGES

Exploring Challenges for Sponsored Women

ABSTRACT

To maintain their culture and traditional family life, an increasing number of South Asian immigrant males living in Canada are having arranged marriages to women from their home countries. They then file sponsorship applications so their new brides can join them in Canada. Citizenship and Immigration Canada has taken a number of steps to protect vulnerable women and to inform them about the nature of sponsorship. This article discusses research on women entering Canada through arranged marriages, the steps Citizenship and Immigration Canada is taking to protect them, and a new study being done to see how they are working.

South Asians include Hindus, Muslims, and Sikhs who have immigrated to Canada from India, Pakistan, and the surrounding areas of Bangladesh, Nepal, and Sri Lanka (Ibrahim, Ohnishi, & Sandhu, 1997; Tran, Kaddatz, & Allard, 2005). They are the second largest visible minority group in Canada (Statistics Canada, 2001). They are also Canada's fastest growing immigrant group (Citizenship & Immigration Canada, 2004; Statistics Canada, 2001). Although South Asians come from many different parts of the world and do not all practice the same religion, they have a shared cultural value system that is very family-oriented (Assanand, Dias, Richardson, & Waxler-Morrison, 1990; Tran et al., 2005). Instead of encouraging children and young adults to become independent, South Asian parents encourage them to rely on their family throughout their lives. Youth are expected to involve their parents when they make major life decisions, because their parents are believed to have the wisdom and experience to judge what course of action is in their best interests (Almeida, 1996; Assanand et al., 1990; Farver, Narang, & Bhadha, 2002).

Even though some young adults who have integrated into Canadian society may try to challenge their parents' involvement in their lives and pursue their own wishes and goals (Segal, 1991), a recent study of South Asian families in Canada shows a trend towards maintaining one's cultural heritage and norms for family life. Kwak and Berry (2001) found that compared to other Asian immigrant groups, South Asian parents and young adults show the highest levels of maintenance of their cultural identity, value system, family structure, and traditional customs after immigration. Their study revealed that the part of their culture that South Asians feel most strongly about keeping after immigration is their marriage practices (Kwak & Berry, 2001).

Arranged Marriage

Arranged marriage is a traditional custom in the South Asian culture where parents try to find a potential mate for their adult children (Assanand et al., 1990). Potential marriage partners are usually chosen because they share the family's culture, religion, and social caste. These areas of similarity are viewed to be key ingredients for compatibility between husband and wife. The family background, education, appearance, and personal qualities of individuals are also taken into account in identifying an acceptable partner for one's son or daughter (Almeida, 1996).

South Asian immigrants' desire to preserve their culture and traditional family life after moving to Canada has resulted in families seeking marriage partners for their children from their home countries (Husaini, 2001; Kumar & Srivastava, 2005). The most common scenario of cross-country or international arranged marriage involves parents of a man living in Canada and a woman living in South Asia coming into contact through relatives or family friends to unite their children in marriage. When a marriage is taking place between people living in two different countries, the marriage usually takes place in the foreign country. After the marriage, the husband returns to Canada and files a sponsorship application to bring his wife here to join him (Kumar & Srivastava, 2005). The main goal of the Family Class in Canada's *Immigration and Refugee Protection Act* is to

NOORFARAH MERRALI
Dr. Noorfarah Merrali is an Associate Professor of Counselling Psychology in the Department of Educational Psychology at the University of Alberta. Her research interests include family class immigration, acculturation patterns and the impact of the cultural transition process on immigrant and refugee families, and immigrant and refugee mental health.

bring family members together (Citizenship & Immigration Canada, 2002a). In the last five years, 55 to 60 percent of men who submitted immigration applications to Citizenship and Immigration Canada applied to sponsor their wives to come here after marrying them in a foreign country (Citizenship and Immigration Canada, 2003, 2004).

Women's Misunderstandings of Sponsorship

The sponsorship application that the Canadian husband files with Citizenship and Immigration Canada asks for the South Asian wife to become a permanent resident of Canada. Under the sponsorship agreement between the husband and the Government of Canada, he becomes responsible for meeting his wife's financial, social, and health care needs for the first few years after she arrives in Canada (Citizenship & Immigration Canada, 2002a). It is hoped that with the husband's support, over time the woman will develop the skills to support herself and to integrate; she will learn English (or French), try to make friends with other Canadians, seek employment, and adapt to Canadian ways.

Women who will be coming to Canada as sponsored wives in the Family Class are supposed to read and sign the sponsorship agreement so they understand their status once they arrive in Canada. In current practice, the sponsorship application is drafted, signed and filed in English. When we look at the profiles of women coming to Canada as sponsored wives in the Family Class, we see that: (a) South Asian countries are among the women's top countries of origin, and (b) approximately one-third of the women cannot speak or read and write in English (Citizenship & Immigration Canada, 2003). Because of these profiles of sponsored women, sometimes the task of explaining the nature of sponsorship is left to the husband or his family (mother or father-in-law) (Cote, Kerisit, & Cote, 2001; Kumar & Srivastava, 2005). So, it is not surprising that two recent Canadian studies on the experiences of sponsored women found that they tend to misunderstand their rights as sponsored persons and also misunderstand their husbands' powers over them (Cote et al., 2001; Husaini, 2001). The results of the studies highlight how vulnerable women can become when they are not aware of their true status in Canada.

In a study funded by Status of Women Canada, Husaini (2001) consulted religious and community leaders from a variety of cultural groups to identify specific cultural practices that may pose challenges to women's safety and well-being. In speaking to members of the South Asian community, international arranged marriages came up.

The researcher then interviewed South Asian sponsored women. While some of them shared good experiences, other women's interview responses brought out many different types of problems they were experiencing since they arrived in Canada. These included: their husbands not letting them take English classes or go to look for work, not letting them get out and talk to people outside of their communities, threatening to cut-off financial support, deport them back to South Asia, or to prevent them from being able to see their children, and subjecting them to physical abuse.

In the Husaini (2001) study, the sponsored women's stories revealed signs of helplessness in cases where their husbands became barriers to their integration in Canada. They did not seem to see any way to change their experiences or to get help (Husaini, 2001).

The women's stories seemed to tell us their understanding of sponsorship was that: (a) the sponsored person is completely dependent on the sponsor for sustenance, (b) the sponsored person must maintain the relationship with her husband and follow all his demands to avoid being abandoned and losing financial support, and (c) the sponsor has the power to decide who the sponsored person interacts with and what she does and can terminate her stay in Canada at will. Kumar and Srivastava (2005) described a number of cases involving South Asian women who had similar misunderstandings of sponsorship that led them to tolerate severe emotional and physical abuse.

In another Canadian study, Cote et al. (2001) interviewed 16 women living in Ontario and Quebec who had been sponsored by their husbands after marriage in a foreign country. South Asian women who had arranged marriages were included among these women. The women's interview answers revealed a common experience that the researchers called "The Sponsorship Debt." The sponsorship debt is a family behaviour pattern where a husband (sponsor) and his family emphasize that the sponsored wife "owes" them for bringing her to Canada and keeping her here. A series of demands are placed upon the sponsored wife to repay this debt and to prevent deportation back to her home country. The demands may include doing certain household chores, giving up any earned income to the sponsor or his family, not interacting with anybody outside of the family or cultural community, tolerating abuse, and so on.

If the women in these studies recognized that sponsorship grants them permanent resident status in Canada and does not allow their husbands to cut-off financial support for them, the sponsorship debt and threats of deportation would not be a reality in their minds. If the women also realized that the Canadian government encourages their

In current practice, the sponsorship application is drafted, signed and filed in English. When we look at the profiles of women coming to Canada as sponsored wives in the Family Class, we see that: (a) South Asian countries are among the women's top countries of origin, and (b) approximately one-third of the women cannot speak or read and write in English.

full participation in the new society, they may have felt there is some support for them to try to integrate. Knowing the realities of sponsorship may empower women to protect themselves and to take steps to integrate when their sponsors try to block their efforts.

Changes to Immigration Policies and Procedures

The studies discussed were both conducted in the year 2001. In the following year, Citizenship and Immigration Canada (2002b) took a closer look at immigration policies and practices to see if some types of immigration may have different impacts on men and women. Sponsorship of marriage partners was identified as a form of immigration that may place women at risk for being mistreated, because the policy makes them dependent on the sponsor in the initial period after they arrive in Canada. Male sponsors have more power in the relationship than sponsored women, and it was recognized that this difference in power could be used to challenge women's attempts to integrate. A number of steps were taken to try to protect sponsored women from being mistreated. Men with a history of being physically abusive were no longer allowed to sponsor foreign brides. Also, the length of time the sponsored wife is dependent on her husband was reduced from 10 years to 3 years. In addition, statements were added to sponsorship documents saying that the sponsor does not have the power to remove the sponsored person from Canada and that abused women should seek safety from their sponsors, even if this would require applying for social assistance (Citizenship & Immigration Canada, 2002b).

New Research

It is not yet known whether these changes and precautions have improved sponsored women's understandings of their rights and of the limitations of their sponsors' power over them. For example, although the sponsorship agreement says that women who are being abused should seek safety from their sponsors, women may not know of any sources of help available to them. They could still feel trapped in a bad situation. Also, since the sponsorship agreement is still presented in English, it is possible that women who know English may benefit from the changes to the document, whereas those who do not know English may still be vulnerable to misunderstandings that come about through explanations of sponsorship by third parties. It is also not clear whether the other changes discussed above have improved South Asian sponsored women's resettlement experiences in Canada.

A two year study is being conducted by Dr. Noorfarah Merali in the Department of Educational Psychology at the University of Alberta in partnership with the Indo-Canadian Women's Association to determine how the changes made by Citizenship and Immigration Canada are working. The study will also identify further steps that can be taken to reduce the vulnerability of sponsored women. The study is being supported by funding from Metropolis and the Immigration and Intergovernmental Relations Branch of Alberta Human Resources and Employment.

The study has three goals: (a) to analyze available information about sponsorship through Citizenship and Immigration Canada and settlement agency sponsorship orientations, (b) to examine understandings of sponsorship rights among English-speaking and non-English speaking South Asian women who have entered Canada through international arranged marriages after the year 2002, and (c) to examine understandings of sponsorship rights among South Asian males who are currently filing applications to bring their foreign brides to Canada. Male sponsors have been excluded from the previous studies on sponsorship. In this study, both women and men will be interviewed about the difference between the sponsor and sponsored person's rights and limitations, how they think sponsorship may affect or has affected the marital relationship and women's integration, what would happen to the sponsorship if the relationship were to break down, and where they could go for help if they experienced problems.

Each part of the research will identify directions for policy change. For example, if available sponsorship information focuses more heavily on conditions of sponsorship than family members' rights, and sponsors show misunderstandings of their rights that they then communicate to their wives, there may be a need to make changes to existing documents or to introduce a mandatory rights-based orientation for sponsors. Also, if there is a difference in understandings of sponsorship between women who know English and those who do not, it may become necessary to translate sponsorship documents into the women's first languages. Furthermore, if women are not aware of where they can go if they experience abuse or sponsorship problems or are uncomfortable independently accessing help, it may be important to connect sponsored women to settlement agencies for at least a single visit. This would

Sponsorship of marriage partners was identified as a form of immigration that may place women at risk for being mistreated, because the policy makes them dependent on the sponsor in the initial period after they arrive in Canada. Male sponsors have more power in the relationship than sponsored women, and it was recognized that this difference in power could be used to challenge women's attempts to integrate.

ensure that they have a contact outside of the family that can be activated if they need help or a referral in the future. A clear picture of both sponsors' and sponsored persons' understandings of sponsorship and the key sources of information shaping these understandings will inform changes to policies and procedures to protect vulnerable women from maltreatment and to promote their integration in Canada.

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SPONSOR QUESTIONNAIRE Sponsorship of a spouse, common-law partner or conjugal partner

IMM
5540
(02-2004)
English

This document must be completed and included with your application to sponsor if you are sponsoring your spouse, common-law partner or conjugal partner. Provide a complete and precise response to each question. Failure to provide this information will delay processing and could result in a refusal of your application.

If there is not enough space on the form to answer any questions in full, provide details on additional sheets of paper. Make sure you have indicated your name, the form's title and the number or letter of the question you are answering.

1. Your full name

Family name Given name(s)

2. Your date of birth

Day | Month | Year

3. What language(s) do you speak?

4. Provide the following details of your father and mother.

	FATHER	MOTHER
Family name	<input type="text"/>	<input type="text"/>
Given name(s)	<input type="text"/>	<input type="text"/>
Date of birth	Day Month Year	Day Month Year
Address	<input type="text"/>	<input type="checkbox"/> Same as opposite or <input type="text"/>

5. What is the highest level of education you have completed?

<input type="checkbox"/> Elementary/Primary school	▶ Number of years completed	<input type="text"/>	<input type="checkbox"/> College/University	▶ Number of years completed	<input type="text"/>
<input type="checkbox"/> Secondary/High school	▶ Number of years completed	<input type="text"/>	<input type="checkbox"/> Post-graduate studies	▶ Number of years completed	<input type="text"/>

6. Are you currently employed?

Yes No

7. Starting with your current employer, if applicable, give details of all employers you have worked for over the past five years.

If insufficient space, use a separate sheet of paper.

Dates						Employer Give name, complete address and phone number for each employer	Occupation/Position	Monthly salary/income
From			To					
D	M	Y	D	M	Y			

8. Have you resided in countries other than Canada?

No

Yes ▶ Give the name of the countries where you resided, your complete address(es) and telephone numbers in these countries, as well as period of residence at each address.

Country	Address(es) and telephone numbers	Period of residence					
		From			To		
		D	M	Y	D	M	Y

9. Are you a naturalized Canadian or permanent resident of Canada?

- No
- Yes

▶ On what date did you become a permanent resident?

Day	Month	Year

Which Canadian visa office issued your immigrant visa or confirmation of permanent residence?

--

10. Were you yourself sponsored to come to Canada?

- No
- Yes

▶ When?

Day	Month	Year

What type of sponsorship (i.e., spouse, parent, dependent child, other relative) was it?

11. Are you currently living in Canada?

- Yes

▶ Since when?

Day	Month	Year

Your address in Canada

- No

▶ When do you plan to return to Canada to resume residency?

Day	Month	Year

Where do you plan to live upon your return to Canada?

--

Provide proof of your intention to re-establish in Canada. Attach photocopies of one or more of the following document(s), as applicable.

- Job offer in Canada
- Employment contract in Canada
- Letter of acceptance by an educational institution in Canada
- Property rental agreement
- Property deed
- Mortgage on property
- Other ▶

--

Give details of your plans to re-establish yourself in Canada

12. Are you living with someone?

- No
- Yes

▶ Give the name (family name and given name) and relationship to you of the person(s) you live with. If insufficient space, use a separate sheet of paper.

Name	Relationship to you

13. Do your friends and family know about your relationship with your spouse/partner?

- Yes
- No ► Explain below. Use a separate sheet of paper if you need additional space.

14. Has your spouse/partner met any of your close friends or family?

- No ► Explain below. Use a separate sheet of paper if you need additional space.

- Yes ► Give their names, the date your spouse/partner met them and their relationship to you (for example, friend, brother, sister, cousin, etc.).

Name	Day	Month	Year									Relationship to you

15. Do you have any children?

- No ► Proceed to 16.
- Yes ► A. List your children, including those from all your previous relationships, if applicable. Provide for each their name, relationship to you (son or daughter) and date of birth. If insufficient space, use a separate sheet of paper.

Name	Relationship to you	Date of birth		
		Day	Month	Year

► **B.** If any of your children listed in **A.** do not live with you, give details of your formal/informal visitation rights. Indicate how often you visit your children and if you provide any financial support for them.

► **C.** Has your spouse/common-law partner/conjugal partner met your children?

Yes

No ► Explain why.

16. Have you ever submitted a sponsorship application for another person before?

No

Yes ► Give details below. If you have submitted more than one sponsorship application, provide for each application the information listed below on a separate sheet of paper.

Family name

Given name(s)

Date of birth

Day	Month	Year

 Relationship to you

17. Have you ever been married or in a common-law or conjugal partner relationship before?

No

Yes ► Give details of your previous spouse or partner below. If you have had more than one spouse, common-law or conjugal partner, provide for each the information listed below on a separate sheet of paper.

Family name

Given name(s)

Date of birth

Day	Month	Year

Address
No. and Street

Town/City Country

Length of relationship

Day	Month	Year

 To

Day	Month	Year

 Date of divorce/death

Day	Month	Year

 ► Attach divorce papers/ death certificate.

Date of separation

Day	Month	Year

On a separate sheet of paper, provide any additional details of your current relationship that you believe would help to prove your relationship is genuine and continuing.

Sponsor's signature Date

Day	Month	Year

SEPARATION AND REUNIFICATION AMONG FILIPINO FAMILIES IN VANCOUVER

ABSTRACT

We report on the experiences of 23 families who have reunited in Vancouver, after years of separation while the wife/mother was registered in the Live-in Caregiver Program, working as a live-in domestic worker on a temporary work visa. We identify several problems, including poor academic performance among youth. We argue that the long period of family separation plays a large role in creating these problems.

In October 2005, Immigration Minister Joe Volpe stated: “We have to start thinking about the Immigration Department as the recruiting vehicle for Canada’s demographic and labour market needs...we are the lungs of the country (Jimenz, 2005, A1). He recommended a more flexible system that would allow temporary workers to apply for landed immigrant status after working in Canada for several months, “in the same way that live-in caregivers can apply for permanent residency after two years working as nannies” (Jimenz, 2005, A6). Before taking the Live-in Caregiver Program (LCP) as a model to emulate, we need to look closely at the experiences of those who have passed through it to become Canadian citizens. A key issue is that temporary work visas are issued to individuals. These individuals frequently have families – husbands and/or children – who are left behind while individuals labour in Canada on temporary visas. This was the case for roughly one third of the women who came through the LCP in 2003. Many families separated through the LCP have now reunited in Canada, and this allows the opportunity to examine closely the challenges posed by an extended period of family separation.¹ We will review a number of serious problems. We insist that these problems arise, not from inherent deficiencies of these particular individuals or families, or within the Filipino community, but as a direct result of the period of family separation regulated by the Live-in Caregiver Program. To return to Volpe’s anatomical analogy, if our goal is for healthy lungs – a young, vibrant, well-educated and highly skilled labour force employed in jobs suitable to their training, we need to think in terms other than temporary work visas.

We have attempted to document family separation during and reunification after the LCP by interviewing families in Vancouver who have lived through it. These interviews were conducted between June 2004 and June 2005 and drew upon networks developed within the Kalayaan Centre and the help of a settlement worker, who provided further contacts. Altogether we gathered the experiences of 23 households.² As shown in Figure 1, the majority of these families have reunited in Canada since 1995.

Identifying Problems

Ours is not a representative sample, and every family in our study did not experience the same problems, or not to the same extent. Nonetheless, there are three common experiences: marital discord; strained relations between parents and children; and poor occupational prospects for children. The latter is particularly troubling because so many of the hopes of immigration are tied to dreams of children’s success.

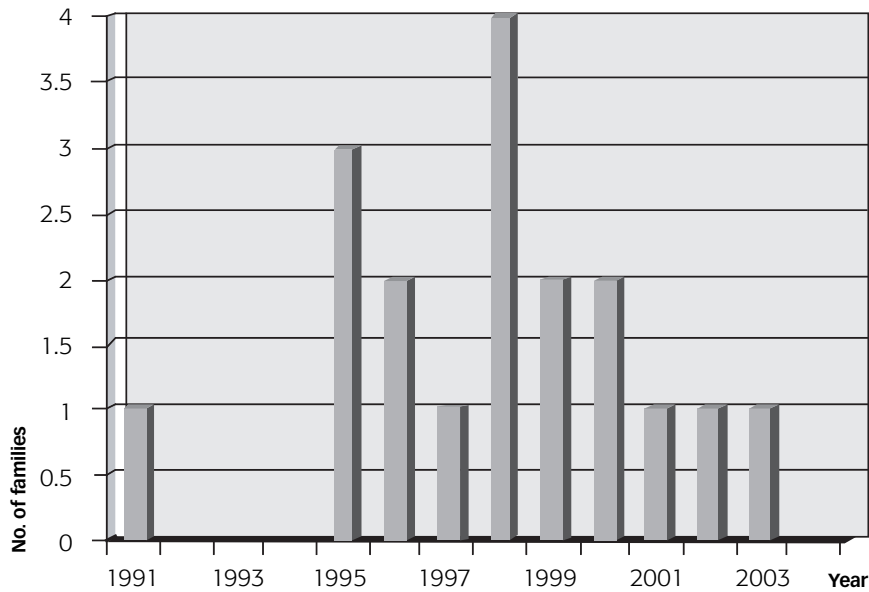
The challenges for children differ depending on their age when they arrive in Canada. As shown in Figure 2, the median age of children at reunification was 12. Those who arrived in their late teens had a particularly awkward relationship with educational institutions and accreditation. The case of Melanie is indicative. Enrolled at the Central Philippine University studying business management, she was able to join her mother in Vancouver at age 18. Her English was assessed at a grade 10 level and she required both English and Math to receive high school accreditation in Canada. She enrolled at an adult education learning centre for 6 months but “lost interest” and got a job at McDonald’s, where she has worked for the last 5 years. Her friends are mostly daughters of mothers who have come through the LCP and, like Melanie, they have no high school accreditation in Canada. In other cases, the children were too old to be sponsored as dependents. In one such family, the daughters, one trained as a nurse, are now themselves registered in the LCP, literally repeating their mother’s passage (complete with the deskilling – from nurse to domestic worker) into Canada through the LCP.

Unfortunately the prospects for younger children seem little better. Of the 14 children in our sample who are now aged 18 or older, half had not completed high school and only 4 were enrolled in post-secondary educational institutions. Analysis of the BC Ministry of Education data sets indicate that

GERALDINE PRATT

In collaboration with the Philippine Women Centre and the Filipino-Canadian Youth Alliance
Geraldine Pratt is a Professor in the Department of Geography at the University of British Columbia. The Philippine Women Centre was launched in 1990 to empower Filipino women as well as to address issues related to their rights and welfare. The Filipino-Canadian Youth Alliance undertakes public education and advocacy work, as well as offering Tagalog lessons and other services.

Figure 1: Year of Reunification



children who speak Tagalog at home (likely first generation immigrants) have among the lowest graduation rates from high school in the Vancouver Mainland, and the lowest median grade point averages among those who do graduate.³

Implicating Family Separation

We identify 6 ways that the period of family separation, integral to the way in which the Live-in Caregiver Program is structured, is central to these problematic outcomes. First and most simply, the separation itself causes stresses on marriages. One quarter of the women in our small sample separated from their husbands during the separation enforced by the LCP or soon after reuniting in Vancouver. It is important to recognize how long are the periods of separation. Families have been separated for many, many years (Figure 3): the

median number of years separated was 9. As the figure makes clear, not all of these years were spent in Canada; many LCP registrants have already spent years working as domestic workers in Hong Kong or Singapore. Even so, the median number of years separated through the LCP was 5. It is deceptive, then, to gauge years of actual family separation from the regulations of the LCP, which stipulate that 24 months must be completed as a live-in caregiver within a 36-month period, before registrants can pass onto the stage of applying for permanent resident status. The reasons for the delays are various, and in many cases are tied to the need to save in order to cover the costs of processing the application in both Canada and the Philippines.

But beyond the brute fact of separation, there are more subtle dynamics at work, also related to the period of

Figure 2: Children's Age When Reunited

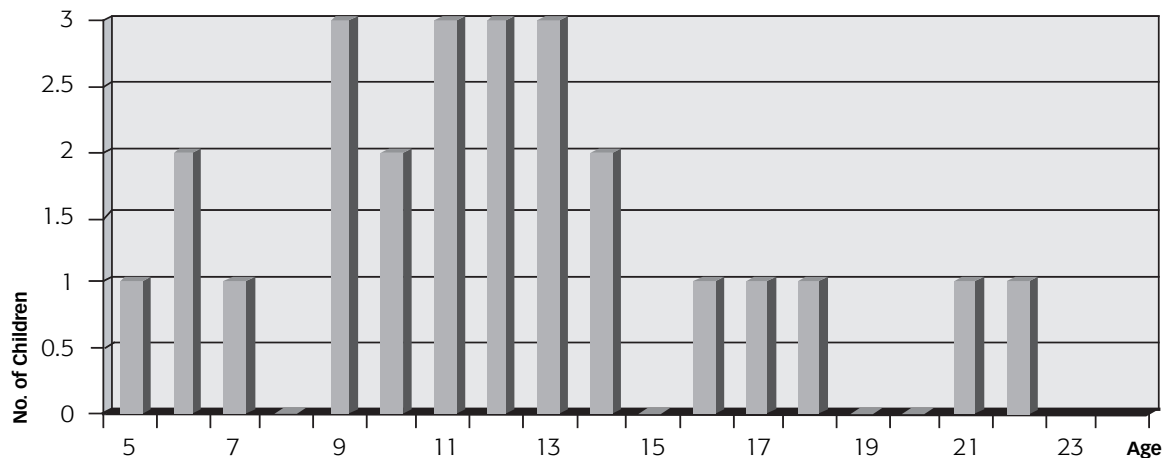
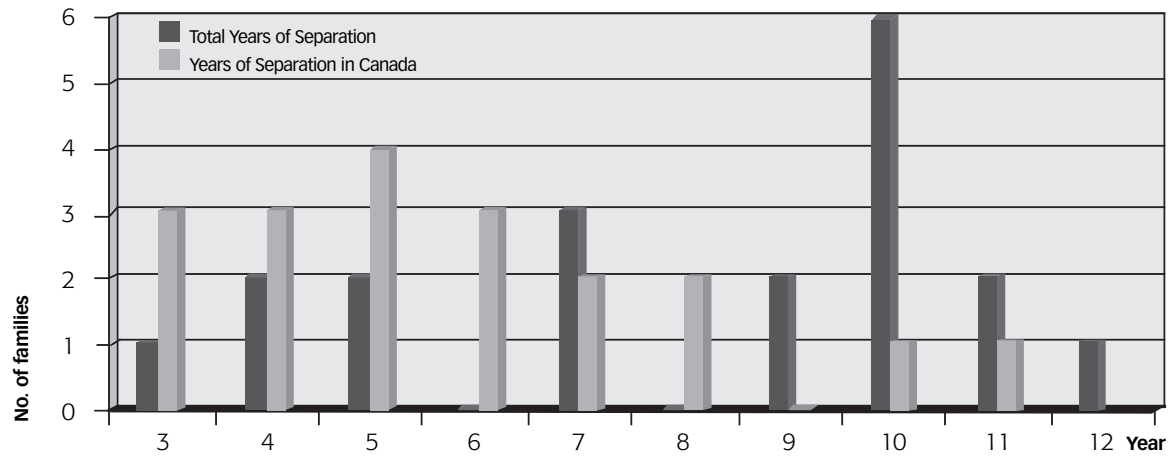


Figure 3: Years of Separation



separation. First, the process of staged migration – LCP registrant followed years later by her family – sets up a dynamic of indebtedness and sacrifice within the family which itself can generate conflict. Women who have laboured as live-in caregivers often feel that they have sacrificed a great deal for their families, and it can be difficult for their husbands and children to honour this sacrifice, especially when they are dealing with the shock of their own migration experience. Second, women who come through the LCP not only pave the way for their family’s migration to Canada; in many cases they radically improve the family circumstances in the Philippines through the remittances that they send home. As Rhacel Parrenas (2005) has demonstrated, it is often middle class, professional families who send family members overseas as contract workers, precisely to maintain and enhance their middle class standing in the Philippines in the face of the privatization and deterioration of public services, especially education and health care services. Many of the children in our small sample went to private school in the Philippines and a number had nannies of their own. What this means is that there is often a disjuncture in the class and life circumstances of family members in Vancouver and the Philippines – enhanced through the remittances generated in Vancouver. Reunification is often experienced by husbands and children as a radical and surprising decline in class standing. Lily, for instance, described her daughter as being extremely angry for almost 8 months after arriving in Vancouver in 2003 at age 12, following a separation of 10 years. In her view, a good part of this was tied up with her daughter’s distress about their economic situation in Vancouver.

The fourth and fifth impacts of staggered family migration are tied up with the fact that women who come through the LCP are typically already deskilled by the time their family arrives (Pratt, 2004; Pratt in collaboration with the Philippine Women Centre, 2003). Two thirds of the women in our sample had university degrees; most now work as housekeepers or home support workers in Vancouver. As a consequence they are often working at multiple jobs. The causality between deskilling and family separation is complex and circular because

the staggered migration is an important part of the deskilling process. It is not only that women who have been registered in the LCP lose confidence in themselves and occupational experience whilst working as live-in caregivers. In the years immediately after completing the requirements of the LCP they have few financial resources because they are both sending large sums of money home and saving to bring their families to Canada. A common strategy is to take a short 6 month part-time or full-time course that allows entry into the most casualised and vulnerable parts of the health care employment sector: home support, elder care and nurses’ aid. There are two important effects of this deskilling on family life and reunification in Vancouver. First, because many women are working at numerous jobs, they are little more available to their children and husbands in Vancouver than when they were in the Philippines. And second, many children expressed a tremendous responsibility to contribute to family income as soon as possible. As Albert expressed it: “You see them killing themselves working. You just get this feeling, like when you see your parent working so hard, you realize that you need to help them because you don’t want to see them, like a 40 year old mom looking 60 because she’s killing herself working. No sleep. No anything.”

The final effect of separation is harder to pinpoint but possibly the most powerful, and this is the sheer trauma of loss and separation. Children told us many stories of their separation experiences, and quotations from the interview transcripts best express these experiences. Jovy, who was left in the care of her father’s siblings at age 3 1/2, and was separated from her mother for 10 years, remembered: “And I don’t remember hearing much from mom or seeing a lot of her since she went abroad...I cannot even remember what she looks like. I remember my dad showing my mother’s picture to me and telling me that that was my mom. I said: that was not my mom. I was thinking at the time that he was introducing another lady and he was trying to brainwash me that the woman in the picture was my mom. That’s why I said: No, that is not my mother.”

The mother of two brothers, Jack and James, left to come to Canada when they were 2 and 7 and it was 7 years before she was able to bring them to Vancouver. Though she visited them for 2 weeks every year, they remember talking on the phone to her as “scary, because you are almost talking to a stranger. And she is asking us all these questions like, ‘How are you?’ I would say, ‘I’m okay.’ It is weird because you cannot see the face...The hardest part is when she comes home [to the Philippines] and leaves again. It is very distressing for us. She visited us, I think, 5 times before she finally sponsored us and got us. We would be scared [during these visits]. We would usually try to avoid her for the first week. It’s just weird for us. We were little when she left, so we don’t fully understand these things.”

John’s mother left for Hong Kong when he was 3 years old and it was 10 years before they were reunited. When she came home to the Philippines, he remembered: “Once she leaves, they make me sleep first. And when I woke up, she is already gone. Because I won’t let her leave. They would let me sleep before she leaves, and she would leave a recorded tape for a message.” In a later interview, John repeated the memory: “It’s really painful. Someone else raising you when you were a kid. It’s family too [his mother’s sister], but then it’s different not being with your mom. I remember they had to put me to sleep before my mom could leave to go, because they know that I wasn’t going to let her go if I was still awake.”

Feelings of betrayal, of vulnerability to manipulation by a parent, of bewilderment, of not understanding or being able to interpret the sudden departure of one’s mother, the repetition of the same memory: these all resonate with standard accounts of trauma. The effects of this trauma – experienced within many families in the Filipino community in Canada – needs to be recognized and factored into ongoing assessments and criticisms of the Live-in Caregiver Program. And it is important to consider that for many youth the trauma is two-fold; they not only experience the trauma of separation from their mother but that of the second separation from the person who has cared for them in the Philippines in their mother’s absence, often a maternal grandmother or aunt.

Critical assessments of the Live-in Caregiver Program typically focus on domestic workers’ experiences whilst registered in the LCP: the potential for a range of abuses because they both live and work in the employer’s home, the violations of disreputable nanny agents; the process of deskilling experienced by many domestic workers. It is important to attend to all of these criticisms. Many women who come through the LCP endure these problems in order to achieve the great reward that follows the LCP: the opportunity to sponsor their family migration to Canada. Our recent work with families who have reunited in Vancouver indicate that new problems arise at the point of reunification, and that the long separation, enforced by the way in which the LCP is structured, is at the heart of these problems. Rather than celebrating temporary work visa programs as models of flexibility, we need to take a hard look at Canada’s longest running temporary work visa program, to understand its problematic effects over the long term.

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Notes

- ¹ In 2003, 4074 women and 225 men came to Canada on temporary work visas through the LCP; 91.4 % of these came from the Philippines, and roughly one third were married. In the same year, 2230 LCP registrants across Canada were granted permanent resident status, 97.3% of whom were women. They sponsored approximately 1100 spouses and dependents (Live-in Caregiver Program Fact Sheet, distributed at National Live-in Caregiver Program Roundtable, January 13 and 14, 2005).
- ² The methodology was a mixture of individual and group interviews. The original plan was to interview families (adults and children) together, followed by interviews with individual family members. Few families were willing to agree to this, and the scheduling of interviews accommodated individual’s willingness to be interviewed, and scheduling difficulties. Altogether, 23 interviews were conducted. Ten youth were interviewed without their parents, alone or with a friend or sibling. (Two of these are not included in this analysis because they describe the case of family separation that is quite different, where it was the father who worked overseas prior to immigrating to Canada.) For two, there was a repeat interview. For one family, children and mother were interviewed together. In the case of three families, children and adults were interviewed separately. For 5 families, husband and wife were interviewed together. For 6 families, the mother told the family story on her own, either because children were too young or did not want to participate. Four families participated in a dinner/focus group in which we reported back on initial impressions from the interviews, and they shared their stories among themselves. Altogether there were 6 interviewers, although the bulk of the interviews were done by three interviewers: Florachita Bautista; Cecilia Diocson and Charlene Sayo. Youth tended to interview youth; adults interviewed adults. The interviews were long, usually several hours. In some cases, a visit preliminary to the interview was necessary to establish rapport. Contacts came from existing networks of the Kalayaan Centre and those referred by an immigrant settlement worker (she asked families of their willingness to participate and passed along names of those who were). All of the interviews involving adults were conducted in either Tagalog or Ilocano. For youth, there was a mixture of English and Tagalog. Interviews were then translated and transcribed.
- ³ This analysis — indeed a fuller version of this entire paper — is forthcoming as a RIIM working paper. It is important to recognize that the BC Ministry of Education data set does not allow one to identify children who have experienced family separation through the LCP. Speaking Tagalog at home is a rough proxy, which no doubt includes a good number of first generation immigrant Filipino children whose mothers have not come through the LCP. The grade point averages and graduation rates of Tagalog speaking youth were compared to those of youth who speak Punjabi, Vietnamese, Chinese and English at home.

CANADIAN FAMILY REUNIFICATION POLICY IN THE CONTEXT OF RESETTLEMENT

ABSTRACT

This article looks at family reunification policy as it applies to refugees selected from abroad through Canada's Refugee and Humanitarian Resettlement Program. Family reunification is an important priority for the Refugee and Humanitarian Resettlement Program, and the author sketches the various aspects of the policy. This article was originally published in the Fall 2005 issue of *INSCAN: International Settlement Canada*. Permission to reprint the article here is greatly appreciated.

Overview

Canada's refugee program has two components: the in-Canada refugee determination system and the refugee resettlement from abroad program. Under the former, Canada assesses and grants protection to individuals who apply from within Canada and are found to be in need of protection. The overseas Refugee and Humanitarian Resettlement Program provides protection to refugees selected by Canada from abroad. Refugees selected from abroad are assisted in the integration process by the federal government, immigrant-serving agencies, as well as other service providers, and by private sponsors in the case of privately sponsored refugees.²

CIC recognizes the importance of family unity and its role in ensuring the successful integration of all immigrants. The *Immigration and Refugee Protection Act* (IRPA) sets out family reunification as one of its primary objectives in respect to both immigration more broadly and refugees more specifically. Further, Canada's citizenship and immigration programs have long been linked to families and strive not only to maintain family unity in the immigration process but also to ensure that separated families are reunited in Canada. Currently, immigrants to Canada may sponsor family members and close relatives (such as spouses and dependent children) who want to become permanent residents of Canada. In addition, the Minister has the authority to admit persons who have been separated from family members in exceptional circumstances on humanitarian and compassionate grounds. Finally, persons who are granted protection through the in-Canada refugee determination system are immediately allowed to apply for their family members who are still abroad to join them once they themselves apply for permanent resident status. It is therefore evident that family reunification is integrated into the entire immigration system; however, the intention of this paper is to highlight CIC's programs and policies related to family reunification for refugees selected from abroad through our Refugee and Humanitarian Resettlement Program.

CIC acknowledges that family reunification plays an essential role in restoring basic dignity to resettled refugees' lives, promoting the well-being of refugees, and facilitating their long-term success in Canada. IRPA states that one of its objectives is "to support self-sufficiency and the social and economic well-being of refugees by facilitating reunification with their family members in Canada." In addition, one of the four key program objectives of the Refugee and Humanitarian Resettlement Program is the facilitation of refugee family reunification. Given this reality, CIC actively pursues policies that reflect the unique situation and needs specific to refugee families.

One-Year Window of Opportunity (OYW)

It is well established that refugees settle more quickly if they do not have to worry about family members they have left behind. Previously in Canada, the only formal way in which resettled refugees could be reunited with their family once they arrived was through Family Class sponsorship. For many resettled refugees, it was very difficult to secure the financial arrangements to sponsor family members in a refugee-like situation and it often became a lengthy and problematic process. In recognizing the need to respond to the unique realities of refugee families, CIC incorporated specific provisions to ensure the rapid reunification of refugee family members stranded abroad with their family members in Canada through the most recent legislation.³

Refugees frequently find themselves separated at the time of their resettlement application through no fault of their own and require specific provisions to enable them to reunite more easily with family

JESSIE THOMSON¹
Jessie Thomson is a Senior Policy and Program Advisor with Resettlement Division,
Refugees Branch, Citizenship and Immigration Canada.

members. Given the particular vulnerability of resettled refugees, CIC noted the need for this to happen as quickly as possible and without the need for a family sponsorship. Therefore, in order to facilitate the rapid reunification of families, the Refugee and Humanitarian Resettlement Program allows for the concurrent processing of refugee family members who are residing in different locations. Further, where this is not possible because the family members' whereabouts are unknown, the legislation established the "one-year window of opportunity" which facilitates the rapid reunification of family members once their whereabouts do become known. Through this provision, persons in refugee-like situations abroad can be reunited with their resettled family in Canada.

To qualify for the "one-year window of opportunity," the separated family member can be processed as long as: the principal applicant has identified the separated family member on his or her application prior to departure for Canada; the separated family member submits an application at a visa office within one year of the date that the principal applicant arrived in Canada; and the separated family member meets the definition of a "family member" contained in our Regulations.⁴ A family member who is located after the one-year window has passed may be accepted as a refugee in his/her own right under either the government-assisted or privately sponsored refugee resettlement programs. Persons who are not eligible for admission under the aforementioned categories may be eligible under other immigration categories.

"De facto" Dependants

When pursuing family reunification policies, it is essential to understand that the notion of "family" will vary from culture to culture. Further, this notion of family is often redefined by the refugee experience and can lead to new linkages and dependency relationships. In the context of civil war and flight, many of the traditional structures that ensured the well-being of community members are disrupted. For example, a widowed sister may have become totally dependent on an older brother for her physical well-being after the death of her own spouse and children. As a result, it is essential to interpret "family" in a flexible and humanitarian spirit when developing family reunification policy for refugees, recognizing their unique needs and experiences.

In an effort to address this reality, persons who may or may not be blood relatives may be considered *de facto* dependants of individuals who are determined to be members of one of the three refugee classes.⁵ *De facto* dependants must establish that they are dependent on the principal applicant. The dependency must be emotional or financial, or a combination of both factors, and normally means that they live with the principal applicant as members of the same household. *De facto* dependants must also meet

the definition of refugee in their own right even when a dependency relationship is established. CIC assesses *de facto* dependants sympathetically in an effort to keep family units together. If the *de facto* relationship cannot be established, then the applicant must be assessed on his/her own, and prove to be a refugee in his/her own right.

Private Sponsorship of Refugees (PSR) and Family Reunification

The PSR program has been an innovative example of successful cooperation between the government and volunteer sectors for over 25 years. Under the PSR program, organizations and individuals may sponsor applicants who are deemed to be Convention Refugees or in refugee-like situations in accordance with our *Immigration and Refugee Protection Act*.

Through the PSR program, although not intended to be primarily a family reunification program, individuals who meet Canada's resettlement criteria can be reunited with extended family members in Canada. As in the case of all refugees resettled through our Resettlement Program, privately sponsored refugees must fall within one of Canada's three refugee classes and must have no reasonable prospect of another durable solution.

Separated Minors

UNHCR notes that refugee children face much greater challenges to their safety and well-being than average children.⁶ The circumstances that cause refugees to flee often disrupt family and community structures and increase the vulnerability of refugee children. Therefore, special attention must be paid to the needs of minors, particularly when they find themselves separated from their family unit. The preferred solution for most minor refugees is to reunite them with their family members. CIC recognizes that reunification with relatives in Canada

is most desirable when there are no relatives overseas.

If a child cannot be reunited with his or her parents or family members overseas and has a blood relative in Canada, CIC will regard such cases as *consanguineous minors* and consider them for resettlement. CIC also tries to facilitate resettlement of minors who are deemed to be *de facto* dependants of a principal applicant overseas. Canada currently has a moratorium against the resettlement of completely separated minors, recognizing that, in such cases, CIC and its settlement partners cannot provide the necessary support required to meet the special needs of separated minors. When UNHCR identifies a separated minor in need of urgent protection and when UNHCR and Canada consider resettlement to Canada necessary, Canada will work with the Province and try to facilitate resettlement, which includes finding a suitable legal guardian for the child. However, if an appropriate guardian in Canada cannot be identified, Canada will suggest to UNHCR that the separated minor be resettled elsewhere.

When pursuing family reunification policies, it is essential to understand that the notion of "family" will vary from culture to culture. Further, this notion of family is often redefined by the refugee experience and can lead to new linkages and dependency relationships.

CIC therefore works closely with UNHCR to determine whether resettlement is an appropriate solution for each separated minor refugee. CIC has recognized the value of assessing the best interests of separated minors and has incorporated best interest determinations in its assessments of such cases as a matter of policy.

DNA Testing and Family Reunion

Verification of a parental relationship is fundamental to ensuring the protection of children, particularly, in the context of increasing incidents of human trafficking. UNICEF cites that as many as 1.2 million children are being trafficked each year for the purpose of cheap labour and/or sexual exploitation.⁷ Consequently, while DNA testing has been both controversial and complicated in family reunification procedures, CIC asserts the importance of proof of biological parentage in order to ensure that the best interests of all children are always protected. Therefore, CIC maintains that, when evidence of a *bona fide* relationship is not satisfactory, applicants may then be advised to undergo a DNA test by a laboratory to substitute for such evidence. Given the cost of DNA testing and the added time required for such tests, DNA testing is used only as a last resort to verify relationships.

CIC is continually working with the medical field to bring down the cost of DNA tests in Canada in order to ensure that such tests are accessible to refugees.

The Family Unit and the “Ability to Establish”

CIC recognizes the importance of the family unit in the settlement process. Therefore, CIC takes family unity into consideration when assessing a refugee’s “ability to establish” in Canada. Family members are assessed collectively rather than individually with regard to their “ability to establish.” For example, if the principal applicant and his/her spouse do not speak one of Canada’s official languages, they could be assessed on the basis that they have school-age children who are able to speak either French or English and who will assist them in accessing integration services. Non-accompanying family members who apply to join their family in Canada through the “one-year window of opportunity” are not assessed on their “ability to establish” in their own right, as CIC officials have already assessed the ability of the entire family unit to establish in Canada.

Excessive Medical Demand

As CIC’s Refugee and Humanitarian Resettlement Program emphasizes protection and family unity, medical requirements that previously applied to resettled refugees and their dependants no longer result in refusal, unless the person is deemed to be a threat to public health and safety. Therefore, in accordance with IRPA, Convention Refugees and persons in need of protection, as well as their spouses, common-law partners, conjugal partners, and their dependent children, are no longer refused entry if they have a health condition that places “excessive demand” on health or social services.⁸

Conclusion

Maintaining the integrity of family units is an essential aspect of refugee protection. In order for Canada to fulfill its international humanitarian commitments and to achieve our departmental goals of refugee protection, CIC’s Refugee and Humanitarian Resettlement Program must pursue innovative policies and strategies in line with the *Immigration and Refugee Protection Act* to ensure that family reunification is a component of refugee protection. Such resettlement policies and strategies must take into account the unique realities and circumstances faced by refugee families in flight, in their first country of asylum, and once they arrive in Canada. Family unity not only ensures the physical and emotional well-being of refugee family members, it also enhances settlement prospects and facilitates self-sufficiency. Therefore, family reunification of refugee families is an important priority of Canada’s Refugee and Humanitarian Resettlement Program and continues to be at the forefront of CIC’s international and domestic efforts.

Notes

- ¹ The views expressed in this article are those of the author and do not necessarily reflect the opinions of Citizenship and Immigration Canada or the Government of Canada.
- ² *Government-Assisted Refugees* are refugees referred to Canada by UNHCR and supported through Canada’s Resettlement Assistance Program. *Privately Sponsored Refugees* are supported by voluntary sponsoring groups, who provide them with lodging, care, and settlement assistance.
- ³ *Immigration and Refugee Protection Regulations, Section 141.*
- ⁴ *Section 1(3) of the Immigration and Refugee Protection Regulations* defines “family member” as the spouse or common-law partner and the dependent child of the principal applicant; the dependent child of the spouse or common-law partner; and the dependent child of a dependent child of the principal applicant or the principal applicant’s spouse or common-law partner.
- ⁵ The three refugee classes are: Convention Refugees Abroad Class, Source Country Class, and Country of Asylum Class.
- ⁶ UNHCR, “Refugee Children: Guidelines and Protection and Care” (Geneva, 1994). Available online at: <<http://www.unhcr.ch/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3b84c6c67>>.
- ⁷ UNICEF Web site, Section on “Child protection – Trafficking and sexual exploitation”: <http://www.unicef.org/protection/index_exploitation.html>.
- ⁸ *Immigration and Refugee Protection Act, Section 38(2)(b).*

ENDING THE NIGHTMARE

Speeding up Refugee Family Reunification

ABSTRACT

Prolonged family separation is a nightmare experienced by many refugees in Canada, engendering significant psychological, social and economic costs that are borne not only by the individuals affected but also by Canadian society as a whole. The problem of slow refugee family reunification is a longstanding one, which has prompted criticism of Canada by the UN Committee on the Rights of the Child. Despite this, the Canadian government has not given a high priority to overcoming the barriers and processing delays in refugee family reunification. It is argued that this is because family reunification is perceived as a private, rather than a public, good, and thus its promotion is not seen as necessary for the benefit of society as a whole.

Refugee family reunification is among the Canadian immigration program's most widely supported goals. Whether you consider the matter from an economic, social, psychological or human rights perspective, it only makes sense to bring to Canada as soon as possible the immediate family members of refugees who have been granted protection in Canada. Yet, despite all the reasons that should favour speedy refugee family reunification, Canada has a long tradition of keeping many refugees separated from their families for years.

Take the experience of Mahmoud and Samira¹ who fled persecution in Algeria in July 2000. Less than a year later, in June 2001, they were recognized as refugees in Canada. They hoped that, having been granted refugee status, they would be able to reunite quickly with their two eldest daughters, whom they had been forced to leave behind in Algeria. It was to take four painful years. Mahmoud described his and his wife's experience of the separation as "more than a nightmare." The daughters finally arrived in 2005, five years after their parents and younger siblings had left them, having been kept separated from their family for most of their adolescence by Canada's immigration processing.

"More Than a Nightmare" is the title the Canadian Council for Refugees gave to a report on refugee family separation, published in November 2004.² The phrase aptly captures the mostly private trauma suffered by the refugees and their family members experiencing prolonged separation.³ Their difficulties are compounded by the lack of public recognition of the problem, which means that those caught up in the delays are left to their lonely suffering, with perhaps even a sense that they should shoulder the responsibility for the problem they are experiencing. Certainly, refugees in Canada frequently report that their family members blame them; their reasoning is that they must not be trying hard enough to bring them, since they find it difficult to believe that an efficient and reputedly refugee-friendly country such as Canada could be responsible for such long delays.

The personal dramas of separated families provide the single most compelling argument in favour of speeding up family reunification. But there are also significant public policy considerations. The longer the separation, the slower the integration of the refugees in Canada, who cannot really settle down here as long as they are worrying about their family members overseas. Mahmoud and Samira, for example, were so preoccupied about their daughters left behind that they were unable to put their minds to advancing themselves professionally. Refugee women in Canada with their children struggle as single parents while waiting for their husbands to be able to join them. When the family members finally arrive, Canadian social institutions may pay the price of their prolonged stay in unfavourable conditions, such as in refugee camps or living in a country without secure status: children who are several years behind in their education, spouses and children whose health has been undermined and who will need more care. Reuniting the family after a long separation also has challenges of its own: spouses who have grown apart and children who have felt betrayed by their parents may face a rocky road as they start to live together again.

Such considerations as these have led members of the Canadian Council for Refugees to conclude that the costs of prolonged family separation are heavy not only for the refugees and their families themselves, but for Canadian society. It is an area, however, which seems to have been little studied by researchers, leaving the scale of the cost, and who pays it, largely unknown.

Yet the problem of refugee family separation is not a new one. Already in the early 1990s, the members of the Canadian Council for Refugees were deeply concerned about long delays in family reunification. This was the period when, for the first time, large numbers of refugees began to be accepted in Canada, since towards the end of the 1980s, when numbers of refugee claims increased, the refugee determination system was in transition and few refugee decisions were being made. In 1989, the new refugee determination system came into effect, and the backlog program began (painfully slowly) to process the applications of those who arrived before 1989. As a result, in the early 1990s, Canada began for the first time to see significant numbers of applications from refugees seeking to reunite with their families. In 1992, the Canadian Council for Refugees struck a Task Force on Family Reunification, chaired by John Frecker, to inquire into problems of family separation being experienced by refugees. The Task Force published its report, including recommendations, in 1995.⁴

Refugee advocates were not the only ones to be concerned about slow family reunification for refugees. In 1995, the UN Committee on the Rights of the Child, reviewing Canada's first report on its compliance with the Convention on the Rights of the Child, expressed its concern over "the delays in dealing with reunification of the family in cases where one or more members of the family have been considered eligible for refugee status in Canada." They recommended that "every feasible measure be taken to facilitate and speed up the reunification of the family in cases where one or more members of the family have been considered eligible for refugee status in Canada."⁵ The Committee was evaluating Canadian realities against the obligation under Article 10 of the Convention on the Rights of the Child, according to which "applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner."

The Canadian government had not been indifferent to the delays in family reunification. In 1993, regulatory changes were implemented that allowed refugees to include family members in their own application for permanent residence, rather than having, as previously, to first become permanent residents and then sponsor family members. This change promised to speed up reunification,

since processing of family members could take place, at least in theory, concurrently with the processing of the refugee's application for permanent residence. It also removed some significant barriers to family reunification by eliminating the requirement to sponsor family members (sponsors must submit to an additional series of criteria and responsibilities).

However, as the 1995 observations of the UN Committee on the Rights of the Child indicate, this regulatory change did not resolve the problem of long delays in family reunification. Part of the reason is that family members cannot travel to Canada until the refugee has been granted permanent residence, and that process itself can take years.

This was the case for Samira and Mahmoud. Their application for permanent residence was approved in principle in September 2001. Then began a series of problems. In early 2002, the applications of Samira, Mahmoud and their children in Canada were ready, but at that time the law did not allow those in Canada to become permanent residents while their family members overseas were still undergoing processing.⁶

In June 2002, the *Immigration and Refugee Protection Act* came into effect, including a new requirement that refugees in Canada have an up-to-date medical clearance. In February 2003, instructions were sent to the family in Canada to re-do their medical exams. Unfortunately, there were delays in the transmission of the medical results. By the time the medical results were received, their security clearances were out-of-date. In September 2003, the family received a request for updated information in order to do new security clearances. Then came months of waiting with no news. In September 2004, after persistent inquiries by the family, they learned that Samira's security clearance had been received by Citizenship and Immigration Canada (the reason for the delay was not explained but indications suggest that her file had been misplaced).⁷ By

then the medical was again out-of-date. Samira finally got her permanent residence in early 2005, nearly three years after she applied.⁸

The second major cause of delays relates to the processing by the visa post overseas of the family members. Citizenship and Immigration Canada (CIC) publishes on its website average processing times, by visa post, for different categories, including family members of refugees. These times cover only the period from the time the visa post receives the completed application from the

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family member – the actual waiting time is longer, since before that clock starts, the file must be sent from the Vegreville Case Processing Centre to the visa post and the application sent by the visa post to the family members and received back completed. The average processing time is 12 months: half of the applicants wait longer. Processing times vary significantly by region: the fastest is Europe where the average is 7 months, the slowest is Africa and the Middle East, where the average is 15 months. There is even greater variation by visa post, with the slowest by far being Abidjan, where half of the cases take more than 29 months to process.⁹

The causes of the long processing times at some visa posts in particular are multiple and include inadequate human resources, communications difficulties and political instability. A major problem affecting many refugees, especially Africans, relates to the establishment of family relationship. Visa officers are understandably concerned that those presenting themselves as family members of a refugee in Canada are in fact who they claim to be. But in certain parts of the world, particularly the poorer regions and those affected by war, identity documents of the same high quality as we expect in the West are simply not available. In some cases, the documents submitted are deemed inadequate and refugees are told that they should have DNA testing done. These tests involve further delays, sometimes in part because the family needs time to collect the money to cover the significant costs of the tests. The tests also invade families' privacy, and sometimes come up with tragic results when children are shown not to be biologically related to the presumed father.¹⁰

In addition to the processing delays and barriers addressed above, some refugees are denied family reunification because the law does not provide for it. This is the case for refugee children in Canada, who are not able to apply for family reunification. While adult refugees can include on their application for permanent residence their spouse and children, child refugees cannot include their parents or siblings, nor is there any other mechanism in the law to provide for family reunification for separated child refugees.¹¹

In 2003, the UN Committee on the Rights of the Child heard the second periodic report by Canada. It expressed concern that some of its earlier recommendations, including those relating to family reunification, “have not been adequately addressed” and recommended that Canada “ensure that family reunification is dealt with in an expeditious manner.”¹²

The Canadian government has not, as a general rule, been very conscientious about responding to criticisms from UN human rights bodies. Has the renewed call for accelerating family reunification made an impression on government leaders? While there are signs that Citizenship and Immigration Canada has heard the

message, it is not clear that it is felt with any particular urgency. For example, six months after the Committee's observations, then Minister of Citizenship and Immigration Judy Sgro gave a speech on “Canada's Refugee Program: Upholding our Humanitarian Tradition into the 21st Century.”¹³ She spoke of the challenges facing Canada's refugee system and her vision for reforms, including “reaching finality on cases more quickly” so that refugees can be granted permanent residence and those who don't need protection removed. But nowhere does she mention the issue of the long delays in family reunification. For her, “finality” apparently comes when refugees achieve permanent residence, even though they are still separated from family members.

A year later, her successor, Joe Volpe, included in a speech on Canada's refugee program a reference to working on how refugees could be “reunified sooner with their family.”¹⁴ In January 2005, in response to a CCR recommendation, CIC issued new instructions calling for visa officers to expedite family reunification for separated children at risk, where the parents are refugees in Canada.¹⁵ It is a positive step, responding to a particularly vulnerable group of children, although its scope is quite narrow, excluding many children separated from both their parents, and even in cases where it applies, it is not clear how effectively the instructions are working. CIC has also increased the numbers of refugee family members processed abroad, exceeding their planned levels for 2004.¹⁶ However, the government has so far declined to accept the CCR's proposal for a simple way to bring refugee families together quickly (and comply with our obligations under the Convention on the Rights of the Child: allow family members of refugees to travel immediately to Canada to complete processing of their permanent residence from within the country.

The challenge faced by Canada with regard to delays in refugee family reunification has remained a low government priority in a political context where the predominant concern has been the perceived incapacity of the refugee determination system to deliver a quick decision on whether a person is a refugee or not, or of enforcement to deport in a timely way those not found to be refugees. While considerable political pressure has been placed on the Immigration and Refugee Board to speed up refugee decision-making, resulting in a comprehensive action plan and a target of a 6-month timeline for a claim to be determined, no such pressure or expectations have been placed on the refugee family reunification processes. While speedy refugee determination is identified as a public good, speedy refugee family reunification appears to be considered rather as a private good, not meriting general attention.

This perspective reflects a broader attitude towards family reunification of immigrants. While Canadians

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understand that individuals want to be able to bring family members, many think that the benefits of immigration to society as a whole come largely or solely from economic immigration. From this narrow and highly debatable position comes the notion that the interests of the general population (supposedly in maximizing economic immigration) are in conflict with the interests of a particular section of the population who want to be reunited with their families. Once we have a clearer understanding of how all categories of immigrants contribute to Canadian society, economically, culturally and socially, and of the costs of keeping families apart, we will have a healthier approach to questions about how to manage the immigration program, including what priority to give to expediting refugee family reunification.¹⁷

Notes

¹ Not their real names.

² Canadian Council for Refugees, *More than a Nightmare: Delays in Refugee Family Reunification*, November 2004, www.web.ca/ccr/nightmare.pdf

³ Of course, the experience of Mahmoud, Samira and their daughters is not typical, and some refugee families are reunited relatively quickly. However, long delays are common.

⁴ Canadian Council for Refugees, *Refugee Family Reunification. Report of the Canadian Council for Refugees Task Force on Family Reunification*, July 1995, www.web.ca/ccr/TFFR.pdf

⁵ United Nations, *Concluding observations of the Committee on the Rights of the Child: Canada*. 20/06/95. CRC/C/15/Add.37, §§13 and 24.

⁶ This rule was dropped when the *Immigration and Refugee Protection Act* came into force in June 2002.

⁷ Mahmoud's security clearance took longer to come. He was eventually given an interview by the Canadian Security Intelligence Service, who wanted to speak to him because he had the same name as someone of interest to them.

⁸ Citizenship and Immigration Canada (CIC) does not provide on its website statistics on the overall processing time for applications for permanent residence by refugees in Canada. They do provide an estimated time for "first stage of approval" which was 8 months as of 23 January 2006. This time does not cover the full processing period: the file must then be sent from the Vegreville Case Processing Centre to the local CIC office, who will complete processing and grant permanent residence. CIC also notes that some cases do not receive first stage approval at Vegreville and may experience further delays. <http://www.cic.gc.ca/english/department/times/process-in.html>.

⁹ The Abidjan post covers a number of countries in West and Central Africa, including the Democratic Republic of Congo, the source country of a large number of refugees in Canada.

¹⁰ The CCR reported on one such case in its report, *Impacts on children of the Immigration and Refugee Protection Act*, November 2004, www.web.ca/ccr/children.pdf. Having been shown not to be biologically related to his father, a young child was left behind in Nairobi after his siblings went to Canada to join their father. His mother had died and there was no way of even knowing who the biological father was. The effect of the DNA testing was to separate a boy from the only family he knew.

¹¹ See CCR, *Impacts on children of the Immigration and Refugee Protection Act*, November 2004, www.web.ca/ccr/children.pdf, pp. 6 ff.

¹² United Nations, Committee on the Rights of the Child, Concluding Observations: Canada, CRC/C/15/Add.215, 27 October 2003

¹³ Speech to the Immigration and Refugee Board Consultative Committee on Practices and Procedures, 11 May 2004.

¹⁴ Notes for an address by the Honourable Joe Volpe Minister of Citizenship and Immigration at the Consultative Committee on Practices and Procedures of the Immigration and Refugee Board, May 17, 2005, <http://www.cic.gc.ca/english/press/speech-volpe/irb.html>

¹⁵ CCR, *Annual Status Report 2005*, November 2005, www.web.ca/ccr/status05.pdf.

¹⁶ The immigration plan for 2004 called for between 4,000 and 4,800 dependants of refugees to be admitted, but 6,258 were actually admitted. Annual Report to Parliament on Immigration, 2005, http://www.cic.gc.ca/english/pub/annualreport2005/section3.html#3_1_1

¹⁷ The CCR has an ongoing campaign to promote family reunification and overcome the barriers that keep families separated. See the web page www.reunification.ca.

INTERCOUNTRY ADOPTION AND INTERCOUNTRY ADOPTION SERVICES

ABSTRACT

In Canada, adoption comes under the jurisdiction of provinces and territories; however, many federal government departments play a role in the process. Social Development Canada, (Intercountry Adoption Services) is the lead federal department in intercountry adoption.

Intercountry adoption is intended to provide a permanent solution for a child who cannot, for whatever reason, be brought up by his or her parents, and for whom no suitable care can be identified and arranged in his or her country of origin.

More and more Canadian families are adopting children from foreign countries to build the kind of family they want. Over the past five years, Canadian families adopted approximately 10,000 children (about 2000 per year). The tables in this article provide statistical data on children adopted between 2000 and 2004.

While adoption meets some of the needs of each member of the adoption circle, the primary focus in adoption is to safeguard and serve the best interests of the child. Therefore, it is incumbent upon Canadian authorities, and authorities in the child's country of origin, to ensure that that child's best interests are paramount.

This article provides general information about intercountry adoptions, the roles played by the provincial, territorial and federal governments, the process involved in adopting a child from another country, and issues related to intercountry adoption.

Provincial/territorial role

Under Canada's Constitution, the provinces and territories are responsible for social welfare matters, including adoptions. Each province and territory has its own legislation and policies regarding adoption and its own administrative structure. They are responsible for case management of individual adoption arrangements and supervision of adoption agencies that place children within their jurisdictions.

Intercountry adoption laws

Canada's role in intercountry adoptions is guided by the principles enunciated in Article 21 of the *United Nations Convention on the Rights of the Child*, and the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption*. These international conventions are intended to protect children's fundamental rights, to provide safeguards to ensure that intercountry adoptions take place in the best interests of the child, and to establish a system of cooperation among states to prevent the abduction, sale or trafficking of children.

Federal Departments involved

The following four departments have a role in intercountry adoption.

- Social Development Canada (SDC) is the lead federal department on intercountry adoption. SDC is also the Federal Central Authority under the *Hague Convention on Protection and Co-operation in Respect of Intercountry Adoption*, and as such, ensures, along with the provinces and territories, that the Convention is implemented. Intercountry Adoption Services (IAS) has the responsibility to undertake the work on the department's behalf.
- The Department of Justice is the official liaison to the International Conference on Private and International Law, i.e. the Permanent Bureau for the *Hague Convention on Intercountry Adoption*.
- Foreign Affairs Canada, through its missions abroad, provides consular services and acts as Canada's diplomatic liaison in communications and problem resolution.

PAM DANIEL
Pam Daniel has more than 20 years experience working in intercountry adoption for the federal government. She is presently with Social Development Canada.

- Citizenship and Immigration Canada considers applications of sponsorship from citizens and permanent residents who wish to adopt a child from a foreign country. CIC ensures that adoptions proceed in accordance with immigration legislation and in accordance with laws of foreign countries.

Role of the Intercountry Adoption Services (IAS)

IAS provides a liaison and coordination service to the provincial and territorial Adoption Co-ordinators. As such, its role is to work closely with them to provide links between them and other federal departments and foreign countries involved with intercountry adoption issues.

Intercountry Adoption Services carries out three main functions:

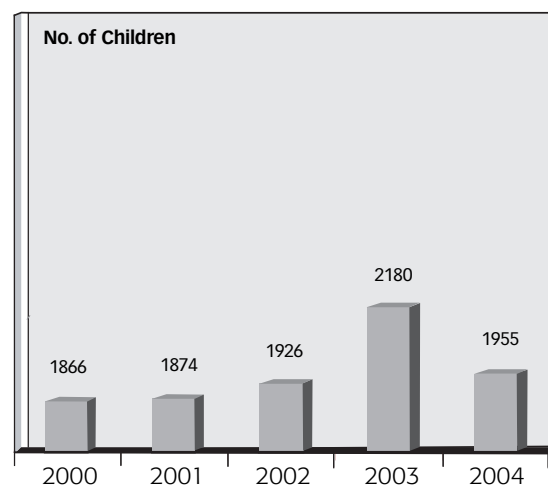
- Facilitating issue resolution between provincial/territorial jurisdictions and other countries. IAS focuses on issues that affect multiple Canadian jurisdictions. This includes obtaining information on child trafficking for the purposes of adoption and facilitating pan-Canadian responses to such situations. As well, it works on policy issues that affect multiple jurisdictions.
- Gathering data and research. This includes gathering and disseminating information that would be of value to provincial/territorial adoption authorities such as legislative developments in other countries that could affect domestic practices, as well as data on various aspects of adoptions.
- Facilitating communications and strong working relationships among adoption officials in Canada at the federal, provincial, and territorial levels. This includes sharing knowledge and experiences in working in intercountry adoptions. IAS chairs a federal inter-departmental committee on intercountry adoption.

The Adoption Process

The adoption process and requirements vary by country; however, the following steps outline the process generally followed by prospective adoptive parents. It is generic and does not take into account variances that occur in each province and territory.

- Prospective adoptive parents contact an agency or provincial/territorial officials responsible for intercountry adoptions. Currently, only Quebec, Ontario, Manitoba and British Columbia license agencies to facilitate intercountry adoptions. In other jurisdictions, the work is undertaken by government officials.
- A social worker who is independent or who is either from an agency or provincial/territorial ministry conducts a home study to determine the suitability and eligibility of prospective adoptive parents to adopt. Provincial/territorial legislation determines, as well as the requirements of the country of origin of the child, what is included in a homestudy.
- Prospective adoptive parents provide the documentation required by the child's country of origin.

Total Number of Children Adopted (2000-2004)



Source: Citizenship and Immigration Canada

- The province/territory or licensed agency sends the home study along with all the documents required to the appropriate authorities of the country of origin of the child.
- The authorities abroad normally match a suitable child to the prospective adoptive parents and send a profile (Child Report) of the child to the province/territory or licensed agency.
- The province/territory or licensed agency notifies the appropriate authority/ agency in the country of origin of the child that the prospective adoptive parents have accepted the child proposal.
- Adoptive parents submit an Application to Sponsor and Undertaking Form (Citizenship and Immigration Form IMM1344) to the Case Processing Centre (CPC) in Mississauga.
- The CPC processes the application and informs the appropriate Canadian visa office abroad.
- Generally, the authority/agency in the child's country of origin notifies the agency or authority in Canada that the child is ready to be adopted.
- Prospective adoptive parents travel abroad to meet and bring their child home and to complete any other requirements necessary for the adoption. In some countries, prospective adoptive parents may attend the adoption hearing or visit the adoption authorities.
- Adoptive parents obtain a passport from the child's country of origin and a visa for the child.
- Upon return to Canada, post-adoption requirements by country of origin go into effect.

Information on adoption procedures and requirements for each province and territory can be found on the Social Development Canada website at: www.sdc.gc.ca/en/hip/sd/09_provTerrGov.shtml

Adoptions from Top Ten Countries in 2003 and 2004

Country	2003	2004
China	1112	1001
Haiti	150	159
Russia	92	106
South Korea	73	97
United States	74	79
Philippines	58	62
Thailand	38	40
Colombia	37	38
India	70	37
Ethiopia	14	34

Source: Citizenship and Immigration Canada

Adoption Issues

As interest in intercountry adoption is increasing, so too are the number of problems such as inefficient processes, illegal practices, disregard of laws/regulations, and trafficking of children.

The following are some of the intercountry adoption issues that are addressed by IAS.

Child Trafficking and Corruption

In certain countries, processes are very slow and adoptive parents may feel obliged to bribe officials to speed up the adoption process. In other situations, the documents on the child may not meet immigration or provincial adoption requirements, and officials will accept money to falsify the documents. Some officials accept a small “gift” from parents, such as leather briefcases, expensive perfume and even wallpaper. In still other situations, foreign adoption officials may be involved in child trafficking schemes. They may work with agents/agencies/orphanages that give small sums of money to poor mothers for their child. The agents/agencies/orphanages then charge exorbitant fees for adoption services, and provide bribes to government officials to permit the operation of such schemes. Sometimes mothers are offered shelter and food for their child in a childcare centre and when the mothers return to fetch their child, they find the child has “disappeared.”

This problem is compounded by the fact that provinces and territories have no control over the foreign adoption agents/agencies/ orphanages that are associated with licensed Canadian agencies. It is sometimes difficult for the agencies to know exactly what their agents and orphanages in foreign countries are doing. Provinces and territories sometimes become aware of corruption when parents who have adopted

advise them of unethical practices they may have experienced. Parents who have been involved in bribes are usually reluctant to come forward for fear that their newly adopted child will be taken away from them, a highly unlikely scenario.

When it becomes apparent that child trafficking or corruption is involved in adoptions from any one country, IAS with its provincial and territorial counterparts, as well as its partners from the Department of Justice, Foreign Affairs Canada and Citizenship and Immigration examine solutions, including placing a moratorium on adoptions. Currently there are moratoria due to child trafficking on adoptions with Guatemala and Cambodia. Canada has also placed moratoria on adoptions from Vietnam and Georgia due to concerns about corruption and child trafficking. Canada has recently signed an “Agreement” with Vietnam outlining the process which must be followed when adoptions occur between the two countries. It will go into effect when each province/territory is ready to implement it.

As interest in intercountry adoption is increasing, so too are the number of problems such as inefficient processes, illegal practices, disregard of laws/regulations, and trafficking of children.

Canadians Living Abroad Who Wish to Adopt

There are a number of Canadians working outside Canada for a long period of time and who wish to adopt. The country where the expatriates are living often will not process the adoption without approval of the Canadian adoption authorities. This situation can arise both when the prospective adoptive parents live in the country from where they wish to adopt and when the prospective adoptive parents live outside Canada in one country and wish to adopt from another country. Provincial/territorial authorities cannot approve of the adoption because they have no jurisdiction

over Canadians living outside their borders, and the federal government cannot approve of the adoption because it does not have jurisdiction over adoption.

Recently, a process has been established whereby the province/ territory will write a letter for the foreign adoption authorities indicating that it has no jurisdiction over Canadians living abroad. It will be accompanied by a letter from the Canadian Ambassador in the appropriate country explaining immigration and citizenship policy for adopted children.

It is anticipated that this process will work for most countries. Although a process for China has not been finalized, IAS is working with adoption authorities there to come to a common understanding on this matter. Some countries that allow foreigners to adopt under domestic legislation simply ask for a letter from the last province/territory of residence stating that the adoption will be recognized should the child return to Canada.

Medical Examinations

Prospective adoptive parents need more information on the health status of their child before they decide to adopt. Without adequate information, there is a risk of adoption breakdown if parents adopt children with medical difficulties with which they cannot cope. Parents cannot depend completely upon either the medical information provided with the child proposal nor the medical examination done for immigration purposes for the following reasons:

- The medical information on the child that is sent with the Child Report is not always dependable. Medical reports that are completed in the child's country are often insufficient and even, at times, unreliable.
- The medical information obtained from the medical examination performed for immigration purposes is limited and sometimes occurs after the adoption has been completed.

Intercountry Adoption Services is currently working with Citizenship and Immigration Canada to address this matter.

Citizenship

Currently, children adopted by a Canadian parent must first become a permanent resident (land in Canada) to be eligible for citizenship. Children adopted by a Canadian parent and continuing to reside outside Canada may apply through a special measure that allows them to obtain citizenship through the discretionary power of the Governor-in-Council. However, children born abroad to Canadians are given Canadian citizenship upon application. In this context, the newly elected government during the recent election campaign promised automatic citizenship to children adopted abroad, which would eliminate the difference between biological and adopted children.

Research

Many intercountry adoption issues require further research. For example, much more information is needed on the outcomes for internationally adopted children compared to children raised in orphanages; how to prepare parents to adopt internationally; the impact of intercountry adoptions on both receiving countries and the countries of origin; the relationship of child trafficking to intercountry adoption; and the relationship between intercountry and Canadian domestic adoption. A small, but significant, community of adoption researchers in Canada is working on some of these topics.

Conclusion

As the planet becomes more integrated, intercountry adoption will continue to be part of world-wide migration patterns. Both relatives and non-relatives will wish to adopt orphaned and abandoned children. However, the ongoing increased interest of prospective adoptive parents to adopt children from foreign countries has created many problems which need to be resolved. In order to help decrease and, hopefully, eliminate these problems, federal and provincial/territorial governments, foreign authorities, agencies and the adoption community as a whole, must work together to implement measures that ensure intercountry adoptions occur in the best interests of the child.

Note

- ¹ The opinions expressed in this article are those of the author and do not necessarily reflect the views of Social Development Canada or the Government of Canada.

INTERCOUNTRY ADOPTION

An “Exceptional” Form of Immigration?

ABSTRACT

Intercountry adoption falls under the requirements of family class immigration in Canada, yet is rarely considered as a form of immigration. We begin to explore its “exceptional” characteristics as a form of immigration through three lenses: proposed legislation addressing citizenship for children adopted from abroad; the case of relative adoption; and the cultural practices of transnational, transracial adoptive families. Our focus is on how immigration policies and conceptions of family and citizenship interact, especially around the “best interests of the child.”

Federal policy would tell us that intercountry adoption is decidedly a form of family class immigration, subject to the same set of regulations that apply to Canadian citizens and permanent residents seeking to sponsor parents or nieces or other approved family members for immigration to Canada. Yet intercountry adoption often does not register as an immigration issue in social discourse, let alone in the research literature (Lovelock 2000 is one exception). In fact, adoptive families and practitioners themselves often do not conceive of adoption as immigration, except in the narrow sense of having to fill out visa applications for the sponsorship of children to be adopted. Why might it be that intercountry adoption is legally a form of family class immigration, yet is in a number of ways an exception to it? And how might this “exceptionalism” shed light on immigration policies in relation to practices of kinship formation, social and legal citizenship, and multiculturalism?

We form preliminary and exploratory responses to these questions by first suggesting several ways in which intercountry adoption is an exceptional form of immigration. We then briefly analyze three aspects of intercountry adoption in which this exceptionalism comes to the fore: proposed citizenship legislation that would have automatically granted citizenship to children adopted abroad by Canadian citizens; the somewhat guarded policy context for “relative adoption,” whereby residents or citizens of Canada adopt a child or youth related to them and then apply to sponsor the adoptee for immigration; and approaches to the cultural identity of transnationally adopted children among adoption professionals and adoptive families, especially as they have bearing on the ideals of multiculturalism. In this short space, we focus more on the implications of these issues than on the details of their history and practice.

Background to Intercountry Adoption in Canada

As a form of immigration and kinship status, intercountry adoption has long been of interest to the Canadian government and other stakeholders (Bagnell 2001). Intercountry adoption does indeed have a long history, from the European orphans arriving in the late 19th century (sometimes for “temporary” care) to the Chinese adoptees that now make up half of intercountry adoptions and about one-fourth of all adoptions in Canada. The late 20th century, beginning in the 1970s, saw a steady increase in the quantity and diversity of intercountry adoptions. In the last decade, approximately 2000 children have been adopted by Canadian families each year; top sending countries include China, Russia, Haiti, Vietnam, and the United States. The stories of these children, including how they came to enter the adoption system, vary by both country and individual circumstances; a ten-year retrospective report issued by CIC in 2003 shows that three-fourths of children are young (0-4 years old) and most are girls, although the growth of the China program has skewed statistics in these directions. Canadian parents who adopt internationally overwhelmingly reside in Ontario, Quebec, and to a somewhat lesser extent, British Columbia (“The Monitor,” Fall 2003; see www.cic.gc.ca/english/monitor/issue03/06-feature.html).

From a policy perspective, intercountry adoption has become both more and less complicated. On the one hand, the increasing number of intercountry adoption options means there has been a diverse and changeable host of regulations and procedures; in other words, the general rule that all intercountry adoptees require an immigrant visa is complicated by the specifics of different provincial regulations, national laws (including violations that may cause a “suspension,” as occurred in

SARA DOROW AND TERRY LEPAISKY
Sara Dorow is Assistant Professor of Sociology at the University of Alberta. She is author of the forthcoming (2006) book *Transnational Adoption: A Cultural Economy of Race, Gender, and Kinship*. Terry Lepasky graduated with a BA in Sociology from the University of Alberta. She enjoys social research, and currently works on program, policy and initiative evaluation.

Vietnam in 2002), and type of adoption. On the other hand, many adoption programs have regulated and standardized procedures; the China program is known for its relative speed and predictability (recent allegations of child trafficking notwithstanding), and Vietnam recently re-opened with a newly overhauled bi-lateral agreement with Canada. The implementation of the Hague Convention on Intercountry Adoptions, to which there are some 68 signatory states (www.hcch.e-vision.nl), further solidifies international standards, although practitioners and experts debate the extent to which the content of this new international agreement is a positive development.

Intercountry Adoption as a form of Family Class Immigration

In 2002, 65,277 family class visas were issued in Canada, mostly for spouses, parents, and grandparents. Of these, 1,925 were issued to children adopted abroad by Canadian citizens, or in some cases, to be adopted in Canada (www.cic.gc.ca). While intercountry adoptions comprise just a small proportion of family class immigration, this form of immigration has several particularities which, when considered together, make it an “exceptional” form of immigration. First, while the bulk of all family class sponsorship applications are for people already considered relatives (parents, grandparents, spouses), the prospective parent applies for immigrant sponsorship in anticipation of kinship with a person they will often meet just a few days or weeks before the visa is issued. And even then, the chances of the immigrant being denied a visa are relatively slim. Second, probably the most salient criterion for issuing such a visa is that the immigrant (the adopted child) can no longer have legal ties to his or her biological parents. This is what a number of scholars have called the “clean break” rule (Duncan 1993; Ouellette and Belleau 2001). Third, in most cases the immigrant does not choose to move to Canada, but rather, is being “chosen” for immigration (older children may be interviewed to assess their interests in emigrating). And fourth, the families sponsoring children for immigration are not usually immigrants themselves but natural-born citizens; and they are most often not of the same ethnic background of the children they sponsor. (Some intercountry adoptions—for example, when a Chinese Canadian parent adopts a Chinese child, or a white Canadian adopts a Russian child—are less “visible” than others). We would also add that in some respects, adoptive parents must meet some of the same requirements for “citizenship in good standing” as other family class sponsorship applicants, such as not being in bankruptcy or having a record of a serious criminal offense. However, unlike most other applicants they must complete a home study that assesses their ability “to parent an adopted child” (www.cic.gc.ca/english/sponsor.adopt4.html); and

More than in most other forms of immigration, intercountry adoption is legally bound to take into account the rights of the immigrant as much as the rights of the sponsoring family.

because prospective intercountry adopters usually have higher than average incomes (especially given the costs of adoption on top of immigration application fees), their economic ability to support the sponsored immigrant will rarely undergo much scrutiny.

Intercountry adoption touches on a host of policy issues in Canada, from international development aid to effects on health resources. But many of these questions hinge on what is meant by the “best interests of children,” and just as importantly, how these intersect with the interests of the Canadian citizens and permanent residents who adopt them (and less often the rights of foreign birth families). More than in most other forms of immigration, intercountry adoption is legally bound to take into account the rights of the immigrant as much as the rights of the sponsoring family. Policies and practice in intercountry adoption thus step in as proxies for the interests of the children who are not themselves choosing to immigrate, let alone become part of a new family. As years of scholarly research tell us, claims to the “best interests of children” are fraught with significant challenges.

Brysk (2004) notes that it is children’s combined dependency and mobility to which legal citizenship and rights regimes are quite often ill-equipped to respond. Intercountry adoption, as a form of both immigration and family formation, is a useful case for examining how these two sets of “interests”—of parents, and of children—both diverge and converge. Recent proposed changes to citizenship legislation, the practices of relative adoption, and the question of cultural identity all provide different but related perspectives on this question.

Citizenship Legislation

On October 31, 2002, then Minister of Citizenship and Immigration, Denis Coderre, announced the tabling of a new Act respecting Canadian citizenship (Bill C-18), one that, in his words, would “recognize and protect the value of citizenship” and “ensure that our citizenship rules more clearly reflect the fundamental values of Canadian society.” A section of the proposed Act addressed, in some detail, the citizenship of children born outside Canada. As Coderre put it, “[C]hildren adopted outside Canada by Canadian citizens would be eligible for citizenship before entering Canada, without first having to get permanent resident status...The new *Citizenship of Canada Act* would thus eliminate one source of discrimination that has been identified by the courts” (www.cic.gc.ca/english/press/speech/cit%2Dbill.html). This was a landmark proposition, one that followed on the heels of similar legislation passed in the United States under the *Child Citizenship Act* of 2000. When the 2004 federal election was called, Bill C-18 died on the order paper, and amendments to the existing *Citizenship Act* were introduced in the House of Commons on November 17, 2005. These amendments

(Bill C-76) were aimed at reducing distinctions between adopted foreign children and children born to Canadian parents. This Bill also died on the order paper with the calling of the last federal election. Legislation pertaining to citizenship for children adopted from abroad will thus need to be re-introduced by the new government, which committed to doing so in their election platform. Adoptive families and adoption practitioners have followed these developments with great interest, as many see amendments to the existing legislation as fulfilling the rightful claims of adoptive kinship formation.

Importantly, the proposed easing of citizenship for adoptees simultaneously distinguishes adoption from immigration and likens it to birth. In the clause-by-clause analysis of Bill C-18, it was noted:

The proposed Act eliminates many of the distinctions that the current Act makes between biological children and adopted children born outside Canada. It safeguards, however, the integrity of citizenship by requiring that the adoption has created a genuine parent/child relationship and has not been arranged for the purpose of getting around Canadian immigration and citizenship law. It also ensures that the adoption was made in the best interests of the child. (See www.cic.gc.ca/english/policy/c18/c18%2Dclause%2D2.html)

This confluence of themes merits some attention, especially as it relies on particular intersections of family and immigration, and the interests of children and parents. The treatment of the adoptee “as if born to” (Modell 2002) adoptive parents—a longstanding legal practice—relies on a certain conflation of “real” kinship and the right to national citizenship. And furthermore, right kinship is constructed through the figure of wrong immigration. The “best interests of children” thus become inseparable from the interests of adoptive parents and nation. This complex relationship is brought more clearly into view when we consider what it means for the rights of birth families; as CIC notes on its website, the severing of legal ties means that “...the child cannot later sponsor these relatives for entry into Canada” (www.cic.gc.ca/english/sponsor/adopt-4.html). Relative adoption thus cannot legally include the sponsorship of the birth family members of a child already adopted into Canada.

Relative Adoption

Little research exists on relative adoption, yet one thing is clear from the warnings that appear in government

and adoption agency literature: it is more risky and complicated than non-relative adoption. Once again, the problem might be seen as one of the relationship between definitions of kinship and immigration. The Canadian Embassy in Beijing says of relative adoptions:

The main concern in these adoption cases is whether in fact the adoption has created a parent-child relationship with the adoptive parents. In the local [Chinese] context, it is considered normal for family members to take care of their nephews, nieces or grandchildren. This type of situation does not sever the relationship between the child and his/her biological parents...The visa officer must be satisfied that the adoption is not one of convenience (that is, solely for the purpose of facilitating the entry of the child or that of his or her relatives into Canada). The application for permanent residence may be refused if the visa officer concludes that the real purpose of the adoption is for the child to gain admission to Canada as a permanent resident and not to give a family to the child. (www.beijing.gc.ca/beijing/en/navmain/visa/adoption/index.htm)

Relative adoption thus tends to be viewed with more suspicion than non-relative adoption. John Sutherland (2003/2004) writes of his painstaking journey to getting a visa for his 18-year-old niece, whom he adopted as his daughter in Jamaica, and with whom he had a close relationship. The visa officer seemed to think that the adoption was, as Section 4.1 of the *Immigration and Refugee Protection Act and Regulations* states, “not genuine or was entered into primarily for the purpose of acquiring any status or privilege under the Act” (such as receiving an education). As Sutherland points out, the problem is that this genuine parent-child relationship is not clearly defined; yet it is clear that this definition must somehow remain separate from and primary to “convenient” reasons for immigration.

Foregrounded here is that the social definition of family has real outcomes for people’s lives, both immigrant and non-immigrant, yet its contradictions remain inherent to laws and policies. The Canadian Embassy in Beijing acknowledges that relative adoption is customary practice in China, but this conception of family, which does not sever ties to biological parents, is untenable under immigration policy. In effect, family is (re-)defined in and through the practices by which visa officers decide that an adoption is marked by “genuine” kinship. No

Intercountry adoption is a unique form of family immigration to Canada because it most often creates intimate family relations between white non-immigrant parents and non-white immigrant children that come with a “birth culture” different from that of their adoptive parents.

doubt individual officers try to make these decisions in the best interests of the child. Yet even if birth relatives and adoptive relatives and the child herself agree that going to Canada for access to education and health care systems is in the child's best interest, certain conceptions of the bound nuclear "as if born to" family (and of national citizenship rights) may step in to over-ride those interests. Consider that many adoptive parents who sponsor *non*-relative children for immigration cite the desire to give the child a better life as an important motivating factor (Dorow 2006), yet because the child is legally severed from ties to birth family, such motivations do not come into play. We might thereby see "family" as one key locus through which the state manages the "right" reasons for immigration.

The "Culture Question"

Intercountry adoption is a unique form of family immigration to Canada because it most often creates intimate family relations between white non-immigrant parents and non-white immigrant children that come with a "birth culture" different from that of their adoptive parents—a heritage to which each child has a right, according to the UN Convention on the Rights of the Child and the Hague Convention. Adoptive families thus deal with what Volkman (2003) calls the "culture question": to what degree, and with what kinds of practices and objects, do parents expose their children to the culture from which they have been adopted? This question is of particular interest in a context where increasingly diverse immigration to Canada is alternately celebrated for its production of multiculturalism and scrutinized for continued barriers to truly equitable citizenship; in the face of such barriers, family class immigration is often held up as an ameliorating practice. Given their almost automatic citizenship, and the socioeconomic status of their adoptive families, adoptees may not face some of these barriers. This leaves the question of how adoptive families might respond to the potential barriers to their children's cultural identities.

Compared to a few decades ago, there is relatively strong emphasis on the importance of the transracially, transnationally adopted child's "heritage." Yet Dorow (2006) has found in her research in the United States, and in preliminary studies in Canada, that practices in adoptive families vary widely. Some parents work hard to immerse their child in the culture(s) of his or birth country, others see little need for such emphasis, and most strive for some kind of balance. (Dorow has suggested that ideas about the meaning of racial identity have some impact on this range.) But what is intriguing, and under-studied, is the extent to which this situation might create new relationships between adoptive families (mostly headed by parents of European descent) and local communities that share the adoptee's cultural/national heritage (mostly non-European). One agency in Ontario, for example is developing a program that matches Chinese grandmothers from the local Chinese community with Chinese adoptees. These new kinds of kinship created through and beyond adoption are also evident

in the relationships adoptive families develop with orphanages, foster families, and/or birth families in their children's countries of origin, including through charitable contributions (which might be seen as related to the "remittances" of immigrants).

Conclusion

When the "exceptionalism" of intercountry adoption is considered in concert with other forms of family class immigration, new questions are raised about the ways in which immigration policies, ideas about family, and the interests of children and parents interact. In the brief space of this article, we have tried to highlight some of those questions. In the years to come, immigration and intercountry adoption policies will benefit from further research in a number of these areas. The practices and outcomes of relative adoption constitute one such area; the interactions of transnational, transracial adoptive families with local diasporic communities constitute another. Finally, we would urge research that considers intercountry and domestic adoption policies and practices in concert, especially as the "best interests of children" are cross-cut by the differential rights of birth families, the varying desires and resources of adoptive families, and contextually shifting definitions of kinship and citizenship.

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CAPITAL PARADOXES

Has Robert Putnam Erred on Ethnicity, Engagement and Trust?

ABSTRACT

This article tackles some of the assertions made by Robert Putnam in his research on civic engagement. It tests the relationship between ethnic identification, family attachment and two elements of social capital: level of trust and the effects of bonding on trust.

In his 1995 essay, “Bowling Alone,” author Robert Putnam pointed out that the breakdown of the traditional family unit (mom, dad, and children) contributed to a downturn in civic engagement. Since the family is a key element in the formation of social capital, Putnam speculated that its eclipse partially explained the reduction in trusting the wider community.

As Putnam correctly affirmed, evidence of the loosening of family bonds is unequivocal. And family stability contributes to greater civic engagement and heightened trust; hence, it results in higher ranking on such critical measures of social capital. In effect, after controlling for education, age, race and other factors, single people – both men and women, divorced, separated, and never married – are significantly less trusting and less engaged civically than married people. Putnam reveals that married men and women are about a third more trusting and belong to about 15-25 percent more groups than comparable single men and women. Marital breakdown may, to some extent, be the consequence and not the cause of lower social capital. On the other hand, he adds that changes in family structure cannot be a major part of our story, since the overall declines in engagement and trust are substantial even among the happily married.

While Putnam points to the breakdown of the family unit as being detrimental to the decline of voluntarism, he is equally preoccupied by those engaged in the type of volunteer activity that promotes bonding social capital, which he insists will undercut trust amongst persons of different backgrounds. He concludes that bridging social capital through civil society engagement that transcends ethnic ties will enhance trust of others. Putnam’s hypothesis may result in the following paradox: it is immigrants and persons with strong ethnic attachments that tend to have the highest degree of family stability, thus implying greater social capital. On the other hand, these same individuals tend to possess stronger ethnic attachments and, therefore, are lower in the dimension of social capital that is germane to the trust of others.

This article will test the relationship between ethnic identification, family attachment and two of the principal elements in the construction of social capital: the level of trust and the effects of bonding on trust. Putnam maintains that bonding social capital as practiced at times by ethnic engagement in civil society organizations risks undermining trust of others that is fundamental to a healthy democracy.

JACK JEDWAB
Jack Jedwab is the Executive Director of the Association for Canadian Studies.

Table 1. Population by marital status, immigrant and non-immigrant

	Total population 15 years and over by legal marital status	Non-immigrant population	Immigrant population
Total	23 901 360	18 598 660	5 131 655
Never married (single)	8 010 725	6 919 515 (37.3)	1 007 665 (19.7)
Legally married (and not separated)	11 959 160	8 603 695 (46.5)	3 282 155 (63.9)
Separated, but still legally married	722 845	560 155 (3.0)	158 365 (3.1)
Divorced	1 833 130	1 511 125 (8.1)	316 655 (6.1)

Source: Statistics Canada, Census of Canada, 2001

Table 2. Importance of ethnicity and trust of people by persons not engaged in volunteer activity, 2002

Ethnicity		People can be trusted	You cannot be too careful in dealing with people
not important at all	1	202	266
	2	247	294
	3	920	1 072
	4	1 696	1 807
very important	5	5 737	6 807
Total		8 802	10 246

Source: Ethnic Diversity Survey, Statistics Canada and Canadian Heritage, 2002

Table 3. Importance of Ethnicity and trust of people by persons engaged in volunteer activity with an Ethnic or immigrant association, 2002

Ethnicity		People can be trusted	You cannot be too careful in dealing with people
not important at all	1	5	2
	2	7	8
	3	39	35
	4	104	88
very important	5	335	292
Total		490	425

Source: Ethnic Diversity Survey, Statistics Canada and Canadian Heritage, 2002

The breakdown of the family described by Putnam has been rather widespread in North America and Europe. In 1971, some 60% of census families consisted of married couples with children at home. In 2001, this group no longer constituted a majority; they represented 42% of census families compared to 29% that were either common law couples or lone-parents (a group that collectively represented less than 10% in 2001). While there has been a breakdown in the traditional family structure, the vast majority of Canadians continue to cherish family values as revealed in a recent study commissioned by the Vanier Institute. Its author, Reginald Bibby, demonstrates that almost all Canadians regard the family as a life-long, indispensable resource. Bibby concludes that the hopes and dreams of Canadians with respect to family life are, for the most part, fairly traditional.

Rarely does one find a monograph about a particular ethnic or religious group that does not contend that strong family attachment is a defining and distinctive characteristic of that community. Indeed, the Ethnic Diversity Survey (EDS) reveals that nearly all Canadians possess a sense of belonging to family that is as strong, and even stronger, than attachment to nation and community. Such attachments persist despite the fact that most Canadians' family structures are anything but traditional.

Though the traditional family structure has significantly evolved over the past few decades, the effect has not been felt to the same extent by Canada's immigrant population.

In support of Putnam's hypothesis, the EDS reveals that the less involved in voluntarism the less likely they are to trust others. But this tends to be the case whether or not one is strongly attached to ethnic identity, thus suggesting that it is the absence of volunteer involvement that is far more central to undercutting Putnam's notion of social capital than identity issues.

Do those engaged in ethnic or immigrant associational life exhibit lower levels of trust? Before attempting to answer this with data from the EDS, it is worth noting that a relatively small percentage of Canadians are involved in such organizations. Of the 40 000 people surveyed in the EDS, nearly half did not engage in volunteer activity in the year surveyed. Of the near 20 000 that did engage in

volunteer activity, about 6% did so through ethnic and immigrant associations. In short, ethnically-based voluntarism is lower than what is often implied by those concerned with bonding social capital. With this in mind, the cross-tabulation of EDS data does not provide support for Putnam's hypothesis. As observed below, a majority of those who consider ethnic identity important, and are involved in ethnic organizational life, tend to trust people.

Table 4. Importance of Ethnicity and trust of people by persons engaged in volunteer activity, 2002

Ethnicity		People can be trusted	You cannot be too careful in dealing with people
not important at all	1	144	151
	2	216	174
	3	838	657
	4	1 945	1 274
very important	5	6 459	4 234
Total		9 602	6 490

Source: Ethnic Diversity Survey, Statistics Canada and Canadian Heritage, 2002

Table 5. Do you trust people / Importance of first ethnic identity

Ethnicity		People can be trusted	You cannot be too careful in dealing with people
not important at all	1	305	292
	2	389	319
	3	1 507	1 232
	4	3 138	2 257
very important	5	11 433	8 681

Source: Ethnic Diversity Survey, Statistics Canada and Canadian Heritage, 2002

The same appears true for those engaged in non-ethnically based voluntarism, as they too manifest significant rates of trust of others. This is independent of the importance they attribute to their ethnic identity.

Finally, I tested the relationship between high levels of trust in family, strong ethnic attachments and trust of others. As noted, nearly all Canadians have a strong sense of attachment to family. Of those with powerful family attachment, their degree of trust in others bears little difference from those with lower attachment to ethnicity.

Conclusion

Clearly, aspects of the social capital hypothesis of Robert Putnam remain questionable. While there is strong evidence in support of the relationship between stable family structure and extensive civic involvement, there is less proof that trust of others requires reduced levels of ethnic attachment. Furthermore, the notion of bonding capital as encouraging low trust of others does not appear to stand up to the empirical test of the EDS. When it comes to assessing various kinds of society, the definition of trust may be at the root of a problem.

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JIMI

1-17 Humanities Centre
University of Alberta
Edmonton, AB T6G 2E5
Canada

Tel: (780) 492-0635

Fax: (780) 492-2594

Email: jimi@ualberta.ca

Web Site: <http://jimi.metropolis.net>

NEED WE PURSUE IMMIGRATION OBJECTIVES ONE AT A TIME?

Economic Growth, Family Reunification and Points Systems

ABSTRACT

Two proposals are put forward to extend the immigration points system beyond principal applicants in the skilled worker category. The first posits that the current approach, which only applies to one member of each family in the skilled worker category, could be improved if families are considered as a whole. Second, a mixed category whose criteria incorporate both extended family relationships (beyond the current ones) and human capital is suggested. To understand the context and motivation for these proposals, the Act and its implementation are surveyed, and the characteristics of points systems are discussed.

The consideration of how and why an immigration points system might be employed to manage the flow of immigrant landings beyond principal applicants in the skilled worker category is a daunting and controversial task. However, I will make two policy proposals that seek to expand the selection system and, simultaneously, cause the distinction between the family and economic classes to become more blurred. The first addresses the skilled worker category and argues that its selection criteria should consider the migration of *families*, as opposed to individuals — that is, principal applicants, who are mostly male — who might have dependants as is now the case. (Of course, there is a need to recognize that some families are indeed individuals.) The current system seems to hearken back to a view of the world where families had a single “bread winner” and spouses had minimal or no labour force attachment. This does not reflect our modern society, and the immigration points system needs to better serve current reality. Secondly, the *Immigration and Refugee Protection Act’s* goals of family reunification and domestic economic growth are addressed by independent programs that (mostly) address one, and only one, goal at a time. It makes sense to think about what the economic class might look like if it considered not only the economic, but also the family reunification, goal and, vice versa, what the family class might look like if it considered economic goals. Of course, there is also a need to remember that each goal is important in its own right, and neither takes priority over the other in the current Act.

Why should we investigate alternative approaches? Aside from that mentioned above, another motivation is the substantial increase in poverty, and concomitant decline in labour market outcomes, among recent immigrants over the past couple of decades. For summaries of the current state of immigrant labour market outcomes and related issues see Picot and Sweetman (2005), and Grant and Sweetman (2004).

Before turning to the proposals themselves, which necessarily remain very general in a short article such as this, it is necessary to provide substantial background and context. To this end, I first very briefly survey the current system, and then the Act’s objectives and how they are implemented. Next, a few relevant issues regarding points systems are discussed and finally the proposals are outlined.

Immigration categories: size and composition

According to Citizenship and Immigration Canada (2005), permanent residents landing in 2004 were in one of four classes: economic (56.7%), family (26.4%), refugee (13.9%) and other (3.0%). Since the mid-1990s the economic class has been substantially larger than the others, but this has not always been the case. Over the previous couple of decades the numerical predominance of the economic and family classes alternated, with the family class being larger during recessions and the economic class larger during economic booms. Each class comprises a number of categories, and one of the economic class’s six categories is “skilled workers”. It is the largest by far and comprises 48.1 percent of the entire immigration and refugee intake. However, only 42.2 percent of the skilled worker category, or 20.3 percent of the overall immigration and refugee flow, were economic class principal applicants and, therefore, assessed under the points system. The remainder of the category comprises spouses and dependants. Despite the points system’s reputation, most immigrants, most of those in the economic class, and even most of the skilled worker category, are not assessed using it. The family class currently includes five categories: spouses and dependants, fiancé(e)s, sons and

ARTHUR SWEETMAN

Arthur Sweetman is with the School of Policy Studies at Queen’s University.

daughters, parents and grandparents, and others. Spouses and partners is the largest category, representing 70.7%, of that class. Any benefit from the points system is limited since it does not affect much of the immigration flow.

The Act's objectives and the matching of benefits and costs

In considering modifications to the immigration points system and other policy levers, it is useful to be aware of the rationales of the program, and these are most clearly and definitively set out in the nation's legislation. The *Immigration and Refugee Protection Act* of 2001 (section 3) lists 10 very diverse objectives for immigration (the objectives with respect to refugees are addressed separately). Three relevant ones are: "to permit Canada to pursue the maximum social, cultural and economic benefits of immigration"; "to support the development of a strong and prosperous Canadian economy, in which the benefits of immigration are shared across all regions of Canada"; and "to see that families are reunited in Canada". The Act is also concerned about the potential burden of immigration on the welfare state and hence, for example, contains clauses such as: "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"; and "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." (There are also exceptions to the last clause spelled out in the Act.)

One useful summary of relevant key goals of the Act with respect to immigration (as opposed to refugees) is that it seeks to positively benefit the nation or individuals therein, while not imposing a burden on the nation's social safety net. However, the benefits are diverse in their nature and scope, and in the Act's implementation there is some "matching" of the costs, or risk of costs, and the benefits. Maximizing macroeconomic benefits is accomplished by selecting individuals who are expected to contribute to the economic growth of the nation and not be likely to need income support or excessive healthcare expenditures. This economic benefit is a broad one, affecting all of society, so all of society bears the associated risk that social services may be required. In contrast, the nature of the benefits from reuniting families is more personal, not macro-economic, and the scope of the expected benefits is more limited in intent since it is focused primarily on individuals, or a small set of individuals. Of course, in some cases benefits accrue more broadly. Matching this reduced scope of intended benefit, and taking the non-economic and personal nature of the benefit into account, family

reunification does not require a test of the projected economic contribution to the nation of immigrants in this class, and it simultaneously alleviates the risk to society of support costs by transferring some, though not all, of that risk to those who are expected to benefit or some subset of the same.

It is worth noting one caveat: although economic growth is a key objective, the economic benefits for the nation from immigration may not be as large as appear to be popularly believed. Most who conduct research in the area believe that the net economic benefit to the existing population is probably positive, but small. For a fuller survey of related issues see Sweetman (2005). Personally, I believe that Canadians value the non-economic benefits of immigration and would support it even if it implied modest economic costs for the rest of society.

Implementation

Focusing on skilled workers and family class immigration, which is the aim of this paper, the matching of benefits and costs is seen to be built into the system's operation. Canada uses different mechanisms to satisfy the objectives set out above. Skilled workers are one category in the economic immigrant class; other categories face, for example, criteria concerning amounts to be invested in Canada, or business and/or jobs to be created. However, as mentioned, skilled workers are the largest category, and the selection of skilled worker applicants is accomplished using a set of admissions criteria, to which the immigration points system is central. The latter is a tool used to identify those who are expected to, on average, have good labour market outcomes (low unemployment and high earnings) post-immigration because of their human capital and, therefore, have a low risk of imposing a burden on the social welfare system.

It is worth looking at the immigration points system carefully since it may not be one that we would want to expand the use of for reasons unrelated to the outcomes it produces. The points system is sometimes said to operate in a non-discriminatory manner, but this is clearly not the case (or it might be a linguistic abbreviation where "discrimination" is used as a shorthand for "racial discrimination" or some such undesirable basis for discrimination). Its whole purpose is to discriminate among candidates and to select those with characteristics that are predictors of labour market success. While few if any characteristics are perfectly objective, the goal is to employ those that are less subjective in the hope of ending up with a procedure that is not racially and/or ethnically discriminatory. Of course, although not found in the current model, recent incarnations of the system have sometimes allowed points for "personal suitability", which were allocated at the discretion of the immigration officer

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and are clearly on the less objective end of the scale. It can also be argued that it is possible to build a type of source country bias into a points system. For example, depending upon how it is implemented, a point system for occupational experience, where occupation is defined using a Canadian occupation classification system, might favour applicants from countries with an occupational system more similar to Canada's. A similar argument can be made for education.

Some elements of the current points system, for example age at immigration, appear to focus on characteristics that are deemed by the Canadian *Charter of Rights and Freedoms* to be ones on which we as a society do not wish to discriminate in other contexts. (I am not making a legal argument here; I believe that the legal basis of this criterion is understood to exist.) In contrast, age at immigration is an extremely good predictor of economic outcomes, and in the context of being part of an economic selection tool, can be argued to be underutilized.

In contrast to the economic class, family class immigrants are accepted based on their relationship with a Canadian citizen or landed immigrant, with no regard to their economic contribution (which may be non-trivial), but the risk of costs to the social safety net is alleviated and such immigrants are required to have a sponsor who guarantees to provide financial support if required for a period of three or 10 years depending upon the relationship. The sponsor does not absorb all of the risk, but does bear a substantial portion of it. Of course, there are those who comment on the enforcement of such guarantees, but overall there is an effort to match benefits and the risk of potential costs.

Given this structure, many people consider there to be a strict dichotomy in the application of the objectives of the Act; economic class immigration addresses the economic growth objective, while family class addresses reunification. Relatively little large-scale research has been conducted to verify the assumption that there are differences in economic outcomes among the various immigration classes. This is largely because data that identify immigration class and relevant outcomes has not been generally available. One paper released by Citizenship and Immigration Canada (2000) takes a preliminary look at this issue for the year 1995 and finds that principal applicants in the economic class have, on average, very good labour market earnings, while the spouses and dependents that accompany them, members of the family class and refugees all have remarkably (perhaps surprisingly) similar outcomes that are markedly lower. Spouses and dependents in the economic class have lower average rates of social assistance take-up than the family class, which has a rate that trends up with time in Canada. While this analysis should be viewed as very preliminary, it suggests that family members who

accompany principal applicants in the economic class have remarkably similar earnings to family class immigrants, but make markedly lower use of social services.

Moreover, despite their independence, the economic and family classes are linked indirectly since a substantial fraction of family class immigration follows directly from economic class immigration because the former serve as sponsors for the latter (this is sometimes called chain migration). Of course, family class immigrants, refugees and the Canadian born also sponsor family class immigrants. Perhaps surprisingly, despite the substantial amount of immigration-related research conducted in Canada in the last decade, there does not appear to be a very precise empirical understanding of this process or of the characteristics of sponsors; more research is clearly required.

New proposals

Given that there is a queue of applicants for the skilled worker category and that some are not permitted to immigrate, one cannot help but ask if economic outcomes would be better for families if the criteria were modified to predict the success of both partners or, where relevant, perhaps all adult members of the family? This is particularly pressing given that the labour market outcomes of new immigrants have been declining substantially for the past two decades or so.

When spouses accompany a principal applicant the current system does not entirely ignore the human capital of the former, but it treats it in a very odd and minimal way. The current system potentially adds between zero and five "adaptability points" from an assessment of a spouse's, or common-law partner's, education. This is a component of the "sixth factor" in the points system and provides a maximum of 10 of the 67 required points. If an applicant were to qualify for all of the points

that are possible in the adaptability factor she or he would have 25, but those beyond 10 do not count towards the total required. While the current assessment of the spouse or partner's education is a start in the right direction, a fuller treatment of the spouse's human capital would be preferred.

Operationalizing the inclusion of points for a spouse is, however, difficult. In the case where no dependents are assessed for points, at issue is how to equitably treat individuals compared to partners who jointly apply. Individual skilled worker immigrants may subsequently apply for a spouse to enter Canada as a family class immigrant, and it would not be appropriate to give applicants incentives to use this mechanism, with its extended separation of spouses, instead of immigrating together. One approach is to have different, and carefully selected, pass marks for individuals and families. The difference in the pass marks would need to be able to be more than overcome by a spousal score. That

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is, some couples with individual scores below the individual pass mark should be able to surpass the joint pass mark. This reinforces the idea that it is the family's outcomes that matter, and two good scores might be better than one very good and one not very good score. Of course, the actual scores would need to be developed carefully and this will require some effort.

The second, and complementary, proposal is also akin to another element of the "adaptability factor," but again pushes it somewhat further. Currently a skilled worker gets up to five points if she/he or her/his partner has a parent, grandparent, child, grandchild, child of a parent, sibling, child of a grandparent, aunt or uncle, or grandchild of a parent, niece or nephew in Canada. This is a larger list than could qualify for family class. But, even if there are few other adaptability points, so that the five points for having a family relationship could all be employed, the magnitude of the contribution is small.

An alternative would be to explicitly recognize the value to extended family members in Canada of being reunited with potential immigrants and to provide many more points in recognition of the relationship. However, in accord with the current implementation of the Act, it must also be recognized that some of the benefit of this class would be limited in scope and hence some of the risks should be borne by member(s) of the same group of beneficiaries. That is, it should not be the existence of extended relatives that generates points, but their sponsorship. This alleviation of the risk to the social safety net would allow the nation to accept individuals who would not be able to enter Canada under the current system. The proposal recognizes the objectives of the current Act, and offers an extension of the current program that will be of benefit to some, and have few costs to society. The core idea is the recognition that it may be possible to satisfy the objectives of the Act more fully, and to better maximize the "social, cultural and economic benefits of immigration" by considering the family and economic aspects of immigration simultaneously.

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LE NOUS FAMILIAL VECTEUR D'INSERTION POUR LES FAMILLES IMMIGRANTES

RÉSUMÉ

Cet article rend compte de l'importance des dynamiques familiales dans le parcours migratoire et dans l'insertion sociale des nouveaux arrivants au Canada. En présentant diverses dynamiques familiales d'insertion, le texte interpelle les décideurs et intervenants au Canada qui trop souvent ne prennent pas en compte la dimension familiale de l'immigration.

« Il y a ma famille bien entendu qui reste mon dernier bastion, mon dernier repli... ma cellule familiale dans laquelle je puise mes énergies aussi », explique un père algérien alors qu'une mère Colombienne confirme : « La famille est le moyen de combler son bonheur... Ma famille, seulement ma famille m'a aidée à retrouver l'espoir... ». Les jeunes ne sont pas en reste comme le confirme ce jeune adolescent congolais : « La famille, c'est le pilier, c'est le pilier qui pousse l'enfant. C'est le pilier sur lequel tu te bases pour fonder quelque chose. C'est le noyau de la motivation ». Ainsi les familles immigrantes rencontrées¹ lors de nos nombreuses recherches menées dans différentes régions du Québec, mettent de l'avant un Nous familial fort, porteur d'un projet migratoire, vecteur d'insertion dans la nouvelle société de vie, médiateur avec les institutions sociales, catalyseur de résilience et quasi-unique référent de continuité. Nous proposons de rendre compte ici de l'importance de ce Nous familial dans l'insertion sociale des immigrants hommes et femmes, adultes et jeunes. Nous nous appuyons pour cela sur plusieurs recherches menées sur la reconstruction des femmes immigrantes en Estrie (1996), les familles immigrantes en Estrie et au Saguenay Lac St Jean (1999), les familles réfugiées des guerres en Estrie (2002), la transmission des valeurs au sein de jeunes familles salvadoriennes et marocaines (2000), les collaborations familles immigrantes – écoles (2005) et l'immigration en région (2005).

Un projet familial d'immigration

Les familles immigrantes, avant de porter cette étiquette qui leur est donnée par leur société d'accueil, sont d'abord et avant tout des familles en projet. Qu'elles se construisent avant le départ au pays d'origine, pendant le parcours migratoire (dans un camp de réfugiés ou dans un pays de transit) ou dans le pays d'accueil, leurs membres sont par l'immigration, parfois longuement réfléchi, parfois contrainte par l'urgence, dans une dynamique de projet qui les tire à la fois vers l'avenir et vers l'ailleurs (Jacob et al., 1994; Meintel, 1995). Le plus souvent ce projet est familial, lié à une volonté des parents d'offrir à leurs enfants actuels ou à venir un meilleur cadre de vie sur le plan socio-économique ou éducatif. « Je voulais que mes enfants soient éduqués, respectueux des autres, des intellectuels, pour qu'ils puissent comprendre les enjeux de la vie au Québec, qu'ils soient instruits. C'est la raison pour laquelle nous nous sommes exilés », explique un père marocain.

Plus encore pour les réfugiés, c'est la survie des enfants, du conjoint, des proches qui est en jeu dans la décision brutale du départ. « Ce n'était pas un départ préparé. Avec ma femme on a tout laissé, on a pris la décision pour sauver les enfants, on ne pouvait pas vivre en Irak » (père irakien). De ce fait, c'est la perspective de l'avenir qui amène tous les membres de ces familles à un parcours de migration dans lequel le point de départ s'inscrit dans la ligne d'horizon du point d'arrivée et où la famille constitue un incubateur pour les identités individuelles en devenir.

Du projet familial à l'insertion sociale

Au travers de ce projet migratoire familial et de son actualisation, l'insertion sociale de l'immigrant passe, non seulement par ses réseaux, par ses efforts d'adaptation ou par les services qui lui sont offerts mais aussi par sa famille. Ainsi et quelles que soient les péripéties et la durée de trajet de migration, la question de l'insertion dans la société d'accueil est présente pour les familles tout au long de leur voyage. Tout en s'inscrivant comme la grande finalité de leur exil, l'insertion, soit le « faire sa place » et la reconnaissance qui va avec, est aussi la principale incertitude avec laquelle ils doivent vivre souvent longtemps : « Quand on arrive ici les personnes nous disent qu'on doit étudier, qu'on doit apprendre la langue et qu'après on va voir pour notre statut, comme professionnels que nous sommes... Nous ne savons pas

MICHÈLE VATZ LAAROUSSI
Michèle Vatz Laaroussi est Professeure au Département de service social
à l'Université de Sherbrooke.

le futur que nous pouvons avoir dans notre vie personnelle et professionnelle. Nous sommes ici depuis 6 mois et jusqu'à date on ne sait pas ce qu'on va devenir au niveau professionnel... » (une femme colombienne).

C'est ainsi que la recherche d'une place sociale pour soi et pour les enfants conditionne les sentiments souvent paradoxaux portés par les immigrants lors de leur arrivée en société d'accueil : « Dans l'avion on pensait qu'on venait de laisser tout, qu'on devait recommencer de nouveau, que c'était toute une vie qu'on laissait derrière nous, tout le travail, l'effort. On était heureux mais on se demandait ce qu'on allait faire au Canada... ». Dès lors l'insertion n'est pas simplement la demande de la société d'accueil et la responsabilité des immigrants comme les politiques d'immigration le laissent entendre mais il s'agit au contraire d'une finalité et d'une responsabilité partagées tant par les populations migrantes que par les sociétés d'installation.

Différentes dynamiques familiales d'insertion

Pour accéder à cette insertion, les membres de familles immigrantes entrent tout au long de leur parcours migratoire dans des dynamiques familiales qui assurent à la fois une cohésion à l'entité familiale et des rapports qu'on souhaite efficaces avec l'espace public. Ces dynamiques familiales inscrites dans le temps et dans l'espace migratoire, soit transfrontalier, renvoient à trois types de trajectoires identifiées tout au long de nos recherches.

Les trajectoires fusionnelles sont celles de familles dont les membres suivent des chemins similaires avant, pendant et après la migration : le père et la mère étaient ensemble aux études avant leur départ ou avaient tous les deux un emploi stable au pays d'origine, ils vont garder cette simultanéité et cette proximité tout au long de leur parcours. Ainsi ils suivront ensemble les cours de français à leur arrivée au Québec ou reprendront ensemble des études visant à obtenir des équivalences de leurs anciens diplômes. Cette fusion n'est nullement pathologique, elle est au contraire pour ces familles un réservoir de force et un potentiel d'insertion majeur. « C'est parce qu'on est ensemble, qu'on fait consensus que je peux avoir l'espoir... » (père salvadorien). Dans ces familles, on fait souvent les démarches ensemble pour être plus fort et à la surprise des intervenants, on va parfois venir avec conjoint et enfant pour une visite de santé de la mère ou encore avec toute la famille pour l'inscription d'un des membres du couple à l'Université.

Pour d'autres, c'est d'une trajectoire intriquée qu'il s'agira : cette fois les membres de la famille articulent différemment dans le temps leurs activités. L'un était aux études avant le départ, l'autre en emploi, l'un à la maison avec les jeunes enfants, l'autre, en situation de pourvoyeur économique. Ils vont jouer de cette articulation

tout au long de leur parcours et bien entendu s'inscrire dans leur nouvelle société au travers de cette dynamique qui contrairement à ce qu'on pourrait croire n'est pas traditionaliste. Ainsi souvent la mère aura plus de chance de trouver rapidement un petit emploi, c'est elle qui travaillera alors que le père s'occupera des jeunes enfants. Ou encore ils inverseront les rôles d'une année scolaire à l'autre comme le fait ce jeune couple Rwandais avec 3 jeunes enfants nés en camp de réfugiés : « Ma femme n'a pas eu beaucoup l'occasion d'aller à l'école en camp. Moi j'ai eu plus de chance car je suis plus âgé qu'elle. Alors notre première année au Québec, c'est moi qui suis allé au CEGEP pour avoir un diplôme d'ici. Elle a suivi les cours de français et s'est occupée des petits avec une gardienne. Cette rentrée, c'est elle qui va suivre les cours de l'école secondaire, moi je vais m'occuper des petits et trouver du travail car on a besoin d'argent ». Dans ces familles, on se partage les responsabilités et il arrive aussi qu'on se remplace dans certaines fonctions comme ce couple

Algérien dont la mère était membre d'un comité d'école et qui envoyait son mari pour la représenter quand elle ne pouvait pas venir.

Enfin la troisième dynamique renvoie à des trajectoires familiales parallèles dans lesquelles les membres sans avoir de cheminement similaire, maintiennent tout au long de leur parcours des voies parallèles installées au début de leur famille au pays d'origine. C'est par ces voies parallèles qu'ils souhaitent trouver une place valorisée dans la société d'accueil et, s'ils se soutiennent en famille, ils vont le faire surtout pour que chacun, face aux exigences de la société d'accueil, soit le plus solide, le mieux formé, le plus expérimenté possible. Dans ces familles on parle d'entraide et de collaboration plus que de fusion, on a des réseaux différenciés mais qui se recoupent et qui s'enrichissent mutuellement et qu'on va pouvoir utiliser selon les diverses interfaces de la vie en société.

« Quand il y a un problème à l'école, c'est ma mère qui y va. Elle était professeure à Sarajevo. Mais s'il y a un problème de santé, c'est mon père, lui était médecin... », explique ce jeune Serbe dont les parents ont en parallèle repris de nouvelles orientations professionnelles au Québec, orientations déqualifiantes et difficiles à vivre mais qu'ils essaient de développer dans une relation de complémentarité et dans l'intérêt de tous les membres de leur famille.

En fait ces dynamiques familiales multiples qui se génèrent et se catalysent dans le temps, permettent de saisir des familles immigrantes en mouvement qui ne portent pas de manière statique des cultures d'origine ou des rôles prédéterminés mais qui, au contraire, sont des vecteurs de changement et des potentiels de citoyenneté pour leurs membres. Notons que c'est là que vont être dans un premier temps réorganisés les savoirs d'expérience liés à la trajectoire migratoire (Guilbert, 2005 ; Vatz Laaroussi, 2004) et c'est là aussi qu'ils seront ré-opérationnalisés dans la mise en œuvre

Pour accéder à cette insertion, les membres de familles immigrantes entrent tout au long de leur parcours migratoire dans des dynamiques familiales qui assurent à la fois une cohésion à l'entité familiale et des rapports qu'on souhaite efficaces avec l'espace public.

de stratégies d'adaptation et d'insertion. Plus encore c'est aussi dans ces dynamiques et au sein de ces trajectoires que se mettront en œuvre des processus familiaux de prise de décision et les critères de choix dans certains moments clés importants de la trajectoire.

Par exemple, nos recherches sur l'immigration en région (Vatz Laaroussi, 2005) montrent que c'est au sein de la famille que se construisent les stratégies qui guideront les choix des immigrants relatifs à leur mobilité vers une nouvelle destination après une première installation au Québec : accepter un emploi déqualifié à un moment de la trajectoire, retourner aux études pour l'un des conjoints, privilégier la proximité avec le réseau ethnique ou le réseau familial élargi, favoriser l'accès aux services pour les enfants, prioriser les établissements d'éducation pour les adolescents etc.

La famille vecteur de résilience

Les concepts de trajectoire familiale de migration et de stratégie familiale d'insertion deviennent dès lors très importants pour mieux saisir à la fois les dynamiques migratoires et les dynamiques familiales et pour y identifier les vecteurs de résilience qui peuvent être mobilisés par un membre ou l'autre, adulte ou jeune, homme ou femme, de la famille. Les forces de résilience sont celles qui permettent de survivre face à l'adversité (Rachédi et Vatz Laaroussi, 2004), elles forment le filet de protection pour chacun des membres de ces familles soumises à des changements importants. Ainsi dans la recherche sur les collaborations familles immigrantes-écoles (Vatz Laaroussi et al., 2005), il est apparu que c'est au sein de la famille élargie que les jeunes trouvaient des modèles, des tuteurs et des forces de résilience qui les portaient vers la réussite scolaire. « J'ai ma grand-mère en Afrique, c'est une personne formidable. Je suis fier d'elle parce qu'elle a fait tellement de choses pour ma famille et pour moi. Et elle est fière de moi parce que je réussis ici à l'école. On se téléphone souvent, elle m'encourage, c'est un peu pour elle que je fais des efforts... » (jeune garçon burundais).

La fierté familiale est une de ces forces de résilience et elle est un élément constitutif important de l'insertion sociale de la famille dans sa nouvelle société. « C'est vrai que notre histoire nous a marqués mais elle nous donne en même temps de l'espoir et de l'effort. Nous en sommes fiers et nous sommes fiers de notre famille... Le fait de trouver la force d'apprendre une langue et de refaire une nouvelle vie, ce n'est pas un déprimé qui va faire ça. Mes enfants ne sont pas délaissés et démunis. J'essaie d'améliorer leur vie et leur avenir en trouvant un emploi. » (mère colombienne). Ainsi pour les familles dont l'insertion socio-professionnelle est positive et permet de mettre de l'avant les compétences et expériences des parents, la fierté familiale garde toute sa légitimité et prend sens dans la réussite de l'immigration. Par contre, et c'est un cas malheureusement très fréquent, pour les parents qui vivent une forte déqualification professionnelle et des pertes sociales et économiques importantes en pays d'accueil, la fierté familiale se heurte à ce que les parents et les enfants à travers eux vivent comme un échec, comme une dévalorisation et une injustice. Dès lors la fierté n'est plus légitime, l'humiliation, l'amertume et la déception peuvent prendre le dessus avec leur cortège de repli, d'agressivité et d'incompréhensions au sein des dynamiques familiales.

Vers de nouveaux modes de participation sociale

Nos recherches permettent alors de cerner, au travers des trajectoires migratoires, de nouveaux modèles familiaux en émergence tout en identifiant des zones originales de rapport entre l'espace familial habituellement privé et l'espace social habituellement public. Ces zones sont habitées certes par des individus acteurs mais aussi par des cellules familiales porteuses de projets, de stratégies et d'identités dont se nourrissent les jeunes qui en sont issus. Plus encore ces nouveaux modèles familiaux permettent de sortir des lectures bi-polaires enfermantes tant pour leurs acteurs que pour les intervenants, auxquelles nous sommes habitués : tradition-modernité, individu-groupe, hommes-femmes, parents-jeunes, privé-public. Dès lors la sensibilisation des acteurs politiques, institutionnels et communautaires à cette présence familiale originale est indispensable pour que ces familles trouvent leur place au Canada d'une part mais aussi pour que l'ensemble de la société bénéficie à son tour des éléments pertinents de ces nouveaux modes de participation sociale voire d'une citoyenneté redéfinie.

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Note

¹ Plus de 220 familles immigrantes et réfugiées d'origines diverses (vietnamiennes, colombiennes, salvadoriennes, marocaines, algériennes, serbes, bosniaques, rwandaises, burundaises, congolaises, haïtiennes, russes, roumaines et autres...) ont été rencontrées lors de nos recherches. Dans la majorité des cas, le couple parental et les jeunes ont été rencontrés en entrevues collectives, parfois aussi en groupes de discussion, et selon l'objet des recherches, des entrevues approfondies ont été menées individuellement avec la mère, le père ou un adolescent. Une méthodologie de recherche avec les familles a été expérimentée et a donné des résultats inédits et pertinents tant pour l'avancée des connaissances que pour les politiques, pratiques et actions à mettre en œuvre. Des outils comme la trajectoire d'immigration, la carte des réseaux et la carte de résilience ont été créés et utilisés à la fois pour la collecte des données et pour leur analyse.

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FAMILY MEMBERS AND RELATIVES

An Important Resource for Newcomers' Settlement?

ABSTRACT

Using data from the Longitudinal Survey of Immigrants to Canada (LSIC), this article examines social networks and the role they play in the settlement and integration of immigrants to Canada. The authors look at difficulties faced by immigrants during their first six months of arrival and find that there are some differences depending on immigration category, country of origin, age and other factors. One key finding is that the presence of family members and relatives is important during a newcomer's immediate settlement period.

A personal social network refers to all of the individuals with whom a person is connected – including immediate and extended family members, friends, neighbours, co-workers and acquaintances.² It is important to examine social networks because of the role they play as sources of information and social support and as a caring shoulder during stressful times. For newcomers to Canada, just as for other Canadians, social support or helping networks help newcomers solve daily challenges. Through their networks, newcomers gain access to many kinds of assistance that are critical to their settlement and longer-term integration into Canadian society. Just knowing people in Canada does not help newcomers integrate into Canadian society; rather, it is the flow of support through network connections that can make the integration process smoother or faster.

Typically, examinations of immigrant integration focus on characteristics of the immigrants that relate to their “human capital” (e.g., level of education, previous work experience, and knowledge of Canadian official languages). In more recent years, studies have shown that the type and quality of immigrants' social networks can be just as important as “human capital” characteristics in helping to explain why some immigrants appear to integrate into Canadian society faster, or with fewer difficulties, than others.³

The first wave of interviews of the Longitudinal Survey of Immigrants to Canada (LSIC) collected information on immigrants' social networks and the role that these networks played in assisting them with different settlement issues during their first six months in Canada. This article highlights how social networks support newcomers with a particular focus on this immediate settlement period. One key finding is that family members and relatives do play an important role as a source of assistance to newcomers.

Network size and tie strength matter

To understand how personal social networks can affect newcomers' adaptation to Canadian society, it is important to be able to describe some key network characteristics.⁴ One important characteristic is the strength of the connections between the newcomer and their network members. Strong ties generally occur among individuals who are similar to one-another. They connect people who may go to the same church, play the same kinds of sports, *etc.* When people form close groups, not only do they often share the same interests, but they also share much of the same information and tend to make the same recommendations. Often, people who are strongly connected are also close emotionally – such as friends and family members. For this reason, strong, more intimate ties tend to provide large amounts of social support, and are therefore important to have.⁵

By contrast, weaker contacts connect people who are more different: the more different the members of a person's network, the more likely it is that the individual will have access to a range of information he or she would not ordinarily get. For example, if most of the people in a newcomer's social network are fashion industry workers, chances are that this newcomer is going to get tips on job openings within this occupational area. If they want work in other occupations, it is unlikely that close network members will have very good job information related to those other occupations. Instead, this person needs to reach beyond the boundaries of this network through a “weak tie” to access specialized information. Weaker ties are said to provide access to scarce resources, such as information on job openings.⁶ Depending on the type of help required, then, a strong or a weak tie may be needed.

JEAN BERGERON'
Jean Bergeron is a member of the Research and Evaluation Branch at Citizenship and Immigration Canada.

STEPHANIE POTTER
Stephanie Potter is the Principal of SP Consulting.

Another key network characteristic is size: people with larger networks also tend to have access to greater amounts of social support, as well as to different types of support. This can be very important when newcomers arrive in Canada. The larger the number of people newcomers can draw upon for help, the more likely they are to receive the help they need, and the less likely they are to overload the people in their networks with demands for assistance.⁷ Larger networks provide people with access to more individuals, and so potentially to more support, but most importantly, larger networks are also more likely to have a higher proportion of ‘weak ties’ that serve as bridges to scarce information, particularly in the context of occupational mobility. Networks with a predominance of strong kinship ties have also been found to be associated with high levels of all kinds of social support, but they also tend to be smaller.⁸

The characteristics of newcomers’ networks and of the role they play are often linked to the characteristics and social roles of the newcomers. For example, seniors’ social networks tend to be dominated by kin (as people age and friends move away or die), though if older neighbours exist, they tend to be network members. Younger people tend to associate with those of similar age, marital and parental status. Women usually have more kin-based network members, as they tend to be the “kin-keepers” in the family, organizing family events and staying in touch with distant relatives. These tasks are associated with working in the home, but they tend to persist even for women working outside of the home. Women with children tend to be connected to their neighbours with children, through their children’s friendships, day cares and schools. By contrast, men tend to have more network ties to co-workers, and smaller networks overall, than women. In addition, social networks vary according to other characteristics of newcomers, such as their immigration category; country of birth; ethnic, religious or cultural identity; and various others.⁹ For the purposes of this article, only a few are examined.

Most newcomers know people in Canada at arrival

The first wave of LSIC shows that most immigrants have some sort of a network in Canada at the time of arrival. The majority (87%) of newcomers interviewed for this study report that they had relatives, friends or both already living in Canada when they arrived. Slightly more than one in ten individuals could not report any such connections. Approximately two thirds had only friends or only relatives when they arrived.

Differences are slight by gender, but substantial by immigration category. Immigrants landed in the family class appear to be the “best connected.” In contrast, many refugees¹⁰ (25%) report that they knew neither relatives nor friends at arrival. However, similar to family class immigrants, refugees are also more likely to know only

relatives, while economic immigrants report that their connections are in large part made of friends. While it is encouraging that so many newcomers had some kind of network in Canada at arrival, it is important to recognize that many refugee and economic immigrants do not have a social network at arrival – approximately two in ten. At current immigration levels, this could be as many as 20,000 new adult immigrants without a social network.

Examining these same results by top countries of birth indicates some interesting differences. Immigrants from four countries report a predominance of friendship only connections at landing: China (54%), South Korea (38%), Romania (51%) and Russia (42%). Korean (33%) and Russian (27%) newcomers also have the highest proportion who knew no one in Canada upon arrival. By contrast, a higher proportion of immigrants from India (49%), the Philippines (44%), and Pakistan (38%) report they knew only relatives in Canada at arrival. Among immigrants from these countries, all have fewer than average reporting knowing no one at time of arrival.

The presence of networks at landing by age also demonstrates an interesting relationship: a higher proportion of people in the youngest (15 to 24 years old) and oldest (55 and older) age groups report knowing relatives only at landing (50% to 64% according to the age group), while higher proportions of those aged 25 to 44 indicate they had only friends in Canada when they arrived (over 40%). Immigrants aged 45 to 54 had a more even distribution of those knowing family or friends (32% and 26% respectively). Immigrants in the oldest age group have the smallest proportion reporting that they knew no one at arrival. Somewhat higher proportions of immigrants in the other age groups report no network at arrival.

These results are in keeping with the immigration categories that dominate each age group or country of birth, as well as the history of immigration that each country has with Canada. It is not surprising that where some countries have been sending immigrants for longer periods of time, the most recent newcomers have a greater chance of knowing relatives and friends in Canada. Likewise, where the immigrants coming from a particular country are more likely to be admitted to Canada under the family category of immigration, it is also more likely that these immigrants will report knowing family rather than friends at arrival.

Besides knowing whether newcomers had connections in Canada at arrival, another important aspect of their social networks is the geographic proximity of the people that they know in Canada: the closer network members live to the newcomer, the more likely they are to provide assistance and support.¹¹ The LSIC collected information on the proximity of relatives and of newly-made friends in Canada. The vast majority (88%) of all newcomers say that their relatives live in the same city; somewhat fewer immigrants report new friends living in the same city or

Differences are slight by gender, but substantial by immigration category. Immigrants landed in the family class appear to be the “best connected.”

Newcomers reporting friends or relatives living in Canada at arrival as a proportion of all newcomers interviewed six months after arrival

Settlement Areas:	Family Class	Skilled Workers			Refugees	All Newcomers
		Principal Applicants	Spouses/Dependants	Other Economic Immigrants		
Relatives only	64 %	12 %	18 %	22 %	40 %	30 %
Friends only	2 %	52 %	44 %	37 %	15 %	33 %
Relatives and friends	30 %	22 %	20 %	22 %	20 %	24 %
No personal connections	4 %	13 %	18 %	19 %	25 %	13 %

Source: Statistics Canada. Longitudinal Survey of Immigrants to Canada, Wave 1 (2001-2002).

Newcomers who try to find services as a proportion of all newcomers interviewed six months after arrival

Settlement Areas:	Family Class	Skilled Workers			Refugees	All Newcomers
		Principal Applicants	Spouses/Dependants	Other Economic Immigrants		
Health care	77 %	71 %	76 %	68 %	81 %	75 %
Housing	41 %	90 %	90 %	90 %	82 %	76 %
Education/Training	53 %	70 %	73 %	70 %	79 %	66 %
Employment	61 %	90 %	66 %	48 %	47 %	71 %

Source: Statistics Canada. Longitudinal Survey of Immigrants to Canada, Wave 1 (2001-2002).

nearby (82%). Only slight differences are observed by immigration category. For example, slightly more family class immigrants (95%) than economic immigrants (80%) report relatives living in the same city. This compares to almost nine in ten (88%) for refugees.

Newcomers report challenges and mobilize resources differently depending on their immigration category

A key contribution of the LSIC to current understanding of immigrant integration concerns how newcomers achieve key settlement-related goals, including obtaining health care, housing, education, and employment. One important question is whether there is a relationship between immigrants' characteristics and the challenges they face. Do immigrants problem-solve in different ways? Do they tend to obtain assistance from different sources, and how does this affect their integration? The LSIC asked from whom newcomers *obtained* assistance, rather than from whom they *requested* assistance and, as such, the analysis focuses on sources of actual rather than potential assistance. While this study does not document the full problem-solving pathway from the perspective of the newcomers themselves, it provides insight into some of their main challenges and the ways in which they worked to solve their settlement difficulties.

Shortly after arrival, more than two thirds of all newcomers engage in activities to find housing, health care services, education or employment. Immigrants admitted in different categories do behave differently. With the exception of finding health care services, family class immigrants are the least likely to engage directly in all these tasks, while a very large number of skilled worker principal applicants (90%) try, for instance, to find housing

and employment. Less than half (47%) of all refugees try to find employment in their first six months in Canada – they are more likely to look for education and training services.

Of all key settlement-related goals, it is access to employment that causes the most problems. Seven in ten recent newcomers who entered the labour force report having experienced difficulties in finding employment. By contrast, the LSIC suggests that other activities (i.e. looking for health care, housing or training) are a challenge for less than 40% of the newcomers looking for services. The proportion of immigrants who experienced challenges also varies widely by immigration category. No matter what goal is pursued, the highest proportion of immigrants reporting difficulties is consistently found among skilled workers. Family class immigrants generally face challenges in proportions that are well below average.

Some of the variations by immigration class may be explained by social network differences: family class immigrants may report fewer problems because they have family in Canada from who they receive assistance even before a problem is experienced. This may also extend to the area of employment, where some obtain jobs in family-operated businesses. By contrast, we observe more similar outcomes in terms of proportion of newcomers in each immigration category experiencing problems with access to education and training. One possible explanation is that more systemic obstacles may be at work here which rule out the use of family-based connections.

For the most part, the problems experienced or perceived are goal-specific, and some also confront Canadians in general, not only newcomers. Lack of availability of health professionals, long waiting lists, insufficient number of training sessions, financial

Newcomers who report difficulties as a proportion of all newcomers who tried to find services

Settlement Areas:	Family Class	Skilled Workers			Refugees	All Newcomers
		Principal Applicants	Spouses/ Dependants	Other Economic Immigrants		
Health care	15 %	27 %	28 %	25 % [£]	20 % [£]	23 %
Housing	15 % [£]	43 %	44 %	27 %	38 %	38 %
Education/Training	35 %	42 %	42 %	39 %	31 %	40 %
Employment	56 %	76 %	75 %	53 %	67 %	70 %

Source: Statistics Canada. Longitudinal Survey of Immigrants to Canada, Wave 1 (2001-2002).

Note: [£] indicates that the quality of the estimate is not optimal. Therefore, the proportion must be interpreted with caution.

Newcomers assisted with settlement activities as a proportion of newcomers who report difficulties

Settlement Areas:	Family Class	Skilled Workers			Refugees	All Newcomers
		Principal Applicants	Spouses/ Dependants	Other Economic Immigrants		
Health care	142 %	23 %	26 %	23 % [£]	39 % [£]	28 %
Housing	31 % [£]	41 %	38 %	53 %	55 %	41 %
Education/Training	46 %	30 %	39 %	40 %	47 %	37 %
Employment	39 %	32 %	31 %	40 %	46 %	34 %

Source: Statistics Canada. Longitudinal Survey of Immigrants to Canada, Wave 1 (2001-2002).

barriers, poor official languages ability and non-recognition of foreign credentials or work experience are the key challenges reported by newcomers. Two of them – language and financial barriers – are reported in three of the four settlement areas examined by the LSIC. The only area where language does not appear as one of the most serious problems is in the area of housing, where systemic barriers related to housing availability dominate. Financial barriers relate to obtaining education or training, and accessing health care or housing.

Of immigrants who report having experienced difficulties with their settlement activities, not everyone received help. Among those experiencing problems in specific areas, approximately three in ten received help with access to health care or employment, and four in ten were assisted with finding housing or getting education or training. Interestingly, refugees and family class immigrants tend to have the lowest proportions reporting settlement-related problems, as noted before, but they also report above average rates of assistance.

If we concentrate briefly on the key sources of assistance identified by the newcomers, we note that family and friends are generally reported as the first or second most frequent source of help regardless of the settlement-related goal. We also observe that, across the four areas of settlement goals, family class immigrants rely a great deal on relatives and family members for their assistance (between 56% and 78% depending on the settlement goal), while skilled workers and other economic immigrants tend to rely more heavily on friends (between 41% and 65% depending on the settlement goal). As well, compared to other newcomers, a higher proportion of refugees report being helped by settlement organizations¹² regardless of the settlement goal.

This brief examination of the incidence of settlement challenges experienced by newcomers and their mobilization of resources reflect, as expected, overall differences in the type of social networks or resources that newcomers entering within the different immigration categories have at their disposal when they arrive.

Summary

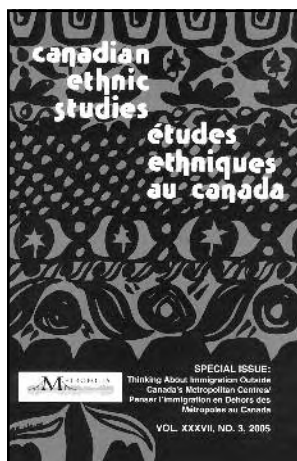
Within the first six months of arrival, newcomers are faced with tremendous challenges as they begin the process of settling into their new homes and communities, and the even longer process of integrating into Canadian society. As they seek to accomplish specific goals related to this process of integration – finding a home, accessing the medical system, obtaining education and training, and finding employment – newcomers use the resources at their disposal, of which social networks are an essential part. These networks provide access to many different kinds of support that newcomers can use as they face challenges and barriers to their integration.

Based on the first wave of interviews of the LSIC, the majority of newcomers to Canada have a social network at arrival in the form of relatives and family, friends, or a combination thereof. Yet, given the value of social support to the integration process, it is important to note that more than one in ten adult immigrants know no one in Canada when they arrive, and that this situation is particularly true for many refugees (25%). Family class immigrants tend to rely on family and relatives for assistance, while skilled workers and other economic immigrants are more likely to rely on friends; refugees use both sources depending on the type of challenge. Regardless of the area of integration being examined, family and friends dominate as the top two sources of help used.

Overall, the variations observed require much more research to better understand their origins. Information from subsequent waves of interviews of the LSIC will help understand changes to newcomers' social networks, the types of challenges newcomers face, and the role of networks in resolving these challenges over the course of their integration in Canada.

Notes

- ¹ The opinions expressed in this article are those of the authors and do not necessarily reflect the views of Citizenship and Immigration Canada or the Government of Canada.
- ² Wellman, Barry, Peter Carrington and Alan Hall, 1988. "Networks as Personal Communities." Pp. 130-184 in *Social Structures: A Network Approach*, edited by Barry Wellman and S.D. Berkowitz. Cambridge: Cambridge University Press.
- ³ Potter, Stephanie, 1999. *The Social Resources of Immigrants: Effects on the Integration of Independent and Family Class Immigrants to Toronto, Canada from South Asia*. Ph.D. dissertation, Department of Sociology, University of Toronto; Mostacci-Calzavara, Liviana, 1982. *Social Networks and Access to Job Opportunities*. Ph.D. dissertation, Department of Sociology, University of Toronto
- ⁴ Potter, Stephanie, 1999. *The Social Resources of Immigrants: Effects on the Integration of Independent and Family Class Immigrants to Toronto, Canada from South Asia*. Ph.D. dissertation, Department of Sociology, University of Toronto; Wellman, Barry, Peter Carrington and Alan Hall, 1988. "Networks as Personal Communities." Pp. 130-184 in *Social Structures: A Network Approach*, edited by Barry Wellman and S.D. Berkowitz. Cambridge: Cambridge University Press; Mostacci-Calzavara, Liviana, 1982. *Social Networks and Access to Job Opportunities*. Ph.D. dissertation, Department of Sociology, University of Toronto.
- ⁵ Wellman, Barry and N. Scot Wortley, 1990. "Different Strokes From Different Folks: Community Ties and Social Support", *American Journal of Sociology* 96(November): 558-588.
- ⁶ Granovetter, Mark , 1973. "The Strength of Weak Ties." *American Journal of Sociology*, 78(May): 1360-1380; Granovetter, Mark, 1995. *Getting A Job: A Study of Contacts and Careers* (2nd edition). Chicago: University of Chicago Press.
- ⁷ Lin, Nan, 1982. *Social Structure and Network Analysis*. Beverly Hills: Sage Publications.
- ⁸ Wellman, Barry and N. Scot Wortley, 1990. "Different Strokes From Different Folks: Community Ties and Social Support", *American Journal of Sociology* 96(November): 558-588.
- ⁹ Fischer, Claude S., 1982. *To Dwell Among Friends: Personal Networks in Town and City*. Chicago: University of Chicago Press; Wellman, Barry and N. Scot Wortley, 1990. "Different Strokes From Different Folks: Community Ties and Social Support", *American Journal of Sociology* 96(November): 558-588.
- ¹⁰ No individuals who claimed refugee status in Canada are included in the Longitudinal Survey of Immigrants to Canada. Therefore the term *refugees* in this study refer to refugees landed from abroad.
- ¹¹ Wellman, Barry and Stephanie Potter, 1999. "The Elements of Personal Communities", in Barry Wellman (ed.) *Networks in the Global Village*. Boulder CO.: Westview Press.
- ¹² The term *settlement organizations* for the purpose of this article refers to a number of organizations that serve immigrants, and include ethnic or cultural associations; religious



Thinking About Immigration Outside Canada's Metropolitan Centres

Special issue of Canadian Ethnic Studies

A recent special issue of *Canadian Ethnic Studies* (Vol. XXXVII, No. 3, 2005) looks at the regionalization of immigration. It was guest edited by Michèle Vatz Laaroussi (Université de Sherbrooke), Margaret Walton-Roberts (Wilfrid Laurier University), John Biles (Metropolis Project) and Jean Viel (Social Development Canada). The issue includes articles on regional dispersal in British Columbia, immigrant settlement in local labour markets in Ontario, on the settlement of refugees in Quebec City and in smaller cities in British Columbia, on francophone Acadians, interculturalism and regionalization, and on the services available to new immigrants in Halifax. There is also a conference report from "Immigration and Out-migration: Atlantic Canada at a Crossroads."

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SPEAKING WITH FAMILIES FROM WITHIN THE 'FAMILY CLASS'

ABSTRACT

This article draws from a study of family migration networks in order to examine public perceptions regarding family class immigrants. It is determined that, far from representing a burden on the national economy, immigrant family networks provide a valuable source of economic and social support during settlement. Over time, family networks can significantly facilitate long-term integration, at times even permitting the re-negotiation of individual identities. The maintenance of these networks has implications for the longer-term settlement of newcomers, and in this case, particularly among newcomers to a small Canadian city.

Contemporary Canadian immigration policy emphasizes the desire of policymakers to foster immigration growth, particularly in less populated areas in Canada in order to stimulate balanced regional economic growth. Although Canadian immigration policy has liberalized over the years, it has continually evolved in favour of prevailing economic conditions, labour market tendencies, demographic trends, and national security interests. Considered at a broad level, Canada is a major source country for skilled migration, benefiting from high numbers of immigrants who bring with them various areas of expertise and proficiency in considerable demand by the Canadian labour market.

Recent statistics indicate that family class migrants currently make up about 26% of all new permanent residents to Canada, while economic immigrants constitute 56% (Citizenship and Immigration Canada, 2004). Economic immigrants, which include skilled workers, business immigrants, provincial nominees and Live-in Caregivers, have consistently comprised over half of all permanent residents for the past decade, while the proportion of family class newcomers has declined since the 1980s. Despite the high number of skilled entrants, the a question can be raised as to whether the strong emphasis on immigration as an engine for economic growth has implications for other classes of newcomers to Canada, including family class immigrants.

There is a prevailing assumption among immigration critics that family class immigrants create more of a burden on receiving countries' economies; they are at times portrayed as draining the support of federally-funded social programs, while contributing relatively little growth to national economies. Rose Folsom (2004) identifies two competing images of newcomers prevalent in host societies: that of the passive migrant, who is caught up in larger globalization processes, and that of the individual migrant making independent decisions irregardless of global trends (2004:14). Family class immigrants, including spouses, children and other sponsored family members, are often viewed as belonging to the former category, with the implicit assumption that they are highly dependent on the resources of others.

Another predominant assumption is that immigrant communities, within which family networks play an important part, may be perceived as precluding social integration. Immigrant families and ethnic communities are often perceived as turning inwards to form exclusive so-called enclaves. This line of thinking short-sightedly relies on a unified, static vision of ethnic groups, whereby such homogenous and 'ghettoized' communities actively exclude others and impede social integration.

In response to these perceptions, recent migration scholarship has provided alternative viewpoints. Jeffrey Reitz (2002) contends that minority communities, instead of hindering integration over the longer term or for the second generation, may provide positive resources for social integration in the larger society (2002: 1009). In his work on Canadian immigration, Peter Li (2003) highlights the importance of recognizing family networks as facilitating the settlement and integration process: "The formal selection system does not place much value on immigrants' family and ethnic networks in Canada, and does not recognize that social networks or social capital can be productive in assisting immigrants economically and socially" (1993: 102).

It is from the above logic that this article attempts to draw its objective; that is, to demonstrate that strong family-based networks significantly aid the immigrant settlement process, both initially and over the long term. Integration into host communities is significantly facilitated by the maintenance

LAURA LEWIS-WATTS
Laura Lewis-Watts is a recent graduate of Dalhousie University's M.A. programme in International Development Studies, where she completed research based upon immigration and settlement in small Canadian cities. While pursuing her studies in Halifax, Laura worked with newcomers from a wide variety of backgrounds through volunteer work with a local immigrant settlement association.

of family networks, at times resulting in a more flexible identity of place, or, concept of 'home' over time. From this angle the article will respond to the negative public perceptions often aimed at family class immigrants.

The argument is based upon an acceptance of the concept of social capital and the importance of social capital networks throughout the settlement process. Though it remains widely disputed within academic circles, the concept of social capital is greatly important for understanding the networks that facilitate migration. Social capital is used to describe the set of voluntary relationships between individuals, or, put simply, "the sum of social expectations" (Portes and Sensenbrenner, cited in Breton, 1997). Robert Putnam (2002), who is credited with popularising this concept within the social sciences, finds that social capital can generate crucial patterns of reciprocity; these patterns are measurable and have 'value' - that is, public and private returns - for society (2002: 42). Sociologists can therefore study the positive and negative 'externalities' that may arise from social capital in a similar way as other forms of capital, such as economic capital or human capital.

Where migration is concerned, social capital may be defined as a set of social connections that facilitates the mobilization of economic resources, information, and employment connections, among other advantages. It is by now firmly established in the migration literature that prospective migrants draw upon social capital in order to facilitate settlement abroad. Well-established network theories of migration hold social capital as a central component to understanding how people maintain transnational relationships over time (Vertovec, 2003: 646). Massey *et al.* (1994) view social capital networks as mitigating the risks associated with migration, stating that migrants rely upon social ties that carry reciprocal obligations for assistance based on shared understandings of kinship, friendship and common community origin (1994: 1499). In discussing the role of family class immigrants, therefore, it is imperative to consider the value of the social capital networks as they operate in the host society.

Over time, these networks can facilitate integration into host societies, even easing the way for re-negotiating individual identities. Broadly defined, identity can be understood as: "the distinctive character belonging to any given individual, or shared by all members of a particular social category, or group" (Rummens, 2004: 6). Migration researchers often accept flexibility and hybridity as central to ethnic identity construction (de Ruitjer, 2001; Kelly, 2003; Basch *et al.*, 1994). Kelly suggests an approach that de-links identity from geographical place, as national borders define the boundaries of social life less and less (2003: 214). In this case, it is accepted that over time, migrants can come to accept a variety of

forms of place-based identity, or, how they define a concept such as 'home'.

I will attempt to use the above concepts to examine the support provided by family networks in the migration process, which carries implications for widespread views on family class immigrants. This will occur not by examining family class immigrants as an explicit category of entry or citizenship classification, but by taking a broader look at family networks and their role in the settlement process. The remainder of this article refers to a study performed in the small Canadian city of Guelph among Filipino immigrants.

Analyzing immigration to a smaller city in Canada provides an interesting angle from which to study family networks, as these are places with smaller populations, less international recognition, relatively fewer services, and smaller proportions of existing immigrants. Settlement in smaller cities, therefore, may add some additional challenges whereby social capital takes on particular importance.

In August of 2004, in-depth semi-structured interviews were held with 14 individuals who had migrated from the Philippines and who had settled in Guelph, a small city located 100 kilometres west of Toronto. All participants had migrated as permanent residents under either the economic class and the family class categories, and their period of residency in Canada ranged from over 20 years to as little as three months. Interview questions were primarily concerned with the migration decision-making process, initial settlement experiences, perceptions of the host society, and ongoing social and economic relationships with family members in Guelph and in the Philippines.

Most participants referred to their families as the primary reason for choosing to migrate. Migration often occurs as a process of household decision-making, one that emphasizes

the well-being of the entire household, including the extended family, over the individual. Raul Pertierra emphasizes how families are often the primary agents of migration, with decisions based upon collective family considerations, rather than individual concerns (1992: 15). The willingness of many of the participants to migrate was inextricably linked to the well-being of their family members, and most heads of household described their decision as a means to obtain financial security for future generations, or in many cases, to ensure quality education for their children.

In deciding where to settle, important information regarding host communities, immigration procedures, local living conditions, and labour market information regularly passed through cross-border networks. Families – at times stretching between the Philippines and Canada – were the most common channel for such information, followed by friends and former colleagues. Guelph is

In deciding where to settle, important information regarding host communities, immigration procedures, local living conditions, and labour market information regularly passed through cross-border networks.

considered to be an important manufacturing centre within South Western Ontario, and among immigrants, the information that they received about Guelph was predominantly focused on the potential employment opportunities in the auto manufacturing sector. Some described the importance of having a family member living in Guelph who provided the information that they needed before deciding to migrate, while others were actively engaged in persuading family members in the Philippines to migrate at the time of the interview.

It appears that a combination of promising local economic and labour conditions, coupled with the social capital networks that provide information and job prospects to newcomers, serve to enhance the attractiveness of a smaller city such as Guelph. This supports the view that the economic and social factors are strongly intertwined during the migration process. As Peter Kelly (2003) aptly surmises, kinship networks play a role in “shaping migration and work decisions, tangles of emotional yearnings frustrated by economic necessities, and ongoing dislocations between ‘home’, citizenship and identity” (2003: 210).

Upon arriving to Guelph, the majority of participants reported taking advantage of familial networks to obtain both pragmatic advice and economic support. Whether through direct material assistance, such as the provision of food, clothing and furniture, or through the simple act of being greeted at the airport, participants describe their initial arrival as being facilitated by family networks within the community. Where employment is concerned, almost all newcomers in the study took advantage of their family-based networks in applying for work, as an ‘in’ is often needed to obtain the jobs that provide higher wages, permanent status, and benefits. Peter Li affirms the importance of these networks, describing: “the ability of immigrants to mobilize kinship and ethnic networks to improve economic outcomes in the labour market, especially to compensate for the absence of human capital” (2003: 103). One participant, a mechanic for a major auto parts manufacturer, reported securing multiple jobs for friends and family members, pointing out that at least five of his children and their spouses were currently employed at his plant through such connections.

It must be noted that Barber (1992) has shown that this pattern of familial and ethnic recruitment also benefits employers. Those who nominate family members tend to feel at least partly responsible for the conduct of these new employees in the workplace, and firms are able to capitalize on this behavioural influence (Barber, 1992). Nonetheless, the employment opportunities afforded by such connections demonstrate the vital role that family networks play in the economic strategies of migrants.

Family networks – both in Canada and in the Philippines – appear to play a major role in determining whether immigrants will stay in Guelph over a longer period of time. Once again, it is important to consider both economic and social factors as mutually reinforcing elements. A major incentive for remaining in Guelph is the prospect of well-paying employment, which, coupled with social services provided by the government, permits the achievement of a standard of living often unachievable in the Philippines.

Related to this is the fact that most participants reported sending economic remittances to family members in the Philippines, whether regularly or only intermittently. Economic remittances serve to finance important expenditures such as educational fees, health care, nursing for elderly relatives, home improvements, basic needs, and consumer goods. For some families, the ability to send economic remittances constituted the main reason for deciding to migrate. Indeed, remittances can often represent

fundamental familial migration strategies, as well as a manifestation of ongoing involvement between families at home and abroad. This allows immigrants to cement both financial responsibilities as well as social ties over time and across space.

The social aspects of family networks in the destination city were consistently mentioned as one of the major reasons for choosing Guelph and remaining there for the foreseeable future. Participants spoke of the importance of social ties within the workplace and in the neighbourhood, through family networks and common acquaintances. Over time, these ties form the basis of the friendships that provide emotional support and companionship during initial settlement and beyond, permitting a sense of social embeddedness within the host community. Many

participants reported an eagerness to sponsor other family members to immigrate to Guelph, in order to reunite the family within a new context.

As participants sponsored successive family members to settle in Guelph, several individuals described a change in place-based identity, or what they called ‘home’. It became evident that there exists no unified place-based identity among the interviewees; ‘home’ can be constructed over time according to personal and familial obligations, employment, and the amount of time spent in Canada, among many other reasons. Furthermore, notions of home can be fluid and negotiable over time; one’s identification with a place is not fixed according to a current place of residence or citizenship status. Several participants expressed the growth of a dual sense of belonging or attachment; for these individuals, ‘home’ can exist both in Guelph and in the Philippines simultaneously. Although it is impossible to qualify what constitutes a ‘successful’ integration into a host society, it is suggested

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that these accounts of shifting identities can point to the likelihood of longer-term settlement.

It has been determined that family-based social capital networks are highly important for facilitating the arrival of newcomers within the host society, and for permitting long-term settlement. Having broadly explored these networks, it is possible to draw conclusions relevant to the negative perceptions of family class immigrants presented earlier. First of all, it is of little use to theorize about immigrants as homogeneous groups or 'immigrant communities' with regards to attachment to a perceived homeland. These attachments and individual place-based identities can and do vary widely.

Strong family-based and ethnic networks do not promote exclusionary behaviour or preclude long-term social integration; it is the presence of these networks that can assist newcomers to settle in a community, especially in the absence of formal immigrant settlement services. The initial social and economic support received by newcomers serves to ease their entry into the paid workforce, which also presents a challenge to the assumption that family class immigrants contribute little to economic growth. Over time, these networks serve to strengthen ties to the host community, and even broaden the boundaries of belonging to a particular place.

For Canadian cities, and in particular for smaller areas seeking long-term immigrant attraction and retention, the impact of such family-based social capital networks carries great significance. The family networks that both contribute to the decision to migrate and as well as assist with initial settlement can also be a factor in determining whether newcomers decide to stay in an area over the long term. Overall, it can be asserted family class immigrants, far from representing a resource or economic liability, can represent a valuable source of social and economic stability, and this must be recognized by Canadian communities. Public perceptions regarding family class immigrants must be responsive to the significant community social and economic support offered by immigrant family networks.

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RESILIENCE IN NEWCOMER FAMILIES

ABSTRACT

People who work in helping roles with newcomers can avoid problems of dependency and ensure better outcomes by utilising a strengths-based approach. Awareness of client resilience traits enables both respectful helping and client morale. This paper explains a variety of typical resilience traits and their roles in the life of a newcomer family.

After Saddam Hussein's regime had bombed the Iraqi village several times, and each time the inhabitants had rebuilt their shattered homes and buried their dead, one family decided they had enough. Amad, a young teacher, took his wife and one child and walked to the Turkish border. He had heard that if they could get to a refugee camp in Turkey, they might be able to get to Canada or Australia some day and start a new life. He thought he could get a job teaching in the new country. At the border, they narrowly escaped being turned back by taking a different path, one they had discovered by talking with others. They ended up at the camp, where they stayed for about five years.

While at the camp, the family lived in a one-room concrete block structure. Amad began teaching the children who lived in the camp. They had a couple more children. They applied for permission to go to Canada and Australia. Eventually, they were granted permission to emigrate to Canada. Amad was excited and looked forward to becoming a teacher in Canada. They would have a nice house and he would enjoy a career there while they raised their children.

The family arrived in a city in Ontario and Amad tried to find work. They had to apply to social services for income. Unfortunately, he was involved in two automobile accidents. His wife developed a chronic health problem. They sought help at a local community health centre. Amad didn't understand what was happening to him. He was feeling so disappointed. His dreams seemed to be unachievable. Fortunately, help was available. It became apparent that the effects of the bombings, the long stress of escaping and living in the camps, and the car accidents, had left him with post-traumatic stress disorder. He was able to get therapy for his condition and succeeded in obtaining a disability pension. After several years, the family is doing better. Their English is good, the children are doing well at school, his wife is much healthier. Amad has developed friendships and interests, such as using computers. He volunteers in the community as a translator.

While Canada seems like a land of great promise to newcomers, the reality is that many face great challenges when they arrive. These challenges test their resilience. Often, such families depend on help from their new communities. How this help is given is crucial. There is a world of difference between help that builds on family strengths, and help that is patronising and belittling. Let us examine the kinds of challenges families face, and then explore how to build on their strengths and resilience factors.

The list of challenges for newcomer families is long. They feel such strangeness here. People do so many things differently; speech, clothing, transportation, cooking, politeness, pace of life, types of housing, and so on. Even families seem different, with many single-parent led households and nuclear, rather than extended, family structures. In many areas neighbours hardly know each other and certainly don't trust each other.

Newcomers sometimes have to live in public housing, with factors of crowding, family problems, gangs and stigma. Their finances are inadequate and jobs are marginal. To work in one's field of training is not easy; one has to learn adequate English and obtain Canadian certification and work experience. They experience discrimination, insults and harassment, especially about accents, ethnicity and skin colour. Agencies may give them contradictory information or expect too much of them. Stress and insecurity are frequently felt, but many come from cultures where these concepts are unknown. Traditional coping practices and resources are often either inadequate or absent. Children acclimatise more easily and challenge the parents with their "Canadian" behaviours and opinions. Contact with child welfare agencies creates great confusion and fear, as parents struggle to adapt to Canadian values and parenting styles.

Despite the challenges mentioned, newcomer families like Amad's somehow make the adjustment. It takes time, it takes help and support, and most of all it takes resilience. The concept of resilience is of great

DOMINIC BOYD
Dominic Boyd is a social worker in South-west Ontario. Originally from Australia, he grew up in Nova Scotia. His interests are broad, including counselling, group work and community development. Along with his social work degrees, he has two certificates in human relations.

use in helping families. There are two types of resilience we can consider. One is the more familiar “ability to bounce back”, similar to the idea of a ball bouncing off a wall. This denotes a family that is able to take things in stride, utilizing their already-learned coping resources. The other type is known as “deep resilience” and means the ability of the family to stretch, to grow and learn, and to let go. Typically, the newcomer family is faced with the need to develop deep resilience.

Deep resilience comes from an awareness and acceptance that one has to make some deep changes. It involves asking several questions: “How is this situation challenging me to grow?” “What do I need to learn, in order to cope?” “What must I let go of that isn’t working any more?” “What attitude will serve me best?” Making changes isn’t easy. It may involve reconsidering some deeply-held values, habits or dreams. Let us now consider how Amad and his family showed resilience as they coped with their many challenges.

It is apparent that surviving bombing attacks in Iraq must have been terrifying, yet the villagers rebuilt three times. Most of us in Canada probably have no idea what that would be like. The inner strength, community spirit and overall defiance, the “we want to live” attitude, factors such as religion and nationalism and cultural pride, love of family and desire to see one’s children safe, are among the resilience qualities that enable people to endure. Rather than giving up, Amad dreamed of a better life and was willing to take risks to find it. He knew he had skills he could take with him. Like many other families, they set off for the unknown. What faith that must have taken! Faith is a resilience trait.

Years in a camp further tested Amad and his family. The cramped quarters, poor food, lack of sanitation, monotony, waiting and waiting for word about their future; all conspired to bring a person down. Somehow they managed to hold on, to believe in their dream, to hope, to get through each day. Amad looked after his family and also organised a small class so he could teach children in the camp. He was able to keep up his skills and make life more interesting, as well as know that he was helping others. He scrounged resources and made it happen. He kept up his self-advocacy toward obtaining permission to emigrate. Hope is a resilience trait.

Once in Canada, Amad was hopeful that he could start anew and be successful. Unfortunately, he received injury and emotional shock in some car accidents. He found that something was wrong with him, but couldn’t make sense of it. He sought help. Willingness to ask for help is an essential resilience trait. It became apparent that the continuous stresses he had been through had created a cumulative impact. The accidents were the “straw that broke the camel’s back.” There are treatments for post-traumatic stress disorder (PTSD), but they have to be tailored to suit the person. Early attempts at counselling discovered the source of the problem but left Amad feeling about the same. Once the PTSD diagnosis was made, he was able to apply for disability. The process was hard, since he was initially turned down, but he

persisted and eventually was successful. He formed a good therapeutic relationship with a doctor who was instrumental in obtaining his disability pension, as well as finding a treatment method that helped somewhat. Persistence is a hallmark of resilience.

Amad formed a connection with a social worker, who was able to assist with a variety of needs. In particular, he found a computer for Amad, who quickly learned how to use it and utilize the Internet. Amad started connecting with a lot of people and also taught his children how to use the computer. He also learned to navigate the social service system, deal with housing, schools, transportation and other needs. Accepting help and learning new skills are essential resilience traits.

Another aspect of successful immigration is building and utilizing social capital. Simply put, social capital means knowing who to go to in order to get things done. As time went by, Amad increased his understanding of how systems worked and who were the key people he needed to talk with when he had a problem. He cultivated relationships, as did his wife, and learned to figure out what he needed, how to ask for it and who to go to for it. Building relationships is a resilience trait.

Amad is proud of his wife and children. They enjoy doing things together as a family and socialising with other families. They continue some traditions and have adopted some Canadian ones too. He has modified his dreams; realizing, like many other immigrants, that his children are more likely to achieve the successes he once dreamed of. Flexibility is a resilience trait: letting go of the unattainable allows one to move on.

Newcomers display and depend on many inner strengths besides those mentioned above. These include resourcefulness, spiritual beliefs,

knowledge of health issues and practices, cultural pride, openness to new ideas, willingness to risk, love of nature, love of family. Often, when people look for help, the helpers can overlook these strengths and the newcomers themselves might not be aware of them. A strengths-based approach puts a lot of emphasis on identifying strengths, rather than focussing only on problems. It builds pride in the family system and its coping practices. This in turn reduces dependency and increases the likelihood of successful results.

In summary, awareness of resilience traits and willingness to build on them are essential parts of the helping process. Newcomer families possess many such traits, but may not be fully aware of them. By showing respect for family strengths, by letting people relate and understand their own stories, their hidden strengths can be brought into mindfulness and thus employed in handling current difficulties. Those who work in helping capacities with newcomers, do best by utilizing such empowering strategies.

Children challenge the parents with their “Canadian” behaviours. Contact with child welfare agencies creates great confusion, as parents struggle to adapt to Canadian values.

Note

¹ Name changed for privacy.

LA RÉUNIFICATION FAMILIALE

Une stratégie de développement communautaire durable?

RÉSUMÉ

Les régions rurales font face à des défis de taille en voulant utiliser l'immigration pour contrecarrer les conséquences démographiques, économiques, sociales et politiques de la dépopulation progressive. Bien que l'immigration soit perçue comme un remède face à ce fléau de plus en plus présent à l'intérieur des communautés, les stratégies à adopter ne peuvent aucunement être transversales et doivent tenir compte des particularités de chaque région. Pour le Carrefour d'immigration rurale inc., la réunification familiale constitue une stratégie permettant non seulement d'accueillir des personnes immigrantes, mais d'en attirer par la présence des réseaux ainsi créés. Une stratégie offrant aussi beaucoup de possibilités pour compenser, en partie, les manques présents dans les communautés rurales minoritaires.

De l'immigration urbaine à l'immigration rurale

Le taux d'immigration ne cesse de s'accroître dans les grands centres urbains alors que plusieurs régions rurales constatent la diminution considérable de leur population. Les provinces de l'Atlantique ont reçu 3 454 nouveaux arrivants en 2004 (Citoyenneté et immigration Canada, 2004), chiffre qui représente seulement le 1,4 % du total d'immigrants reçus au Canada dans la même année. En fait, l'ensemble des provinces de l'Atlantique a perdu 48 035 habitants entre les années 1996 et 2001 (Statistiques Canada, 2001).

Plus particulièrement, le Nouveau-Brunswick est l'une des provinces les moins peuplées de personnes immigrantes au Canada. Pour 729 498 habitants, seulement 806 personnes immigrantes furent accueillies en 2001 dans cette province (Citoyenneté et immigration Canada, 2004). Il va sans dire que ce nombre est très loin de combler les pertes de personnes dues au vieillissement de la population, à la dénatalité accrue, aux migrations de sorties, à l'exode des jeunes et à la non-rétention des immigrants, eux-mêmes, ne restant pas toujours dans leur province d'accueil. Cette baisse démographique étant présente dans plusieurs zones à travers le pays, éveille l'urgence chez plusieurs acteurs sociaux, économiques et politiques afin de poser des actions dans leur communauté pour arriver à contrer ce phénomène de dépopulation et garantir l'avenir de ces régions.

Il est clair que l'adoption d'une stratégie migratoire doit être véhémement si on veut atteindre des objectifs démographiques visant à combler les manques dans les régions rurales et semi-rurales.

Développement communautaire durable

Le Carrefour d'immigration rurale inc. (CIR) situé à Saint-Léonard au Nouveau-Brunswick, comme bien d'autres organismes travaillant dans le développement communautaire de leur collectivité, veut profiter des bienfaits de l'immigration en essayant d'enrayer au maximum les défis et enjeux qu'elle suscite. Le CIR se voit comme l'instigateur local et régional d'un projet d'immigration durable dans des régions rurales francophones hors Québec. L'expertise que le CIR développe actuellement dans la municipalité de Saint-Léonard, dans le nord-ouest du Nouveau-Brunswick, ainsi que dans des sites satellites à l'Île-du-Prince-Édouard et au Yukon commence à montrer des résultats intéressants. Pour ce faire, le CIR se veut un promoteur de l'immigration dite « responsable », qui vise non pas l'établissement d'un grand nombre d'immigrants à la fois, qui serait au détriment d'une intégration plus ou moins réussie, mais plutôt l'inverse. Il est évident que nombreuses sont les actions qui doivent être entreprises de façon à assurer ce type d'intégration réussie.

Parmi celles-ci, le CIR aspire à faire dans son programme d'intervention sociale du cas par cas avec chacune des nouvelles familles ou personnes immigrantes qui utilisent ses services. Ceci afin de leur venir en aide dans la recherche d'un emploi qui répond, au mieux, à leurs besoins et compétences, de même que d'assurer des ressources dans l'apprentissage de la langue française, dans la participation sociale, etc. De la même façon, celui-ci pose des actions au sein de sa communauté dans le but de faire du renforcement des capacités communautaires. Ceci a pour but d'augmenter la capacité de sa communauté à accueillir et à intégrer des personnes immigrantes en faisant des interventions et des

CAROLE MARIE FOURNIER ET JUAN MANUEL TORO LARA
Carole Marie Fournier est une agente de projets et de recherche en interculturel au Carrefour d'immigration rurale inc. à Saint-Léonard, Nouveau-Brunswick. Elle est responsable de l'analyse des besoins communautaires en plus de développer, livrer et évaluer des activités et/ou interventions de sensibilisation, de formation et de gestion de la diversité culturelle dans la région du Madawaska. Juan Manuel Toro Lara est chargé de projets en interculturel au Carrefour d'immigration rurale inc. à Saint-Léonard, Nouveau-Brunswick. M. Toro est le responsable de l'accueil, de l'établissement et de l'intégration des personnes immigrantes dans la région du Madawaska.

activités de sensibilisation, de formation et de gestion de la diversité culturelle auprès de divers publics. De même, le CIR prend beaucoup de temps pour créer des partenariats qui constituent la clef garantissant l'implication importante des fournisseurs de services de la part du gouvernement, aspect qui a été sensiblement négligé dans d'autres expériences migratoires du même genre partout au pays. Il a aussi entrepris récemment un projet ayant pour but de développer une stratégie de services d'établissement pour les personnes immigrantes dans huit autres régions francophones au Nouveau-Brunswick. Bien entendu, toutes ces initiatives locales visent un développement durable puisqu'elles envisagent l'enracinement et la sédentarisation de chaque nouveau voisin.

Il est évident que malgré ces initiatives, plusieurs enjeux et défis demeurent, et touchent tout particulièrement les régions rurales et semi-rurales du Canada. D'autant plus que certaines caractéristiques de ces régions rurales, dont la question de la minorité francophone pour le Nouveau-Brunswick, l'homogénéité parmi les habitants, la tendance assimilationniste, la grande distance à parcourir pour accéder aux services, la moindre disponibilité de ressources, etc., apportent des défis particuliers qui exigent des réponses spécifiques.

Une stratégie – la réunification familiale

D'ores et déjà, la question se pose : « Comment favoriser une intégration réussie à l'intérieur de petites communautés ayant une quantité innombrable de défis à relever? » Il est évident que même si l'emploi demeure au cœur des raisons qui pousse les personnes immigrantes à rester ou non dans un lieu (Simard, 2003; Vatz Laaroussi, 1999, 2002, 2004; Lenoir-Achdjan, 2001, en cours; voir Vatz Laaroussi, 2004), celui-ci n'est pas le seul critère. Le fait de se sentir comme partie intégrante dans la communauté joue aussi beaucoup dans le choix d'un établissement à long terme. Permettre ainsi aux familles ou personnes immigrantes d'être entourées des leurs, à notre avis, augmente les chances que ceux-ci en viennent à rebâtir un avenir qui ressemble, en toute modestie, à un chez soi lointain.

Apports et enjeux de cette stratégie

Pour le CIR, permettre la réunification familiale, même si elle ne garantit pas une rétention des immigrants, assure en partie une longévité de passage des familles immigrantes au sein de la communauté, la question de la rétention étant au cœur des défis des communautés rurales. De toute façon, la décision finale de partir ou de rester appartient toujours à la personne et non à la communauté d'accueil, même si celle-ci s'efforce de mettre

toutes les conditions en place pour bâtir un climat accueillant, chaleureux et propice à l'épanouissement.

Il apparaît intéressant de favoriser la réunification familiale, car elle permet de réaffirmer les réseaux familiaux. Ceci s'avère souvent nécessaire étant donné que l'étanchéité des réseaux d'immigrants et des réseaux locaux est peu présente en région (Vatz Laaroussi, 2004). C'est en établissant ainsi des réseaux familiaux et communautaires, avec des personnes de la localité, que sera favorisée l'intégration sociale, linguistique et culturelle des immigrants par une participation plus active dans la communauté. Que ce soit par l'entremise de jumelages, de groupes d'aide aux immigrants, d'activités culturelles ou autres. Il existe l'espoir que la formation d'un réseau primaire, dans l'éventualité d'une présence

importante des membres appartenant à la même communauté culturelle, favorisera l'intégration collective à l'ensemble de la population et l'épanouissement de la personne immigrante dans un milieu qui lui ressemble. Il reste à savoir qu'un réseau bien établi sera la nouvelle garantie pour que les personnes immigrantes, commencent tranquillement à bien vouloir profiter de la qualité de vie offerte par les milieux ruraux. Ces réseaux permettront aussi d'assurer un meilleur soutien entre familles. Enfin, une meilleure intégration de façon globale est susceptible d'avoir des impacts au niveau de l'enracinement à long terme. Il est évident que ce type de réseau local est par la suite en mesure d'apporter, à travers les réseaux nationaux et transnationaux, la mobilité de d'autres personnes immigrantes au sein de la région. Une personne immigrante épanouie stimulera l'immigration de d'autres personnes au sein de la région dont elle fait partie. Dans le même ordre d'idée, la masse de personnes immigrantes étant souvent peu probable, voire même peu réaliste en région, n'est-il pas mieux de considérer recruter des personnes immigrantes provenant de culture ou

de réseaux sensiblement homogènes ? D'autant plus que les communautés francophones ancrées dans le biculturalisme, tel que le Nouveau-Brunswick, craignent le discours de la diversité par peur de perdre quelque chose. Celle-ci ayant longtemps lutté pour la reconnaissance des droits linguistiques (Belkhodja, 2005).

Du côté provincial, la réunification familiale permet une diminution de l'investissement provincial dans les missions à l'étranger, et ce, dans le cadre du programme des candidats de la province. Les réseaux transnationaux des familles se voient une source facilitatrice au niveau du recrutement à l'international, puisqu'ils peuvent suggérer de nouveaux candidats qui répondent aux profils recherchés par la province. Toutefois, cette stratégie soulève un enjeu

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de taille en ce qui concerne l'intégration économique de la personne immigrante, et donc, de la redynamisation économique de la région. Nous n'avons qu'à penser aux cas de réunification familiale impliquant des enfants, des parents et des grands-parents qui sont plus susceptibles d'être un poids pour l'économie plutôt qu'un apport substantiel. À noter que ceci n'enlève rien aux apports socioculturels. De plus, cette stratégie permet de diminuer des procédures par la diminution du nombre d'intervenants traitant les dossiers qui passent directement par le fédéral. D'autre part, cette approche diminuera l'implication des instances provinciales dans les dossiers d'immigration, ce qui ne s'avère pas nécessairement positif dans le cas du Nouveau-Brunswick, étant une province qui veut de plus en plus favoriser ce phénomène.

Du point de vue des milieux minoritaires francophones, il est intéressant de promouvoir initialement l'immigration de personnes francophones ou francophiles, et ce, afin de perpétuer l'usage de la langue française. D'autant plus que les nombres que les communautés francophones comptent pour moins d'un quart du volume de personnes immigrantes reçues chaque année comparativement aux communautés allophones. Ainsi, l'immigration francophone hors Québec demeure un phénomène assez limité. Seulement 3,1 % (Citoyenneté et Immigration Canada, 2003) des personnes immigrantes à l'extérieur du Québec seraient d'expression française. Toutefois, vouloir augmenter le taux de population francophone ne signifie pas que c'est toujours possible de faire de l'immigration francophone. Pour cette raison, il est important de prioriser l'apprentissage de la langue ainsi que la possibilité d'une éducation francophone par chacun des immigrants accueillis.

Questionnement en suspens

Nombreux sont les avantages semblant ressortir de cette stratégie de recrutement. Toutefois, nous devons nous questionner à savoir si le fait d'utiliser la réunification familiale, ou de membres de la même communauté, n'aura pas comme impact de créer des communautés culturelles qui, en voulant être autosuffisante, n'interagiront plus avec la communauté d'accueil; phénomène présent dans les grands centres urbains. De plus, les caractéristiques des milieux ruraux tels que leur homogénéité, les attentes au niveau économique, le manque de ressources et d'accessibilité aux services, etc., obligent celles-ci à établir des paramètres sélectifs et « responsables » au niveau du recrutement. Nous devons ainsi nous questionner face à la légitimité de ces choix. Nous considérons ainsi qu'il n'est pas simple de parler de stratégie de recrutement, et ce, même si nous priorisons la réunification des familles comme stratégie. Celle-ci doit tenir compte de toutes les réalités mentionnées ou non ainsi que des particularités de chaque municipalité, d'où l'impossibilité de générer une stratégie de recrutement transversale. Pour ces diverses raisons, la discussion est encore ouverte sur la stratégie à développer dans les milieux ruraux. Un questionnement qui se doit d'être posé non seulement par les organismes en milieux ruraux, mais aussi par les décideurs politiques, les acteurs sociaux, les chercheurs, etc.

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FAMILY CLASS IMMIGRATION: THE NEED FOR A POLICY REVIEW

ABSTRACT

Family class immigration has for several decades been a major and sometimes contentious element of Canada's immigration program. While highly popular in some quarters, questions must be asked about the extent to which it is beneficial to Canadians in general rather than primarily to immigrants who wish to sponsor members of their extended family.

It should be noted at the outset that no one objects to independent immigrants bringing in their spouses and unmarried dependent children. Family class immigration becomes an issue when it comes to sponsorship of parents and grandparents along with other relatives who do not have to meet the qualifications required of skilled immigrants.

As far back as the 1950s, it had become apparent that sponsorship of relatives other than spouses and children was bringing in too many unqualified workers. During this period, for example, it was calculated that, for every individual from one particular country who was admitted into Canada as an independent immigrant, another forty-nine gained access through sponsorship (Hawkins, 1972, page 51). The government, therefore, decided to remove such categories as brothers and sisters from sponsorship eligibility. Attempts to implement these changes, however, were met with a storm of protests from ethnic organizations, some segments of the press, and even members of the governing party. The sponsorable classes slated for removal were, accordingly, hastily restored. (Hawkins, 1972 page 6, and Green Paper, 1974, Vol. 2, page 26).

Pressure to increase family class intake continued and increased, particularly after Canada opened its doors to newcomers from non-traditional sources, where economic opportunities as well as social welfare systems were less developed than in the traditional source countries. In response to such pressures, the 1978 *Immigration Act* gave first priority to the processing of sponsored relatives, with skilled immigrants further down the pecking order. A further point worth noting is that, while the Department could set annual targets, the 1978 Act did not give the power to set limits on the number of immigrants in the various components of the intake. The Department could not, therefore, cut off the number of family class applications because the annual target had been met for that group. (Green and Green, 1996, page 23) This means in effect that, if someone qualifies to come here as a sponsored relative, even if the processing of their visa cannot be completed immediately, we are obliged to take them no matter how large the numbers might become.

The reason for giving priority to sponsored relatives over skilled independent immigrants is relatively simple: immigrants already in Canada and who want to bring in extended family members can usually vote in the next election, while independent immigrants cannot, even though they are virtually certain to be of greater benefit to Canada. When Freda Hawkins reported on this subject in 1972, she noted that the pressure to give preference to sponsored relatives came largely from MPs who represented ridings with large ethnic constituencies as well as lawyers. (Hawkins, page 349)

In terms of current policy, it is parents who provide the key link through which extended family members can be brought into the country. After being sponsored for entry by their sons or daughters in Canada, such parents can bring with them their unmarried dependent children. The latter can then marry spouses from their country of origin, who in turn become eligible to sponsor their own parents and their parents' offspring. The resulting "chain migration" can eventually lead to the settlement in Canada of dozens of more distant relatives, none of whom has to meet the skills or language requirements of independent immigrants.

An interesting result of this arrangement is that the possibility of marrying a Canadian citizen and, in due course, being able to sponsor one's parents and siblings often brings with it a high price tag in some developing countries. Families wishing to immigrate to Canada and whose members cannot meet the requirements needed to qualify as independent immigrants may be prepared to pay dearly for the privilege of marrying their son or daughter to a Canadian and thus opening the door to other members of their own family.

MARTIN COLLACOTT

Martin Collacott is a Senior Fellow with the Fraser Institute. He is a former Canadian Ambassador in Asia and the Middle East, former Citizenship Advisor in the Ontario Ministry of Education, and CIDA Advisor on the Teaching of English in Chinese Schools in Sabah, Malaysia.

The opportunity to sponsor parents as a means of bringing in extended family members has also significantly encouraged fraudulent applications. The 1982 Auditor General's report noted that "engagements and marriages of convenience, even pregnancies of convenience, unverifiable or dubious family relationships and false or altered documents are some of the methods used..." (Report of the Auditor General of Canada, 1982, section 7.44). Nor has the situation improved in the interim. In August 2000, it was reported that a single makeshift temple in one of the main source countries of immigration to Canada had created documents for 50 alleged marriages in order to obtain landed immigrants status for the "spouses" (Mandal, 2000).

All of this comes at a considerable expense to both native-born Canadians and immigrants already in Canada. With regard to the sponsored parents themselves, medical costs and other benefits for which they are eligible are likely to be considerable – particularly since most are retired and therefore unlikely to contribute in the form of taxes. A government commissioned report noted in 1997 that the use of welfare by sponsored parents and grandparents rises rather than falls over time, and reaches rates close to four times that of the general population (Government of Canada, 1997, page 46).

As for family class immigrants in general, their track record has not been encouraging. Their weak performance was documented in the analysis of a 1995 report to the House of Commons Standing Committee on Citizenship and Immigration which showed that, while independent immigrants who arrived in 1985 earned \$45,000 a year, family class members who arrived at the same time earned only \$14,000 a year (Campbell, 2000, pp. 55-56). A study released by the Department of Citizenship and Immigration in 1998 indicated that immigrants in the family reunification (i.e., family class) category report low employment earnings, high rates of unemployment benefit and social assistance usage, and low percentages of tax filers reporting employment earnings. (Government of Canada, 1998). A recent calculation of the costs of immigration to the Canadian taxpayer indicated that it is by no means inconsequential. Herbert Grubel, a former professor of economics, has estimated, for example, that in 2002 the net transfer of taxpayers' money from Canadians to immigrants who arrived in Canada from 1990 to 2002 amounted to \$18.3 billion. (Grubel, 2005, page 19)

Notwithstanding the significant decline in the economic performance of skilled newcomers in recent years, family class immigration is almost certainly the largest single contributor to the current high cost to Canadians of immigration. Governments, nevertheless, have continued to respond to pressures to preserve and expand it. With regard to the sponsorship of parents, for example, in 1978,

lobbyists managed to have removed the requirement that sponsored parents be at least 60 years old (thus increasing the scope for bringing in parents young enough to still have dependent children).

When the current immigration legislation was tabled in 2000, the lobbyists also successfully applied pressure to have provision for sponsoring parents transferred from the regulations (where it could have been altered at the administrative level) to the Act itself, where it is much more secure and cannot be changed without recourse to Parliament. The new immigration law also eased provisions for sponsoring family members and other relatives. It reduced the length of the sponsorship obligation from 10 years to three for spouses and common-law partners. It lowered the age at which one can sponsor a relative from 19 to 18 and increased the age at which a dependent son or daughter can be sponsored from 19 to 22. The new legislation removed restrictions on bringing in spouses and children who are likely to make excessive demands on health or social services.

One of the most notable successes of family class advocates was their success in 2005 at reversing a government decision to reduce the targets for issuance of visas to parents and grandparents. Arrivals in this category had been around 20,000 annually until 2003 and then fell to 11,000 in 2004. When a target of between 5,500 and 6,800 was announced for 2005 by the then minister of immigration, Judy Sgro, it was clear that the government's aim was to lower the intake substantially on an ongoing basis.

In one sense this was hardly surprising. As the key link to family class sponsorships and as a category in itself that was very costly to Canadians, it was difficult to justify the intake of such a large number of sponsored of parents and grand-

parents. In the face of strong opposition from groups representing immigrants, however, the government's resolve did not last long. In April, 2005 then Minister of Citizenship and Immigration, Joe Volpe, announced that the targets would be pushed back up to 18,000 for each of the next two years – a decision regarded by some observers as an attempt to consolidate electoral support among immigrant groups in preparation for a general election.

In fairness to those who had submitted applications to sponsor their parents, it should be pointed out that the government had attempted to lower the levels in a less than transparent fashion. Having paid the application fees in the expectation their parents and grandparents would be able to join them within a reasonable period of time, few of the sponsors were aware that, with the reduced annual targets and a backlog of more than 110,000, many of them would have to wait more than ten years before their parents and grandparents were admitted to Canada.

Notwithstanding the significant decline in the economic performance of skilled newcomers in recent years, family class immigration is almost certainly the largest single contributor to the current high cost to Canadians of immigration.

What the government should have done if it had had the political will and was determined to serve the best interests of Canadians, was to be fair to those in the backlog by processing their applications in an expedient manner and at the same time announcing new rules for future sponsorships based on policies along lines similar to those used in Australia. The Australians also provide for the sponsorship of parents but have requirements in place to ensure that such a process really will reunite families, will not simply be used as a device to bring in other relatives and will not incur undue expenses on Australians.

What Canberra has done is to establish a “balance of family” test, under which at least half of the parents’ children have to be permanently settled in Australia (or at least more of them in Australia than in any other country) before the parents can be sponsored. In consequence, the number of sponsored parents admitted to Australia is very much smaller than is the case with Canada. The costs to taxpayers are, moreover, further reduced by a requirement that the sponsors post a bond to cover their parents’ medical and welfare costs in Australia. A further feature of the Australian system is that a cap is placed on how many parents can be admitted within a given year. Sponsors are, therefore, aware that there may be delays if the number of applications exceeds the annual limit.

The monetary cost of the present sponsorship system is not the only thing Canadians should be concerned about. As early as 1972 it had been noted that “the sponsorship system has ...contributed powerfully to the growth of large and, to a considerable extent, self-contained ethnic communities” in the larger cities (Hawkins, 1972 p. 49). A dramatic increase in visible minority neighbourhoods¹ was subsequently documented by Statistics Canada when it reported that in Toronto, Vancouver and Montreal they had increased from six in 1981 to 254 in 2001. (Hou and Picot, 2004 page 11)

In this regard, it has been pointed out that ethnic neighbourhoods have formed from time to time in Canada during periods of large-scale immigration but that their residents eventually integrated into mainstream society. A number of factors suggest, however, that eventual integration of the members of the increasing number of ethnic neighbourhoods is less certain than it was in the past. For one thing, immigration prior to the middle of the 20th century took place in cycles, with very large numbers of newcomers arriving for several years followed by much smaller intake when the economy was doing poorly. Since the late 1980s, however, immigration levels have not longer been related to our absorptive capacity and now remain consistently high. In the circumstances, ethnic neighbourhoods are receiving a continuing supply of new arrivals and are more likely to grow rather than diminish.

A quite separate factor slowing down integration is the rapid development of communications and technology. This is particularly relevant in the case of sponsored relatives who are usually more limited than skilled independents in their capacity to get involved in the culture and labour force of their new country. This phenomenon was noted in a *Maclean’s* magazine article which reported that “cheap communications technology and the Internet enable new arrivals to stay intimately in touch with their native lands, slowing down integration.” A university of Toronto researcher is quoted in the article as stating that, in consequence, the pattern of assimilation has all but disappeared, adding that the new groups are more distinct and have round-the-clock access to their country of origin. (*Maclean’s*, 1999)

One other aspect in which family class immigration is having a less than desirable outcome for Canada is that it is, ironically, reducing the level of diversity among newcomers settling here. Given the priority accorded to the processing of sponsored applications, the large and settled communities are growing at a faster rate than those that are newer and smaller. Applicants from such countries, for example, as Indonesia, Thailand, Brazil and Egypt are mostly in the independent category and, therefore, do not receive the same priority as family class cases applications from those countries that have been the principal sources of immigration to Canada in recent decades.

It should be noted with regard to family class immigration that there is nothing wrong in principle with newcomers wishing to bring in members of their extended families. It is perfectly natural and, indeed, admirable to want to help one’s relatives. The question remains, however, whether it is in the interests of Canadians to take in large numbers of

individuals likely to incur major costs on the taxpayer as well as face greater problems of integration than most skilled independent immigrants. An immigration program, it should be remembered, is based on what is in the best interests of the receiving nation as distinct from the acceptance of refugees, which is justified essentially on humanitarian grounds.

It must be acknowledged that some immigrants come from cultures in which importance is given to keeping their extended families together. The point has also been made that the presence of their parents and grandparents can also be of major benefit to working immigrant couples who need someone to care of their children. Some have argued that unless, therefore, they can arrange for such relatives to join them in Canada, some of the most potentially successful skilled immigrants may be less interested in coming here in the first place.

An immigration program, it should be remembered, is based on what is in the best interests of the receiving nation as distinct from the acceptance of refugees, which is justified essentially on humanitarian grounds.

While this may be true in some instances, it is probably not true in most. When the government of Australia decided it was necessary to tighten up on the sponsorship of relatives and particularly the sponsorship of parents in the 1990s, there was no significant drop in the number of well-qualified people wishing to immigrate to that country. In Canada's case, being able to bring in other relatives by initially sponsoring one's parents may be an added bonus for some newcomers. The chances are, however, that most will apply to come here even without such added inducements if they think it is to their advantage to do so.

In the circumstances, the Canadian government must consider seriously new rules for family class immigration that are based on the best interests of Canadians – rules that will reduce not only the very considerable cost to Canadians of the current program but also improve the likelihood that those who do come as immigrants are well equipped to integrate into Canadian society. The Australian model provides us with some useful guidelines in this regard.

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Note

- ¹ A "visible minority neighbourhood" is defined in the paper as having 30% of its population from a particular visible minority group. The authors also note that most of the visible minorities are immigrants.

FAMILY REUNIFICATION: THE KEY TO SUCCESSFUL INTEGRATION

ABSTRACT

This article describes how the family reunification process works, as well as examining the system's strengths and weaknesses and offering suggestions for more effectively meeting the needs of immigrants who wish to reunite with relatives.

Canada is one of the most culturally diverse nations in the world. Our diversity has grown over the past century as a direct result of our immigration policies, which have changed from being based on exclusion and discrimination to tolerance and inclusion. Policies regarding family reunification have similarly evolved from the arbitrary and often racist regulations of the early twentieth century, to the relatively fair and non-discriminatory process we have today. In the past three decades, family reunification has become a pillar of Canada's immigration program.

This article describes how the family reunification process works, examines the strengths and weaknesses in the system, and suggests how we might be more effective in meeting the needs of immigrants to reunite with their relatives. I will be looking at this issue from the perspective that all Canadians have the right to an extended family and, that to achieve this end, we must integrate family values into our family class immigration policies.

The Process

The *Immigration and Refugee Protection Act (2001)* states that one of the law's objectives with respect to immigrants is "to see that families are reunited in Canada." Canada's current immigration legislation allows Canadian citizens and permanent residents who are over the age of 18 to sponsor the following family members for permanent residence:

- spouses, common-law or conjugal partners 16 years of age or older;
- parents and grandparents;
- dependent children, including adopted children;
- children under 18 years of age being adopted; or
- brothers, sisters, nephews, nieces or grandchildren who are orphans, under the age of 18 and not married or in a commonlaw relationship.

People may also sponsor one relative of any age if they do not have an aunt, uncle, or a family member from the list above who could be sponsored or who is already in Canada. There are, of course, financial requirements for the sponsors, who must promise to support their relative and any accompanying family members for a period of three to ten years to help them settle in Canada.

The Strengths and Weaknesses of Family Unification Today

Our immigrant population has grown significantly over the past decade which has resulted in a steady increase in the number family reunification applications. During this time, the government instituted a quota system that limited the number of people accepted in this category, and there was an increase in the scrutiny of medical and security checks in light of 9/11. The result has been a growing backlog of family class applications and a dramatic increase in the processing times.

We have seen some significant and positive changes to the family class immigration policies in the current *Immigration and Refugee Protection Act (2001)* and in subsequent changes to regulations:

- Children under the age of 22 are now in the family class, as opposed to under 19 in the recent past.
- Individuals are able to sponsor at age 18 (down from 19).

ANDREW TELEGDI, P.C.
Andrew Telegdi is the Member of Parliament for Kitchener-Waterloo. He was elected to Parliament in 1993. He has served as the Chairman of the Standing Committee on Citizenship and Immigration and as Parliamentary Secretary to the Minister of Citizenship and Immigration.

- Dependent children now include children under legal guardianships.
- Same- and opposite-sex common-law couples are now formally recognized and accorded rights, as are conjugal partners.
- Spouses, common-law partners, conjugal partners and dependent children are exempt from the health requirements related to excessive demand.
- Spouses and common-law partners with temporary status in Canada may be sponsored for landing in Canada as part of a defined class.
- Fiancés are no longer a separate group, but may be sponsored if they are conjugal partners.
- There are streamlined methods of recovering payments upon sponsorship default.
- There are more rules excluding people from sponsoring family, including those in default of court-ordered family support payments, and those convicted of specified family-related crimes.
- The duration of the sponsorship period for spouses and common-law partners is now three years, and varies for children depending on the age or situation of the child.
- Spouses and common-law partners of Canadian citizens and permanent residents, regardless of their status, will be allowed to remain in Canada while their immigration application is being considered.

Despite these improvements, the current policies regarding family class immigration continue to have obvious flaws. That was why the Standing

Committee on Citizenship and Immigration that I chaired found that issues related to family reunification required more study. The Committee heard evidence on this issue in Ottawa, and during its March and April 2005 cross-Canada hearings held in all the provincial capitals as well as Calgary, Montreal, Vancouver and Waterloo Ontario. Scores of individuals, representatives of agencies serving immigrants, legal and cultural associations, and officials from the Department of Citizenship and Immigration participated.

In their evidence and submissions, witnesses told us that family separation creates negative effects on all aspect of life, processing times are too long, and too many barriers to family reunification exist. Witnesses expressed dissatisfaction with the family unification process in Canada. We concluded that rectifying the current problems would require broad systematic changes to seriously reduce processing times, redirect immigration policy regarding who enters Canada, and eliminate other barriers to family reunification.

From an economic perspective, excessive delay will cost Canada in terms of the possible contributions of newcomers.

Recent immigrants may have to turn to public authorities for support in the absence of their relatives, who either cannot be sponsored or who face lengthy overseas processing. The economic contribution to Canada of sponsored relatives is also delayed or, in many cases, never realized when years pass without result. Money also tends to flow from Canadians to their relatives outside of the country. Reuniting the family here would have direct financial benefits for all of Canada.

Family separation can have devastating emotional impact. Children separated from their parents for years, spouses kept apart, elderly parents facing a wait of five or more years to be able to join their children here; these situations cause extraordinary mental anguish. The suffering of the family members in Canada was palpable during the Committee's hearings. Many described the process as systemic cruelty.

The presence of family in Canada rather than language skills or work experience is the most telling indicator of likely success in Canada. Witnesses suggested that a family class immigrant earning \$20,000 a year is likely to be happier and better adjusted than an immigrant earning double that amount who came as a skilled worker but is unable to work in their chosen field.

The Issues to be Addressed

The 60-40 Split

As a matter of policy, several years ago the government determined that 60% of newcomers should be from the economic category and 40% from the non-economic category (Family Class, Refugees, and Humanitarian and Compassionate cases). This policy was made in the belief that accepting people with educational credentials and professional qualifications is in the best economic interest of Canada. The fact is, there is nothing magical or scientific about the 60-40 split and no one can

point to any studies that produced these numbers.

While there is an obvious benefit to have highly educated professional immigrants, the 60-40 split policy was ill-conceived and based on insufficient studies determining both the benefit and success rate of this class of immigrant. In fact, many immigrants that come in under the point system have had trouble finding work in already saturated fields. There may be no strong market demand for their skills or their qualifications cannot be certified. At the same time, applicants with skills in the trades we need cannot get in because they typically do not qualify under the points system.

I believe immigration policy needs to be guided by our real needs. The 60-40 arrangement limits the overall number of potential family class immigrants: in 2004, family members made up 52,000 of the 245,000 immigrants. The department and the government should be re-examining its policy balance with a view to increasing non-economic immigration and bringing in the skilled tradespeople that Canada really needs. As I mentioned above, family reunification has distinct and real economic benefits on many levels.

We have seen some significant and positive changes to the family class immigration policies in the current *Immigration and Refugee Protection Act (2001)* and in subsequent changes to regulations.

Processing Parents and Grandparents

Under current family reunification regulations, priority is given to spouses and dependent children, which limits the number of visas available to other family class members such as parents and grandparents. They must wait for years to be reunited with their children and grandchildren; the current backlog is estimated at 115,000 while the annual quota has only recently increased to approximately 18,000. Thus, anyone who applies now can expect a five-year processing time.

Some argue that increasing the numbers of older and elderly immigrants will tax an already stressed health system. The truth is that the relatively small number of immigrants in this category (7 percent of total annual immigration) will produce a very small increase in the use of the system. The improved economic and quality of life ramifications for the many Canadian families who will have live-in parents and grandparents balances, if not outweighs, this cost.

Parents and grandparents make a real contribution to immigrant families and communities. Some have financial resources that can help struggling relatives to establish themselves. Others have professional training they can contribute on a volunteer or professional basis. Still others provide daycare and take care of the household needs while both parents are working. Considering the limited life expectancy of elderly people and the hardship separation causes them and their families in Canada, the quota for this category must be increased and their applications expedited.

The Definition of Family

Many people agree, and I agree, that we need a broader definition of the family unit. It is interesting to note that the nuclear family is not the functional model that is recognized in most societies. I think that we need to revisit Canada's immigration policies so that they better reflect the extended family relationships that are common in many areas of the world.

The fact that siblings are not considered to be members of the family class unless they are orphaned minors or dependants of sponsored parents is a sad situation. Siblings and cousins can help provide emotional and financial support to their family in Canada and may assist in retaining immigrants in areas of low immigration.

Length and Disparities in Processing Times

The length of the processing times for applications is excessive and causes hardship for all parties concerned. As mentioned above, the main reason for this is the increase in the number of applicants, quotas imposed for this class of immigration and more intense scrutiny of applications. While the government has instituted processes to expedite the process and cut down on waiting times in recent years, the problem still exists and must be addressed.

The different processing times at Canada's visa posts are also a subject of concern. For sponsorships of spouses and dependent children, for example, some posts process 80% of their cases in three months, while others take 20 or 30 months.

Final Thoughts

The mere existence of a policy does not make it right. We must change policies so they best serve the interests of the country at any particular time. In our history we passed discriminatory and racist immigration policies that created suffering we are still atoning for today.

We have also had immigration policies that fulfilled their purpose for a while, but more recently become counter-productive. For example, the point system brought in many highly educated immigrants but made the immigration of other skilled tradespeople difficult. To fill this vacuum, we brought in thousands of temporary workers who have stayed and ended up as undocumented workers (people who have no legal status and feed the labour needs of an underground economy). This example shows the pitfalls of keeping policies that no longer work.

The settlement of new Canadians is a real challenge and an issue that warrants our attention and focus. We need to change our perspective regarding immigration from seeing it as something that we allow because we are a humanitarian country or because it serves a short-term economic need. Rather, immigration represents the lifeblood of

this country. One only has to look at Canadian demographics and see that growth in our workforce and our economic strength in the next decade will rely on immigration.

There are three or four centres in Canada that attract the majority of immigrants. However, all regions of the country are looking for immigrants to provide needed labour and skill sets. The most logical way to make less popular centers attractive to immigrants and ensure they stay is to create clusters of extended families. Family reunification is a key element in creating and maintaining the viability of smaller ethnic communities in these regions.

Family reunification serves the purpose of enabling the successful settlement of new immigrants and enhancing the quality of life of new Canadians by providing them with an extended family support network. We know that when people come to a country where they have ties with relatives they will have an easier time settling.

Changes are needed in the way we deal with the issuance of non-resident (visitors) visas. It is important that the visa regulations are humane and allow for family members to come to Canada to attend the milestones such as births, marriages and funerals in the lives of their Canadian relatives.

Finally, we must understand that the relative importance of the various classes of immigration to our country's economic success, changes as our demographics and society changes. That is why we need to re-examine our quota-based immigration policies on a regular basis to ensure they provide the mix of immigrants that best serves Canadian interests. This means putting more resources into facilitating the settlement and integration of immigrants. Family reunification plays an integral and critical part in this and must be expedited and expanded.

Parents and grandparents make a real contribution to immigrant families and communities. Some have financial resources that can help struggling relatives to establish themselves.

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Libertés fondamentales
Chacun a les libertés fondamentales suivantes : (1) la liberté de conscience, de religion, d'opinion et de l'expression; (2) la liberté de la presse, de la communication, de l'information et de l'accès à l'information; (3) la liberté de réunion pacifique; (4) la liberté d'association.

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Tout citoyen canadien a le droit de participer à l'élection fédérale ou provinciale; (1) le droit de voter; (2) le droit de se présenter comme candidat ou de se faire élire; (3) le droit de se présenter comme candidat ou de se faire élire; (4) le droit de se présenter comme candidat ou de se faire élire.

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Tout citoyen canadien a le droit de se déplacer librement au Canada; (1) le droit de se déplacer librement au Canada; (2) le droit de se déplacer librement au Canada; (3) le droit de se déplacer librement au Canada; (4) le droit de se déplacer librement au Canada.

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Chacun a droit à la liberté et à la sûreté de sa personne; (1) le droit de ne pas être arrêté ou détenu sans mandat; (2) le droit de ne pas être arrêté ou détenu sans mandat; (3) le droit de ne pas être arrêté ou détenu sans mandat; (4) le droit de ne pas être arrêté ou détenu sans mandat.

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A photograph of the Toronto skyline at sunset, featuring the CN Tower and various skyscrapers reflected in the water. The sky is a mix of blue and orange.

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